



# Technical Assistance Report

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Project Number: 49461-001  
Capacity Development Technical Assistance (CDTA)  
June 2016

## Solomon Islands: Strengthening Solomon Islands' Maritime Safety and Establishing the Solomon Islands Maritime Safety Authority

This document is being disclosed to the public in accordance with ADB's Public Communications Policy 2011.

Asian Development Bank

## CURRENCY EQUIVALENTS

(as of 14 June 2016)

Currency unit	–	Solomon Islands dollar (SI\$)
SI\$1.00	=	\$0.12834
\$1.00	=	SI\$ 7.7881

## ABBREVIATIONS

ADB	–	Asian Development Bank
IMO	–	International Maritime Organization
IT	–	Information technology
MID	–	Ministry of Infrastructure Development
MRCC	–	Maritime Rescue Coordination Center
SIMSA	–	Solomon Islands Maritime Safety Administration
PSC	–	Public Service Commission
TA	–	technical assistance
UNCLOS	–	United Nations Convention on the Law of the Sea

## NOTES

- (i) The fiscal year of the Government of Solomon Islands and its agencies ends on 31 December.
- (ii) In this report, "\$" refers to US dollars unless otherwise stated.

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## CAPACITY DEVELOPMENT TECHNICAL ASSISTANCE AT A GLANCE

<b>1. Basic Data</b>		<b>Project Number: 49461-001</b>	
<b>Project Name</b>	Strengthening Solomon Islands' Maritime Safety and Establishing the Solomon Islands Maritime Safety Authority	<b>Department /Division</b>	PARD/PLCO
<b>Country</b>	Solomon Islands	<b>Executing Agency</b>	Ministry of Infrastructure Development
<b>2. Sector</b>		<b>ADB Financing (\$ million)</b>	
✓ Transport	Water transport (non-urban)		0.80
		<b>Total</b>	<b>0.80</b>
<b>3. Strategic Agenda</b>		<b>Climate Change Information</b>	
Inclusive economic growth (IEG) Environmentally sustainable growth (ESG) Regional integration (RCI)	Pillar 1: Economic opportunities, including jobs, created and expanded Environmental policy and legislation  Pillar 2: Trade and investment	Climate Change impact on the Project	Low
<b>4. Drivers of Change</b>		<b>Gender Equity and Mainstreaming</b>	
Governance and capacity development (GCD)  Knowledge solutions (KNS)  Private sector development (PSD)	Institutional development Institutional systems and political economy Organizational development Application and use of new knowledge solutions in key operational areas Knowledge sharing activities Conducive policy and institutional environment Promotion of private sector investment Public sector goods and services essential for private sector development	No gender elements (NGE)	✓
<b>5. Poverty Targeting</b>		<b>Location Impact</b>	
Project directly targets poverty	No	Nation-wide	High
<b>6. TA Category:</b>	B		
<b>7. Safeguard Categorization</b>	Not Applicable		
<b>8. Financing</b>			
<b>Modality and Sources</b>		<b>Amount (\$ million)</b>	
<b>ADB</b>		<b>0.80</b>	
Capacity development technical assistance: Technical Assistance Special Fund		0.80	
<b>Cofinancing</b>		<b>0.00</b>	
None		0.00	
<b>Counterpart</b>		<b>0.00</b>	
None		0.00	
<b>Total</b>		<b>0.80</b>	
<b>9. Effective Development Cooperation</b>			
Use of country procurement systems	No		
Use of country public financial management systems	No		

## I. INTRODUCTION

1. The proposed capacity development technical assistance (TA) follows on from, and builds upon, the ongoing support of the Asian Development Bank (ADB) to the Government of Solomon Islands for strengthening maritime safety in Solomon Islands. In 2008, ADB approved a TA project to transform the Marine Division, an organizational unit of the Ministry of Infrastructure Development (MID), into the Solomon Islands Maritime Safety Administration (SIMSA), a regulatory body administered by MID with responsibility for monitoring, assessing, and controlling shipping and shipping services in the country.<sup>1</sup> SIMSA was subsequently established on 1 July 2010.

2. The reforms recommended by the previous TA did not progress as envisaged because of staff constraints, including the absence of qualified national staff available within SIMSA and in Solomon Islands to be appointed as SIMSA director. This led to the reforms stalling for 2 years, which resulted in noncompliance with international maritime conventions. The government, in discussions with ADB, engaged an institutional maritime reform specialist in August 2013 for 2 years under the ongoing ensuing project, Domestic Maritime Support (Sector) Project, to assist SIMSA with the implementation of the reforms (footnote 1).

