



SPREP

Secretariat of the Pacific Regional
Environment Programme

PO Box 240, Apia, Samoa

E: sprep@sprep.org

T: +685 21929

F: +685 20231

W: www.sprep.org



The Pacific environment, sustaining our livelihoods and natural heritage in harmony with our cultures.

APPLICANT INFORMATION PACKAGE **LEGAL ADVISER (LA)**

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A. Background Information on SPREP

SPREP is the regional organisation established by the Governments and Administrations of the Pacific charged with protecting and managing the environment and natural resources of the Pacific. It is based in Apia, Samoa, with about 100 staff and an annual budget of USD \$19 million in 2016.

The establishment of SPREP sends a clear signal to the global community of the deep commitment of Pacific island Governments and Administrations to better management of the environment as a key element of sustainable development.

The future directions for SPREP are clearly set out in the 2011-2015 SPREP Strategic Plan. This Plan outlines the mandate, vision and programmes for the organisation. The Strategic Plan places strong emphasis on effective delivery of services to SPREP Member countries and territories. This Plan is being reviewed in 2016.

Mandate

SPREP's **mandate** is to promote cooperation in the Pacific region and provide assistance in order to protect and improve its environment and to ensure sustainable development for present and future generations.

Vision

SPREP is guided by its **vision for the future**: "The Pacific environment, sustaining our livelihoods and natural heritage in harmony with our cultures".

Members

SPREP has 21 Pacific island member countries and territories (American Samoa, Cook Islands, Federated States of Micronesia, Fiji, French Polynesia, Guam, Kiribati, Marshall Islands, Nauru, New Caledonia, Niue, Northern Marianas, Palau, Papua New Guinea, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, Vanuatu and Wallis & Futuna) and 5 developed countries (Australia, France, New Zealand, United Kingdom and United States of America) with direct interests in the region.

Divisions

The SPREP Strategic priorities are delivered through four divisions:

- **Climate Change:** has lead responsibility for Adaptation, Science & Policy and Mitigation.
- **Biodiversity & Ecosystem Management:** has lead responsibility for Coastal & Marine, Threatened & Migratory Species, Invasive Species and Biodiversity.
- **Waste Management & Pollution Control:** has lead responsibility for Hazardous Waste Management, Pollution and Solid Waste Management.
- **Environmental Monitoring & Governance:** has lead responsibility for Environmental Monitoring & Planning and Governance.

The divisions work in an integrated way on project development and implementation.

