



REPUBLIC OF KENYA

THE NATIONAL TREASURY & ECONOMIC PLANNING
SUPPORTING ACCESS TO FINANCE AND ENTERPRISE RECOVERY
(SAFER) PROJECT

CONSULTANCY TO UNDERTAKE REVIEW AND LEGAL DRAFTING OF
THE NATIONAL PAYMENT SYSTEM ACT, 2011 AND NATIONAL PAYMENT
SYSTEM REGULATIONS, 2014

REQUEST FOR EXPRESSIONS OF INTEREST
(INDIVIDUAL CONSULTANT)

Ref: SAFER/CBK/IC/12/2023-24

Credit No. 7018-KE

Project ID No: P175017

1. The Government of Kenya (GoK) in conjunction with the World Bank is implementing a five-year Supporting Access to Finance & Enterprise Recovery (SAFER) Project whose overall development objective is to increase access to financial services, enhance the capabilities, and support the COVID-19 recovery of Micro, Small and Medium Enterprises (MSMEs) in Kenya. This objective will be achieved through: (i) Innovation and Liquidity Support to MSMEs; (ii) De-risking Lending to MSMEs; and (iii) Technical Assistance and Project Management. The SAFER Project intends to apply part of the proceeds for consulting services.
2. The consulting services ("the Services") include: (a) Comprehensive review of the national payments legal and regulatory framework in line with current developments and emerging realities in the payments sector, domestically and globally; and (b) Undertake initial and preliminary legal drafting of the zero draft NPS Bill, NPS Regulations and any other applicable Standard or Guideline. The assignment is expected to take twelve (12) months.
3. The detailed Terms of Reference (TOR) for the assignment can be found at the following website www.treasury.go.ke/tenders.html or can be obtained at the address given below.
4. The National Treasury & Economic Planning (the Client), through its Project Implementation Unit, now invites **eligible individual consultants** to indicate their interest in providing the services. Interested **Consultants** should provide information demonstrating that they have the required qualifications and relevant experience to perform the Services. Consultants should provide their most recent profiles showing their experience, qualifications, capabilities, references and details of experience especially in the area of their expertise, etc. The shortlisting requirements are: a) An advocate of the High Court of Kenya in good standing; b) Demonstrable practical experience and understanding of Kenya's legal system, and in particular, financial sector and payment laws of Kenya; c) Minimum of ten (10) years' domestic experience in providing legal research, legal drafting and advisory services and revision of at least three (3) sets of a legislation; d) Demonstrable and practical knowledge of domestic drafting norms, practices and conventions; e) Proven track record in legislative drafting and development of statute, regulation and other legal instruments from a Kenyan point of view; f) Proven experience in development of training material as well as conducting research and training; g) Proven working experience with state agencies and related review processes; h) Conducted previous related assignments within the banking sector and/or financial services sector for regulatory or similar institutions; and i) Consultant must be based in Kenya.
5. The expression of interest is also open to interested firms who may wish to propose individual consultants. In such cases, only the experience and qualifications of the individuals proposed shall be taken into account in the selection process and not the firm's corporate experience.
6. A consultant will be selected in accordance with the World Bank's Procurement Regulations for IPF Borrowers, July 2016 updated August 2018 and November 2020 which can be found at the following website: www.worldbank.org/procurement.
7. The attention of interested Consultants is drawn to Section III, paragraphs, 3.14, 3.16, and 3.17 of the World Bank's "Procurement Regulations for IPF Borrowers" July 2016 updated August 2018 and November 2020 ("Procurement Regulations"), setting forth the World Bank's policy on conflict of interest.
8. A Consultant will be selected in accordance with the Individual Consultant Selection method set out in the Procurement Regulations.
9. Further information can be obtained at the address below during office hours i.e. 0900 to 1700 hrs.
10. **Expressions of Interest** must be delivered in a written form to the address below either in person, by mail or by email:

Postal Address:

Project Implementation Unit
Attention: Procurement Specialist
P.O. Box 21190 -00100
Nairobi, Kenya.

Physical Address:

Project Implementation Unit
Attention: Procurement Specialist
7th Floor, Anniversary Towers, North Tower.
Building No.19 Monrovia Street/University Way
Nairobi, Kenya.

Telephone No: +254-20-2210271/4

E-mail: procurement.safer@piu.go.ke

11. **Deadline for submission of Expressions of Interest is Friday 2nd February 2024 at 1600 hours Kenyan local time.**

**PROJECT COORDINATOR (SAFER)
FOR: PRINCIPAL SECRETARY/NATIONAL TREASURY**