

Legal expert in Moldovan law: legal support to the Ministry of Economic Development and Digitalisation on the governance of state-owned enterprises and public-private partnerships

Version of 16 October 2026 · Individual expert service contract, intermittent assignment

The assignment at a glance

Contracting party	Expertise France, the French public agency for international technical cooperation, for the Project: Improving Moldova’s Access to the EU Single Market and Advancing State-Owned Enterprises Reform, funded by the European Union
Beneficiary	The Ministry of Economic Development and Digitalisation of the Republic of Moldova (MEDD), with the Public Property Agency (APP)
Purpose	Analyse the Moldovan legislation in force and draft, in Romanian, amendments on the appointment of managers and board members of state-owned enterprises, their evaluation and State representation on boards; check the legal consistency of a support file on public-private partnerships
Volume	32 days of expertise, in four lots and eleven deliverables
Period	From contract signature (targeted mid-November 2026) to 31 December 2027
Key deadline	18 December 2026: first deliverables handed over to the MEDD
Place	Chişinău (meetings) and remote work
Remuneration	Lump-sum price per deliverable

1. The project and the role of Expertise France

The project is funded by the European Union, from July 2026 to July 2029, which supports the Republic of Moldova in its rapprochement with the European Union. It has two components: the first, implemented by the Czech and Slovak development cooperation agencies, deals with access to the EU Single Market; the second, implemented by Expertise France, deals with the reform of state-owned enterprises and the management of State assets.

Expertise France. Expertise France is the French public agency for international technical cooperation, part of the Agence française de développement group. For this project, it has a Head of Component 2 based in Chişinău, a resident expert who leads the work, and mobilises experts for specific assignments.

What Component 2 does. It helps the Moldovan State to better exercise its role as shareholder of some 240 state-owned enterprises. Its work is organised along five lines:

- know the portfolio and clarify the State ownership policy, in particular through a register of state-owned enterprises;
- improve the governance of state-owned enterprises: appointment and evaluation of board members, role of State representatives on boards, governance code and ethics charter;
- manage public assets transparently, including privatisations and public-private partnerships (PPP);
- liquidate or transform enterprises that no longer have a reason to remain public;

- strengthen the capacities of the two beneficiary institutions.

The beneficiaries. The MEDD defines the State policy towards state-owned enterprises, ensures its coordination and strategic supervision, and prepares the legislation. The APP exercises, on behalf of the State, the functions of founder and shareholder, conducts privatisations and keeps the register of public property. The project provides them with technical support: the texts prepared with its help remain those of the MEDD, which conducts their adoption procedure.

2. Why this assignment

In October 2026, the MEDD asked the project for priority support on four topics, expected for December 2026:

- **Selection and appointment of managers, board members, boards of censors (comisii de cenzori) and audit committees of state-owned enterprises:** revision of the rules, through amendments to Government Decisions No 209/2023, No 210/2023 and No 484/2019;
- **Performance evaluation of board members:** preparation of a draft regulation, which does not exist today;
- **State representation on boards:** strengthening of the function of State representative, through an amendment to Government Decision No 1053/2010;
- **Public-private partnerships and concessions:** support to the draft PPP law, approved by the Government and pending examination by Parliament (analysis of the comments received during the public consultation, alignment with EU Directive 2014/23/EU, proposed adjustments), then to the implementing acts of the law.

These requests have a binding deadline. Under the EU Growth Plan for Moldova (2025-2027), Moldova has committed to a Reform Agenda in which each dated step conditions the disbursement of a tranche of EU financial support. For state-owned enterprises, step 67 of this agenda, due in June 2027, provides in particular for:

- at least one third of independent board members, made mandatory in the enterprises remaining in State ownership;
- an independent member in the board selection committee;
- adjusted remuneration rules and performance indicators for board members;
- the appointment of new boards, with at least one third of independent members, in 12 key state-owned enterprises (telecommunications, railways, electricity, gas, metallurgy).

The amended texts must therefore be ready in December 2026 so that they can be adopted by the end of April 2027, which leaves time to appoint the new boards under the new rules before June 2027.

