

Government of Tuvalu – Job Description



Position Title	Fisheries Legal Officer	
Level and Salary	Level 4	\$17,442 to \$20,431
Ministry and Department	Ministry of Natural Resources	Fisheries Department
Location	Funafuti	
Reports to	Director of Fisheries	
Te Kakeega	Annex 8: Strategic Area 8: Natural Resources	

Job Purpose:

The Legal Officer is a senior management position working with the Director of Fisheries and the senior management team to ensure that Tuvalu's international and domestic legal responsibilities are successfully implemented and managed, that the Tuvalu Government receives appropriate legal advice in regard to joint ventures and other commercial projects, and that fishery offences are correctly dealt with under Tuvalu's laws and regulations.

Key Responsibilities

The Legal Officer is responsible for providing analysis, review, advice, implementation and execution of all Fisheries Department legal matters, including:

1. Compliance with Tuvalu's obligations under international, regional and sub-regional fisheries instruments to which Tuvalu is a party.
2. Drafting of fishery regulations, management plans, and amendments to existing legislation.
3. Drafting and review of fishery access agreements and licence conditions.
4. Legal review of joint venture agreements and investment proposals.
5. Legal support to fishery surveillance and law enforcement activities, including prosecutions.

Main Duties and Outcomes:

1. Responsible for the review, analysis, advice, implementation and execution of all Fisheries Department legal matters.
2. Support the Director of Fisheries in providing the Permanent Secretary with accurate information, analysis and advice on fisheries policy licensing guidelines/ frameworks
3. Provide legal advice and prepare and execute legal documents relating to access agreements entered into by the Government of Tuvalu that ensure Tuvalu meets its legal obligations and obtains maximum economic benefit.

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4. Prepare clear and concise evaluation and monitoring framework/ guidelines that ensure the compliance of Tuvalu to fulfil its obligations in implementing international, regional and sub-regional fisheries instruments.
5. Undertake analyses of regional/ global legal and policy instruments and initiatives and provide advice on impacts, implications and relevance to Tuvalu.
6. Undertake periodic reviews on the relevance of sub-regional and regional fisheries related agreements, arrangements and related initiatives against broad policy priorities and aspirations of the Government of Tuvalu.
7. Undertake periodic reviews of Tuvalu's fisheries laws to identify gaps and possible overlaps or conflict with other relevant legislation such as marine, customs and environment law.
8. Draft and adapt into Tuvalu's laws appropriate standards and best practice emanating from international, regional and sub-regional instruments to which Tuvalu is a signatory, so promoting the harmonisation of fisheries regimes.
9. Prepare legal analyses of fisheries investment proposals from development partners and provide legal briefing and drafting of formal bilateral agreements for successful proposals.
10. Advise the department on issues relating to fisheries surveillance and law enforcement and the implementation of regional and sub-regional initiatives and agreements.
11. Assist with investigations or prosecutions in connection with detection, apprehension and prosecution of fishing vessels engaged in suspect illegal activities.
12. Liaise as required with legal specialists at the Forum Fisheries Agency, Secretariat of the Pacific Community, Western Central Pacific Fisheries Commission, United Nations Division for Ocean Affairs and the Law of the Sea, and other relevant agencies, as well as other regional governments and external legal advisors or service providers.
13. Review and advice on fishery by-laws, management and development plans and other legal instruments planned or implemented by kaupule in Funafuti and the outer islands.
14. Undertake other duties as directed by the Director of Fisheries.

Mandatory Requirements:

Qualifications/experience

Degree in Law with 3 years' experience in legal work or in a legal department of a regional organisation.

AND

Skills and Abilities

- Excellent legal analytical skills and able to provide sound advice on all legal matters relating to the responsibilities of the Fisheries Department
- Good understanding of fisheries international, regional and sub-regional fisheries instruments
- Able to prepare and execute sound legal documents that protect the legal position of Tuvalu
- Excellent command of written and spoken English
- Excellent communication skills with an ability to interact with all stakeholders at a national, regional and international level
- Good organisational, time management and computer skills
- Flexible attitude and ability to adapt appropriately to changing requirements and situations

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Desirable Requirement

- Experience in commercial and/or criminal law
- Experience in preparing and executing fisheries licensing agreements

IMPORTANT NOTICE

Applicant through their application MUST:

- (i) Address all the qualification requirements of the job description.
- (ii) Address each of the responsibilities of the job as listed in the job description indicating how best he/she can carry out those responsibilities satisfactorily and at the same time add value to the job.
- (iii) The response in each case in (i) and (ii) must reflect the information in the CV; and the job application check list.