3. The proposed capacity development TA will further support SIMSA to enhance its capacity to address maritime administration, meet regulatory and safety requirements, and respond to the changing needs of international maritime conventions and obligations to which Solomon Islands is a signatory. The TA will assist in (i) transforming SIMSA into an autonomous entity (from an organizational unit of MID into an authority reporting to the minister of infrastructure development) to address shortcomings experienced under its current administration and to be better positioned commercially, (ii) supporting continuous reforms, and (iii) providing training for staff of the autonomous entity.

4. The government's request for the proposed TA was received on 8 February 2016 and an ADB fact-finding mission was fielded to Solomon Islands during 22–29 February 2016. The mission held consultations with key government ministries and departments including the Ministry of Finance and Treasury, MID, Ministry of Development Planning and Aid Coordination, Public Service Commission (PSC), and Attorney General's Office, and confirmed that restructuring SIMSA into an independent and autonomous regulatory body is a priority of the government. The mission received government concurrence for the proposed impact, outcome, outputs, implementation arrangements, cost, financing arrangements, terms of reference, and design and monitoring framework of the TA.<sup>2</sup>

## II. ISSUES

5. Solomon Islands is a large island country, with a land area of about 28,000 square kilometers. The country has one of the largest maritime exclusive economic zones in the world at 1,589,477 square kilometers; it is 23rd largest in the world and sixth largest in the Pacific region. Maritime transportation in Solomon Islands is therefore an essential part of the domestic (interisland), regional, and international maritime industry.

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<sup>1</sup> *Technical Assistance to Solomon Islands for Establishing Solomon Islands Maritime Safety Administration* was approved as an attached TA under ADB. 2008. *Report and Recommendation of the President to the Board of Directors: Proposed Administration of Grants to Solomon Islands on Domestic Maritime Support (Sector) Project*. Manila.

<sup>2</sup> The TA first appeared in the business opportunities section of ADB's website on 11 April 2016. The design and monitoring framework is in Appendix 1.

6. The constitution created the Marine Division within MID in 1978 with a mandate to manage domestic shipping services with the fleet of government-owned ships. In 2008, recognizing the lack of capacity of the Marine Division to undertake maritime administration and safety, ADB approved TA for the government to establish SIMSA (footnote 1). Under the TA, maritime legislation was reviewed and the legal framework updated and strengthened through acts and regulations approved by the Parliament and Cabinet. The updated and new regulations were expected to remove barriers to the effectiveness of SIMSA's regulatory role and meet the standards required by the International Maritime Organization (IMO) and obligations under the United Nations Convention on the Law of the Sea (UNCLOS). The TA was completed on 31 August 2012.

7. The reforms initiated in SIMSA were expected to be sustained through continued implementation of the measures recommended under the TA and restructuring the organization in line with reforms undertaken by other maritime regulators in the region.<sup>3</sup> However, SIMSA faced several challenges in fully implementing the reforms. These included (i) the lack of any external assistance beyond the TA, (ii) the failure of MID to appoint a suitably qualified person for the director of the Marine Division, (iii) limited financial allocation to SIMSA through government annual budgets, and (iv) frequent absences of key SIMSA staff as a result of long-term overseas training and extended leave. SIMSA was therefore unable to fully conform to IMO requirements and UNCLOS obligations and received warnings from international shipping agencies that restrictions for entry of international vessels into Solomon Islands ports would be imposed.

8. SIMSA currently operates under the purview of the permanent secretary of MID and it is a requirement that recruitment of employees goes through the PSC. In 2013, Solomon Islands was found to be noncompliant with the International Ship and Port Security Code because SIMSA did not have international ship and port security officers, port state control officers, or environmental protection officers. An application for staff recruitment was made to the PSC in 2013 and approval was given in 2015 for two international ship and port security officers and a port state control officer. However, there were difficulties in recruiting qualified staff to ensure maritime safety. Together, these matters have inhibited SIMSA's compliance with international conventions and responsibilities.

9. As a government entity, SIMSA's revenue is collected by the Ministry of Finance and Treasury (SI\$10 million in 2015) and pooled into the government's consolidated funds, but SIMSA does not receive sufficient funding from the government's annual budget to deliver and improve service. SIMSA needs modern, reliable information technology systems, and regional offices need to be properly established and equipped to monitor foreign vessels in Solomon Islands' waters and to oversee effective remediation of potential reef damage or oil pollution incidents. In addition, training of seafarers is an essential area that SIMSA cannot currently pay adequate attention to because of insufficient financial resources.

