بسم الله الرحمن الرحيم

Ministry of Fisheries, Agriculture and Ocean Resources

Malé, Republic of Maldives

TRANSFORMING FISHERIES SECTOR MANAGEMENT IN SOUTH-WEST INDIAN OCEAN REGION AND MALDIVES PROJECT (TransFORM, SWIOFish5) - P179242

Consultancy to Develop a legal framework on National Biosecurity relevant to Agriculture, Aquaculture and Fisheries sectors.
Project Number: MV-MOFMRA-531049-CS-CQS

1. BACKGROUND

The Government of the Republic of Maldives through the Ministry of Fisheries, Agriculture and Ocean Resources (MFAOR) is implementing the "Transforming Fisheries Sector Management in South-West Indian Ocean Region and Maldives Project" financed by the World Bank. The project will be managed by the Project Management Unit (PMU) set up within the Ministry of Fisheries, Agriculture and Ocean Resources. The project will be implemented in accordance with the Project Implementation Plan (PIP), Project's Procurement Manual, and the Project's Financial Management Manual, all of which are consistent with the World Bank's guidelines and procedures on procurement and financial management.

The aim of the Project is to strengthen regional, evidence-based fisheries management in the South-West Indian Ocean Region and to improve competitiveness in the fisheries sector in the Maldives. The project comprises the following components.

COMPONENT 1: **Enhance Evidence-based Management Advice to the Fisheries Sector in the South-West Indian Ocean Region** ***(implemented by the IOC)***

1.1. Promoting the Development and Coordination of Relevant Innovative Regional Research with a Focus on Capacity Development Programs and Initiatives

1.2. Coordinating and Consolidating Regional Cooperation for Evidence-based Advice on Management of Fisheries and Other Uses of Marine and Coastal Ecosystems

1.3. Linking and Coordinating the Fisheries Initiatives and Programs in the Region

COMPONENT 2: Supporting Maldives as the Catalyst for Strengthened Regional Capacity for Fisheries Governance and Management

2.1. Improved and Innovative Implementation, Enforcement and Monitoring of Fisheries Management Plans and Sharing Results with SWIO Countries

2.2. Augmented Comprehensive Quarantine, Disease Surveillance and Management and Experience Sharing with SWIO Countries

2.3. Skills and Capacity Building for Supporting Enterprise Development in Fisheries Sector

2.4. Augmentation of Project Management Capacity of MFAOR including Building Capacities for Enhanced Regional Cooperation

COMPONENT 3: Enhanced Competitiveness and Private Sector Participation for Improving Business Climate for Fisheries in Maldives and the South-West Indian Ocean Region

3.1. Decarbonization of the Fisheries Sector

3.2. Diversification/Expansion of Fisheries Sector through Facilitating Small and Medium Enterprise Businesses

2. OBJECTIVE AND PURPOSE OF THE ASSIGNMENT

The Ministry of Fisheries, Agriculture and Ocean Resources of the Maldives is seeking the services of a qualified consultant/consulting firm to conduct a legal and technical review of the national legislative and regulatory framework relevant to biosecurity, including, but not limited to, agriculture, aquaculture, animal health and welfare, fisheries, food safety, environmental protection, and border controls, and support the formulation of a contemporary, integrated National Biosecurity legal framework.

Border Biosecurity is of paramount importance in preserving the ecological status of any country. The Maldives, with its delicate environment faces challenges to the conservation and protection of its natural resources and native species. As a net importer of various commodities with an established reputation in the Fisheries export market, Maldives has an obligation to adopt protocols to reduce the risk of pests and other harmful organisms being transported along trade routes to its trade partners as well as prevent the introduction of new pests, pathogens and other potentially harmful organisms into the Maldives. Standards, protocols and certifications set by international bodies like the World Organization on Animal Health (WOAH/OIE) and the Food and Agriculture Organization (FAO), International Plant Protection Convention (IPPC) and the World Trade Organization serve as benchmarks of assurance of pest free and quality produce. Establishing modern interdisciplinary border biosecurity measures is expected to open new markets, expand existing industry and introducing novel economic activities due to higher confidence and quality assurance in commodities as well as reduced risk of unintended transfer of pests and other harmful organisms. Natural future expansions in the agricultural, aquacultural and fisheries sectors require the establishment of a holistic Border Biosecurity Legal Framework, based on prudent laws and regulations concerning pest introduction, pest risk mitigation, introduction of invasive alien species and the adoption of protocols and procedure to ensure the import/export of top tier market commodities free of disease and pests.