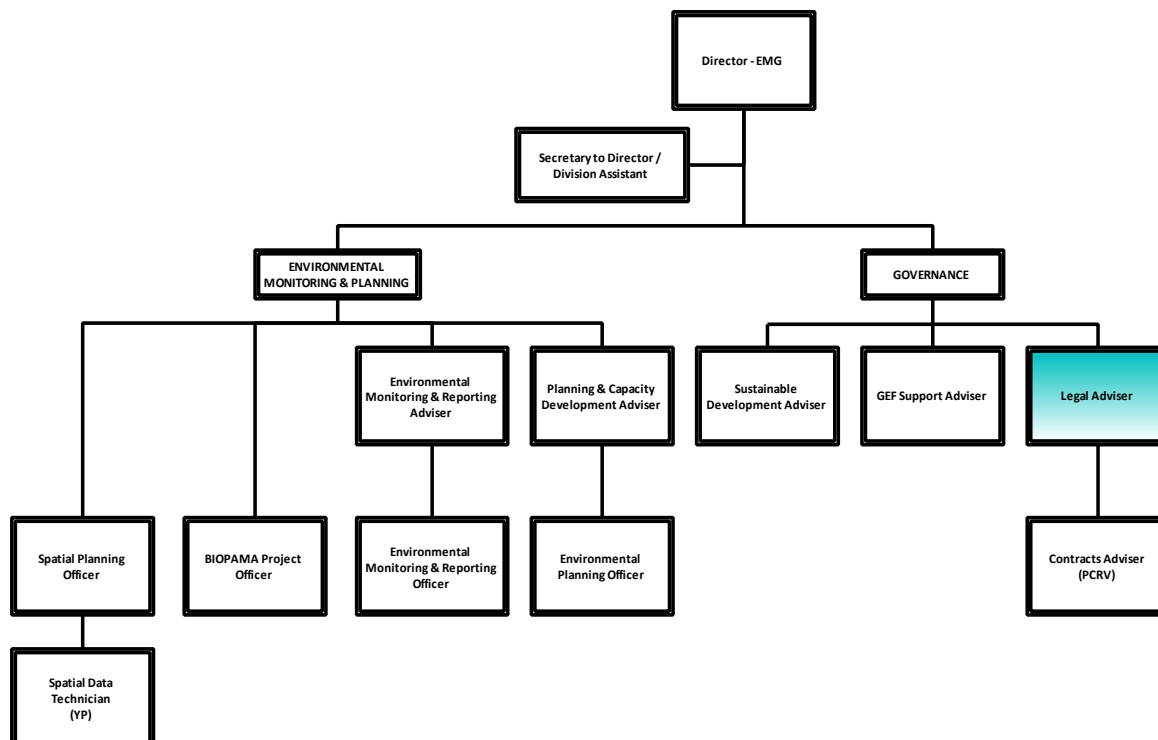
Corporate Services & Internal Audit

- Corporate Services provide corporate support to the delivery of the Secretariat's strategic priorities and include Finance & Administration, Human Resources, Information Technology, Information Resources & Archives, Communications & Outreach and Monitoring & Evaluation. The Internal Audit Unit provides independent monitoring of the organisation's operations and governance procedures including risk management and internal controls.

B. JOB DESCRIPTION

Job Title:	Legal Adviser (LA)
Division:	Environmental Monitoring & Governance (EMG)
Team:	Governance
Responsible To:	Director, Environmental Monitoring & Governance
Responsible For: (Total number of staff)	1 staff
Job Purpose:	<p>This job exists to:</p> <ul style="list-style-type: none"> • Provide strategic leadership and management of the Legal Team • Provide strategic advice and services on all legal matters
Date:	April 2016

Organisation Context



Key Result Areas

The position of **Legal Adviser (LA)** addresses the following Key Result Areas:

1. Senior Management Team
2. Environmental legal advice and services
3. Multi-lateral Environment Agreements
4. Corporate legal advice and services
5. Management & Leadership

The requirements in the above Key Result Areas are broadly identified below.

Jobholder is accountable for	Jobholder is successful when
<p>1. Senior Management Team</p> <p>a) Work collaboratively with Senior Management team colleagues to provide an integrated approach to strategic and organisational planning, programme design, work programme and budget implementation, performance monitoring and evaluation, and building partnerships to ensure the ongoing success of SPREP.</p> <p>b) Provide strategic policy advice and assistance to the Executive particularly on key legal issues and implications for the Secretariat, building insights into planning and priority setting and bringing critical and emerging issues to the attention of the Senior Management Team.</p> <p>c) Take part in Senior Management Team meetings and effectively contribute to discussions and decision making on key strategic issues for the organisation.</p>	<ul style="list-style-type: none"> • Key legal priorities are achieved • Strategic and legal advice and inputs are provided to organisational strategic planning and all relevant institutional development • Submissions relating to conventions and legal advice are prepared and presented to annual SPREP Meeting (SM) • Senior Management Team accepts and values advice and assistance • Critical and emerging issues are brought to Executive attention in a timely manner
<p>2. Environmental legal advice and services</p> <p>a) Provide legal advice and support to SPREP Divisions on relevant legal matters, and, if required, undertake longer term work or engage consultants for this purpose</p> <p>b) Maintain and update legal information relevant to SPREP, including on the SPREP website</p> <p>c) Advise Members on relevant legal issues including environmental legislative needs;</p>	<ul style="list-style-type: none"> • SPREP and staff are provided with relevant and timely legal advice • Support is provided in line with officers' request • Website provides current, relevant and useable legal information • Member countries have workable environmental laws

