

## JOB DESCRIPTION

<b>Incumbent Name:</b>		<b>Emp No:</b>	
<b>Job Title:</b>	Manager Legal	<b>Position Type:</b>	Fulltime
<b>Department:</b>	Legal Department	<b>Salary scale:</b>	Band 8
<b>Location:</b>	FCCC Suva Office	<b>Region</b>	Central/Eastern
<b>Directly Reporting To:</b>	1. Chief Legal Counsel 2. Chief Executive Officer	<b># of Reports:</b>	7

### Organisation Summary

The Fijian Competition & Consumer Commission (FCCC) is an independent statutory body established under Section 7 of the FCCC Act 2010 that promotes effective competition and informed markets, encourages fair trading, protects consumers and businesses from restrictive practices, controls prices of regulated industries and other markets where competition is lessened or limited.

### Purpose & Nature of the Role

The Manager Legal will be tasked with various responsibilities such as analysis of legal files and providing high quality legal advice to the FCCC Executive Management and teams on a full range of legal and challenging operational issues, in accordance with the FCCC ACT 2010. The Manager Legal will instill and foster a culture of Ethics & Compliance across all levels within FCCC and build relationships with external legal advisors within the region. The Manager Legal while reporting to Chief Legal Counsel will have responsibility for the Legal and Regulatory Compliance functions of FCCC.

### Key Result Areas (KRA's)

- Provide high quality legal services to FCCC.
- Present high-quality legal advice to FCCC.
- Contribute to project planning and implementation.
- Effectively conduct and manage substantial or complex litigation.
- Support the development of other Legal Counsel.
- Ensure knowledge management is practiced at all times.

### Key Accountabilities

#### 1.0 To provide high quality legal services to FCCC

- Undertake the legal role supporting project teams dealing with strategically significant or complex FCCC projects or projects where the internal legal team has comparative advantage.
- Carry out significant and complex legal research and analysis of relevant Fiji and international competition, regulatory and fair-trading law.

- Advise on the application of the relevant laws related to FCCC work and analyse substantial and complex information while identifying solutions to legal issues.
- Advise the FCCC and project teams including reviewing significant communications to stakeholders and maintain effective client relationships.
- Draft and review significant or complex legal documents as required.
- Maintain effective relationships with external legal service providers ensuring they take account of the FCCC's approach to issues.
- Exercise sound legal judgment having regard to FCCC's strategic objectives.
- Actively contribute to the Legal team's knowledge base.
- Key contribution to the delivery of high-quality legal services to FCCC.
- Stakeholders
- achieves continuous professional development

## **2.0 To present high quality legal advice to FCCC**

- Develop presentations and present legal opinion / advice on project issues, with support from senior colleagues
- Communicate succinct outline of legal issues and rationale for opinion.
- Adopt an advocacy role and confidently debate issues.
- FCCC benefits from legal presentations that are effective, clear, concise, professional, non-argumentative, balanced and respectful of the audience.
- Issues are described in an understandable manner.
- The audience is well informed and confident in the legal advice.

## **3.0 To contribute to project planning and implementation**

- Confirm instructions and clarify Legal Group role and deliverables with the project manager in consultation with senior colleagues, analyse and understand the relevant facts and legal issues.
- Plan own time in relation to the project and prioritizes between projects.
- Develop clear and robust next steps from a legal perspective.
- Promptly inform the project manager of any changes to approach or timeframes.
- Manage team expectations in conjunction with senior colleagues.
- Anticipate legal 'roadblocks' and steer the team around these.
- Identify lessons learned from a legal perspective as part of project de-brief.
- Assist in the development of improvements to FCCCs processes and procedures.
- FCCC utilises project plans that correctly scope legal participation with realistic and
- achievable timeframes, allowing for internal quality management

- A well-informed project team with appropriate expectations as to the legal counsel's role and Deliverables.

#### **4.0 To effectively conduct and manage routine litigation**

- Act as lead on selected litigation projects and ensure critical litigation related project dates are met.
- Act as a liaison point for the litigation projects between internal and external stakeholders.
- Provide instruction and direction to external legal counsel on FCCC strategic objectives in consultation with senior colleagues.
- Conduct advocacy to junior counsel, as determined by the project team.
- Draft and review Court documents as determined by project team.
- Ensure FCCC behaves as the model litigant.
- Well managed litigation projects
- Effective use of resources
- Timely disposition of cases
- Effective representation of the Commission's position both in short and long term
- The Commission achieves the best result in the circumstances

#### **5.0 To support the development of Legal Counsel**

- Provide feedback and coaching on all aspects of legal counsel performance across projects, including research, communication, instructions and planning
- Provide this feedback to the Principal Counsel including comments on development needs of legal counsel
- Ensure 'know how' and knowledge are captured and shared with FCCC staff, Legal Counsels and others
- Support the systems and processes to facilitate the effective operation of Legal Counsels and the Legal team
- Legal Counsels develop and benefit from mentoring and coaching
- Ensure that Weekly, Monthly, Quarterly and Annual reports are compiled and presented in a timely manner to the Chief Legal Counsel, who shall table the same to the Chief Executive Officer.
- Discuss and improve the reports of FCCC through quality improvement tools.
- Ensure all Occupational Health & Safety procedures are followed according to the Health and Safety at Work Act 1996 while carrying out hazardous work outside or within the Office Premises.
- Ensure all the hazards concerning the area of work are highlighted prior to the reporting line.
- Ensure Innovation and continuous improvement and business excellence strategies are implemented on a

random basis to achieve the desired outcome of FCCC.

