



**GOVERNMENT OF THE COMMONWEALTH
OF
THE BAHAMAS
THE MINISTRY OF HEALTH AND WELLNESS
5296/OC-BH**



INDIVIDUAL CONSULTANT

POSITION AVAILABLE FOR A LEGAL COUNSEL FOR IS4H UNIT

This notice is placed on behalf of The Ministry of Health and Wellness to provide background information regarding an opportunity for a professional to provide legal services to support digital health transformation efforts. All interested persons who meet the stated and other criteria can determine their eligibility and respond to this advertisement to offer their services under the requirements of the project. The Government of the Commonwealth of the Bahamas (GoB) has received financing from the Inter-American Development Bank (IADB) under loan #5926/OC- BH to totally fund the contract cost.

DESCRIPTION OF ENGAGEMENT

The Legal Counsel will conduct analysis to identify and take the necessary action to rectify gaps in legal/regulatory framework focusing on enabling digital health, including but not limited to: Protection of personal health information (privacy), electronic reporting of mandatory reportable diseases and conditions, use of electronic health records and telemedicine, and establish mechanism and priorities for addressing gaps. In particular, the Legal Counsel is responsible for the drafting of new legislation or amendments to existing legislation and the review of other related legislation or documents as required by the Programme, liaising with the Office of the Attorney General and Ministry of Legal Affairs, and the review of bidding documents, evaluation reports and contract documents. The consultancy will take place over a twenty-four (24) month period in Nassau, Bahamas.

FUNCTIONS AND RESPONSIBILITIES

- Reviewing existing legislation that will be impacted by digital transformation;
- Researching relevant legislation in the region or internationally to make comparisons and provide recommendations for new legislation or amendments to existing legislation;
- Drafting new legislation or amending existing legislation to allow for the implementation of the digital transformation of Government health services;
- Ensuring that new or amended legislation is in alignment with any or all other affected legislation;
- Recommending changes to policies and regulations in line with the new or amended legislation;
- Drafting contract documents or updating standard contract clauses in accordance with applicable policies and procedures, where necessary, to reduce risks to the Government of The Bahamas;
- Providing support related to information documents;
- Liaising with the Office of the Attorney General and Ministry of Legal Affairs with regard to new or amended legislation or for legal review and advice;
- Liaising with the Office of the Data Protection Commissioner and any other relevant party to formulate legislation and to protect or transfer or store or disseminate data;
- Providing legal guidance and opinions;
- Preparing interim and final reports for onward submission to the Permanent Secretary and the Bank.

EDUCATION SKILLS AND EXPERIENCE

- Bachelor's degree in law and a Certificate of Legal Education or relevant discipline;
- Admission to the Bahamas Bar Council;
- Formal Project Management Certification is an asset;
- Knowledge of Laws and Legislation in The Bahamas;
- At least ten (10) years or more of relevant professional legal work experience; with at least three (3) years of working in The Bahamas or the Caribbean;

- Ten (10) years of practicing corporate law and drafting policies and regulations is required;
- Experience in drafting contract documents and updating standard contract clauses;
- Experience in providing legal guidance and opinions;
- Knowledge of Information and Communications Technology is an asset;
- Demonstrated ability to be organized, manage time and produce reports and activities on a consistent timely basis;
- Demonstrated ability to multi-task and perform activities in an agile project environment;

SELECTION PROCESS

The individual for the consultancy will be selected in accordance with the 3CV/Open Invitation Selection procedures set out in the Inter-American Development Bank: Policies for the selection and contracting of consultants financed by the Inter-American Bank (Document GN-2350-15). Note that the Government of the Commonwealth of The Bahamas has the authority to reject any and all CVs without an explanation. All CVs must be delivered by e-mail by **February 27, 2024 on or before 12:00 midnight, to mohwpeu@bahamas.gov.bs**.