The objective of this assignment is to conduct a legal and technical review of the national legislative and regulatory framework relevant to biosecurity, including, but not limited to, agriculture, aquaculture, animal health and welfare, fisheries, food safety, environmental protection, and border control, and to formulate and/or revise the required regulations and guidelines under those Acts to enable the formulation of a contemporary integrated legal framework on National Biosecurity. The outcome is a comprehensive National Biosecurity Legal Framework and supporting subsidiary instruments to serve as the holistic legal architecture under which sector-specific instruments operate in synergy, and under which cross-cutting biosecurity matters not addressed by the existing sectoral instruments are separately and adequately prescribed.

The Consultant(s) is expected to conduct comprehensive legal, technical and regulatory review of current sectoral legislation in place, draft amendments, new laws and secondary legislation across the agriculture, aquaculture, animal welfare and fisheries sectors and propose a purpose-built legal instrument enabling a holistic, integrated Biosecurity legal framework for the Maldives.

3. SCOPE OF PROJECT

PROJECT OVERVIEW

The scope of this project is to enable the formulation of a contemporary integrated legal framework on National Biosecurity. The assignment shall be structured so as to ensure legal coherence and synergy between the revised sectoral instruments and the proposed overarching framework, avoiding duplication while ensuring that thematic gaps not addressed under the existing sectoral instruments are appropriately captured under the new instrument. The specific components of this assignment are as follows:

- Component 1: Legal and Technical Review, including recommendations and drafting (if necessary) of the revisions or formulation of subsidiary regulations and guidelines of the Current Sectoral Landscape
- Component 2: Development of a Purpose-Built National Biosecurity Bill and Supporting Instruments and integration with the One Health Approach

KEY TASKS OF COMPONENT 1

a) In coordination with MFAOR, identify relevant stakeholders, including government agencies, related multilateral agencies, industry actors, civil society and businesses to understand the current landscape in Agriculture, Aquaculture, Animal Welfare and Fisheries.

b) Develop a structured Stakeholder Engagement Strategy to conduct sessions to collect and incorporate relevant feedback from stakeholders at different stages of the assignment.

c) Conduct review of applicable and obligatory regional and international standards (such as the WOAH/OIE, IPPC, FAO, WTO-SPS Agreement) with regards to Biosecurity, Animal and Plant Health, Cross-Border Transport of Live Animals and Plants, Trade and Environmental Protection.

d) Conduct a thorough 2-part review of current laws, regulations and guidelines relevant to Human health, Plant health, Animal health, Environmental protection and Border Biosecurity as described;

   i. Primary Review: Conduct a detailed legal and regulatory review of the following instruments, for the purpose of informing the Legal Analysis and Review Report (Deliverable 2) and the subsequent

revision and/or formulation of subsidiary regulations and guidelines under tasks (g)–(i) below:

- Plant Protection Act (No.12/2011)
- Fisheries Act of the Maldives (No.14/2019)
- Animal Welfare Act (No. 23/2025)

ii. Contextual Review: Conduct a review, at a level of depth sufficient to identify overlaps, gaps, and jurisdictional divisions relevant to Biosecurity (Deliverable 4 - One Health and Institutional Governance Assessment Report), of:

- Environmental Protection and Preservation Act;
- International Trade Controls on Endangered Species Act;
- Protected Species Regulation;
- other relevant laws, regulations and guidelines identified as directly relevant to a biosecurity coverage gap

e) Conduct a thorough review of current aquaculture practices, species of interest, relative biosecurity risk and invasive species management measures as an emerging sector of special interest for the Maldives.