<p>d) Support preparation of draft laws where needed and provide training for implementation of environmental laws and, if required, undertake longer term work or engage consultants for this purpose</p>	
<p>3. Multi-lateral Environment Agreements;</p> <p>a) Provide advice to members on key Multilateral Environmental Agreements (MEAs)</p> <p>b) Provide technical support for MEA Conferences of the Parties and other MEA meetings</p> <p>c) Provide legal advice and/or project assistance to the Parties in supporting implementation of their obligations</p> <p>d) Assist in keeping relevant Conventions or Protocols up to date and assist with ratification requests</p>	<ul style="list-style-type: none"> • Members are better placed to implement relevant MEAs • Relevant MEA Meetings are successfully concluded • Parties are meeting their obligations under the Convention • Instruments are updated
<p>4. Corporate legal advice and services</p> <p>a) Advise the Senior Management Team on corporate and organisational issues</p> <p>b) Advise management on issues in relation to SPREP as a treaty organisation</p> <p>c) Advise on contracts, Memoranda of Understanding and similar documents,</p> <p>d) Advise on office regulations, policies, tendering procedures, rules of procedures for meetings, etc.</p>	<ul style="list-style-type: none"> • Sound advice provided in a timely manner • Legal input provided to enhance procedures or systems SPREP's interests are safeguarded • SPREP's interests are safeguarded • Documents drafted which respond to a need
<p>5. Management & Leadership</p> <p>a) Provide oversight and coordinate the day to day management of the Legal Team including quality control and the provision of technical guidance and assistance to staff.</p> <p>b) Lead and manage the staff of the Legal Team to achieve its objectives and establish and supervise individual Performance Development Plans, overall output delivery and identification of staff development needs;</p> <p>c) Lead and provide advice on the development and preparation of the Team's annual budget including all remuneration issues</p>	<ul style="list-style-type: none"> • Legal Team achieves its Annual Work Plan and Budget (AWP&B) • Legal Team achieves their annual priority targets • Positive feedback from staff on services provided to support the Strategic Programmes and overall operations of the Secretariat

Note

The above performance standards are provided as a guide only. The precise performance measures for this position will need further discussion between the Jobholder and Director/Supervisor as part of the Performance Development System.

This section may be copied directly into the Performance Development Plan.

Work Complexity

Most challenging duties typically undertaken:

- Providing sound legal advice across the organisation and to members
- Organising meetings and workshops
- Drafting of legislation
- Drafting of complex documents
- Vetting of complex documents
- Resolving disputes

Functional Relationships & Related Skills

Key internal and/or external contacts	Nature of the contact most typical
<p>EXTERNAL</p> <ul style="list-style-type: none"> • Member countries • Donors / Partners • Legal organisations • Regional / International organisations 	<ul style="list-style-type: none"> • Advice and assistance • Funding support • Professional interaction • Collaborative discussions
<p>INTERNAL</p> <ul style="list-style-type: none"> • Executive • Senior Management Team • EPAI staff 	<ul style="list-style-type: none"> • Legal advice • Technical advice

Level of Delegation

The position holder:

- manages an operational budget
- can authorise costs in own budget up to a certain limit
- can carry out negotiations on behalf of SPREP
- can seek funding opportunities for work programme activities

Person Specification

This section is designed to capture the expertise required for the role at the 100% fully effective level (this does not necessarily reflect what the current jobholder has). This may be a combination of knowledge / experience, qualifications or equivalent level of learning through experience or key skills, attributes or job specific competencies.

Qualifications

Essential

1. A Master degree in Law or Bachelor degree in lieu with applied relevant work experience in excess of the minimum required relevant work experience.

Knowledge / Experience

Essential

2. At least 10 years experience in environmental law, with at least 7 of those years in senior management and leadership roles, preferably in the Pacific islands region
3. Proven knowledge of international law and organisations with a working knowledge or specialisation in an area of Environmental Law or a particular MEA
4. Demonstrated experience in leading, managing and working within a multi-disciplinary and multi-cultural team environment with strong strategic advisory, organisational, analytical, facilitation and problem solving skills
5. Extensive knowledge of emerging legal and environment issues and challenges in the Pacific Islands region with sound understanding and appreciation of environmental ethics, values and priorities
6. Demonstrated experience in programme and project planning, management and monitoring and evaluation including financial management, proposal and report writing with a demonstrated ability to motivate teams, and establish and implement workplan objectives
7. Excellent written and verbal communication skills including high level of presentation and inter-personal skills with sound experiencing in capacity building and establishing and maintaining effective relationships and partnerships with a diverse group of people

Highly desirable:

- Legislative and general drafting skills

Key Skills / Attributes / Job Specific Competencies

The following levels would typically be expected for the 100% fully effective level:

Expert level	<ul style="list-style-type: none"> • Legal advice within SPREP both administrative and technical • Legal advice to Member countries • Knowledge of MEAs • Legal drafting
Advanced level	<ul style="list-style-type: none"> • Work programme planning, budgeting and implementation • Proposal development • Programme monitoring and evaluation • Environmental knowledge • Emerging environmental issues and challenges
Working Knowledge	<ul style="list-style-type: none"> • General management principles • Corporate, and institutional matters • Procurement procedures
Awareness	<ul style="list-style-type: none"> • SPREP Strategic Plan • SPREP Work Programmes • Organisational policies

Key Behaviours

All staff are expected to uphold SPREP's Organisational Values and Code of Conduct which are Key Behaviours forming part of the Performance Development:

- Environmental Leadership
- Service Delivery
- Valuing our People
- Integrity

All managers and supervisors are expected to uphold SPREP's established Leadership and Management Behaviours forming part of the Performance Development Plan.

Change to Job Description

From time to time it may be necessary to consider changes in the Job Description in response to the changing nature of our work environment– including technological requirements or statutory changes. This Job Description may be reviewed as part of the preparation for performance planning for the annual performance cycle or as required.

C. REMUNERATION PACKAGE – TERMS & CONDITIONS

Duty Station: Apia, Samoa.

Duration: Appointment is for a term of 3 years initially with possible renewal up to a maximum of 6 years subject to performance during the initial term, continuity of related programme activities and availability of funds.

Salary: Salary is denominated in International Monetary Fund Special Drawing Rights (SDRs). Remuneration for this post falls within Band 12 of SPREP's salary scale. Starting salary will be in the range of SDR40,801 to SDR45,901. Currently, the equivalent in Samoan Tala is SAT\$155,710 (USD\$59,431) to SAT\$175,173 (USD\$66,860) per annum. All positions have been evaluated to reflect the level of responsibilities and level of experience and qualifications required. Progress in the salary scale will be based on annual performance reviews.

Cost of living differential allowance (COLDA): A Cost-of-Living Differential Allowance within the range of SDR5,147 to SDR 5,577 will also be paid to the successful candidate. The current equivalent in Samoan Tala is SAT\$19,642 (USD\$7,497) to SAT\$21,283 (USD\$8,123). Cost-of-living differential allowance reflects the comparative cost of living difference between Suva and Apia. This allowance is reviewed periodically based on data determined by an independent reviewer.

Adjustments: Salaries and allowances for internationally recruited staff are paid in Samoan Tala and adjusted every month based on the monthly average in the value of the SDR relative to the Samoan Tala (SAT) at the time the salary payment is processed. SDR movement however is limited to within 5% above or below a reference point set annually. Remuneration is paid monthly in SAT equivalent. The international currency exchange rate at the time of writing is approximately USD1.00 = SAT\$2.62

Term: For staff recruited from outside Samoa, the term begins from the day the appointee leaves his or her home to take up the appointment. Appointment is subject to a satisfactory medical examination, as well as a 6-month probationary period.

An appointment is terminated by (i) completion of term of contract (ii) one month's notice by either party (iii) without notice by either party paying one month salary in lieu of notice or (iv) dismissed with or without notice as a disciplinary measure.

Performance Reviews: Annual performance assessments and performance rewards will be based on the Secretariat's Performance Development System.

FOR STAFF RECRUITED FROM OUTSIDE SAMOA, THE FOLLOWING APPLIES:

Relocation Expenses: SPREP will meet certain appointment and termination expenses for staff recruited from outside Samoa, including transport and accommodation en-route for the appointee and accompanying dependant(s) between point of recruitment and Apia, and return, by the shortest and most economical route. This includes:

- economy class airfares;
- reasonable cost of packing, insuring, shipping and transporting furniture, household and personal effects on a 20ft container; and,
- up to 20 kilos of excess baggage each for the appointee and family.

Establishment Grant: A lump sum of SDR1,100 is payable upon taking up appointment and arrival in Apia. This is currently equivalent to SAT\$4,198 (USD\$1,602).

Temporary Accommodation and Assistance: On arrival in Apia, the appointee and dependant(s) are entitled to temporary accommodation at a suitable hotel or other fully furnished accommodation for up to 6 working days. The appointee will be assisted to settle into Apia. This will include help in finding suitable rental accommodation.

School Holiday Travel: One return economy class flight each year between the place of education (taken to be recognised home) and Apia by (i) each dependent child being educated outside Samoa or (ii) the staff member or spouse to visit the child, providing the journey is not made within the final 6 months of the contract.

