

# Terms of Reference and Scope of Services

## Provision of Consulting Services Regulatory Advisor (International) to Post and Telecommunications Department

### **Background**

The Government of the Union of Myanmar (Government) is in the process of implementing telecommunications sector reforms in order to: (i) increase by tenfold access to quality telecommunication services; (ii) make services affordable for its citizens; and (iii) develop the required Information and Communication Technologies (ICT) infrastructure in Myanmar that will facilitate inclusive growth and poverty reduction.

The Ministry of Transport and Communications (MoTC) is undertaking a phased approach to achieve its stated targets for the telecommunications sector. On October 8, 2013, the President of the Government signed the Telecommunications Law, which repealed the Myanmar Telegraph Act, 1885, and the Myanmar Wireless Telegraph Act, 1934. Well planned implementation of Governmental decisions is leading to a change in Myanmar's telecommunications market structure. Myanmar Post Telecommunications (MPT) monopoly is being replaced by a competitive market structure consisting of multiple operators (MPT, Telecom International Myanmar and, Ooredoo, and Telenor, network facilities providers).

With the passage of the law, the Post and Telecommunications Department (PTD) has transitioned into the sector regulator.

The Government has received World Bank assistance to implement the Government's Telecommunications Sector Reform Program. The activities described in these Terms of Reference are to provide regulatory advice to the PTD on a long term sustained basis. PTD is the main beneficiary of this activity.

### **Objective**

The main objective of this assignment is to provide hands-on advisory support to PTD to establish a credible and consistent telecommunications regulatory regime that supports the implementation of the Government's economic reform program. To meet this objective, the consultant is also expected to build capacity in the PTD so that it is able to provide timely responses to and address issues of an evolving regulatory agenda.

### **Scope of Work**

The consultant will provide support to carry out the following tasks:

- (a) Day to day advice on all regulatory issues: Specifically, the consultant will work with the Director General and Directors of PTD to support them in carrying out their regulatory duties. This will include providing advice on all telecommunications regulatory issues that arise on subjects related to interconnection and access, licensing, competition, spectrum management, lawful interception issues, numbering, infrastructure sharing, quality of service, convergence, universal service, tariffs, conduct of public consultations among others.

- (b) Help PTD to develop a set of internal working processes and procedures to conduct regulatory tasks.
- (c) Help PTD to develop a regulatory roadmap for the next 12 months.
- (d) Help PTD to develop terms of reference for specific regulatory tasks that may have to be taken up as a follow up (e.g development of interconnection cost models, development of QoS regulations etc.)
- (e) Provide hands-on training to build capacity of all PTD officers on a variety of regulatory issues. Additionally provide hands-on in-country training on use of (i) resources available to regulators on the Web, such as ITU regulatory reference centre TREG ([www.itu.int/res/](http://www.itu.int/res/)) and the Global Regulator's Exchange (G-Rex); and (ii) use of online regulatory resources. Identify specific areas of capacity building for PTD staff; identify training programs for them to participate in.

**Administrative Arrangements:**

**Counterpart:** The Consultant shall report to the **Project Director**. The assigned counterpart will:

- Facilitate and coordinate with other consultants and relevant Government Departments.
- Facilitate access to reports, information, and data and to other persons in Myanmar Government as appropriate and in a timely manner.
- Provide office space, access to the internet, local administrative support and facilities.

**Time Frame:** The entire assignment is scheduled to be completed over a period of approximately **12 months** from the date of signing the contract between MoTC and the consultant. The assignment will be extended beyond the agreed term, depending on quality and value of work delivered.

**Deliverables and Proposed Payment Schedule**

The consultant will be paid on a monthly basis upon delivery of a monthly status report. The following table provides a summary of the main deliverables required and estimated timing:

Date	Deliverable		Payment Schedule
	#	Description	
Contract signing + not later than 1 month	1	Inception Report	One month advance salary
End of each month	11	Monthly Status report	Monthly fees and reimbursables.

All deliverables will be sent to the PTD and the World Bank. Electronic copies will suffice, but physical copies are encouraged, especially to the PTD. All deliverables must be in English. The total remuneration for this assignment will include: a monthly fee for services, reimbursable for 2 trips to and from Myanmar from the consultant's home country; and a lump sum monthly reimbursable for accommodation in Nay Pyi Taw.

### **Consultant's Qualifications**

The consultant must have at least 10 years of experience in similar tasks; and preferably have hands on experience, working for a regulatory agency. The consultant needs to have a clear understanding of and experience working on legal, financial, economic, and technical areas of the telecommunications sector. The consultant needs to commit to spending extended periods of time in Nay Pyi Taw.