

TERMS OF REFERENCE

CHIEF EXECUTIVE OFFICER (C.E.O.)

REGULATED SUBSTANCES AUTHORITY

1 BACKGROUND

- 1.1** The Government of Saint Lucia has passed legislation to regulate the production and use of controlled substances on the island. To achieve this, In July 2019, the Government of Saint Lucia appointed a Cannabis Commission to review the current laws on cannabis and make recommendations for a new regulatory framework to inform the development of Cannabis in Saint Lucia. Based on the recommendations of the Commission, Cabinet by Conclusion approved the drafting of a policy, legislative and regulatory framework for the development of a Cannabis Industry in Saint Lucia.
- 1.2** The regime governing the industry will be contained in two separate pieces of legislation. An initial piece of legislation created the Regulated Substances Authority. The Regulated Substances Authority will, among other things, make final decisions for the allocation of licences.
- 1.3** A Policy for a cannabis industry has been developed and approved and a bill specific to the cannabis regime is also under development with a view to completion and enactment early in the 2024 calendar year. This piece of legislation will deal with all aspects of the Cannabis regime. Among other things, it will:
- 1.3.1** Create a Medical Cannabis Advisory Council;
 - 1.3.2** Regulate the cultivation, distribution, manufacture, transport, import, export, and sale of industrial hemp and medical cannabis;
 - 1.3.3** Regulate the sale of Class One Medical Cannabis (can be obtained without a prescription);
 - 1.3.4** Licence medical practitioners to prescribe Class Two Medical Cannabis;
 - 1.3.5** Licence pharmacists to dispense Class Two Medical Cannabis;
 - 1.3.6** Create a regime for inspections and monitoring.

2 ACHIEVEMENTS TO DATE

- 2.1** The Criminal Records (Rehabilitation of Offenders) Act and Drugs (Prevention of Misuse) Act was amended to adequately empower the Rehabilitation of Offenders Board and allow adult possession of not more than 30 g of cannabis respectively. In December last year the Minister with responsibility for the Drugs (Prevention of

Misuse) Act by (SI 208 of 2021), allowed for the cultivation of not more than four cannabis plants within a dwelling house.

- 2.2 The Cabinet of Ministers has also appointed a Cannabis Taskforce with the mandate to develop and implement a cannabis regulatory framework which is fit for purpose, balancing the public health of the society while providing adequate mechanisms for the sustainability of the industry. The Cannabis Taskforce developed a revised framework for the cannabis regime to be established in Saint Lucia and received endorsement from the Cabinet of Ministers for the development of legislation consistent with the endorsed framework
- 2.3 The Attorney General's Chambers has, with the guidance of the Taskforce and other stakeholders, developed a Regulatory Substances Authority (RSA) Bill and a Cannabis Bill to establish, implement, support and regulate a cannabis industry in Saint Lucia.
- 2.4 As part of the CCEDM consultancy project, a consultant visited the island between August 5th and 12th 2023 and was party to a number of meetings with stakeholders linked specifically with the regulatory framework. During the week in question Meetings were held with officials of the Saint Lucia Bureau of Standards, The National Agricultural Diagnostic Facility, the Forensic Lab and Officials of the Ministry of Health. In September 2023 the consultant presented the framework for regulations for the industry to the Ministry of Saint Lucia. The Ministry upon receipt of the deliverable from the consultant requested that the Saint Lucia Bureau of Standards and the Steering Committee expand the framework and engage respective consultants as required to develop the regulations for the industry.
- 2.5 The Ministry of Commerce has commenced the process to engage consultants to develop the Regulation for cannabis consistent with the framework developed.
- 2.6 In November 2023 the Regulated Substances Bill was presented in Parliament and passed before the lower house.
- 2.7 A Cabinet Appointed Steering Committee now oversees the finalization of the RSA Regulations and the Cannabis Bill.

