Terms of Reference

Legal expert (consultant) to support the review and strengthening of national health data governance and AI legislative and regulatory framework in Solomon Islands

Details of work required: The legal expert will support a national government to strengthen its national health data governance and AI legislative and regulatory framework. This includes leading a legal and regulatory landscape review and gap analysis against Transform Health's Health Data Governance Principles and Legislative Blueprint (Model Law), providing legal and technical backstopping during the national stakeholder consultation, and developing a national legislative implementation plan.

Expected duration: the work should be carried out between December 2026 and February 2027 (approximately 3 months).

Background

Stronger, more effective and equitable governance of health data and AI is needed to fully harness their potential for public benefit and improved health outcomes, while curbing the risks and harms of inadequate guardrails. Countries across the Western Pacific Region are rapidly digitalising their health systems and adopting AI, but legislative and regulatory frameworks have not kept pace. Approaches vary widely, from comprehensive data protection laws with health-specific provisions to no data protection law at all, limiting safe data sharing, interoperability and the responsible use of AI within and across borders.

Transform Health and WHO Western Pacific Regional Office (WPRO) are collaborating to provide technical support to governments to strengthen their national health data governance and AI legislative and regulatory frameworks. The approach is demand-driven, government-owned and multi-stakeholder, and runs through five stages: (1) preparation and stakeholder engagement; (2) legal review and gap analysis; (3) national stakeholder workshop; (4) national legislative implementation plan; and (5) legislative drafting, enactment and progression. It draws on Transform Health's tools, including the Health Data Governance Principles, the Legislative Blueprint (Model Law) and implementation guide, and the national legislative and regulatory landscape assessment tool.

Transform Health and WHO WPRO are seeking to recruit a legal expert to lead the legal and technical work in Solomon Islands, in addition to overall country coordination and government engagement. Transform Health and WHO WPRO provide overall guidance, templates and quality assurance.

Scope of work

The legal expert will review the national legislative and regulatory landscape for health data and AI governance, support national stakeholders to validate the findings and agree

priorities, and develop a national implementation plan. This assignment will include the following key activities:

- **Preparation and government and stakeholder engagement:**
    - Identify key government and other national stakeholders to be engaged, including Ministry of Health, Ministry of ICT, data protection authorities (DPAs), regulators, legislators, civil society, patient groups, private sector stakeholders, WHO country/regional office, UNICEF country/regional office, Parliamentary Health Committee focal points, academia, and others as relevant.
    - Prepare overview of the national approach/workplan.
    - Establish a national technical working group or steering committee (as relevant) to provide overall guidance and inputs.
    - Carry out an in-country kick-off meeting to meet with the Ministry of Health and key national stakeholders.
    - Support in signing of MoU (or similar) with the Ministry of Health to ensure government backing, as relevant.
- **Legal and regulatory landscape review and gap analysis:**
    - Map all legal instruments, policies and guidelines relevant to health data and AI governance (e.g. data protection, health-specific provisions, digital health, AI, cybersecurity, medical devices, research ethics, access to information) and the institutions that oversee them.
    - Review the national legislative and regulatory landscape against the Health Data Governance Principles, the Legislative Blueprint (Model Law) and other relevant regional and international instruments, using the legislative landscape assessment tool.
    - Conduct key informant interviews (approx. 8–10) with government officials and experts (e.g. Ministry of Health, Ministry of ICT, data protection authority, regulators) to understand how laws work in practice and where reform is feasible.
    - Identify gaps in national legislation and regulations, i.e. which provisions are covered, partially covered or absent.
    - Establish what is needed to address the gaps, e.g. whether they can be closed through subsidiary regulation, ministerial policy or new or amended primary legislation, including ready-to-use provisions from the Legislative Blueprint or other instruments, and the process to take this forward.
- **Legal and technical backstop during the national consultation:**
    - Prepare a presentation and plain-language summary of the findings, and options for priority instruments and drafting approach, for the national stakeholder workshop.
    - Present findings at the workshop, organised by the national coordinator, and provide legal and technical input to discussions.
    - Draft the legal and technical content of the workshop report and the consensus statement on prioritised instruments and drafting approach.
    - Revise the landscape report to reflect validated findings, and provide legal input to the technical working group or steering committee, where one exists.
- **Develop the national implementation roadmap:**
    - Develop a national implementation plan for updating legislative and regulatory instruments, setting out sequenced actions, roles and

