

JOB DESCRIPTION

1. IDENTIFICATION

<i>Position Number</i>	<i>Position Title</i>	<i>NOC/Index Code</i>
63-3502	Senior Advisor, Legislation and Legal Affairs	
<i>Department</i>	<i>Division/Region</i>	<i>Location</i>
Industry, Tourism and Investment	Policy, Legislation and Communications	Yellowknife

2. PURPOSE OF THE POSITION

The Senior Advisor, Legislation and Legal Affairs, provides expert advice on and implements strategies for the legislative review of Departmental legislation and, where appropriate, other assigned special projects, and must ensure that appropriate information and briefings are provided to the Minister, Cabinet, Standing Committee, and stakeholder groups. The incumbent also provides expert advice in the areas of legislation analysis, coordination and implementation to ensure the development of new legislation and regulations administered by Industry, Tourism and Investment are consistent with Cabinet direction, land claim agreements and federal legislation. The position coordinates the amendment of legislation and development of new legislation and provides expert advice on legislation processes including drafting. This position also provides expert advice relating to legal issues in relation to departmental activities as they arise.

3. SCOPE

This position reports to the Director, Policy, Legislation and Communications. The Policy, Legislation and Communications Division is responsible for providing expert advice relating to legislation and legal affairs relating to the mandate of the Department, in addition to coordinating the development of new policy and legislative initiatives, as well as the legal activities of the Department.

The Department is responsible for the administration of 8 statutes and associated regulations, many of which need to be revised, updated, or replaced to be consistent with settlement of land claims and Federal legislation. The subject matter is varied, including: mines and minerals; oil and gas; energy; tourism; parks; diamond projects; traditional economy, agriculture and fisheries; economic diversification; business information and intelligence; and access to capital. Amendment of existing legislation and regulations, and development of new legislation and

policies must be undertaken in the context of settled and unsettled land claims agreements, which will require integration with Departmental legislation and policies. In addition, program delivery is affected by case law, federal and territorial legislation, and by the policies of the GNWT and the Department. The incumbent will need to be familiar with this legal framework to play a coordinating role in the review and development of a wide range of legislation and policies, as well as administration of existing legislation, policies and programs.

The incumbent is called upon to provide advice and coordinate responses regarding the varied legal issues that arise related to legislation and departmental activities in general. The actions recommended can have a significant impact on the way the department delivers programs. Recommendations also have potentially significant financial implications through provision of advice that may result in the department avoiding costly lawsuits. Recommended actions often deal with issues that have a high public profile as well.

The incumbent works closely with the divisions responsible for implementation of the legislation and program delivery, as well as legislative drafters and legal counsel from the Department of Justice, and contract legal counsel where necessary. The incumbent may be required to work under tight deadlines with information of a confidential nature.

4. RESPONSIBILITIES

1) Provides expert advice in the areas of legislation and departmental policies.

Main Activities

- Review and make recommendations on Departmental legislation;
- Represent the Department's legislative interests with other departments and other governments;
- Review Departmental and economic development policies to identify specific legal concerns;
- Review the Departments programs and activities for compliance with legislation; and
- Analyze and report to Senior Management, the impact of both federal and territorial legislative changes on issues in the area of economic development.

2) Coordinates the development of new legislation.

Main Activities

- Identifying and clarifying legal issues related to legislation or policy proposals and providing advice on the best means of addressing these issues;
- Reviewing departmental actions or proposals to determine whether they are consistent with legal obligations under Acts or agreements;
- Developing briefing materials to assist in decision-making related to legislative items and legal issues;
- Advising on the substance of new and amended legislation and developing recommendations for the consideration of Cabinet and the Legislative Assembly

that would meet the GNWT and departmental goals, objectives and priorities;

- Coordinating development of, or amendments to, legislation with divisions and regions;
- Participating on departmental project teams created to coordinate departmental and public input into legislation development or amendments;
- Interpreting legislation and providing advice about the legislative development process.
- Providing expert advice about the appropriate instrument (statutes, regulations, policy, etc) to govern the achievement of Departmental objectives;
- Revising and preparing documents used in the legislative process, including draft legislation, drafting instructions, legislative proposals and public consultation documents, for conformity with standards and policy direction and recommending revisions as required;
- Providing advice on effective public consultation processes that are consistent with settled land claims agreements, case law and other legal obligations;
- Preparing drafting instructions for Department of Justice and meeting with legal and legislative counsel to ensure draft legislation accurately reflects the intent of the proposed legislation and policy goals of the Department;
- Coordinating departmental committees and participating on interdepartmental committees dealing with issues related to departmental legislation, as appropriate and assigned. Advising on other departmental and GNWT initiatives as requested in order to coordinate with and obtain information on other related departmental and GNWT projects;
- Conducting research to assist in development of legislation and analyzing methods of addressing legislative issues;
- Analyzing results of public consultation in relation to new legislation or amendments to legislation being developed.

