

SMALL AND MEDIUM ENTERPRISES CORPORATION

JOB DESCRIPTION

Department/Statutory Authority Small and Medium Enterprises Corporation	Position Number SMECMD 007
Division Office of CEO	Designation/Classification Legal Officer/Board Secretary Grade 12
Branch Legal	Local Designation Legal Officer/Board Secretary
Section Nil	Reporting to: Managing Director Position No SMECMD 001
Location Head Office, Gordons.	Highest Subordinate: Managing Director Position No: SMECMD 001

History

DPM File N0.	Date of Variation	Details
	New	New
		Adopted new concept of Job Description

Employment Conditions: As per SCMC and DPM approved Terms and Conditions of employment for SMEC.

2.0 Purpose

The Legal Officer is responsible to oversee all legal matters and aspirations of the Corporation and provide leadership and control of the operations of the legal branch and ensure effective and efficient coordination, management and implementation of the Divisional and the Corporation Organizational Work Program mapped out in the Corporation Five Year Corporate Plan. Provide legal assistance and support services to the Office of the Managing Director and the Corporation Board to enhance effective operation and management of the Corporation.

3.0 Dimension

3.1 Staff Supervision:

One (1) Branch staff

3.2 Operational Expense Budget:

Manage and operate within the approved Corporation Annual Budget

4.0 Nature and Scope

The Legal Officer is responsible to oversee the legal affairs of the Corporation and provide sound legal advice to the Managing Director and the SMEC Board of Directors on legal issues affecting the Corporation as well as performing the following duties;

1. Researching, analyzing and establishing the SME Council in direct consultation with the Portfolio Minister, Board, Managing Director, management and other relevant stakeholders as stipulated in the SME Policy and Master Plan 2016 – 2030.
2. Facilitating and overseeing the establishment, implementation and operation of the SME Council Secretariat on its mandated functions and responsibilities.
3. Researching, reviewing and developing SME legislation and other relevant SME related legislations including the SMEC Act to guide the Corporations' mandated functions and responsibilities such as implementing the SME Policy and Master Plan 2016 – 2030.
4. Liaising and communicating with various government agencies including the courts, Department of Justice, Office of the Solicitor General legal officers and professionals and other relevant organizations on matters concerning the operations and business of the Corporation.
5. Conducting research and analyzing the Corporations legal matters or issues and documenting them accordingly.
6. Interpreting laws, court rulings, regulations and advising the Managing Director, Board and management on the implications and actions that is required.
7. Preparing, drafting and compiling legal documents including law suits, appeals, contracts, deeds and any other documents seem legal and necessary for the Corporation.
8. Preparing and presenting facts orally and in writing before the courts, government and other government and private sector agencies on behalf of the Corporation.

9. Representing the Corporation in attending legal forums, seminars, meetings and gatherings on behalf of the Managing Director as and when advised within and abroad.
10. Any other duties as directed by the Managing Director.

4. Work Environment

The Legal Officer operates in a professional corporate environment providing legal, governance and secretariat support to the Managing Director, Board of Directors, management and staff. The position requires close collaboration with internal divisions, external legal practitioners, government agencies, regulatory authorities and other stakeholders to ensure compliance with relevant legislation, corporate policies and governance requirements.

4.1 Constraints

Major constraint is the Corporation's ability to source and secure sufficient and adequate funding from the National Budget annually to provide the services to meet the ever-increasing demand from the small and medium enterprises sector.

4.2 Challenges

To effectively execute and manage limited resources of the branch including its staff prudently to ensure successful implementation of the organizational functional responsibilities to achieve the overall objectives, outcomes and goals of the Corporation.

4.3 Working Relationship

The Legal and Board Secretary works closely with the Managing Director, Board of Directors, Board Committees, Divisional Directors, Managers, and other staff to provide legal advice, corporate governance guidance, and secretariat services. The position coordinates Board and committee meetings, facilitates communication between the Board and Management, monitors the implementation of Board resolutions, and ensures that corporate decisions and activities comply with relevant legislation, governance standards, and organisational policies.

5.0 Qualifications, Experiences and Skills

5.1 Qualification

- A Bachelor of Law degree or Masters from a recognized University.
- Possess Commercial Law knowledge will be an advantage.
- Must be registered with PNG Law Society
- Admission to practise as a lawyer in Papua New Guinea where required for the legal advisory functions of the position.

5.2 Knowledge

The Legal and Board Secretary must possess sound knowledge of relevant laws and legislation governing the operations of the Corporation, corporate governance principles and best practices, Board Committee procedures, legal drafting and interpretation, contract review, statutory compliance, and regulatory requirements. The position requires knowledge of Board meeting administration, preparation of agendas and minutes, monitoring of Board resolutions, corporate reporting obligations, risk management, dispute resolution, litigation procedures, employment law, commercial law, procurement requirements, records management and confidentiality of corporate information.

5.3 Skills

Possess strong legal research, analytical thinking, interpretation of legislation, legal drafting, contract review and report writing skills. The position requires excellent communication, negotiation, interpersonal and stakeholder management skills together with the ability to organize Board and committee meetings, prepare agendas and accurate minutes, maintain confidential records, monitor Board resolutions and coordinate corporate governance activities.

5.3 Work Experience

Possess substantial relevant experience of more than 5 years in legal services, corporate governance, Board secretariat administration, statutory compliance and organisational management. Experience in both Public and Private Sector Organisations.

6.0 Principle Accountability

The Legal Officer demonstrates accountability and professionalism in carrying out assigned duties. Ensures that tasks are completed efficiently and resources are used responsibly in accordance with organisational policies, procedures and established standards. Always upholds integrity and ethical conduct in the performance of duties and provide necessary support to the Corporation to effectively implement the Corporation's Five (5) Year Corporate Plan.