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## CURRICULUM VITAE (CV) FOR PROPOSED PROFESSIONAL STAFF

Proposed Position:

Name of Firm:

Name of Staff: Campbell Oliphant Duncan

Profession: Lawyer

Date of Birth: July 1953

Years with Firm/entity: Independent consultant. Nationality: Australian

Membership in Professional Societies: Law Institute of Victoria RPA, Statute Law Society, Commonwealth Association of Legislative Counsel, Administrative Law Institute of Australia, Australasian Study of Parliament Group.

Publications: Publications: Planning and Development Law, Victoria (Australia), State Editor, Local Government Law Journal (1995-1999). Paper presented to World Conference on Transport Research Society Lisbon 2010 Conference (“Stakeholder consultation in road administration - a legal perspective.”).

Detailed Tasks Assigned:

Countries of Work Experience: Australia, Azerbaijan, Bangladesh, Bhutan, Botswana, Dubai (UAE), India, Indonesia, Samoa, Sri Lanka, Tonga. Offsite (desk, staff training): Ethiopia, Mongolia.

### **Key Qualifications:**

#### *Summary*

Thirty years experience in all aspects of legislation work, including review, drafting and implementation of legislation.

#### *Details*

#### **Leadership Training (Legislative drafting training)**

Mongolia (conducted in Melbourne, Australia), 2011

Legal Drafting for Law and Development Leaders, under the 2011 Ausaid Australian Leadership Awards Fellowships (Ministry of Justice and Home Affairs of Mongolia).

I designed and conducted a two week training course for mid-level to senior legislative drafting staff, concentrating on technical skills, legislative process, legislation structure, consultation and regulatory impact analysis.

#### **Quality assurance review, INDII Program (Ausaid)**

Indonesia (desk review), 2011

Review of draft report on legislation applying to expressway (including concession road – toll way) development in Indonesia under a quality assurance program of the Indonesia Infrastructure Initiative of Ausaid.

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I designed and conducted a two week training course for mid-level to senior legislative drafting staff, concentrating on technical skills, legislative process, legislation structure, consultation and regulatory impact analysis.

**Drafting of human resources rules for local government**

Bhutan, World Bank Individual Consultant, 2010

With the introduction of elected local government in Bhutan new provisions were required for a range of issues relating to administrative machinery and human resources. The work included stakeholder consultation, preparation of a report and draft rules.

**Institutional strengthening, roads legislation**

India, Bihar State, ADB (TA), 2009, 2010

Drafting of laws providing for administration of roads and funding of road maintenance, creation of a road maintenance fund, provision for establishment of toll roads and review of road offence enforcement.

**Institutional Support – Law Making Process, Indonesia, UNDP 2009.**

The Department of Law and Human Rights occupies a central place in the process of making and reviewing legislation in Indonesia – including laws made in all sectors, both nationally and locally. With the impending completion of an institutional support program (“CAPPLER”), there was a need to review support to date and to identify future support needs.

**Drafting revised Local Government Act, draft Planning Act and rules for Land Pooling**

Bhutan Ministry of Works and Human Settlement, 2008, 2009.

With the establishment of a system of elected local government (*Thromde*) in urban areas, and with urban expansion, there was a need for new and revised legislation, including:

- a *Planning Act* capable of early implementation;
- revised local government legislation dealing with *Thromde* (urban) councils;
- a method of reconfiguring property boundaries which facilitates transition of rural land to becoming urban land in a way that is equitable and effective.

**Drafting and Implementation of Road Traffic Act Reforms**

Botswana Ministry of Works and Transport, 2008

The Botswana Ministry of Works and Public Transport and Department of Road Transport and Safety, working through a Reference Group, engaged Campbell to prepare a Gap Analysis of existing laws and proposed amendments, review draft legislation, undertake a program of consultation with Government and private sector stakeholders, and to finalise a package of regulatory reforms intended to achieve higher compliance levels by drivers.

