



**NATIONAL INFORMATION TECHNOLOGY AUTHORITY,
UGANDA (NITA-U)**

UGANDA DIGITAL ACCELERATION PROJECT (UDAP))

LEGAL EXPERT

TERMS OF REFERENCE

NOVEMBER 2022

TERMS OF REFERENCE FOR LEGAL EXPERT

1.0 BACKGROUND

The Government of Uganda received Credit/Grant from the World Bank/International Development Association towards implementation of the Uganda Digital Acceleration Project (UDAP). The Project Development Objectives (PDO) are to (a) expand access to high-speed internet in selected areas, (b) improve efficiency of digital service delivery in selected public sectors, and (c) strengthen the digital inclusion of selected host communities and refugees. The National Information Technology Authority of Uganda (NITA-U) is the Implementing Agency (IA) for all components with Ministry of Information, Communications Technology and National Guidance (MoICT&NG) and Office of the Prime Minister (OPM) as major Implementing Partners (IP). The procurement processing will be conducted in accordance to the World Bank Procurement Regulations July 2016; revised November 2017, July 2018 and November 2020.

2.0 The NITA-U now invites suitably qualified individuals, with qualifications and experience as detailed below to apply for the position of Legal Expert under the Project Implementation Unit (PIU). The preparations for effectiveness of the UDAP are already underway and the successful candidate will be required to assume office as soon as possible.

3.0 OBJECTIVE OF THE ASSIGNMENT

The objective of this assignment is to ensure that legal and regulatory advisory services are rendered to the Authority's directorates/departments and the Project pertaining to review of the existing legal and regulatory framework, legislative drafting, stakeholder and personnel management, administration, procurement and contractual management with various clients, public and private partners, and in dealings with other government Ministries, Departments and Agencies (MDAs). The selected Consultant is expected to play a key coordination role between all stakeholders when rendering the legal and regulatory advisory services.

4.0 REPORTING

The Legal Expert shall report to the Director, Regulation and Legal Services of the National Information Technology Authority, Uganda (NITA-U) for legal technical deliverables and to UDAP Programme Coordinator for administrative matters.

5.0 RESPONSIBILITIES AND TASKS

- i) Providing legal advice to the Authority's Board, Management and directorates/departments on legal and regulatory matters in line with the NITA-U Act and other relevant laws in force;
- ii) Providing guidance on matters of compliance with laws, regulations, standards, procedures and best practices in accordance with the relevant laws in force and perform activities pertaining to ensuring compliance;
- iii) Receiving and disseminating information and services of legal nature and prepare responses in accordance with the NITA-U Act and other relevant laws;
- iv) Providing technical and professional advice in the formulation and implementation of legal aspects of the Authority's overall business strategies and action plans in accordance with the relevant laws;
- v) Responding to the Project's providers' and/or consultants inquiries, claims and or complaints and render legal advice to the Authority in accordance with the laws in force in Uganda;
- vi) Providing guidance following analysis of the legal implications and investigations required to make changes to contracts in liaison with user departments and the PDU;
- vii) Preparing and reviewing Memoranda, Contracts, and other documents, and monitor their implementation and compliance in line with the Authority's objectives and Government regulation;
- viii) Providing technical and professional advice and direction on the content of contracts, Memoranda and service level agreements (SLA's) in compliance with national laws and business standards;
- ix) Participating in contract negotiations and provide legal advice with respect to contractual rights and obligations for services to be received by the Authority;
- x) Conducting legal research relating to the mission and objectives of Authority and the Project in line with the applicable law;
- xi) Providing technical and professional support to the Ministry of ICT&NG in liaison with other relevant Ministries in legislative drafting on IT related laws as and when required;
- xii) Formulating legal opinions and briefs on all matters where legal advice is required and making recommendations in accordance with the existing laws;
- xiii) Liaising and collaborating with all relevant government ministries and departments including Ministry of Justice and Constitutional Affairs, Solicitor General (SG), Attorney General (AG), Public Procurement and Disposal of Public Assets Authority (PPDA) with respect to legal matters;
- xiv) Participating in the evaluation of contractors/suppliers/providers in the procurement process;
- xv) Undertaking legal due diligence as and when required;
- xvi) Working closely with user departments to ensure that terms and conditions of the Contracts are performed by the Parties.
- xvii) Drafting and producing regular progress reports as may be required by management;
- xviii) Make recommendations ranging from policy, legal and regulatory matters, governance and

- administrative matters required to ensure that the activities and business of NITA-U are implemented in accordance with the regulatory environment;
- xix) Develop an action plan for the implementation of recommendations, including assistance in preparation of legal documents.
 - xx) Performing any other duties which may be assigned from time to time.

6.0 **Qualifications and Competences.**

6.1 **Educational Qualifications:**

- i) Bachelor of Laws degree (LLB);
- ii) Post Graduate Diploma in Legal Practice admitted as an Advocate of the High court of Uganda, with a valid Practicing Certificate;
- iii) Master's degree in Law (LLM) or Business-related fields including but not limited to Business Administration, Economics, and Marketing; Information and Communications Technology related fields, or other relevant discipline is an added advantage;
- iv) Professional qualifications and membership to professional associations like ICOSA, CIPS, or certification in an ICT field will be an added advantage.

6.2 **Relevant Experience:**

- i) A demonstrated track record of at least 5 (Five) years post admission experience, practicing commercial/corporate law in a large, busy organisation;
- ii) A minimum of 3 (three) years working knowledge of the World Bank or PPDA procurement rules and procedures;
- iii) Demonstrated knowledge of Information Communication Technology (ICT) laws and practices will be an added advantage.
- iv) Demonstrated skills in legislative drafting will be an added advantage;
- v) Proven experience in management of high-value contracts and projects.

6.3 **Skills/Competencies**

- i) Strategic thinking and ability to work and produce accurate results in a dynamic environment with multiple and challenging tasks.
- ii) Excellent analytical, research and organisational skills
- iii) Very good management and leadership skills
- iv) Excellent oral and written communication skills. Should be fluent in English
- v) Excellent presentation skills

- vi) A high level of interpersonal skills and ability to work with teams at all levels in the organization.
- vii) Computer knowledge and skills in MS Word, Excel, Power point, internet/email and any other applications used in the procurement function is a mandatory requirement.

6.4 **Character:**

- i) Ability to lead, work as part of a team and to develop subordinates.
- ii) Must be able to work under pressure and tight deadlines
- iii) Assertive and results oriented.
- iv) Proven integrity and confidentiality in executing duties.

7.0 **Duration of Assignment**

The assignment shall be for a period of 3 (three) years and may be renewed based on satisfactory performance and the needs of the Authority.

8.0 **Other Required Skills and Competences**

- i) **Communications:** Excellent communication skills (spoken and written), including the ability to communicate effectively with diverse audiences on legal and regulatory related matters, good negotiation skills and to prepare a variety of written documents, contracts, reports, etc. in a clear, concise style.
- ii) **Teamwork:** Very good interpersonal skills and ability to establish and maintain effective working relations with people in a multi-cultural, multi-ethnic environment with sensitivity and respect for diversity.
- iii) **Integrity:** Must be a person of proven honesty and does not tolerate corruption and unethical behaviours in all its forms and manifestations.
- iv) **Innovation:** Must be a person with ability to seek new ways of doing things efficiently to deliver value to our customers.
- v) **Customer Centricity:** Must be a person who strives to satisfy customers and clients. Should be able to understand what the customer wants and delivering it flawlessly.
- vi) **Quality:** Must be a person who thinks of quality and continuous improvement in his/her work.