

Ministry:	Ministry of Fisheries
Division:	CEO Office
Location:	Tongatapu
Position:	Legal Officer
Position Number:	MOF0012
Reports to:	Chief Executive Officer
Band:	J
Salary:	\$26,880 - \$40,320
Job Purpose	<p>The Ministry of Fisheries is responsible for the conservation, management, sustainable utilization and development of fisheries resources in the Kingdom and the fisheries waters in order to achieve economically, socially and environmentally sustainable fisheries that contributes to better living standards for all Tongans.</p> <p>The purpose of this role is to advise the Ministry on legal issues including administer and oversight all Acts & Regulations, further subordinate legislation instruments, and relevant policies and procedures under which, or for which, the Ministry has responsibility for implementation.</p> <p>Also review, amending and drafting legislation and regulations administered by the Ministry to be submitted to the Legislative Assembly as required including contracts.</p> <p>Lead in facilitating community law initiatives promoting fisheries legal awareness and ensuring compliance with relevant regional and international legal instruments.</p>
Accountabilities / Outcomes	<ul style="list-style-type: none"> • Lead in preparation, review of the Section Corporate Plan, Annual Management Plan (AMP) and Internal Annual Management Plan (IAMP). • Implementation of the Section Annual Management Plan (AMP) and Internal Annual Management Plan (IAMP).
	<ul style="list-style-type: none"> • Lead in preparation of Section annual budget and monthly cash flow • Manage and Implements of the section budget and cashflow to ensure that comply with AMP, IAMP and monthly cashflow.
	<ul style="list-style-type: none"> • Manage of section reports (monthly, quarterly, 6 months and annual)
	<ul style="list-style-type: none"> • Counsels to the CEO, Minister, and Government as necessary on all matters related to the legal environment of the Ministry, in particular where there is any associated risk

	<ul style="list-style-type: none"> • Administer and oversight all Ministry Acts, Regulations, further subordinate legislation instruments, and relevant policies and procedures • Lead in review, amending and drafting legislation and regulations administered by the Ministry to be submitted to the Legislative Assembly as required • Lead in drafting of fisheries legislation as required to implement the Ministry Corporate Plan, and lead the process for approval of legislation including preparation of Cabinet submissions • Lead in providing and coordinate full legal support for all compliance action in support of fisheries legislation, including prosecutions • Lead in review and evaluate the Ministry's responsibilities and tasks as necessary to ensure the Ministry is in compliance with: <ul style="list-style-type: none"> - The Public Service Act and associated regulations - The Fisheries Management Act 2002 and associated regulations - The Aquaculture Management Act 2003 and associated regulations - Regional fisheries agreements - International fisheries agreements - The law of the sea and its supplements • Ensure to assess the potential effects of domestic and international legislation and agreements upon the Tonga fisheries sector • Lead in attending to legal and advice issues on a routine basis
	<ul style="list-style-type: none"> • Lead in reviewing of the Ministry's contractual obligations • Lead in drafting contract agreements to meet specific contractual arrangements • Lead the Ministry in contract negotiations • Lead in monitoring of the performance of contractors • Lead in draft correspondence to contractors in alleged breach of contract conditions • Lead in providing legal support for procurement activities as required, including for consistency with policy requirements
	<ul style="list-style-type: none"> • Counsels the licensing and compliance issues to relevant staff, including licence application and vetting, licence terms and conditions, and policy and legislation • Executes criminal prosecutions of very complex public policy cases (fisheries) on behalf of the Crown • Counsels support for warnings and prosecutions
	<p>Counsels on the issue of all certificates issued to ensure compliance with the provisions of the Fisheries Management Act 2002</p>
	<p>Executes training support:</p>

	<ul style="list-style-type: none"> - for fisheries officers on fisheries prosecutions and investigations - on special management areas on the application of legislation - for authorized officers including police and Tonga Defense Services (TDS) on powers of authorized officers and enforcement of fisheries legislation on Public Service policies and regulations <p>Ensure comply with relevant PSC and internal policies. (Public Services Act & Regulations 2010) – (Disciplinary Procedures, Grievance and Dispute Regulations, PSC Policy Instructions)</p> <ul style="list-style-type: none"> - Attendance policy - Dress Code <p>Executes all functions of an authorized officer as provided in section 71 of the Fisheries Management Act 2002</p> <p>Executes any other duties that assigned by the CEO/HODs</p>
Person Specification	
Skills and Abilities	<p>Mandatory:</p> <p>Communication & Language</p> <ul style="list-style-type: none"> ➤ Discussing work issues with individuals or groups with confidence ➤ Preparing clear and concise papers or documents for discussion by others who are often more senior ➤ Reading, writing and understanding work material or instructions that may be complex or require analysis <p>Planning</p> <ul style="list-style-type: none"> ➤ Contributing to planning processes or design for an organisational output <p>Organising</p> <ul style="list-style-type: none"> ➤ Contributing to the implementation and achievement of a planned output, product or service ➤ Having responsibility for the achievement of a specific output or service <p>Controlling</p> <ul style="list-style-type: none"> ➤ Monitoring, evaluating and reporting on the quality of outputs, generally to more senior staff ➤ Utilizing appropriate processes to ensure quality of output and delivery <p>Leading</p>

	<ul style="list-style-type: none"> ➤ Providing work supervision or assistance to other staff and may allocate work or tasks ➤ Providing input into the performance management of other staff if required
Qualifications and Experience	<p>Mandatory:</p> <p>Professional Diploma in Legal Practice and Bachelor Degree in law from a recognized common law institution/jurisdiction with no working experience.</p> <p>Qualifications acceptable for this role must be in Law from a recognized common law institution/jurisdiction</p>
Authorised by (sign and date)	
Supervisor	<p>Name: Dr. Tu'ikolongahau Halafihi</p> <p>Signature:</p> <p>Date:</p>
CEO	<p>Name: Dr. Tu'ikolongahau Halafihi</p> <p>Signature:</p> <p>Date:</p>
Employee	<p>Name: Vacant</p> <p>Signature:</p> <p>Date:</p>