**Legislation review and drafting, Dubai (UAE)**

Sub-contract to VicRoads International, 2007, June-July 2007

Review law dealing with driver licensing and driver training, draft new legislative provisions to implement recommended reforms.

**Legislation review and drafting, Azerbaijan**

World Bank funded Azerbaijan Highway II Project, 2007, 2008, 2009 (three months in total)

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Draft a report and proposed legislation on allocation of responsibilities between Government (national and local), Government-controlled entities and private sector entities in the road sector. Draft road administration provisions which blend contractual and legislative controls and provide for future establishment of inter-agency agreements, reference panels and private sector concession agreements.

**Legislative Drafting Training & Support, Indonesia** Ausaid:

- IASTP training (2005, 2008). Develop and present (with others) two series of seminars on legislative drafting, oriented to the needs of provincial government officials, (presented at several locations in the eastern islands);
- IALDF (2005, 2006). Review and report on support needs of central government for the preparation and drafting of legislation. Develop components of central government training for legislative drafting officers and present at seminars.

**Legislation Specialist, Tonga** 2004, 2005: Technical Assistance in Legal Drafting and the Processing of Legislation under the Tonga Technical Assistance Facility, (AusAid):

- Adviser to Ministry of Police –Reviewing earlier reports and recommendations and drafting a new Road Traffic Act and associated amendments to Criminal Proceedings Act;
- Adviser to Ministry of Justice – Analysis of legislation relating to judicial service, court administration and case management, drafting of five Bills and supporting documents, consultation with stakeholders, participation in deliberations of Legislative Drafting Committee and Law Committee.

**Legislation Specialist, India** 2004. Kerala State Transport Project, contractor SMEC (sub-contract VicRoads), World Bank funded project. Institutional Strengthening Action Plan Implementation. Analyse legislation relating to roads including road fund legislation in Kerala State, review administration of that legislation.

**Legal Specialist, Bangladesh** 2004. CIDC3 project, contractor WSP International for DFID (UK). Drafting of new principal legislation dealing with highways and road administration. The legislation is to implement reform proposals and will replace existing roads legislation.

**Legislation Consultant, Victoria** 2003-7. Engaged by Roads Corporation and Department of Infrastructure, Victoria to prepare drafting instructions, supporting documents and regulations in relation to – a new *Road Management Act* (including participation in meetings with key stakeholders), a Code of Practice under that Act, new legislation regulating the accident towing industry and (2007) heavy vehicle driver fatigue.

**Institutional Legal Advisor, Indonesia** 2001, 2002, 2004, Sumatera Region Roads Project (Road Safety and Vehicle Weight and Dimensions) (World Bank, OPCV/DHV). Reports on deficiencies of current legislation, including drafting of provisions for inclusion in legislation. Detailed analysis of laws and enforcement procedures affecting a weigh station pilot project and options for revenue transfer from the central government to provincial governments (related to the cost of weigh station operation) consistent with regional autonomy laws.

**Legislation specialist, Samoa** September 2001. Development of Traffic Administration Systems and Improvement of Road Safety Project (World Bank, OPCV/VicRoads). Analysis of legislation, analysis of administration arrangements, extensive consultation, preparation of report, recommendations for a new roads authority and legislation.

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**Legislation Consultant (Staff Consultant, ADB), Bangladesh, 2000.** Road Maintenance and Improvement. This work was undertaken with particular reference to the proposed construction of a limited access road connecting to the Chittagong port. Review legislation dealing with vehicle access restrictions and highway encroachments and new provisions drafted. In addition, preliminary research was undertaken in relation to “whistleblower” anti-corruption legislation. Participate in a seminar on land transport policy in Bangladesh.

**Legislation Consultant, Sri Lanka.** 1999. Southern Transport Development Project, ADB. Two factors which could adversely affect arterial road function were roadside encroachment by roadside traders and others and slow moving vehicles. Road management legislation was drafted including provision for future establishment of toll roads operated by private concession. Also, assistance to a road safety committee.