f) Conduct a comprehensive One Health and institutional governance assessment.

g) Draft a policy brief based on the findings of the Legal and Technical Review, on the resource implications (financial, human resource, infrastructure etc.) and required institutional changes for the implementation of an effective biosecurity legal framework.

h) In consultation with MFAOR, review and revise the Plant Protection Act (No. 12/2011), together with its subsidiary regulations and guidelines, to reflect current international standards and regulatory best practices, consistent with the National Biosecurity Framework proposed under Component 2.

i) In consultation with MFAOR, review the Animal Welfare Act (No. 23/2025), together with the development of new, and/or revision of existing, subsidiary regulations and guidelines thereunder, to reflect current international standards and regulatory best practices, consistent with the National Biosecurity Framework proposed under Component 2.

j) In consultation with MFAOR, review the Fisheries Act (No. 14/2019) with respect to the Aquaculture Regulations (No.2020/R 94), together with the development of new, and/or revision of existing, subsidiary regulations and guidelines thereunder, to reflect current international standards and regulatory best practices, consistent the National Biosecurity Framework proposed under Component 2.

KEY TASKS OF COMPONENT 2

a) Review technical recommendations/documents for implementing National Biosecurity and propose recommended pathways for adoption of a contextualized, holistic model legal framework on National Biosecurity with detailed descriptions of each avenue, recommended legal architecture, institutional arrangements, sequencing and comparative assessments of feasibility of model frameworks from peer countries or regional partners.

b) Following the endorsed pathway, provide a structured legislative roadmap from drafting to sponsorship (with possible parliamentary sponsor candidates if so required) including the future introduction of new instruments to progressively increase adherence to regional and international standards and emerging/new biosecurity risks.

c) Draft new laws, regulations and/or guidelines including supporting secondary legislation, schedules, and ancillary instruments for a purpose-built National Biosecurity Bill for effective implementation, compliance and enforcement across the agriculture, aquaculture, animal welfare and fisheries sectors in a holistic and integrated manner. The bill shall ensure synergy with the revised sectoral instruments and ensure practical progressive alignment with trade partners, regional and international standards and agreements (e.g., WOAH, FAO, WTO-SPS Agreement).

4. DELIVERABLES AND TIMELINE

a) Inception Report and Stakeholder Engagement Strategy

- Proposed Methodology including Stakeholder Engagement Strategy, Data Collection approach etc.
- Review of stakeholder roles, interests, identification of process oriented and policy-oriented stakeholder groups.
- Stakeholder Identification, regulatory responsibilities, institutional mandates and existing multi-agency processes and coordination mechanisms.
- Initial Feedback and Input from stakeholders on industry capacity, legal/regulatory mechanisms and future strategic direction.
- Summary of identified stakeholders, including civil society, industry actors and private parties.
- Details of engagement activities including participants (meetings/consultations).

b) Legal Analysis and Review Report

- Review of international and regional treatise, accords and other accessions that the Maldives has ratified or is party to, their obligations and coverage in current legislature/policies.
- Review of current legislature/policies, coverage of Biosecurity aspects, gaps and division of mandates and/or responsibilities related to Biosecurity and the implementation of an effective system.
- Review regulatory, procedural gaps and overlapping or conflicting jurisdictions including roles and responsibilities of competent authorities or implementing agencies and their statutory authority over the respective mandates.
- Review and recommendations for the Plant Protection Act, Animal Welfare Act and the Fisheries Act/Aquaculture Regulation.
- Identification, review and recommendation of adequate measures or mechanisms to address gaps and overlaps across thematic frameworks (adjacent legal instruments, policies and systems) to implement a holistic legal framework governing National Biosecurity.