10. During the mission, the government confirmed that public sector recruitment practices, organizational management processes, and limited budgetary provisions for SIMSA are the key obstacles preventing efficient implementation of the reforms recommended by the earlier TA and resulting in noncompliance with international maritime conventions (footnote 3). The government confirmed that SIMSA needs the autonomy to manage maritime safety independent of government processes and to use the revenue it generates to improve its services. The

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<sup>3</sup> ADB. 2012. *Technical Assistance Completion Report: Establishment of the Solomon Islands Maritime Safety Administration*. Manila (TA 7178-SOL).

change from an administration under MID to an autonomous statutory body—SIMSA—reporting directly to the minister, will allow the organization to not only address shortcomings experienced under the current arrangements but also to increase the speed with which it can comply with international maritime conventions and obligations and be more commercially oriented. The proposed TA will enable ADB to assist the government in restructuring the administration to an authority. It will also build capacity of the new organization to ensure that SIMSA is a sustainable, efficient, and international treaty-compliant maritime safety organization promoting safe shipping and clean seas in the region.

### III. THE CAPACITY DEVELOPMENT TECHNICAL ASSISTANCE

11. The proposed TA will provide long-term support (33 person-months over 3 years) of experienced maritime experts to assist continuous implementation of the reforms. The six experts will mentor and train proposed SIMSA staff to acquire managerial and technical skills needed to address international maritime safety requirements expeditiously, and eventually without any further external support. Under the TA, the current organizational structure, job descriptions, and functionalities will be assessed, and recommendations made on an appropriate restructuring model for SIMSA, as well as proposed measures to improve revenue generation. As necessary, the TA will recommend new divisions and/or job functions to meet administrative, safety and security, aids to navigation, hydrography, marine search and rescue, and environmental obligations as required by the IMO and UNCLOS and other international maritime conventions to which the Solomon Islands is a signatory. Under the TA, a training plan will be recommended and during the term of the TA an intensive capacity building program will be provided for SIMSA staff, ship owners, seafarers and other stakeholders to improve awareness on the requirements of the international maritime community and the need to align with reforms in SIMSA.

12. The TA will assist SIMSA to prepare for the IMO-implemented member state audit. The IMO undertakes a compulsory audit of maritime organizations of its member countries to assess how well governments are implementing their obligations under the maritime conventions to which they have acceded. Solomon Islands is scheduled to be audited in July 2019.

13. The TA is aligned with the vision of MID to ensure effective transport infrastructure and transport services to support sustained economic growth and social development in Solomon Islands as articulated in the National Transport Plan, and is identified in the Solomon Islands country operation business plan, 2016–2018.<sup>4</sup>

#### A. Impact and Outcome

14. The impact will be safe shipping and clean seas in Solomon Islands aligned with the National Transport Plan 2011-2030. The outcome will be a sustainable, efficient, and internationally certified maritime safety authority in Solomon Islands.

#### B. Methodology and Key Activities

15. The TA will have three core outputs:

- (i) **Output 1: SIMSA restructured into an independent regulatory authority.**  
This includes (a) reviewing the draft reorganization of staff and making

<sup>4</sup> ADB. 2015. *Country Operations Business Plan: Solomon Islands, 2016–2018*. Manila.

recommendations for an appropriate restructuring model for SIMSA, (b) drafting bills for restructuring SIMSA and undertaking consultations regarding the drafts with the Attorney General's Office, (c) assessing and recommending appropriate revenue sources, and (d) preparing a transition plan for the change from an administration to an authority.

- (ii) **Output 2: Increased SIMSA compliance with international maritime laws and standards.** This is to provide continuous assistance to SIMSA and on-the-job capacity building until the reformed SIMSA is capable of managing all required functions in compliance with international maritime laws and standards. Output 2 will proceed upon completion of output 1 and passage of SIMSA restructuring bills.
- (iii) **Output 3: Strengthened capacity of SIMSA.** This will provide targeted, short-to-medium-term training for current SIMSA staff to acquire updated knowledge and skills in ship inspections, port state control, environmental protection and pollution control, quality management systems, internal auditing, maritime law, specialist information technology for maritime conventions, and responsibilities of registrars of ships and shipping officers.

16. The TA will be implemented in two phases over 36 months from August 2016 to July 2019. The outputs of phase 1 will include passage of legislation; review and update of regulations; and restructuring of the maritime safety authority, an information technology system, a human resource development and transition plan, and a financial management system and business plan. Phase 2 will commence upon establishment of the authority and will include adaptation of the institution plan, recruitment of staff, implementation of the transition plan, approval and gazetting of all regulations, and commissioning of the information technology and financial management system. The training and capacity development of SIMSA staff will be carried out under both phases.

