

Municipal Association of Nepal (MuAN)



Term of Reference (TOR)

For the Consultant to Prepare and Review of 4 Model Laws

1. Background:

MuAN, established in 1994, is an umbrella organization representing entire municipalities of Nepal, which is registered under the National Directive Act 1961 AD. It is a non-profitable and non-political organization. All 293 municipalities including metropolitan and sub Metropolitan cities are members of MuAN. MuAN has successfully established its credibility as a national voice for Municipalities.

Since its establishment, it has also been a key partner of government by helping to support in policy/law making process and implementation the acts, regulations, guidelines and policies of the government at the local level. Despite in the absence of elected local governments for the last 17 years, MuAN continued to advocate and lobby for the common interests of municipal governments (i.e. Municipalities). MuAN actively engaged in lobbying and advocacy in the context of ensuring devolved local governance system in new constitution of Nepal, the restructuring of local government namely, urban and rural municipalities and preparation dummy laws to municipalities in new state restructured context.

The constitution has conferred the power on local levels to make laws relating to their exclusive rights. Formulating a law is a very challenging task in itself. Compliance with constitution and the norms of rule of law in formulating local laws will help enhance people's trust and ownership of the constitution. Therefore, municipalities are seeking MuAN support to review the laws they have developed to refine them or support to those which have not been able to develop such important laws due to inadequate capacity for formulating laws and regulations.

2. Objective and Purpose of Assignment: To support deliberative law-making process for selected municipalities by reviewing the laws being made and to refine them and make model laws.

3. Scope of Works:

- The consultant shall review the current constitution of Nepal, Local Government Operation Act 2074, and prevailing provincial, federal, local government's laws, policies, programmes and relevant documents for preparing and review 4 municipal laws i.e FM

operation act, local service management act, community forest and plantation, irrigation management in local government. Following will be the specific tasks of the consultant:

a. Review of the document:

Especially the consultant should reviewed existing municipal laws as per the mandate of the Constitution of Nepal, Local Government Operation Act 2074, national policies, guidelines and other necessary federal and provincial laws.

b. Development of review and prepare laws:

With review of the documents as mentioned above with municipal law and with consultation among the stakeholders, the document shall be developed and finalized.

c. Consultation with the Stakeholders:

Carry out wider consultations with multi stakeholders such as experts, local government representatives, Local government association officials and others prior to preparation and finalization of the draft.

d. Sharing of the final draft model.

Shall share the draft model to MuAN, and local government representatives for the review and finalization. Perform any other tasks related to finalization of the Model.

4. Deliverables:

The Consultant will be responsible to:

- i. Submit Draft model to MuAN for review.
- ii. Upon having consultation with the key stakeholders, finalize and submit the model to MuAN.

5. Time Plan

Deliverables	Time frame
Work plan agreed	2 nd Jan 2022
Deliverable i	26 th Jan 2022
Deliverable ii	5 th Feb 2022

6. Reporting Line:

The consultant should be accountable to MUAN and MUAN will facilitate and support the consultant to carry out the activities mentioned as above.

7. Duration of the Contract: The assignment is to begin on 2nd Jan. 2022 until 5th Feb 2022.

8. Remuneration

Remuneration of the consultancy work will be as per the mutually agreed basis, and MuAN shall not bear any other expenses whatsoever.