c) Aquatic Biosecurity and Invasive Species Management Review Report

- Review of the existing legal, regulatory, and institutional framework governing aquatic biosecurity and invasive alien species management
- Review current measures for prevention, early detection, rapid response, containment, control, and eradication measures relevant to aquatic ecosystems, aquaculture, and fisheries

- Review border and pathway controls, surveillance and monitoring systems, risk assessment procedures, and inter-agency response mechanisms — to assess their adequacy in managing aquatic biosecurity risk.
- Assess the adequacy of existing instruments and systems against applicable regional and international standards, identify regulatory and biosecurity gaps, and inform provisions to be incorporated either into the sectoral instruments (Fisheries Act/Aquaculture Regulation) or into the new Biosecurity Bill.

d) One Health and Institutional Governance Assessment Report
   - Conduct a mapping exercise to map statutory mandates, functions, and coordination mechanisms of competent authorities operating across the human health, animal health, plant health, and environmental sectors.
   - Identify overlaps, gaps, ambiguities, challenges for effective implementation and inconsistencies in institutional mandates and inter-agency coordination relevant to Biosecurity.
   - Propose institutional strengthening, capacity development measures and coordination mechanisms necessary for an effective One Health approach within the National Biosecurity Framework.

e) Comparative Pathway Recommendations Document for National Biosecurity Legal Framework.

f) Policy Brief on the Legal and Technical Review and Resource Requirements
   - Collate and summarize overall findings of the Legal and Technical Review
   - Present findings, recommendations, resource requirements and financial implications of implementing an effective Biosecurity Framework for the Maldives.

g) Draft Revisions or New Developments for the Plant Protection Act
   - Revise existing or, develop new (as identified in the review) the subsidiary regulations and guidelines under the Plant Protection Act, reflecting current international standards and regulatory best practices:

h) Draft Revisions or New Developments for the Animal Welfare Act
   - Revise existing or, draft new (as identified in the review) the subsidiary regulations and guidelines under the Animal Welfare Act, reflecting current international standards and regulatory best practices

i) Draft Revisions or New Developments for the Fisheries Act/Aquaculture Regulation.
   - Review the existing subsidiary regulations and guidelines under the Fisheries Act and identify any gaps or inconsistencies in relation to the proposed National Biosecurity Framework.
   - Revise existing or develop new (as identified in the review) subsidiary regulations and guidelines under the Fisheries Act/Aquaculture Regulation, reflecting current international standards and best regulatory practices:

j) Draft National Biosecurity Bill, Regulations, Guidelines, and Supporting Instruments
   - Proposed draft laws, regulations and guidelines addressing National Biosecurity in agriculture, aquaculture, and fisheries sectors with supporting secondary legislation, schedules, additional instruments and instruments necessary for implementation, compliance and enforcement.

- Legislative roadmap from drafting to sponsorship (with possible parliamentary sponsor candidates if so required) including recommended future adoption of successive legal instruments for progressive alignment with key trade partners along with regional and international standards.

k) Report on Stakeholder Consultation on Framework
   - Final Stakeholder Consultations Report
   - Consolidated Stakeholder Input and Incorporation
   - Identified challenges to Implementation
   - Identified challenges to Enforcement and Compliance

l) Final Consolidated Legal Package
   - Incorporated stakeholder feedback and validation outcomes
   - Submission-ready final instruments for the parliamentary/legislative process
   - Executive Summary highlighting key elements of the framework.

