

Terms of Reference

Opportunities for UK – Brazil Regulatory Cooperation

The British Government in Brazil invites proposals for the consultancy opportunity below:

Background

The UK Government's Prosperity Fund will support the broad-based and inclusive growth needed for poverty reduction. By breaking down barriers to growth, and supporting vital economic reform, the UK is helping countries build well regulated, competitive markets to benefit both domestic and international companies and consumers.

The Fund is complemented by a non-ODA funding stream to be used alongside Official Development Assistance (ODA) programmes in support of the government's future trade policy ambition. This project will be funded from that component. Our work on improving Brazilian regulatory practices will help deliver primary benefits in terms of greater economic growth by reducing compliance costs and improving firm productivity. This project will complement that by analysing opportunities for UK commercial gains in Brazil.

Objectives

- Analyse the Brazilian regulatory framework and standards in comparison to UK and OECD regulatory framework in sectors to be confirmed with the successful bidder;
- Identify where regulations are coherent or divergent with UK and international standards;
- Make evidence-based recommendations for Brazil to improve its regulatory framework and standards in line with UK and international standards including an assessment of the benefits and feasibility;
- Highlight opportunities for UK businesses from regulatory reform and provide evidence of the impact of reforms;
- Provide a contact point for UK businesses and produce a report summarising their views for the UK and Brazilian governments

Context

1. Brazil's complex regulatory environment has been consistently identified by international companies as a major barrier to trade and investment. It increases bureaucracy, makes processes more difficult to navigate, and therefore makes it costly for Brazilian and international companies to do business. Current regulatory practice contributes to Brazil being ranked 143rd in the Ease of Doing Business ranking. Exporters in regulated industries (such as life sciences or the automotive industries) have a particularly challenging time navigating Brazilian rules and regulations.
2. This project will compare and contrast the Brazilian regulatory and standards landscape to OECD best practice and UK strengths, identifying where technical regulations and standards can enhance or hinder trade. Additionally, the work will analyse how easily convergence and coherence can be achieved between the Brazil and the UK and the priorities for UK commercial interests.

Requirements

3. The project will provide an initial analysis of Brazilian regulatory systems, processes and procedure with a particular focus on those in areas of UK commercial strength (though the precise sectoral mix is to be determined with the successful bidder). We would welcome expertise in the life sciences, automotive, professional services sectors, technology and retail.

4. The project will use a consistent methodological scale to indicate the relative coherence or divergence of regulations; and be presented in a data base, organised by sector. It will determine which entities have competence or influence over how regulations are developed and implemented.
5. The project will – based on the analysis and database and some business consultation – contrast regulatory practices with the UK and produce a report with recommendations to input into the Brazilian consultation on regulations currently taking place. This should be delivered through a consultancy with relevant sector specific expertise.
6. Finally, the successful bidder will present the results of the project in a workshop to selected UK and Brazilian officials.

Deliverables

Following the award of the contract, the successful bidder will participate in a kick off meeting and provide a project plan and timeline based on their full proposal of work.

- 1. Regulatory map - Detailed plan of all agencies and government departments involved in regulatory setting and monitoring:**
 - a) Map all organisations involved in regulatory setting, implementation and monitoring in Brazil, including details of which departments or sections of organisations lead on specific regulations and standards.
 - b) Identify key departments in the regulatory process and key roles/ jobs.
 - c) The map should include reporting lines and identify where overlap exists between competences.
- 2. Regulatory and standards database:**
 - a) Database organised by sectors listing relevant regulations and standards and what products they relate to according to the HS codes.
 - b) This should detail any new regulations being considered and any overlap between regulations, plus how they compare with UK and international standards, particularly OECD.
- 3. Report of consultation with UK businesses and organisations, followed by a presentation:**
 - a) Given the ongoing consultation within the Brazilian Government, a structured consultation with businesses who want to or currently invest or do business in Brazil should take place over 3 months, with the final report being shareable with CAMEX
 - b) Present of the results of the work, primarily for Brazilian and UK officials.

Timeline and budget:

<u>Deliverables</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>	<u>JAN</u>
Project Plan	X			
Deliverable 1		X		
Deliverable 2		X	X	
Deliverable 3		X	X	
Presentation				X

Performance Requirements

- It is that expected specialised suppliers with technical knowledge of Brazilian regulatory framework and ability to work internationally to bid for this work;

- Impartiality of the analysis is crucial to this project;
- Reports should be delivered both in Portuguese and in English;
- The supplier will report to the British Embassy in Brazil, represented by the Brazil Prosperity Fund Trade Team;
- The supplier must work jointly with MDIC, CAMEX and DIT on technical matters throughout the whole project;
- Payments will be made upon approval of each deliverable.

Bidders need to send full proposal of work based on these Terms of Reference. The proposal must include a technical part presenting the methodology to carry out this analysis; and a financial part, including breakdown of costs per deliverable and per month, and include all relevant taxes.