



**TERMS OF REFERENCE (*ToR*)**

**OF**

**THE CONSULTANT FOR THE FACILITATION OF MS2530  
STANDARDS REVIEW UNDER THE MSPO CERTIFICATION  
SCHEME**

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### 1. Background

The Malaysian Sustainable Palm Oil (MSPO) Certification Scheme is the national scheme in Malaysia for oil palm plantations, independent and organised (scheme) smallholdings, and palm oil processing facilities to be certified against the requirements of the MSPO Standards. The MSPO Certification Scheme provides for application by potential clients for certification audits; development and review of certification standards; guidelines for auditing; accreditation requirements and notification of certification bodies; peer reviewing of audit reports; supply chain traceability requirements; issuance of logo usage licenses and procedures for handling of disputes.

Beginning 2016, with the setting up of Malaysian Palm Oil Certification Council (MPOCC), the standard setting and review processes now fall under the task and responsibility of MPOCC which acts as the Secretariat to the Technical Working Committee on MSPO Standards [TWC (MSPO)]. The final standards developed or review by the TWC(MSPO) shall be presented to the National Steering Committee on MSPO [NSC(MSPO)] for finalisation and endorsement.

In accordance to Standard Malaysia Policies and Procedures, the Standards of the Malaysian Sustainable Palm Oil (MSPO) Certification Scheme should be reviewed periodically for continued

relevance and for effectiveness in meeting its objectives. The MS2530 Standards was endorsed in 2013 and the implementation on voluntary basis started in 1st January 2015. MPOCC as the MSPO scheme owner and operator has been directed by the National Steering Committee on MSPO to implement the processes to review the Standards with aim to finalise the revised Standards by 2020.

The review process will start with formation of a Standards Review Committee (SRC) from the TWC (MSPO). The Secretariat in liaison the SRC, will appoint a consultant to facilitate the overall review process. The Secretariat will be the technical resource to the process as well as assist in the logistics. The SRC will oversee the review process, including forming of Expert Working Group(s), submission of progress updates and the final draft document to the TWC (MSPO).

## 2. Scope

MPOCC is seeking a consultant (envisaged to be a team of experts, given the significant amount of work involved and issues expected to be dealt with) to facilitate the various processes throughout the entire review.

The whole process shall comply with the Standard Setting and Review Procedure under the MSPO Certification Scheme (MSPOSSP 1/2018).

MPOCC as the Secretariat will engage the consultant.

## 3. Deliverables / Main Tasks

The deliverables will consist of the following:

1. Review of stakeholders mapping and propose revised stakeholders for approval of TWC(MSPO).
2. Coordinate and implement the overall review process.
3. Presentations to the TWC(MSPO) on the progress of standards review during the project.
4. The final draft of revised MS2530 to be delivered to MPOCC via email and hardcopy by the engaged consultant at the end of the contract and will become the property of MPOCC and consultant approval is not necessary or required for any future amendment.

## 4. Terms of reference and specific tasks for the consultant

The overall process will be coordinated by the Consultant working closely with the Secretariat.

Subject matter experts may be invited by MPOCC to inform the SRC on critical issues for deliberation in the context of the standards review.

Representatives from certification bodies, and other interest groups may be allowed to participate as observers in the process at the sole discretion of the Secretariat. MPOCC in consultation with SRC will evaluate and approve these experts to guarantee their impartiality.

Subject matter experts do not represent any stakeholder group and do not participate in any decision making.

- Review of stakeholders mapping and propose revised stakeholders for approval of TWC(MSPO).
- Preparation of inception report to inform the SRC based on :-
  - 1. Invitation for comments on current standard
  - 2. Collect feedback from the stakeholder groups (CBs, NGOs, Associations, Academia etc)
  - 3. Literature review (compare schemes, new knowledge and practice, etc)
  - 4. Organisational Monitoring and Evaluation
  - 5. New knowledge or practice
  - 6. Output of EWGs, if applicable
- Prepare drafts of the Standards over the review process, cumulating in final draft of revised MS2530 to be delivered to MPOCC.
- Plan, organise and facilitate the stakeholder engagements including:
  - I. Plenaries, break-out groups, activities or smaller sessions. (The consultant's team members are expected to be experienced facilitators and can manage parallel break out groups, when necessary).
  - II. Organise participants among different groupings and sessions, to balance different interests, ensure appropriate expertise is available in sessions, and provide a format for less vocal participants to be heard.
  - III. Ensure groups keep to the tasks set and timelines.
  - IV. Ensure the groups' findings and conclusions are captured and fed back to the SRC and Secretariat as needed.
- Document discussions, conclusions and agreements clearly and submit them to the Secretariat so that the Secretariat can use them as the basis for responding to stakeholder comments and producing subsequent drafts of the draft standard, as for general record keeping purpose.