- Any other duties that may be assigned by the Supervisor within the scope of the Manager Legal role.

### **Key Performance Indicators (KPI's)**

Refer to Annual KPI set every financial year

### **Qualification**

A Bachelor of Law Degree and a Professional Diploma Legal Practice or any other discipline.

### **Knowledge and Experience**

- 5-8 years + post admissions to the Bar
- Litigation and Legal Drafting skills
- Knowledge of relevant legislation/ legal frameworks enforced by the FCCC.
- Knowledge of FCCC internal and external guidelines, decision making processes and policies.
- Knowledge of risk management & investigation techniques and their practical application.
- Uphold & adhere to FCCC principles and values.

### **Skills and Abilities**

- Drafting ability in court pleadings, legal advice and other legal documents
- Understanding of economic concepts and principles, FCCC's roles and functions
- Knowledge of laws of evidence, court rules and professional rules of conduct
- Knowledge of investigation techniques and their practical application
- Good command of written and spoken English
- Strong communication and interpersonal skills
- Be able to work to deadlines, be highly organised and have the ability to work under pressure.
- A passion for continuous learning
- Innovating thinking
- Good listening, interpersonal, written and oral communication skills.
- Ability to absorb and support new facts, data and information rapidly.
- Ability to work on own initiative or as part of a team.
- An energetic, creative, and collaborative approach to working and problem solving.
- Must be able to work in a team environment as well as independently.
- Able to prioritize, anticipate, and deliver multiple, sometimes competing objectives under tight deadlines.
- Ability to handle complex issues/ fraudulent and investigation.
- Demonstrated conceptual thinking and problem-solving ability.

- Analytical skills and an eye for detail with good Planning and organisational skills.
- Ability to understand broader business issues.

### **Risk and Compliance**

- Hearing files get adjourned due to change of plea by accused
- Providing unclear legal opinions
- 10 CLE points to renew practicing certificate.
- Fixed Penalties files not paid submitted late for Prosecution.
- Error of employees issuing notices and fixed penalties.
- To ensure organizational risks are controlled and mitigated almost every time 100%.
- Comply with FCCC's work policy (Human resource policy, Standard Operating Procedures).
- Health and Safety at Work Act 1996/FCCC Act 2010
- Work in compliance with company policies and procedures, relevant employment laws.

### **Key Challengers / Success Factors**

Effective relationships with internal and external stakeholders are established and maintained to improve effectiveness and build confidence around matters relating to the FCCC. Develop and Implement industry best practices to achieve outcomes that are conducive to businesses as well as consumers.

### **Internal / External Relationships**

#### **Internal**

- Chief Legal Counsel
- CEO, GM and all Managers
- All staffs

#### **External**

- Relevant stakeholders & Other relevant Government Ministries and local Institutes All relevant Government Ministries.
- All relevant Government Ministries
- Private practice solicitors
- Statutory bodies and other agencies associated with the Legal Department
- Staff of the Office of the Attorney General
- Staff of the Office of the Solicitor General
- Staff of the Office of the Director of the Public Prosecutions
- Relevant Stakeholders

### **Authority Level**

### **Financial Authority Level**

The incumbent will be responsible for ensuring that activities undertaken by him/her are well within the budgetary allocation for such items and FCCC's financial regulation.

### **Human Resources**

Through the Human Resources Self Service Portal (myHRhub), you are required to manage your personal details together with Leave Management, while ensuring the Organisational Human Resources Policies are followed at all times.

### **Proviso**

The Job Description and KRA's in this contract with a view that upon review at any time within the contractual period engaged with FCCC, it can be altered, changed or extended with added responsibilities. Any such proposed changes will be in consultation with the concerned staff, Department Manager and Human Resources.

### **APPROVAL and ENDORSEMENT**

<b>Name of Incumbent</b>	<b>Date:</b>	<b>Signature:</b>
<b>Name of Department Manager</b>	<b>Date:</b>	<b>Signature:</b>
<b>Manager Human Resources Name</b>	<b>Date:</b>	<b>Signature:</b>

**Note:** *These responsibilities are not exhaustive. From time to time it may be necessary to change the position requirements in response to the changing nature of our work environment, including technological requirements or statutory changes. Such change may be initiated as necessary by your manager or General Manager and will be discussed with you.*