DELIVERABLE	TIMELINE
Deliverable 1: Inception Report; Methodology including Data Collection Approach, Final Workplan, Stakeholder Engagement Strategy, Initial Stakeholder Mapping	Within **30** calendar days from the signing date of the contract
Deliverable 2: Legal Analysis and Review Report	Within **90** calendar days from the signing date of the contract
Deliverable 3: Aquatic Biosecurity and Invasive Species Management Review Report	Within **120** calendar days from the signing date of the contract
Deliverable 4: One Health and Institutional Governance Assessment Report	Within **120** calendar days from the signing date of the contract
Deliverable 5: Comparative Pathway Recommendations Document for National Biosecurity Legal Framework	Within **150** calendar days from the signing date of the contract
Deliverable 6: Prepare and Present Policy Brief on Summary Findings and Resource Implications	Within **150** calendar days from the signing date of the contract
Deliverable7: Draft Revisions or New Developments for the Plant Protection Act	Within **210** calendar days from the signing date of the contract
Deliverable 8: Draft Revisions or New Developments for the Animal Welfare Act	Within **210** calendar days from the signing date of the contract
Deliverable 9: Draft Revisions or New Developments for the Fisheries Act/Aquaculture Regulations	Within **210** calendar days from the signing date of the contract
Deliverable 10: Draft National Biosecurity Bill, Regulations, Guidelines, and Supporting Instruments	Within **210** calendar days from the signing date of the contract
Deliverable 11: Stakeholder Consultation Report	Within **270** calendar days from the signing date of the contract

DELIVERABLE	TIMELINE
Deliverable 12: Final Consolidated Legal Package	Within **300** calendar days from the signing date of the contract

Note: The Consultant shall submit deliverables as in the table above unless otherwise instructed to do so by the Client. All deliverables are payable upon written review and approval of the Deliverable by the Client. Each deliverable will be reviewed and approved by the Client in no more than 15 business days after submission except for the final deliverable which is to be reviewed and approved by the Client in no more than 20 business days after submission.

5. REQUIRED QUALIFICATION AND EXPERIENCE OF THE FIRM

5.1 The Consultancy Firm shall be an entity with a demonstrated history of managing and structuring similar output-based assignments of similar status. The entity should have successfully executed at least 1 comparable assignment. Preference will be given to firms with experience in projects that are similar in scope, complexity, technology, operational environment, and socio-economic settings to the Maldives.

5.2 The Consultancy Firm must form a dedicated team of experienced professionals capable of completing the range of tasks outlined in these terms of reference. The team should be led by a Team Leader, who will ensure the timely delivery of outputs and oversee the team's performance and professional conduct. This Team Leader will also act as the primary point of liaison between the Consultant and the Project.

5.3 Demonstrated experience of similar assignments working within IPPC/WOAH/SPS-TBT standards

5.4 Excellent interpersonal skills and demonstrated ability to facilitate multisectoral stakeholder engagement sessions in both public and private sectors.

The Consultant's team must include, at a minimum, the following key experts, each possessing the required qualifications as specified

Qualification and Experience Requirement of Key Personnel.

Key personnel	Description	Qualification & Experience
Team leader/Lead Counsel	Execute all tasks of the assignment, liaise with local government agencies, and manage input from the consultant team and ensure timely delivery of services.	● Postgraduate Degree in Public Policy, Global Environment Law, Biodiversity Law, Natural Resource Management Law or similar field ● Minimum 10 years of experience in legislative drafting with 5 years of legislative reform experience, Maldivian legislative drafting conventions and the national legislative/parliamentary process. ● Demonstrated prior experience leading multi-disciplinary legal reform assignments for government or multilateral agencies ● Working knowledge of SPS-TBT, OIE,,IPPC or similar international frameworks ● Must be a Maldivian citizen
Plant/Phytosanitary/Technical Expert	Provide technical expertise on Plant Biosecurity requirements	● Undergraduate or Postgraduate Degree in Plant Pathology, Entomology, Agricultural Sciences or related field ● Minimum 5 years' experience in a role with IPPC/ISPM implementation or standardization, plant protection legislation or phytosanitary /biosecurity border control operations.