How the project responds. The project staggers its deliverables according to the progress of each topic:

- **Appointments:** in December 2026, a legal analysis and draft amendments to the decisions in force, together with a toolkit that the MEDD can use for the next appointments, without waiting for the new texts to be adopted. This toolkit includes model rules for the selection committee, a candidate scoring grid, a model vacancy notice and application file, a model declaration of interests and independence for candidates, and an overview of the board mandates that are vacant or expire in 2027 in the main state-owned enterprises. By May 2027, a second phase completes the framework (competency matrix for board members, letters of objectives for managers, link with the ethics charter that the project prepares in parallel).
- **Evaluation of board members and State representation:** orientation notes in December 2026, a methodological framework in the first half of 2027, then draft texts tested on the boards of a few volunteer enterprises (“pilot boards”) in the second half of 2027.
- **PPP and concessions:** as the draft law has already been approved by the Government, the project delivers in December 2026 a support file that analyses the comments received during the public consultation,

including those of the representatives of the European Union, checks the alignment of the text with Directive 2014/23/EU and proposes the adjustments to be made before its examination by Parliament; in 2027, it supports the preparation of the implementing acts of the law.

The role of the expert. The expert brings Moldovan law and legislative drafting skills in Romanian to all this work. Substantive choices (good governance practices, international comparisons, options proposed to the MEDD) are the responsibility of the project team, under the Head of Component 2. The legal expert ensures that these proposals are legally sound under Moldovan law and drafts the corresponding texts. The expert works autonomously.

3. Purpose of the assignment and expected results

The purpose of the assignment is to ensure that the project's proposals are legally sound under Moldovan law and directly usable by the MEDD, within its deadlines. It is organised in four lots:

- **Lot A, appointments:** the regime in force is analysed, amendment options are prioritised, and a draft Government decision amending Decisions No 209/2023, No 210/2023 and No 484/2019 is handed over to the MEDD on 18 December 2026, then consolidated after its comments to enter the adoption procedure from January 2027. The expert also checks the legal compliance of the toolkit described above.
- **Lot B, evaluation of board members and State representation:** the expert establishes the legal basis for a future regulation on the evaluation of board members and the legal diagnosis of Decision No 1053/2010; these contributions feed two orientation notes handed over to the MEDD on 18 December 2026.
- **Lot C, PPP and concessions:** by 18 December 2026, the expert checks that the adjustments proposed to the draft law are consistent with the rest of Moldovan law and reviews the Romanian version of the file; in 2027, the expert reviews the draft implementing acts of the future law.
- **Lot D, 2027 texts:** the expert drafts the regulation on the evaluation of board members and the draft amendment to Decision No 1053/2010, then finalises them after their test on the pilot boards.

Scope. The assignment covers enterprises owned by the State or in which the State is a shareholder. Municipal enterprises are excluded: where an amended text also applies to them, for example Decision No 484/2019 implementing Law No 246/2017, the expert flags the effects of the amendment without proposing specific provisions.

4. Texts to be examined

The expert works on the versions in force published in the State Register of Legal Acts (legis.md). The table below shows, for each text, what the expert does with it.

Legend

Text to be amended or drafted	Comments, or amendment if needed	Reference text, not amended
-------------------------------	----------------------------------	-----------------------------

Text	Subject	What the expert does
Appointments		
Government Decisions No 209/2023 and No 210/2023	Selection and remuneration of board members, audit committee members and boards of censors	Analysis, then draft amendment (December 2026)
Government Decision No 484/2019	Implementation of Law No 246/2017: selection and status of directors of state enterprises	Analysis, then draft amendment (December 2026)

Text	Subject	What the expert does
Government Decision No 902/2017	Organisation and functioning of the APP, including its powers on appointments	Amendment only if the new rules affect the powers of the APP
Evaluation of board members and State representation		
Government Decision No 1053/2010	State representation in commercial companies	Diagnosis (December 2026), then draft amendment (2027)
Regulation on the evaluation of board members (new text)	Performance evaluation of board members	Legal basis (December 2026), then drafting (2027)
Public-private partnerships and concessions		
Draft law on public-private partnership	Approved by the Government, pending examination by Parliament	Check of the consistency of the support file with the draft law
Law No 179/2008 and concessions legislation	PPP and concessions framework in force	Reference for the consistency check
Draft implementing acts of the future law	Secondary legislation, prepared after the adoption of the law	Comments and drafting proposals (2027)
Directive 2014/23/EU	Award of concession contracts in the European Union	Reference for alignment with EU law
General framework		
Law No 246/2017	State enterprises and municipal enterprises	Reference
Law No 1134/1997	Joint-stock companies	Reference
Law No 121/2007	Administration and denationalisation of public property	Reference
Government Decision No 820/2023	Model governance code for state-owned enterprises	Reference
Laws No 82/2017 and No 133/2016	Integrity; declaration of assets and personal interests	Reference
Law No 100/2017	Normative acts: form of drafts, informative note, adoption procedure	Reference for the drafting of all texts
Reform Agenda of Moldova under the EU Growth Plan, step 67	Commitments to be met in June 2027 on the governance of state-owned enterprises	Reference: the drafts must make it possible to meet these commitments
OECD Guidelines on Corporate Governance of State-Owned Enterprises (2024); Romanian Government Emergency Ordinance No 109/2011	International and European references	Reference, in liaison with the project experts

The expert also has access to the documents provided by the MEDD and the APP: draft texts in preparation, feedback from the public consultation on the draft PPP law, information on recent appointment practice. The list may be completed at the scoping meeting.