17. Together, these outputs and their associated activities will assist SIMSA in preventing potential warnings from international shipping organizations; contributing to reduced shipping costs; promoting international trade and visits by passenger cruise ships to Solomon Islands; and encouraging the development of the Solomon Islands domestic shipping industry, with potential to branch out into international shipping. Prolonged decision-making and delays in approvals of the bills and regulations are considered to be the potential risks for success of this TA.

### C. Cost and Financing

18. The TA is estimated to cost \$880,000, of which \$800,000 will be financed on a grant basis by ADB's Technical Assistance Special Fund (TASF-V). The government will provide counterpart support in the form of counterpart staff for each international consultant recruited under the TA, office space, furniture, and equipment for minor printing and photocopying, logistics and administrative assistance, and other in-kind contributions.

### D. Implementation Arrangements

19. MID will be the executing agency for this TA and the implementing agency will be SIMSA. SIMSA will be responsible for providing the government's in-kind contributions. The TA will be administered by the Pacific Liaison and Coordination Office. ADB's extended mission in Honiara will oversee day-to-day administration of TA activities.



20. A steering committee chaired by the permanent secretary of MID will guide TA implementation. The steering committee will consist of representatives of MID, the Ministry of Finance and Treasury, the Ministry of Development Planning and Aid Coordination, and other key stakeholders in the maritime industry, including private sector and development partners. SIMSA will act as the secretariat of the committee and regularly report to the steering committee and ADB on the progress of the TA. MID will designate a project director, who will be the primary focal person for the TA.

21. The TA will engage the following international consultants intermittently for a total of 33 person-months over the 3-year period: (i) an institutional maritime reform specialist and team leader (18 person-months), (ii) an environment specialist (3 person-months), (iii) a maritime legal specialist (3 person-months), (iv) a human resource management and training specialist (3 person-months), (v) a maritime information technology specialist (3 person-months), and (vi) an accounting and public finance specialist (3 person-months). All experts will be recruited using the individual consultant selection method following ADB's Guidelines on the Use of Consultants (2013, as amended from time to time). SIMSA is experienced in managing consultants recruited individually. Qualified individual consultants with the above expertise are available in the market. The TA will award output-based contracts following paras 2.9.2 and 2.10.2 of the Midterm Review of Strategy 2020 Action Plan.<sup>5</sup> The outline terms of reference of the consultants are in Appendix 3.

22. The implementation activities of the TA will be monitored using intended outcomes and outputs described in the design and monitoring framework. The Pacific Liaison and Coordination Office, in coordination with the executing and implementing agencies and concerned stakeholders, will monitor the implementation of the TA. The training materials, workshop and consultants' reports, and minutes of the steering committee meetings will support monitoring and evaluation. The website created for SIMSA under the TA will be maintained by designated SIMSA staff after closure of the TA.

23. Proceeds of the TA will be disbursed in accordance with ADB's *Technical Assistance Disbursement Handbook* (2010, as amended from time to time). The eligible payments to international individual consultants will be directly paid by ADB.

#### **IV. THE PRESIDENT'S DECISION**

24. The President, acting under the authority delegated by the Board, has approved the provision of technical assistance not exceeding the equivalent of \$800,000 on a grant basis to the Government of Solomon Islands for Strengthening Solomon Islands' Maritime Safety and Establishing the Solomon Islands Maritime Safety Authority, and hereby reports this action to the Board.

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<sup>5</sup> ADB. 2014. *Midterm Review of Strategy 2020: Action Plan*. Manila.