3 ESTABLISHMENT OF THE REGULATED SUBSTANCES AUTHORITY

- 3.1 **The Regulated Substances Authority Act** established a body known as the Regulated Substances Authority (RSA). The structure of the RSA will include the following key positions: Chief Executive Officer, Chief Substance Officer, Corporate Secretary and Chief Licensing Officer, Director of Quality Assurance and Regulatory

Affairs, Substance Director, Director of Communications and Outreach, Director of Administration and Human Resource, Director of Finance and Director of Legal Affairs, among others.

- 3.2 The RSA will be a body corporate relying on its own resources to deliver its mandate including strategic planning, financial management, procurement, monitoring and evaluation, environmental and social safeguards, and reporting in accordance with both Government and international legal requirements.

4 OBJECTIVES OF THE ASSIGNMENT

- 4.1 The Board of Directors of the RSA is seeking to employ a **Chief Executive Officer (CEO)** to lead the RSA. This individual will be directly supervised by the RSA Board of Directors. This position will work in close collaboration with Ministry of Commerce and other relevant Government Departments.

5 DUTIES AND RESPONSIBILITIES

5.1 LEADING, COORDINATION, SUPERVISION

- 5.1.1 Lead the establishment of the RSA during its initial stages including the recruitment of RSA staff, the establishment of policies, procedures, manuals, and systems, and the development of relationships with key internal, government, and external stakeholders.
- 5.1.2 Establish, lead, and supervise the staff of the RSA.
- 5.1.3 Lead, coordinate, supervise and ensure adherence to the RSA Act and other related national and international legislation.
- 5.1.4 Attend meetings and lead discussions on RSA activities.
- 5.1.5 Represent the RSA at inter-governmental meetings relevant to activities of the RSA.
- 5.1.6 Coordinate with other Ministries working in areas relevant to RSA Activities.
- 5.1.7 Oversee training and capacity development programs for the staff of the RSA.
- 5.1.8 Manage internal and external communications with respect to RSA activities.
- 5.1.9 Coordinate and facilitate stakeholder engagement

5.2 PLANNING AND MANAGEMENT

- 5.2.1 Lead the development of the RSA Annual Work Plan and Procurement Plan.

- 5.2.2 Lead the development of the RSA Operations Manual (POM).
- 5.2.3 Ensure RSA activities are aligned with existing national and international policies.

5.3 BUDGET AND FINANCE

- 5.3.1 Lead the development of the RSA Annual Budget and ensure the effective management of the RSA budget.
- 5.3.2 Oversee and manage, in collaboration with the appointed line staff and in keeping with the directives of the Board and Fund Board, medium term and strategic financial and strategic planning.
- 5.3.3 Report on the progress of RSA budget utilization and forecast expenditure to the BOD, Permanent Secretary and Heads of Division (monthly or as required) with assistance from the RSA Director of Finance.
- 5.3.4 Oversee the preparation of quarterly financial reports to the BOD and the Minister responsible for Commerce (MoC), and the delivery of the annual independent audits.
- 5.3.5 Manage and remain accountable for expenditures against budget based on accurate financial reporting.

5.4 REPORTING

- 5.4.1 Ensure the delivery of a quarterly monitoring and evaluation report to the BOD and the Permanent Secretary responsible for Commerce
- 5.4.2 Oversee reporting against the RSA's Results Framework.
- 5.4.3 Coordinate the preparation of the Progress Reports, for submission to the BOD.

5.5 ADVICE

- 5.5.1 Provide high-level strategic and operational level advice to the BOD, and the Government as required.

5.6 PERFORMANCE APPRAISAL AND STAFF SUPERVISION

- 5.6.1 Manage the performance of the RSA staff in line with the established staff performance management systems.
- 5.6.2 Develop Terms of Reference for RSA staff and ensure they are kept up to date.
- 5.6.3 Recommend to the BOD on decisions relating to Human Resource Management.