Animal/Zoosanitary/ Veterinary Technical Expert	Provide technical expertise on Animal Biosecurity requirements	● Undergraduate or Postgraduate Degree in Animal Pathology, Epidemiology, Veterinary Medicine, Integrated Pest Management or related field ● Minimum 5 years' experience in a role with OIE implementation or standardization, animal health legislation, animal welfare frameworks or biosecurity border control operations.
Aquaculture and Fisheries Biosecurity Technical Expert	Provide technical expertise on Aquatic Biosecurity requirements and conduct aquatic biosecurity and invasive species assessment.	● Undergraduate or Postgraduate Degree in Aquaculture, Aquatic Sciences, Marine Biology or related field. ● Minimum 5 years' experience in aquaculture regulation, aquatic animal health, fisheries biosecurity, invasive alien species management, biodiversity, or aquatic ecosystem protection
One Health Technical Expert		● Advanced degree in public health, veterinary public health, or public administration ● Minimum 5 years' experience in institutional/governance assessments and inter-agency coordination assignment ● Prior experience in utilizing One Health approach in previous assignments

6. EVALUATION CRITERIA

A Firm will be selected based on Consultant's Qualification-Based Selection (CQS) method set out in the World Bank Procurement Regulations for IPF Borrowers' Procurement in Investment Project Financing- Goods, Works, Non-Consulting and Consulting Services, July 2016 Revised November 2017, August 2018 November 2020.

6.1 EOI Evaluation Criteria.

*The consultants' EOI will be evaluated based on the following criteria in order to identify the **Best Qualifying firm.***

Details	**Weightage (100%)**
A) Company Profile and General Experience	40 Points
Company profile demonstrating organizational structure, areas of expertise, and years of operation. (20 points)	
Overall experience of the firm (20 points)	
B) Specific Experience in Similar Assignments	50 Points
Detailed list of relevant/Similar assignments/Studies conducted by the firm. (10 Points)	
Relevance of assignments (20 Points)	
Complexity, scale, and technical nature of assignment completed (20 Points)	
C) List of Key Staff proposed for the positions indicated in the terms of reference	10 Points

Evaluation Notes:

- **Required Documents for EOI:**

- Letter of Expression of interest
- Company registration certificate
- Company profile
- Evidence of similar assignments - (Reference letters/work completion certificates).
- List of Key Staff proposed for the positions indicated in Terms of Reference.
- CV of the key staff proposed.

Notes:

- *Firm shall demonstrate experience relevant to the assignment; technical depth and multi-disciplinary coordination.*
- *Firm should score minimum 70 points to pass EOI evaluation. Once the EOI evaluation has been completed, the best qualified and experienced firm will be formally invited to submit a Technical and Financial Proposal.*

6.2 REQUIRED DOCUMENTS - TECHNICAL AND FINANCIAL PROPOSAL

- Letter of Expression of Interest.
- Company Registration Certificate.
- Company profile.
- CVs of the proposed team members
- Evidence of firm capacity to meet the requirements stipulated in section 3.
    - A detailed list of similar assignments conducted as proof of evidence. Evidence may be reference letters/ work completion letters as well as contracts successfully concluded as a firm.
- Initial Approach, Methodology, Implementation Plan (Tentative), Work Schedule (Tentative).
- Audited Financial reports of the most recent 3 years.
- Technical and Financial Proposal (Total Cost Inclusive of Reimbursables)

7. PROJECT DURATION

The contract duration will be **328 Days (Three Hundred and Twenty-Eight Days)** from the commencement of the assignment.

8. PAYMENT

Payment would be made in accordance with the schedule specified below:

PAYMENT SCHEDULE	
Deliverable 1	5% of the total contract price
Deliverable 2	10% of the total contract price
Deliverable 3 and 4	10% of the total contract price
Deliverable 5 and 6	15% of the total contract price
Deliverable, 7, 8 and 10	20% of the total contract price
Deliverable 11	15% of the total contract price
Deliverable 12	25% of the total contract price

9. SERVICES AND FACILITIES PROVIDED BY THE CLIENT

- The Client will provide the consultant with a counterpart staff to facilitate administrative arrangements as required. The counterpart staff will also endeavor to assist the Consultant in locating and accessing materials available within Government for the purpose of the assignment.

- The Client will provide logistical, correspondence and venue arrangement support on behalf of the Consultant with regards to official communications and stakeholder consultations, upon request and as necessary.

10. SUBMISSION

Jumaina Hassan
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