3) Evaluates Departmental policies and programs to determine their effectiveness in meeting legislative requirements.

Main Activities

- Reviewing policy proposals for consistency with departmental legislation;
- Providing advice on the legal implications of various policy initiatives that fall within the department's mandate;
- Recommending policy approaches that would remain consistent with existing legislation or advising on legislative changes required to allow for specific policy approaches.

4) Ensures the effective administration of response to Departmental legal issues.

Main Activities

- Reviewing Departmental requests for legal opinions and referring to Department of Justice for legal advice where necessary;

- Reviewing documents including contracts, memoranda of understanding and proposed policies, and referring for legal opinions where necessary;
- Providing advice and support on legal issues;
- Proposing approaches to dealing with legal issues that have been identified;
- Participating in the preparation of strategies and supporting documents (briefing notes, Ministerial statements and information items and decision papers for Cabinet and information for Standing Committees as required) regarding any legal proceedings the department may be involved in.
- Reviewing documents for land claims negotiations and interim measures agreements to provide advice on issues where there may be legislative or legal implications.
- Dealing with Aboriginal governments, land claims organizations, and stakeholders on issues related to new or amended legislation.
- Attending public meetings as required as part of the legislative consultation process.

5) Performs other duties.

Main Activities

- Provides support to the departmental corporate business planning and results reporting processes;
- Supervises and manages contract and casual support staff, consultants, etc. associated with legislation, policy and program development and evaluation;
- Maintains a positive working relationship with provincial, territorial and federal government officials in areas of legislation and policy development, sustainable development policy, etc;
- Acts as the liaison with regional and field staff on relevant issues.

5. KNOWLEDGE, SKILLS AND ABILITIES

The responsibilities of the position require a specialized technical knowledge of law and legislation, and in particular the development of legislation, to an extent that allows the incumbent to recognize issues and develop innovative approaches.

Specific areas of expertise include:

- Knowledge of legal and legislative principles and practice;
- Ability to read and interpret legislation;
- Knowledge of departmental legislation and goals and objectives, and the political and social environment in which department programs and services are delivered;
- Familiarity with key pieces of Federal legislation that relate to departmental operations;
- Knowledge of the legislative development process;
- Knowledge of land claim agreements;
- Knowledge of northern peoples, cultures and communities.

Responsibilities require the incumbent to have proven analytical, research, writing and communication abilities. Specific skills include:

- Ability to identify key issues from complex documents, and explain these issues in plain language;
- Ability to work effectively in teams;
- Ability to organize, prioritize and work under pressure and with deadlines;
- Project management and co-ordination;
- Ability to make effective oral presentations;
- Responsibilities require human relations know-how in order to build and sustain relationships with stakeholders, lead teams and carry out complex negotiations. Political sensitivity, self-confidence, tact and diplomacy are also critical in contacts with stakeholders and politicians.

This level of knowledge is most commonly acquired through an undergraduate degree in a related field and a degree program in law (L.L.B.), as well as 2 – 3 years experience working with law and legislation, experience in the development, implementation and evaluation of legislation, and experience in writing and researching documents such as Decision Papers, Legislative Proposals and Ministerial briefing notes.

6. WORKING CONDITIONS

Physical Demands

Generally minimal; however, during public consultations, environmental hearings, or sessions of the Legislative Assembly and Standing Committees, the incumbent is subject to physical fatigue caused by long or extended hours.

Environmental Conditions

The incumbent is subject to normal office settings.

Sensory Demands

Sensory demands include high concentration to capture important subtleties during difficult and often emotionally charged meetings. Sensory demands are for frequent periods of short duration.

Mental Demands

The incumbent is subject to high levels of stress related to multi tasking and working to tight deadlines in a setting where there are frequently changing priorities, conflicting interests and differing perspectives. The incumbent is also subject to high levels of stress when collaborating with senior officials. Mental demands are for frequent periods of short duration.