responsibilities (with a named institutional owner for each action), timelines through to enactment, an indicative budget and financing plan, the management and oversight structures required, a parliamentary and cabinet engagement plan, and a capacity-building plan.
    - Circulate the draft plan for Transform Health, WHO WPRO and technical working group or steering committee and government feedback, incorporate feedback, and support the national coordinator to secure its endorsement by the Ministry of Health.
    - Develop national case study outlining the process, stakeholders engaged, key gaps and needs, and setting out an overview of the implementation plan.

Key deliverables and deadlines

Deadline (indicative)	**Deliverable**
Week 1	• Inception meeting. • Brief overview of the approach/workplan; list of instruments to be reviewed; key informants; wider set of government and other stakeholders to be engaged (e.g. national workshop).
Week 3	• National legal and regulatory review and drafting of the landscape report, including list of instruments reviewed, gap analysis and recommendations (e.g. recommended legal and regulatory instruments: new, amended, subsidiary). *(a landscape review template/sample will be provided)*

Week 4	• Workshop preparation and materials:
	  ○ Approach/agenda for half day workshop session (in collaboration with overall workshop lead)
	  ○ Presentation and plain-language summary of findings of legislative review, and options for priority instruments and drafting approach. *(presentation template will be provided)*

Week 5 or 6	• National stakeholder workshop: present findings of legislative review; guide discussions; provide legal and technical backstop.
Week 7	• Draft consensus statement on prioritised instruments and drafting approach to address gaps identified in the landscape review, including based on stakeholder feedback.
Week 9	• Final national legal and regulatory landscape report, incorporating validated findings from the national workshop. • Draft national health data governance legislative implementation plan, including approach/key steps/responsible parties to address gaps identified in the landscape review; and a parliamentary and cabinet

	engagement plan. *(Implementation plan template will be provided)*
Week 11	• Final implementation plan, incorporating feedback, ready for Ministry of Health endorsement • National case study outlining the process, stakeholders engaged, key gaps and needs, and setting out an overview of the implementation plan. (a case study template will be provided)

Profile and experience

We are looking for a legal expert with legislative and regulatory expertise in health data governance, data protection and AI, and in-depth knowledge of the national legal system and legislative process for Solomon Islands. We are particularly interested in a legal expert with experience reviewing legislation and regulatory frameworks, and working with the government. The legal expert should have strong research and analytical skills, with the ability to synthesise findings and make clear, practical recommendations.

- Law degree; an advanced degree in law, public health law, health policy or a related field is an advantage.
- Proven track record (8+ years) in health law, data protection law, digital health policy or AI governance.
- In-depth knowledge of the national legal system and of how bills, regulations and policies are drafted, approved and enacted in the Solomon Islands.
- Demonstrated experience in legal and regulatory review and gap analysis.
- Experience working with ministries of health, regulators or parliament, and presenting to senior and diverse stakeholders.
- Familiarity with Transform Health's health data governance tools and with global and regional frameworks is an advantage.
- Excellent analytical and writing skills in English, and fluency in the relevant national language(s).
- Preference will be given to legal experts based in the Solomon Islands.

Remuneration

The proposed budget for this assignment is approximately **USD 8,000-10,000**; to be agreed based on experience and the proposal.

Application process

To apply, please submit the following to ndifanji.namacha@transformhealthcoalition.org **by 23:00 CET on 22 November:**

- Your CV and cover letter outlining your experience relevant to this consultancy.
- A brief proposal outlining your approach to this assignment.

- Your proposed daily rate and number of days to carry out this consultancy, including a breakdown by task/deliverable.

Transform Health is a global coalition of more than 230 organisations dedicated to achieving universal health coverage (UHC) by 2030 by harnessing digital technology and the use of data. We bring partners and networks together, leveraging our shared experience and expertise, to shape policy agendas, influence decision makers, develop tools, provide technical support to governments and others, and conduct research and analysis to deliver health for all in the digital age.