5. Activities

Common activities

- Kick-off meeting with the Head of Component 2: expectations, method, timetable of the four lots.

- Collection and verification of the versions in force of the texts and of the drafts in preparation at the MEDD.
- Scoping meeting with the MEDD, organised by the project in the week of 16 November 2026: exact scope expected for December, form of the deliverables, counterparts, timetable of the adoption procedures.
- Exchange with the inspectors of the French Inspectorate General of Finance (IGF), who are carrying out for the project, from 23 to 27 November 2026 in Chişinău, a diagnostic of the State ownership policy.

Lot A · Appointments · 14 days

For each of Decisions No 209/2023, No 210/2023 and No 484/2019, the expert analyses the provisions in force and their application: scope; eligibility conditions and required competences; selection procedure (advertising of positions, selection committee, criteria and scoring, transparency of results, appeals); composition of bodies and independent members; incompatibilities, conflicts of interest and declarations; duration, renewal and termination of mandates; remuneration; selection, contract, objectives and evaluation of managers; tasks, competences and independence of audit committees and boards of censors. The expert checks the consistency of the three decisions with each other, with Laws No 246/2017 and No 1134/1997, and with the powers of the APP set by Decision No 902/2017. The analysis draws on interviews with the MEDD and the APP, organised by the project.

The draft amendments address as a priority the June 2027 commitments described in section 2: at least one third of independent board members, mandatory in the enterprises remaining in State ownership, with an operational definition of independence; an independent member in the selection committee; remuneration rules and performance indicators for board members. If one of these requirements cannot be addressed in December, the expert flags it in the scoping note and it is explicitly included in the second phase, so that all the texts expected in June 2027 are ready in time.

The expert sorts the options into three groups: amendments that can be made by Government decision from December 2026; points deferred to the second phase, by May 2027; points that would require an amendment to the law. The expert drafts the amending decision, the comparative table (text in force, proposed text, justification) and the draft informative note required by Law No 100/2017, presents the file to the MEDD and incorporates its comments.

Adoption timetable. The file is designed to enter the Moldovan adoption procedure (public consultation, opinions, adoption by the Government) from January 2027, with a view to adoption by the end of April 2027. The scoping note flags from 27 November the points that would require an amendment to the law, whose parliamentary timetable would hardly be compatible with the June 2027 deadline, so that the MEDD can decide early.

Toolkit. The project team prepares the toolkit described in section 2. The legal expert checks its compliance with Decisions No 209/2023, No 210/2023 and No 484/2019 and with Laws No 246/2017 and No 1134/1997, and reviews its Romanian version to ensure that the legal terminology is accurate and faithful to the original text.

Lot B · Evaluation of board members and State representation · 6 days

- **Evaluation of board members:** legal basis for an evaluation regulation (legal basis, nature and level of the act, scope), link with Decisions No 209/2023 and No 210/2023 and Laws No 246/2017 and No 1134/1997, possible legal consequences of the evaluation (renewal, remuneration, dismissal).
- **State representation:** legal diagnosis of Decision No 1053/2010 (designation, status and mandate of the representative, instructions, reporting, liability, conflicts of interest, remuneration), consistency with the texts on appointments, possible amendments.

These contributions are incorporated into the two orientation notes that the project hands over to the MEDD.

Lot C · PPP and concessions · 6 days

- **December 2026:** check of the consistency of the support file prepared by the project with Moldovan law (link between the draft PPP law, the concessions legislation, public procurement law and the legislation on public property); review of the Romanian version to ensure that the legal terminology is accurate and faithful to the original text.
- **2027:** legal review of the draft implementing acts of the future law, according to the parliamentary timetable.

Lot D · 2027 texts · 6 days

- Drafting in Romanian of the regulation on the evaluation of board members, on the basis of the methodological framework adopted in the first half of 2027, with a comparative table and an informative note.
- Drafting of the decision amending Decision No 1053/2010, with a comparative table and an informative note.
- Finalisation of both drafts after their test on the pilot boards and the comments of the MEDD.