## DESIGN AND MONITORING FRAMEWORK

<b>Impact the TA is Aligned with</b>			
Safe shipping and clean seas in Solomon Islands aligned with the National Transport Plan 2011-2030			
<b>Results Chain</b>	<b>Performance Indicators with Targets and Baselines</b>	<b>Data Sources and Reporting</b>	<b>Risks</b>
<b>Outcome</b> Sustainable, efficient, and internationally certified maritime safety authority in Solomon Islands is established	Certification by IMO following compulsory IMO audit conducted in July 2019. (Baseline: Existing maritime laws and regulations as of December 2015 only cover 58 of 728 obligations)	Government notification of approved laws and regulations, consultant reports, and IMO reports and certification at the end of the audit	SIMSA does not meet all IMO Audit requirements
<b>Outputs</b> 1. SIMSA restructured into an independent regulatory authority  2. Compliance with international maritime laws and standards increased  3. Capacity of SIMSA strengthened	1a. Restructure plan by Q4 2016  1b. Revised organization structure and job descriptions by Q4 2016 1c. Human resource development plan, IT and financial management system by Q4 2016 1d. Restructuring bills drafted and submitted to AGO by Q4 2016  2a. International expert input continued intermittently until July 2019 2b. Substantial compliance with IMO and UNCLOS conventions, regulations, and obligations 2c. SIMSA prepared for IMO compulsory audit in 2019  3a. Training for SIMSA staff  3b. Capacity building training programs by TA consultants	1a. Consultant reports; Government notification of SIMSA restructuring  1b. Consultant reports  1c. Consultant reports  1d. AGO concurrence, consultant reports  2a. Consultant reports  2b. Consultant reports, IMO reports  2c. Consultant reports, IMO certification  3a. SIMSA staff training completion report and attendance certificates 3b. Consultant reports	Prolonged decision-making leads to delays  Lack of government support for the proposed restructure

**Key Activities with Milestones****1. SIMSA restructured into an independent regulatory authority**

- 1.1 Recruit consultants (individual consultant selection) (August 2016)
- 1.2 Mobilize consultants and initial consultations (August 2016)
- 1.3 Review existing system, international conventions, country obligations (December 2016)
- 1.4 Produce draft restructuring model for SIMSA, including organizational structure, job descriptions, human resource development and training plan, and transition and implementation plan (December 2016)
- 1.5 Establish IT system, financial management system, and business plan (December 2016)
- 1.6 Draft and/or update bills for SIMSA restructuring needs (December 2016)
- 1.7 Government and/or Parliament approve SIMSA restructuring (June 2017)

**2. Increased SIMSA compliance with international maritime laws and standards**

- 2.1 Recruit staff for SIMSA's new and vacant positions (July 2017)
- 2.2 Adapt the authority institution plan and implement the transition plan (July 2017–July 2018)
- 2.3 Approve and gazette all regulations (July 2017–July 2019)
- 2.4 Commission the IT and financial management system (July 2017–July 2018)
- 2.5 Procure necessary equipment and tools (SIMSA own financing) (January 2017–July 2019)

**3. Strengthened capacity of SIMSA**

- 3.1 Implement the training plan (January 2017–July 2019)
- 3.2 Implement staff and seafarer training program (January 2017–July 2019)
- 3.3 Conduct awareness training programs for maritime stakeholders (January 2017–July 2019)

**Inputs**

ADB: \$800,000

Note: The government will provide counterpart support in the form of counterpart staff, office space, furniture and equipment for minor printing and photocopying, logistical and administrative assistance, and other in-kind contributions.

**Assumptions for Partner Financing**

Not applicable.

ADB = Asian Development Bank, AGO = Attorney General's Office, IMO = International Maritime Organization, IT = information technology, Q = quarter, SIMSA = Solomon Islands Maritime Safety Administration, TA = technical assistance, UNCLOS = United Nations Convention on the Law of the Sea.

Source: Asian Development Bank.

**COST ESTIMATES AND FINANCING PLAN**  
(\$'000)

Item	Amount
<b>Asian Development Bank<sup>a</sup></b>	
1. Consultants	
a. Remuneration and per diem (international consultants)	623.29
b. International and local travel	26.40
c. Reports and communications	1.00
2. Equipment	10.00
3. Training, seminars, and conferences	68.31
4. Miscellaneous administration and support costs	5.00
5. Contingencies	66.00
<b>Total</b>	<b>800.00</b>

Note: The technical assistance (TA) is estimated to cost \$880,000, of which contributions from the Asian Development Bank are presented in the table above. The government will provide counterpart support in the form of counterpart staff, office space, furniture and equipment for minor printing and photocopying, logistical and administrative assistance, and other in-kind contributions. The value of government contribution is estimated to account for 9% of the total TA cost.

<sup>a</sup> Financed by the Asian Development Bank's Technical Assistance Special Fund (TASF-V).

Source: Asian Development Bank estimates.

## OUTLINE TERMS OF REFERENCE FOR CONSULTANTS

1. The capacity development technical assistance (TA) will be implemented over 36 months, from August 2016 to July 2019. It will engage and mobilize 33 person-months of individual international consultants, on an intermittent basis, over the 3-year TA period. All consultants will be required to work with the team leader and coordinate with each other as a team and deliver well-coordinated outputs. The following consultants will be contracted, and their scope of services is outlined below. The summary of the outputs, deliverables, and time frame of each role is in the table.