Home Leave Travel: Return economy class airfares between Apia and the recognised home for the staff member and dependants after completing 18 months of service for 3-year contracts providing no travel is undertaken within the final 12 months of the contract.

Privileges and Immunities: SPREP remuneration is tax-free for non-citizens or non-residents of Samoa, including duty-free importation of household and personal effects which have been owned and used by them for no less than six months, within 6 months of taking up appointment.

Repatriation allowance: The appointee is entitled to a repatriation allowance equivalent to two week's salary, upon successful completion of contract, provided the contract is not extended or renewed.

FOR ALL INTERNATIONALLY RECRUITED STAFF, THE FOLLOWING APPLIES:

Education Allowance: Education expenses maybe reimbursed against actual receipts for dependent children, to cover up to 75% of the actual costs, as stipulated under SPREP's Education Allowance policy. Currently the allowance is up to a maximum of Samoan Tala \$15,600 (USD\$5,954) per annum per dependent child, with an overall maximum of Samoan Tala \$46,800 (USD\$17,863) per annum per family of 3 or more eligible children.

Housing Assistance: Internationally recruited staff shall receive housing assistance of 75% of the typical rent payable in Samoa for expatriate executive furnished housing. The current rate is SAT\$2,328 (USD\$889) per month. This assistance shall be reviewed annually and adjusted on relative movement in the local rental market.

Security Assistance: Security-related expenses maybe reimbursed against actual receipts up to SAT\$2,400 (USD\$916) per annum as stipulated under SPREP's Security Assistance policy.

Annual Leave: 25 working days a year (up to a maximum accumulation of 50 days).

Sick Leave: 30 working days a year (up to a maximum accumulation of 90 days).

Other Leave: Provisions also exist for maternity, compassionate, paternity, examination and special leave (without pay).

Duty Travel: SPREP meets travelling expenses at prescribed rates necessarily incurred by staff

required to travel away from Apia on official business.

Life and Accidental Death and Disability Insurance: All employees are covered by SPREP's 24 hour Life and Accidental Death and Disability Insurance Policy.

Medical Benefits: All employees and their dependants are entitled to have all reasonable medical, dental and optical expenses met, under the terms and conditions of the SPREP in-house Medical Treatment Scheme.

Superannuation: An expatriate internationally recruited staff member will receive a superannuation allowance of 7% of basic salary. For nationals of Samoa, SPREP will pay 7% of basic salary to the Samoa National Provident Fund.

Learning and Development

Learning and development opportunities will be based on the approved SPREP Performance Development System and individual Performance Development Plans.

Definitions:

'Dependant' means the spouse and financially dependent children of an employee.

'Dependent child' means an employee's unmarried, financially dependent, natural or legally adopted child who is:

- under the age of 16 years; or
- under the age of 19 years if undertaking full-time study at a secondary school; or
- under the age of 25 years if enrolled and undertaking full-time study at a university or other tertiary institution; or
- mentally or physically incapacitated.

'Expatriate' means an internationally recruited staff member, who is not a citizen or permanent resident of Samoa, and who resides in Samoa only by virtue of employment with SPREP.

Equal Opportunities: SPREP is an Equal Opportunity Employer. Men and women are equally eligible for all posts in SPREP.

General: Appointment will be under the terms and conditions of SPREP's Staff Regulations, a copy of which will be made available to the successful applicant.

4. ADMINISTRATIVE INFORMATION

ESSENTIAL: Applications should include:

1. Completed Application Form – can be downloaded from the Employment Section of our website;
2. A detailed Curriculum Vitae.

Applications that do not complete the SPREP Application Form and submit all the requirements stated above will not be considered.

Submitting applications:

- a) **BY EMAIL:** Subject matter to be clearly marked “**Application for Legal Adviser**” and send to recruitment@sprep.org (**MOST PREFERRED OPTION**) OR
- b) **BY POST OR FAX:** Application to be addressed and sent to: The Director General, SPREP, P.O. Box 240, Apia or fax number (685)20231 and clearly marked “**Application for Legal Adviser**”

For further enquiries, contact the Assistant HR Officer, Ms. Christine Purcell, on telephone (685) 21929 ext 328 or Email: christinep@sprep.org

Closing date: Friday, 27th May 2016: Late applications will not be considered.

SPREP is an Equal Opportunity Employer