6. Deliverables, timetable and days

Deliverable	Content	Deadline	Days
A1 · Scoping note	Inventory of the texts in force, first findings, MEDD expectations confirmed for lots A, B and C (5 pages maximum)	27 November 2026	2
A2 · Draft appointments file	Analysis and options note (15 pages maximum, excluding annexes); draft decision; comparative table; draft informative note; legal check note on the toolkit and reviewed Romanian version	11 December 2026	8
A3 · Final appointments file	File A2 revised after the comments of the Head of Component, with a two-page summary; handed over to the MEDD by the project	18 December 2026	2
A4 · Consolidated appointments file	File revised after the comments of the MEDD, with a record of the comments and the follow-up given, ready to enter the adoption procedure	29 January 2027	2
B1 · Legal note on the evaluation of board members	Contribution of 4 to 6 pages to the orientation note (draft on 11 December)	18 December 2026	3
B2 · Legal diagnosis of Decision No 1053/2010	Contribution of 4 to 6 pages to the orientation note on State representation (draft on 11 December)	18 December 2026	3
C1 · Legal review of the PPP file	Note on consistency with Moldovan law and reviewed Romanian version of the support file (draft on 11 December)	18 December 2026	4
C2 · Review of the implementing acts	Legal comments and drafting proposals	30 June 2027, according to the parliamentary timetable	2
D1 · Draft regulation on the evaluation of board members	Draft text, comparative table, draft informative note	30 September 2027	2

Deliverable	Content	Deadline	Days
D2 · Draft amendment to Decision No 1053/2010	Draft decision, comparative table, draft informative note	30 September 2027	2
D3 · Final versions of D1 and D2	Texts revised after the test on the pilot boards and the comments of the MEDD	15 December 2027	2
Total			32

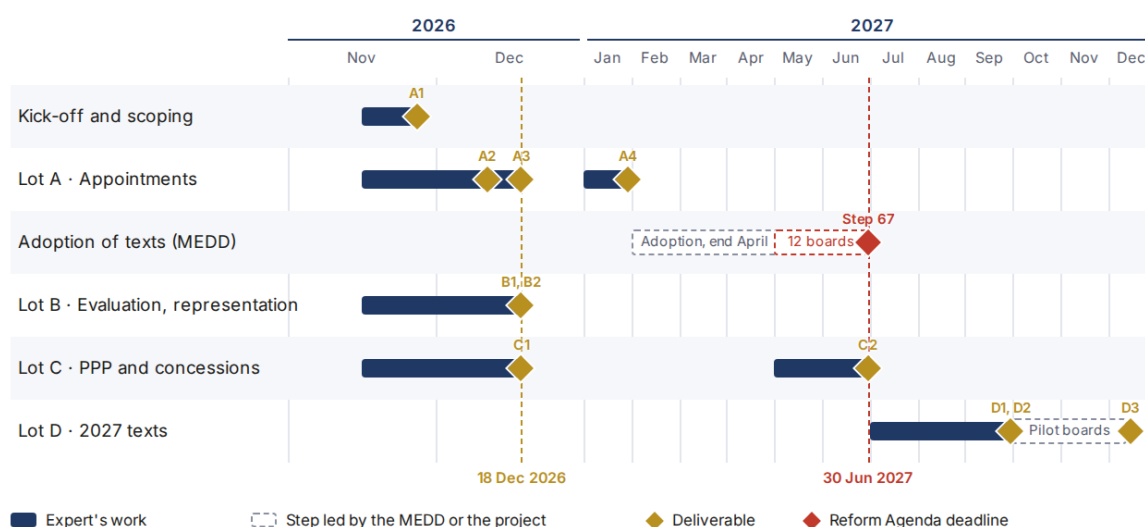
Pace. The assignment is intermittent: 32 days spread over thirteen months, including about 22 days between mid-November and 18 December 2026, 4 days in January and June 2027, and 6 days in the second half of 2027. The expert organises his or her time freely; no full-time presence is required. If the MEDD postpones a deadline, the timetable of the lots concerned is adjusted by written exchange, without changing the number of days.

Technical requirements. Draft texts, comparative tables and informative notes are written in Romanian. Analysis notes and contributions are written in English, with a summary in Romanian; comparative tables include a justification column in English. The translation of draft texts into English is provided by the project. Deliverables are submitted in editable Word format. Each finding refers to the article and paragraph of the text concerned.

Validation. The Head of Component 2 sends his comments within five working days of the submission of each deliverable. Deliverables are handed over to the MEDD by the project.

