TERMS OF REFERENCE
Beneficial Ownership Monitoring Guideline

Position: Beneficial Ownership Expert ("Consultant")

Period of Performance: 24, Nov – 25, Dec (2019) hereunder referred to as “Period of Performance”.

Terms of Reference:
The Consultant will undertake work in Amman, Jordan for Rasheed for Integrity and Transparency (Transparency International – Jordan).

The Consultant’s main point of contact will be the Legal Advisor and Legal Assistant. The Consultant shall assume the following specific responsibilities for the length of the Period of Performance.

Introduction:
Rasheed for Integrity and Transparency (TI – JO) commenced work in Amman at the beginning of April 2014. It is the Jordanian chapter of Transparency International. Rasheed aims to reinforce the involvement of Jordanian citizens in anti-corruption activities, enhance accountability practices in the public sector, private sector, and non-government sector, enhance the efficiency and independence of control agencies specialized in the area of anti-corruption, and strengthen the integrity of the legislative and judicial authorities.

Background
The Jordanian Anti Money Laundering Law No. 46 for Year 2007 defines the beneficiary owner as “the natural person with the real interest for whom the business relationship is conducted for or on his behalf, or who has full or effective control over a legal person or has the right to conclude a legal arrangement on his behalf”.

As stipulated in the 2011 Instructions No. 3, issued pursuant to the Anti Money Laundering and Counter Terrorist Financing Law, companies are required to designate an accredited, independent Reporting Officer and Deputy Reporting Officer in the Officer’s absence. These officers are tasked with implementing the provisions of the Anti-Money Laundering Law and its related instructions, including the gathering of information regarding beneficiary ownership. However, the instructions only specify the employment of this reporting mechanism in the event of suspicious transactions, or at the AMLU’s request.

The availability of beneficial ownership information, i.e. the natural person behind a legal entity or arrangement, is now a key requirement of transparency and the fight against corruption and other financial crimes. This guideline will be possessed as an effective tool for
evaluating the beneficial ownership in Jordan used by government institutions and non-profit sector.

The aim of this guideline is to foster understanding of beneficial ownership as contained in the international transparency standards and to provide the awareness of laws within the Jordanian legal framework in order to further comply with the international transparency measures.

In order to develop an efficient methodology for monitoring beneficial ownership in Jordan, this project will identify the criteria for evaluating current situation as an important part for transparency in the financial and non-financial sectors as well as efficient instrument for eradicating corruption. The methodology will be based on both qualitative and quantitative analysis approach.

The guideline also will provide a series of checklists that may be useful in pursuing a specific beneficial ownership framework and developed sub-tool for guiding the implementation of the conclusions and recommendations.

**Objectives**

- Rasheed intends to hire a consultant for a limited period in order to support the development of the Beneficial Ownership Guideline that include:
  - Review the current Jordanian legal framework that addresses Beneficial Ownership and identify the gaps in accordance with best practices.
  - The production of a guideline that is aimed to assist in evaluating and monitoring Jordan’s implementation of the London summit commitments in 2016 with clear key performance indicators.

**Outputs**

- The whole monitoring and review process will be an ongoing exercise that will allow evaluating the beneficial ownership situation in Jordan in different timeframes, and will allow developing up-to-day recommendations. This will also allow publishing annual reports and to monitor the whole process.
- This tool will be also used as a reference guideline for the beneficial ownership.
- It will raise the awareness on the significance of transparency in beneficial ownership, and lead to discussions on legal and regulatory changes aiming at mandating filing and disclosure of beneficial ownership information.
- This guideline will help to monitor the beneficial ownership situation in different time lapse that will contribute to further identifying challenges and good practices.
- The guide will include all of the recommendations that Jordan needs to follow for strengthening the legal and procedural framework that governs beneficial ownership.

**Scope of work**

The Consultant will be assigned, but not limited to, the following tasks:

- Identifying and analyzing legislation relevant to the Beneficial Ownership, including laws, regulations and instructions governing the sector.
• Develop an efficient methodology with highlighted and defined steps for the user-friendly Guideline for Monitoring Beneficial Ownership that will be useful for evaluating the sector.
• Implement qualitative research of the key risk issues regarding transparency of beneficial ownership.
• Provide policy considerations as part of the Guideline that can be used to implement legal and supervisory frameworks to identify and collect beneficial ownership information.
• Develop series of checklists, which will help in pursuing a specific beneficial ownership framework.
• Develop a comprehensive tool for monitoring the beneficial ownership and draft the final document taking into consideration all comments from Rasheed (TI-JO).

**Deliverables:**

The Consultant will complete and submit the following deliverables, invoice, and timesheet prior to payment:

1. Work plan with the key milestones.
2. Bi-Weekly progress reports.
3. Transcripts for any meetings with key pointers.
4. Final narrative report.
5. Initial draft of the Beneficial Ownership Guideline for monitoring the implementation of new policies for the identified weaknesses of the current system.
6. Final Beneficial Ownership Guideline approved by TI-JO.

**Timing**

The fulfillment of this task is planned till December 25, 2019. The contract will be signed for a period of 5 weeks.

**Reporting and Approval Procedures**

Consultant will be reporting to the Legal Advisor and Legal Assistant of Rasheed (TI-JO). And will be contracted directly by TI-S.

Final document (hard copy and electronic copy) should be approved by the Legal Advisor and Legal Assistant. All project reports and documents should be prepared in Arabic and English languages.

**Qualifications and Experience**

Consultant should meet the following qualification, knowledge and skills requirements:

- Higher education in law, information technology, data and statistic studies or public administration - 15 points;
- Experience in project analysis, project management and preparation of proposal materials for project implementation for at least 3 years - 10 points;
- Knowledge and experience in research methods and methodology - 20 points;
- Experience in developing guiding tools, instruments or mechanisms for monitoring strategies - 30 points;
Experience in the formation and provision of economic justifications, analytical reports, reviews and other documentation for at least 3 years - 15 points;

Ability to prepare information materials in English and Arabic languages will be an advantage - 10 points.

Payment schedule:
The payment will be provided in the end of the contract after providing the final draft.

Interested candidates please send your CV references and a lump-sum price offer covering all expenses to info@rasheedti.org. Cover Letters are highly encouraged.

Rasheed For Integrity and Transparency provides equal opportunity as well as fair and equitable treatment in employment to all people without regard to race, color, religion, sex, origin, age, disability, political affiliation, marital status.