2. **Institutional maritime reform specialist and team leader** (18 person-months). The qualifications and experience required include a degree in nautical studies or in a relevant field and at least 10 years' experience in a management role in maritime transport, including enforcement of regulations, and at least 5 years' experience in developing and managing similar projects in developing countries, preferably in the Pacific region. The specific tasks and activities are as follows:

- (i) Act as the team leader and coordinate other consultants' inputs and outputs and overall project management of the TA.
- (ii) Review previous Asian Development Bank (ADB) TA reform outcomes, lessons, and issues of the Solomon Islands Maritime Safety Administration (SIMSA).
- (iii) Organize SIMSA to act as secretariat to a steering committee under this TA.
- (iv) Undertake institutional capacity assessment of SIMSA and recommend an appropriate model, organizational structure, staffing, ranking, salary levels, and capacity development requirements for the restructure of SIMSA.
- (v) Discuss the proposed organizational structure and changes with the steering committee and other stakeholders through workshops, and finalize.
- (vi) Prepare an institution plan and transitional and implementation plan.
- (vii) Undertake a capacity assessment of the Maritime Rescue Coordination Center (MRCC) and Maritime Unit of the Royal Solomon Island Police Force, and identify necessary changes to strengthen the regulatory functions and enforcement of maritime legislation.
- (viii) Develop instructions for ship inspectors, surveyors, shipping officers, and the assistant registrar; and develop a Solomon Islands maritime policy.
- (ix) Work with other consultants on a training needs analysis; the development of an information technology system, a communication plan, the SIMSA website, SIMSA's budget, and the procurement process; and prepare policies, practices, and a procedures manual covering all aspects of the authority.
- (x) Train staff to strengthen the financial management capacity on revenue charging and levies collected and on fines obtained by SIMSA from prosecution of offenses.
- (xi) Work with the maritime legal specialist to prepare an implementation plan and strategy for the passage of new draft acts and regulations.
- (xii) Improve the relationship with the Pacific Community and International Maritime Organization (IMO) to strengthen the country's member status; and become a full member of the Tokyo Memorandum of Understanding on Port State Control, International Association of Lighthouse Authorities for lighthouses and navigational aids, and the International Hydrography Office for hydrography.
- (xiii) Oversee the finalization of the move of the Solomon Islands Primary Charting Agency from the United Kingdom Hydrographic Office to the Australia Hydrographic Office.
- (xiv) Act as SIMSA director or any other position in SIMSA's senior management.

3. **Maritime legal specialist** (3 person-months). The qualifications and experience required include a law degree, and at least 10 years' experience in maritime law assisting organizational change. The specific tasks and activities are as follows:

- (i) Set up management systems to organize the legal section of SIMSA efficiently to register, record, and coordinate legal actions of prosecution or defense.
- (ii) Review draft legislation, consult stakeholders, and liaise with the Attorney General's Office for legislative drafting, translation, and presentation to the Parliament (bills) and the Cabinet (regulations) to establish the authority.
- (iii) Prepare an implementation plan and strategy (this will include the preparation of background papers and policy notes for the Cabinet) for the passage of new draft acts and regulations, including drafting new legislation to create the MRCC, empowering search and rescue efforts during emergencies.
- (iv) Prepare a system and train the SIMSA legal officer to (a) give legal advice and opinions relating to the authority's roles, functions, and responsibilities per international conventions and obligations; (b) prosecute breaches of the law by ship owners, operators, and ship masters or others; (c) give legal support to SIMSA on prosecutions and recovery action for willful damage to aids to navigation; (d) work with the investigation officer for orderly acquisition; (e) record evidence at preliminary investigations for future use in marine inquiries or presentation in court; (f) undertake casualty investigation per international codes and conventions; (g) train staff on prosecution brought against the authority or SIMSA staff for actions taken in the course of duty; (h) draft national regulations to accommodate new and amended legislation; (i) set up a library of legislation and resource center to make the content readily available to SIMSA staff, the industry, and the wider community; (j) assist in obtaining evidence and presenting to prosecution to proceed; and (k) work closely with the Attorney General's Office to progress new and amended legislation.
- (v) Revise legislation and regulations to comply with the oil pollution, preparedness, and response convention, and prepare draft agreements on wreck removal, marine insurance, or pollution compensation claims.
- (vi) Monitor charter agreements to ensure that they conform to standard charter agreements.