Overall timetable. Scoping meeting with the MEDD in the week of 16 November 2026; diagnostic by the Inspectorate General of Finance from 23 to 27 November; first deliverables handed over to the MEDD on 18 December 2026; adoption of the amendments on appointments targeted by the end of April 2027 and second phase by 31 May 2027; methodological framework for the evaluation of board members and State representation by 30 June 2027; texts tested on the pilot boards by 31 December 2027. The end-of-year holidays reduce the working period between 25 December and 8 January.

Sequence of the assignment, November 2026 to December 2027



7. Organisation of the assignment

- The expert carries out the assignment autonomously. The Head of Component 2 provides technical guidance and validates the deliverables; there is no relationship of subordination.
- The expert does not represent Expertise France, makes no commitment and signs no document on its behalf, and does not manage any team.

- The expert works with the project team, with the inspectors of the Inspectorate General of Finance during their mission, and with the legal departments of the MEDD and the APP.
- Meetings with the MEDD and the APP are organised by the project and held in the presence of the Head of Component or a member of the project team.
- Place of work: Chişinău for working meetings with the MEDD and the project team; the rest of the work may be done remotely. Practical arrangements for any travel are specified at the contracting stage.
- Communication: the expert makes no public statement on the assignment; all communication is the responsibility of the project.

8. Required profile

Minimum requirements (eliminary)

- Master's degree in law.
- At least seven years of professional experience in Moldovan public law or company law.
- At least two references in drafting or revising Moldovan normative acts (laws or Government decisions).
- Command of legal Romanian, written and spoken.
- Professional English, at least level B2.
- Able, as a natural person, to receive fees paid by Expertise France.
- Availability for about 22 days between mid-November and 18 December 2026, then for the 2027 deadlines, with presence in Chişinău for meetings.

Assets

- Experience in the governance of state-owned enterprises: boards of directors, audit committees, appointment procedures, State representation, Laws No 246/2017 and No 1134/1997.
- Experience in PPP, concessions or public procurement law.
- Knowledge of the OECD Guidelines and of EU law, in particular Directive 2014/23/EU.
- Experience of projects funded by the European Union or by international donors.
- Knowledge of Romanian practice; command of Russian.

Independence

During the assignment, the expert must not hold any position at the MEDD or the APP, nor any mandate in a body of a state-owned enterprise, nor be a candidate in a selection procedure governed by the texts examined, nor advise an operator interested in a PPP or concession project in Moldova. The expert signs a declaration of absence of conflict of interest and reports any new situation during the assignment.

Public officials. A candidate who is a serving Moldovan public official certifies that the assignment is compatible with his or her status (suspension of service during the assignment, or activity unrelated to current duties) and provides, where applicable, the agreement of his or her supervising authority. A candidate who has held a position subject to the declaration of assets and interests under Moldovan law certifies compliance with the restrictions applicable after leaving office.

9. Selection procedure and award criteria

The call for applications is published on the Expertise France expert recruitment platform. Candidates submit a CV, the application form and the sworn statement required for Expertise France individual expert contracts, certifying in particular that their tax and social security situation is in order. A shortlist of no more than three candidates is drawn up on the basis of the minimum requirements and assets. Each shortlisted candidate submits,

by the same deadline, a methodological note of no more than three pages and a lump-sum price offer for each of the eleven deliverables. An interview may be organised.

Criterion	Points
Experience in drafting Moldovan normative acts	25
Expertise in the governance of state-owned enterprises, company law and PPP and concessions law	20
Relevance and realism of the methodological note, with regard to the December 2026 deadlines	15
Languages and availability	10
Price: $30 \times (\text{lowest total offer} / \text{candidate's total offer})$	30
Total	100

These criteria are communicated to candidates in the call for applications.

10. Financial conditions, delays and non-compliance

- The price is a lump sum per deliverable; each deliverable is paid after its validation.
- The number of days is binding on Expertise France. Additional days may only be added at the initiative of Expertise France.
- A deliverable that does not comply with these terms of reference is reworked by the expert, at no additional cost, within five working days of the request. Payment is suspended until a compliant version is submitted.
- Any unjustified delay may give rise to the penalties provided for in the contract. No amendment may compensate for a delay attributable to the expert. Repeated delays or persistent non-compliance may lead to termination of the contract.
- A delay attributable to the beneficiary, for example in the transmission of texts or comments, postpones the deadline accordingly, after written agreement of the Head of Component.
- If the MEDD abandons one of the topics, the corresponding deliverables are neither carried out nor paid, after written notification by Expertise France.

11. Confidentiality and ownership of the work

The documents provided and the work produced are confidential. They are the property of the project and may be freely used by the MEDD in the procedure for adopting the texts.