5.7 TECHNICAL KEY RESULTS AREAS

- 5.7.1 Maintain necessary level of technical and operational skills to supervise RSA activities.
- 5.7.2 Oversee the preparation, execution and delivery of outputs for all contracts relating to the activities of the RSA.
- 5.7.3 Overall responsibility for establishment and operations and funding.
- 5.7.4 Lead recovery decisions to reroute RSA activities/ resources to ensure re-alignment to established deadlines and benchmarks

5.8 LEGISLATION, ADMINISTRATIVE POLICIES AND PROCEDURES

- 5.8.1 Ensure RSA compliance with local legislation, as well as established administrative policies and procedures, and contribute to reviews of these as required.

5.9 OTHER DUTIES

- 5.9.1 Perform any other duties as requested by the Minister of Commerce and/or the BOD.

6 EXPECTED KEY DELIVERABLES

The CEO will be responsible for supporting the implementation of the RSA Preparatory Activity Plan including any and all deliverables, specified by the BOD.

7 DURATION

- 7.1 The C.E.O. post is a full-time engagement. The initial contract duration would be for twenty-four (24) months with an automatic extension for a further period of three (3) years upon satisfactory performance in the initial twenty-four (24) month period, then further renewal based on performance. The contract is subject to a probationary period of six (6) months and may be subject to satisfactory achievement of key deliverables. Performance will initially be reviewed after three (3) months, and thereafter subject to annual reviews.

- 8 **LOCATION.** This is a full-time position based in Saint Lucia and may involve overseas travel. The C.E.O. will work from the RSA where he/she will be assigned a workstation and will participate in face-to-face or virtual meetings.

9 SELECTION CRITERIA

9.1 QUALIFICATIONS:

- 9.1.1 A Master's Degree in Project Management, Economics, Business Administration, Engineering, Natural Resource Management or other related disciplines with at least five (5) years of relevant professional experience in managing similar organizations or in a similar position.

OR

- 9.1.2 A Bachelor's Degree in Project Management, Economics, Business Administration, Engineering, Natural Resource Management or other related disciplines combined with at least 10 years of relevant professional experience in managing similar organizations or in a similar position;

- 9.2 Pervious leadership and managerial experience outlined in Point 9.4 is a requirement and must be evidenced.

- 9.3 Experience in regulatory environment at a senior managerial level would be an asset

9.4 EXPERIENCE AND SKILLS

- 9.4.1 Leading overseeing and/ or managing organization's staff and resources, and in roles with similar responsibilities;
- 9.4.2 Experience managing organization's budgets, with financial systems, and with financial reporting;
- 9.4.3 Experience preparing documentation, including policies and procedures;
- 9.4.4 Experience delegating responsibility to respective staff members based on discipline;
- 9.4.5 Experience with reporting, including: presenting progress in visual formats, and writing/ preparing clear and concise reports;
- 9.4.6 Experience in interpreting relevant legislation, policies, procedures, and processes of government;
- 9.4.7 Experience using Microsoft Office or other relevant software to present information such as cost, schedule, budgets as well as to monitor outputs against established benchmarks.
- 9.4.8 Excellent communication skills in English (speaking, reading, and writing),
- 9.4.9 Able to communicate in a clear and structured manner to a broad range of audiences;
- 9.4.10 Strong ethics, high level personal organizational skills, and ability to manage own workload.

10 REMUNERATION

- 10.1** An attractive remuneration package commensurate with experience and skills will be offered.

APPLYING FOR THIS POST

Interested eligible candidates must provide information indicating that they are qualified to perform the services; and are invited to submit their, description of similar assignments, experience in similar conditions, availability of appropriate skills, etc. and Curriculum Vitae (CV) to the following address:

Chairperson,
Regulated Substance Authority
Ministry of Commerce, Manufacturing, Business Development, Cooperatives and Consumer Affairs
4th floor Heraldine Rock Building
Castries
Saint Lucia

Or electronically:

chairman@rsa.govt.lc and info@rsa.govt.lc

Applications **must** include the following format and content:

- a. A brief covering letter (maximum 1 page); and
- b. A resume (CV) of no more than 5 pages, showing personal details, work experience, and education, along with the names of three work related references.

Note: unsuitable candidates will not be acknowledged. Applicants whose minimum qualifications and experience conform to the Terms of Reference will be short-listed and invited to attend an interview for further consideration.