4. **Environment specialist** (3 person-months). The qualifications and experience required include a postgraduate degree in environmental science or planning, at least 10 years' experience in marine environment protection and pollution control and response, and experience in a maritime safety organization. The specific tasks and activities are as follows:

- (i) Prepare (a) procedures and systems to set up and manage a division or section within SIMSA to coordinate preparedness for, response to, and control of marine pollution incidents; (b) identify and mitigate marine pollution risks and response activities; (c) develop and administer the international, regional, national, and provincial response to marine pollution incidents; and (d) oversee the implementation of marine pollution legislation.
- (ii) Develop (a) an inventory of basic equipment for oil companies, port operators, and private companies to be available; (b) a system for using such equipment at marine pollution incidents through those organizations; (c) contracts for using marine pollution equipment from such private sector organizations and external agencies; (d) lines of communication and coordination with the Ministry of Environment, Climate Change, Disaster Management and Meteorology, emergency services, and oil and shipping industries for marine pollution preparedness and response; and (e) a suitable training program.

- (iii) Establish procedures for (a) collecting, budgeting, and accounting for the use of funds raised through the implementation of the oil pollution levy per maritime regulations; and (b) assistance, support, and coordination of environment protection officers during incident response operations, including obtaining scientific and environment advice and support per international conventions, and legislation.
- (iv) Establish operating procedures and review and update the marine pollution contingency plan; set up communication with provincial government emergency response organizations as per the marine spill contingency plan; set up and maintain close cooperation with neighboring marine pollution authorities, including Australia, per international conventions; arrange training in regional environment programs on marine pollution response; and develop procedures for monitoring development, implementation, and administration of legislation and policy on environmental protection responsibilities.
- (v) Work with the legal specialist and legal section on the development of and/or amendments to legislation for environmental protection, compensation, and pollution response; set up and advise the National Marine Pollution Advisory Committee; and set up a system to manage the coordination of legal and insurance aspects on pollution incident prosecution and cost recovery.
- (vi) Train staff to manage environment protection responsibilities for assessing marine pollution risks and monitoring vessel traffic density; formalize standard operating procedures with the MRCC for efficient protection and response operations to pollution incidents; and activate marine pollution contingency plan.
- (vii) Train staff to monitor and control dumping of wastes at sea and ballast water discharge per regulations; implement obligations of the marine pollution conventions; and comply with international conventions and maritime regulations.
- (viii) Develop a framework for the enforcement of the maritime regulations; establish and train staff to administer ballast water management levy; inspect ships' ballast water record books and implement and monitor ballast water management plans.
- (ix) Develop forms required by maritime regulations; train staff to keep records of (a) inspections and certificates issued per International Convention for the Control and Management of Ships' Ballast Water and Sediments; (b) vessel construction; (c) shipboard oil pollution prevention equipment; and (d) related provisions in the regulations for vessel type and size.
- (x) Advise amendments for the Bunker Convention, the Civil Liability Convention 1992, the Fund Convention 1992, and the Supplementary Fund Protocol.
- (xi) Advise on (a) setting up a system for recording compliance with the inspection and surveys per international conventions; (b) assessing, approving, and recording shipboard oil pollution emergency plans; (c) monitoring and recording oil record books; (d) inspecting flagships and foreign flagships per international conventions; (e) ensuring port facilities comply with maritime regulations on waste reception facilities, recovery of costs and waste reception levies, waste management, and quarantining of wastes; (f) assessing risks to the standards of the maritime regulations; and (g) assessing marine pollution risk.

5. **Human resource management and training specialist** (3 person-months). The qualifications and experience required include a postgraduate degree in human resources, planning, or policy; at least 7 years' experience in human resource management, preferably in a maritime safety organization; and experience in international development work, preferably in the Pacific region. The specific tasks and activities are as follows:

- (i) Review draft job descriptions for the restructuring of SIMSA and revise them in consultation with SIMSA staff and other stakeholders through workshops.
- (ii) Establish staff levels commensurate with levels of responsibility.
- (iii) Develop human resource policies, practices, and procedures for salary scales, conditions of service allowances, overtime, housing, leave, leave fares, delegation, acting allowances, overseas travel, misdemeanors, and malpractices.
- (iv) Undertake a training needs assessment and develop a training gap analysis.
- (v) Develop a training and capacity development program for each officer and promote staff capacity through career path planning and development.
- (vi) Train SIMSA senior staff on interview techniques.
- (vii) Investigate study assistance programs and staff development schemes by distance learning for specialist knowledge and skills.
- (viii) Liaise with other agencies and training institutions regarding the availability of staff training in Solomon Islands, especially for managerial, computer application, office procedures, and secretarial knowledge and skills.
- (ix) Prepare reports for submission to SIMSA management and the steering committee concerning training proposals from training agencies.
- (x) Propose induction programs for new recruits on the objectives of the authority and management and administrative procedures.

