



TURKS AND CAICOS ISLANDS GOVERNMENT

MINISTRY OF INNOVATION, TECHNOLOGY AND ENERGY

OFFICE OF THE ENERGY AND UTILITIES COMMISSIONER
ENERGY AND UTILITIES DEPARTMENT



TERMS OF REFERENCE

Job Title	Regulatory Legal Advisor (LA)
Project	TCI Multi-Sector Regulatory Authority (MsRA)
Contracting Authority	Energy & Utilities Department, TCI
Reports To	Mr. Delano R. Arthur – Energy & Utilities Commissioner TCI
Date of Issue	August 10 th 2026
Date of Deadline	August 31 st 2026
Duration	Twelve (12) months
To Apply	Individual consultants and/or firms are invited to apply for this opportunity: Request for Consultancy Services: 1. Technical Proposal inclusive of the following: 2. Cover letter/overview of the consultant 3. Curriculum Vitae 4. References of previous work completed that is similar to the TOR 5. Contact information for three (3) references. 6. Detailed Hourly Rate for the works outlined in the TOR Please send any clarification questions and proposal submission to: eud@gov.tc with Subject: Regulatory Legal Advisor

✉ : eud@gov.tc | drarthur@gov.tc

☎ : +1 (649) 338-3504 (Office of the Commissioner)

Address: 11 Caribbean Place, Providenciales
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1. BACKGROUND

The Government of the Turks and Caicos Islands is modernizing the legislative and regulatory framework governing the energy, petroleum, electricity, water and wastewater utility sectors. The Energy & Utilities Department (EUD) is leading the development of a comprehensive Multi-Sector Regulatory Authority (MsRA), supporting legislation, regulatory policies and utility agreements that will strengthen governance, transparency, accountability and service delivery while supporting the Government's objectives in utility regulations.

2. OBJECTIVE

The Energy & Utilities Department requires the services of an experienced Regulatory Legal Adviser to provide strategic legal advice and legislative drafting support for the development of the Turks and Caicos Islands' new multi-sector utility regulatory framework.

Working collaboratively with the Energy & Utilities Department, the Attorney General's Chambers (AGC) and other project team members,

The Regulatory Legal Adviser will:

- Review existing legislation, regulations, licences, agreements and related legal instruments governing the utility sector.
- Review consultant reports, mark-ups and technical recommendations and provide legal advice on implementation.
- Provide legal analysis of submissions received from regulated utilities and stakeholders.
- Review regional and international regulatory legislation and identify best practices.
- Prepare recommendations for legislative amendments, repeals and new statutory instruments.
- Draft, review and revise Regulatory Utility Agreements and related legal instruments.
- Provide legal advice during negotiations with regulated utilities.
- Advise on governance arrangements for the Multi-Sector Regulatory Authority.
- Draft the Multi-Sector Regulatory Bill and associated subsidiary legislation.
- Support Cabinet papers, legal briefing notes and consultation documents where required.

3. SCOPE OF WORK



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3.1 Legislative Review

Undertake a comprehensive review of legislation, regulations, utility licences, agreements and related legal documentation. Identify legislative gaps, inconsistencies, obsolete provisions and opportunities to modernize the regulatory framework while working collaboratively with project team members.

3.2 Comparative Review

Review comparable legislation from Caribbean and Commonwealth jurisdictions and recommend legal best practices, including governance, regulatory independence, enforcement powers and appeals.

3.3 Legislative Drafting

Draft, review and revise Regulatory Utility Agreements, assist in the review and drafting of consequential amendments, transitional provisions, draft regulations, legal briefing papers and other legal instruments required by the programme.

4. DELIVERABLES

- Comprehensive legislative review report.
- Legal gap analysis.
- Comparative regional legislative review.
- Draft Regulatory Utility Agreements and Regulations.
- Draft Multi-Sector Regulatory Bill.
- Draft subsidiary legislation and regulations.
- Recommendations for amendments to existing legislation.
- Legal opinions and advisory memoranda.
- Legal support during stakeholder consultations and negotiations.
- Final legislative package suitable for submission to the Attorney General's Chambers.

5. SCHEDULE AND WORK PLAN

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The Regulatory Legal Adviser shall prepare and maintain a detailed work plan identifying key activities, milestones, deliverables and anticipated completion dates. The work plan shall be updated throughout the assignment in consultation with the Energy & Utilities Department and project team members.

6. PROJECT DURATION

The assignment may be for a period of up to twelve (12) months, based on funding, project requirements and satisfactory performance.

7. RESOURCES

The Regulatory Legal Adviser will collaborate with technical consultants, subject matter experts, financial advisers, programme management personnel, the Attorney General's Chambers and other project team members appointed by the Energy & Utilities Department. The Department will provide reasonable access to relevant documentation and facilitate stakeholder engagement.

8. QUALIFICATIONS

- Bachelor of Laws (LL.B.) or equivalent law degree and admission to practise law in a recognized Commonwealth or comparable jurisdiction.
- Minimum ten (10) years' experience advising governments, regulators or utility sector organizations on regulatory law.
- Minimum fifteen (15) years of progressively responsible legal practice including public, commercial or regulatory law.
- Demonstrated experience drafting primary legislation, subsidiary legislation and statutory instruments.
- Experience negotiating utility licences, concession agreements or regulatory contracts.
- Knowledge of Caribbean utility regulation is highly desirable.
- Excellent legislative drafting, analytical, negotiation and communication skills.

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9. PROPOSAL EVALUATION CRITERIA

Criterion	Weight	Assessment Focus
Legal & Regulatory Approach and Methodology	25%	Clear and practical approach to reviewing existing legislation, licences, agreements and regulatory arrangements; identifying legal gaps; developing regulatory options; and supporting the preparation of a coherent, enforceable and implementable multi-sector utility framework.
Relevant Utility, Regulatory & Legislative Experience	25%	Demonstrated senior-level experience advising governments, regulators or utilities on utility regulation, public law, regulatory frameworks, licensing, concession or regulatory agreements and legislative reform. Caribbean, Commonwealth or comparable jurisdictional experience will be considered an advantage.
Qualifications & Experience of Key Personnel	20%	Qualifications and experience of the individual consultant or, for a firm, the proposed Lead Regulatory Legal Adviser and key personnel. Assessment will consider admission to legal practice, years of relevant experience, regulatory law expertise and demonstrated ability to advise Government at a senior level.
Legislative Drafting & Regulatory Agreement Expertise	15%	Demonstrated experience drafting or supporting the drafting of primary legislation, subsidiary legislation, regulations, statutory instruments, utility licences, regulatory agreements, transitional provisions and consequential amendments.
Understanding of Assignment & Proposed Work Programme	10%	Demonstrates a sound understanding of EUD's multi-sector regulatory objectives and presents a realistic work programme for legal review, legislative development, regulatory agreements, stakeholder engagement, negotiations and coordination with the Attorney General's Chambers and other project team members.
Stakeholder Engagement & Knowledge Transfer	5%	Demonstrated ability to support consultations and negotiations, explain complex legal and regulatory matters to technical and non-technical stakeholders, and strengthen EUD's institutional understanding through practical guidance, templates and knowledge transfer.

TOTAL: 100%

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EUD reserves the right, at its sole discretion, to accept or reject any candidate or proposal.

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