**Manager Legislation, Local Government Department, Victoria** 1987-1989. Preparing the *Local Government Act* 1989, supporting regulations and local laws. Stakeholder consultation (State Government departments and agencies, local government and other affected groups and users, including regional seminars and media interviews). Preparing Cabinet and other decision papers. Facilitate negotiations between Government and Opposition parties in the Victorian Parliament, brief Ministers during passage of legislation through Parliament.

**Manager, Legislation, Road Traffic Authority, Victoria, 1985-1987.** In 1986 existing road law in Victoria, which had never been comprehensively reviewed, was repealed and re-enacted as the *Road Safety Act*. The consultant was responsible for coordinating policy development, and developing the new legislation.

#### **Education:**

1981 Master of Laws, University of Melbourne, Australia  
1975 Bachelor of Laws (Hons), Monash University, Australia  
1973 Bachelor of Economics, Monash University, Australia  
1995 Associate Diploma Applied Science (Viticulture), Charles Sturt University, Australia

#### **Employment Record:**

**Principal, Duncan Lawyers.** 1999-present. Overseas consulting work. Legislation advice and drafting for State, local Government and statutory authorities. Work has included:

- consulting work in countries listed above, also desk review of Ethiopia road law;
- legal advice and legislation work for State (Department of Infrastructure), local government and statutory authorities (Roads Corporation, Country Fire Authority). Transport regulation issues (road/rail interface, road management, towing industry, taxi and hire car industry entry). Advice and training for local government about trade practices legislation and National Competition Policy. Tribunal advocacy (land use planning and local government taxation issues). Sectoral legislation work – university, gambling, roads (traffic and road transport industry), courts administration, emergency services legislation.

**Senior Associate, then Partner, Maddock, Lonie & Chisholm, Lawyers** 1995-1999. Acting mainly for government. Seminar work and legal writing for publication. Legislative drafting for statutory authorities and local government. Management responsibility within a large (200 person) legal office. Advising and representing statutory bodies in relation to law reform, including national competition policy and restructuring issues.

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**Senior Associate, Russell Kennedy, Solicitors** 1989-1995. Acting mainly for government, including legislative drafting for the Commonwealth and State road authorities, the Government of Western Australia and local government bodies. Work for the National Road Transport Corporation included drafting of “template” legislation for adoption by the States dealing. Advice and tribunal appearance work. Seminars in association with local government peak body.

**Manager, Legislation, Local Government Department (Victoria)** 1987-1989 Preparation of legislation and liaison with local government and other departments about relevant legislative proposals. Administration of new legislation dealing with long-term residents of caravan parks. Policy analysis on many issues relating to local government powers and funding sources. Acting as Freedom of Information review officer and providing general legal advice to the Department.

**Manager, Legislation, Road Traffic Authority (Victoria)** 1985-1987 Responsible for preparation of Road Safety Act 1987 and supporting regulations, administrative functions under the Transport Act 1983.

**Parliamentary Counsel, Victoria** 1981-1985. Drafted legislation for the Victorian State Parliament. Also, advised on subordinate legislation, worked with law reform committees and appeared before the Parliamentary Legal & Constitutional Committee.

**Barrister in private practice** 1977-1981. General advocacy in Victorian courts.

**Articled Clerk then Solicitor, J P Brent & Stephens, Solicitors** 1976-1977 Commercial law. Obtained qualification to be admitted as a Barrister and Solicitor of the Supreme Court of Victoria.

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**Languages:**

<u>English:</u>	<i>Speaking</i> excellent	<i>Reading</i> excellent	<i>Writing</i> excellent
<u>Indonesian</u>	<i>Speaking</i> good	<i>Reading</i> good	<i>Writing</i> good
<u>French</u>	<i>Speaking</i> good	<i>Reading</i> good	<i>Writing</i> fair

**Certification:**

I, the undersigned, certify that to the best of my knowledge and belief, these data correctly describe my qualifications, my experience, and me.

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**Date: 10 April 2011**