6. **Maritime information technology specialist** (3 person-months). The qualifications and experience required include a postgraduate degree in information technology (IT) or equivalent; at least 7 years' experience in establishing organizational IT requirements and websites; and experience in a maritime safety organization. The specific tasks and activities are as follows:

- (i) Plan and develop the IT section (computers and communication) of the authority to cover the technology requirements of the MRCC, including (a) the Global Maritime Distress and Safety System, (b) the Automatic Identification System, (c) Long Range Information Tracking, and (d) Vessel Traffic Services.
- (ii) Develop a dedicated SIMSA website and an email network, as required by the international convention, for ensuring access to all safety legislations by other IMO member states, and national maritime administrations concerning validity of seafarers qualifications; train officers to maintain the website; and advise on electronic filing.
- (iii) Develop appropriate IT policies and budget estimates, and prepare terms of reference to purchase necessary IT equipment.
- (iv) Advise on required security and maintenance of the IT infrastructure.
- (v) Train specific SIMSA officers to access the Solomon Islands' IMO web account and upload data for the Global Integrated Shipping Information System reporting on important safety and security issues as required by international maritime conventions.

7. **Accounting and public finance specialist** (3 person-months). The qualifications and experience required include a degree in accounting and public finance or equivalent; at least 10 years' experience in accounting and public finance; experience in establishing organizations, preferably a maritime sector organization. The specific tasks and activities are as follows:

- (i) Set up the framework of the authority's finance and accounting system for maintaining appropriate financial records, propose suitable accounting methods per approved accounting and audit procedures and develop financial administrative procedures and manual for procurement of goods and services.
- (ii) Draft financial instructions and develop financial manuals for the authority operating on fees and levies from shipping.



- (iii) Recommend revenue-generation avenues and formulate an annual budget estimate of revenue and expenditure based on current and projected revenues and expenditure.
- (iv) Include results of the financial management assessments previously conducted when developing the financial framework, financial instructions, and manuals for SIMSA.

### Outputs, Deliverables, and Time Frame

Outputs and Deliverables	Responsible Consultant(s)	Completion Date
Inception report: work plan, restructuring methodology, and any variation to TORs	Team leader with inputs from all consultants	Within 2 weeks after signing consultant contract
<b>Phase 1</b>		
1. Draft interim reports	Team leader with inputs from all consultants	Within 3 months after signing the consultant contract
a. Transition or restructuring and implementation plan	Team leader with inputs from all consultants	
b. Capacity assessment and development plan	Team leader with inputs from all consultants	
c. Policies, practices, and procedures manual for restructured SIMSA	Team leader with inputs from all consultants	
d. Assessment of international maritime conventions and country obligations	Maritime legal specialist	
e. Draft bills and regulations, liaising with AGO for legal drafting, translation, and approval by Parliament	Maritime legal specialist	
f. Assessment on maritime environmental requirements and framework for enforcement	Environment specialist	
g. Assessment on human resource requirements and training needs and training plan	Human resource management and training specialist	
h. Maritime information technology system and communication plan	Maritime information technology specialist	
i. Dedicated website for SIMSA	Maritime information technology specialist	
j. Finance and accounting system and a business plan assessment of revenue generation	Accounting and public finance specialist	
k. On-the-job training of existing SIMSA staff	All consultants	
2. Final interim reports (as above)	Relevant consultant as above	Within 2 weeks after receipt of comments
<b>Phase 2 (upon establishment of SIMSA)</b>		
1. Adaptation of the institution plan, commissioning of the IT and financial and accounting system, implementation of the training plan	All consultants	Within 1 month after establishment of the authority
2. Draft final report (includes status on SIMSA transition, capacity development, revenue generation, gaps, and recommendation for further strengthening of SIMSA)	Team leader	1 month before end of the TA
3. Final report	Team leader	Within 2 weeks after receipt of comments
<b>Reporting</b>		
1. Progress reports	Team leader	Within 2 weeks of the following month
a. Monthly reports		
b. Quarterly reports		Within 2 weeks after end of each quarter

AGO = Attorney General's Office, IT = information technology, SIMSA = Solomon Islands Maritime Safety Administration, TA = technical assistance, TOR = terms of reference.  
Source: Asian Development Bank and Ministry of Infrastructure Development.