## 5. Frequency of Meetings with MPOCC

Discussion will be held as and when necessary at the Secretariat office, or another venue to be mutually agreed upon, during the period of the consultancy. It is envisioned that there be periods where these could be intense in frequency and resource levels.

These tasks and functions may be carried out during face-to-face meetings, and between meetings, via electronic means, as determined by MPOCC as the Secretariat to the TWC(MSPO).

## 6. Work Plan

The entire scope of work shall be completed in seventeen (17) months from the date of appointment (which is tentatively envisioned to be November 2018 through March 2020), with the following:

1. Review of stakeholders mapping and propose revised stakeholders for approval of TWC(MSPO).
2. Coordinate, implement and report on the overall review process.
3. The final draft of revised MS2530 to be delivered to MPOCC.

The review process timeline is appended in Annex 1.

## 7. Finance and Resources

MPOCC is responsible to bear the fees and any other agreed cost of the Consultant.

MPOCC is also responsible to bear to costs of organising meetings, including the stakeholder consultations.

## 8. Termination

MPOCC reserves the right to terminate this Engagement at any time for any reason whatsoever by giving consultant a week (7) days prior written notice. Upon the termination, MPOCC shall pay consultant the reasonable costs and the relevant fees earned up to the date of termination and thereafter, consultant shall have no further or other claims against MPOCC whatsoever.

## 9. Extension

Notwithstanding the above, should consultant withdraw from performing the Services, consultant will not be entitled to payment for work done and consultant will be liable to all consequential costs or damages, if any.

## 10. Confidentiality

It is understood and agreed to that identified discloser of confidential information may provide certain information that is and must be kept confidential. To ensure the protection of such information, and to preserve any confidentiality necessary.

## 11. Invitation to tender

MPPOCC invites proposals for the consultancy. These should include:

- Background profile of the companies or individuals
- Description of relevant experience and expertise
- CVs of proposed facilitators
- Financial proposal, professional fees and expected costs.

Proposals in hard copies and digital format (CDs) should be sent to -

Mr Chong Wei Kwang, Senior Manager Plantation Management of MPOCC at  
Malaysian Palm Oil Certification Council,  
15<sup>th</sup> Floor, Bangunan Getah Asli (Menara) 148,  
Jalan Ampang 50450 Kuala Lumpur, Malaysia

by **5.00 pm Thursday, 22 November 2018.**

## Annex 1

The overall review process timetable is shown below:

|   | Activity  | Date                     | Person in charge                                      |
|---|---|--------------------------|---|
| 1 | Stakeholder mapping   | January 2019             | Consultant  |
| 2 | First Public Comment (60-days) on review of MS2530 of MSPO Standards (Stakeholder input) - data and information gathering period (90-days)<br><br>1. Invitation for comments on current standard<br>2. Collect feedback from the stakeholder groups (CBs, NGOs, Associations, Academia etc)<br>3. Literature review (compare schemes, new knowledge and practice, etc)<br>4. Organisational Monitoring and Evaluation<br>5. New knowledge or practice<br>6. Output of EWGs, if applicable | Dec 2018 - February 2019 | Consultant  |
| 3 | Production of Draft 0 based on Activity 2   | March 2019               | Consultant  |
| 4 | TWC (MSPO) meeting to consider Draft 0  | April 2019               | MPOCC to organise, Consultant to present to TWC(MSPO) |
| 5 | Finalisation of Draft 1, including translation to Bahasa Malaysia for purpose of public consultation  | May 2019                 | Consultant  |
| 6 | Regional Public Consultations (Sabah, Sarawak and Peninsular –estimated eight 2-days consultations  | June – July 2019         | MPOCC to organise, Consultant to execute              |
| 7 | TWC (MSPO) meeting to consider comments & proposals received from Regional Public Consultations   | August 2019              | MPOCC to organise,                                    |

|    |   |                                  |   |
|----|---|----------------------------------|---|
|    |   |                                  | Consultant to present to TWC(MSPO)                    |
| 8  | Finalisation of 2nd draft, including translation to Bahasa Malaysia for purpose of public consultation              | September 2019                   | Consultant  |
| 9  | Second Public Comment (60-days) on review of MS2530 of MSPO Standards   | October - November 2019          | MPOCC to collate, Consultant to evaluate              |
| 10 | TWC (MSPO) meeting to consider feedback from Second Public Comment and finalisation of draft standard (Final Draft) | November 2019                    | MPOCC to organise, Consultant to present to TWC(MSPO) |
| 11 | Third and Final Public Comment (30-days) on review of MS2530 of MSPO Standards (optional)                           | December 2019                    | TWC(MSPO)   |
| 12 | Pilot testing   | To be decided later by TWC(MSPO) | TWC(MSPO)   |