



POSITION DESCRIPTION

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| <u>POSITION:</u> | Legal Officer |
| <u>LOCATION:</u> | Cairns, Townsville or otherwise as may be agreed |
| <u>DESCRIPTION:</u> | Be part of a multi-disciplinary team to ensure the satisfactory performance of a Representative Body under the <i>Native Title Act 1993</i> . The Legal Officer will provide legal advice to PBCs, common law holders and the NQLC in relation to native title, corporations law, contract law, governance and ACNC compliance. |
| <u>UNIT:</u> | Prescribed Bodies Corporate (PBC) Support Unit |
| <u>LEVEL:</u> | Level 6, Step 1 – 4 commensurate on experience |
| <u>SALARY:</u> | \$105,935.84 – \$119,164 per annum |
| <u>REPORTING TO:</u> | Senior Legal Officer-Coordinator, PBC Support Unit and Manager EDST |

The PBC Support Unit (part of the NQLC's Engagement and Development Support Team) performs the notification function under the *Native Title Act 1993* (Cth), provides legal advice and representation to native title Registered Native Title Bodies Corporate (RNTBCs), commonly known as Prescribed Bodies Corporate (PBCs) within the NQLC region.

KEY WORK DUTIES:

1. Participate as a member of the FPBC Support Unit in the efficient and effective delivery of the services of the PBC Support Unit and the broader EDST, including contributing to the identification of the needs of NQLC clients and staff and the development of strategies and actions to achieve desired outcomes.
2. Provide legal advice to, and take instructions from, PBCs and common law holders in relation to native title and corporations law with special regard to compliance with the Native Title Act, Corporations (Aboriginal and Torres Strait Islander) Act and Corporations Act.
3. Provide legal advice to Registered Native Title Bodies Corporate in relation to their functions and responsibilities under the Corporations (Aboriginal and Torres Strait Islander) Act and Native Title Act and Regulations.
4. Provide legal advice on native title and corporations matters, including for example drafting rule books, constitutions, contracts and policy under the supervision of the Senior Legal Officer-Coordinator PBC Support Unit, on behalf of PBCs and common law holders.

5. Provide advice in relation to appropriate structures for the management and implementation of future act agreements.
6. Prepare, draft, and respond to drafts of, written agreements, including but not limited to Rule Books and Constitutions.
7. Provide advice on the implementation of ILUAs, Cultural Heritage Management Agreements and Plans, Ancillary Agreements and Section 31 Deeds.
8. Prepare, draft, and respond to drafts of various contracts, agreements and other legal documents as required.
9. Develop appropriate materials in relation to corporation compliance and present to PBCs and common law holders at meetings, workshops, seminars and other relevant forums.
10. Prepare regular reports on activities of the PBC Support Unit matters as required.
11. Assist the Senior Legal Officer-Coordinator PBC Support Unit, to maintain and enhance the various administrative systems both manual and digital within NQLC, having specific regard to recording future act notifications; design, delivery and outcomes of work activities; developments related to specific exploration and mining tenements, including any related negotiations; and other future act matters as they may arise.
12. Maintain an awareness of all legislation of Commonwealth and Queensland governments related to native title, corporations law and those affecting the functions of the NQLC.
13. Actively participate as a member of a multi-disciplinary team employed by the NQLC to ensure the provision of adequate legal and other services to the NQLC, its staff and its constituents.
14. Assist the Senior Legal Officer-Coordinator PBC Support Unit, Manager EDST, CEO and other NQLC staff to ensure compliance with relevant legislation, contractual obligations and any terms or conditions required by funding agencies.
15. Fulfil all professional legal responsibilities required to maintain a Practising Certificate to practice law in the State of Queensland, and enrolment on the Roll of Practitioners of the High Court of Australia.
16. Perform other duties as directed.

KEY PERFORMANCE INDICATORS:

1. Demonstrated competence and proficiency in applying knowledge of native title, corporations and cultural heritage laws, to provide advice to clients and act appropriately on instructions to achieve desired outcomes.
2. Demonstrated consistent professional conduct in fulfilling key work duties.
3. Consistent high level of work output in the delivery of quality services to our clients and in meeting internal reporting requirements.
4. Establish and maintain effective cooperative working relationships within the PBC Support Unit, EDST and with other NQLC staff and management, and where appropriate, external parties, to achieve corporate objectives.
5. Demonstrated application of analytical skills to identify problems and potential solutions to issues, or otherwise improve systems and service delivery.

6. Dependable performance in the conduct and delivery of work whilst remaining compliant with the policies and procedures of the PBC Support Unit, EDST and NQLC.
7. Exercise initiative in achieving task and policy objectives and demonstrated ability to follow tasks through to completion.
8. Planning and organisational skills to achieve deadlines, including appropriate delegation of tasks to achieve task and policy objectives.
9. Exhibit sound and knowledgeable judgement taking into account potential impacts, risks and losses, and apply strategies and techniques for avoidance or minimisation of such.
10. Exercise a consistently high level of verbal communication skills in dealings with NQLC staff, clients and external parties, appropriate to the situation.
11. Exercise consistently high level of written communication skills in dealings with NQLC staff, clients and external parties, appropriate to the situation.

SELECTION CRITERIA:

1. A demonstrated knowledge and understanding of Aboriginal societies and cultures and the issues affecting Aboriginal People in contemporary Australian society, and the diversity of circumstances of Aboriginal People.
2. Ability to interact and effectively communicate with Aboriginal People.
3. Understanding of and willingness to respect Aboriginal cultural sensitivities.
4. Hold or be eligible to hold a Practising Certificate in Queensland and be enrolled or be eligible to be enrolled on the Roll of Practitioners of the High Court with 1 – 3 years PQE.
5. Knowledge or ability to quickly acquire knowledge, of the laws and jurisdictions of the Courts and Tribunals of the State of Queensland and Commonwealth particularly as they relate to corporations law, Aboriginal cultural heritage and native title including the functions of the NQLC.
6. Ability or capacity to develop skills to draft legal agreements including those related to future acts and/or cultural heritage management arrangements.
7. Ability or capacity to develop skills, to negotiate effectively in representing native title parties and holders in their dealings with third parties.
8. Demonstrated ability to conduct research and investigations of legal issues and those related to native title and corporations law.
9. Ability to co-ordinate a range of legal activities and provide cohesive reports.
10. Demonstrated high level of written and verbal communication and interpersonal skills.
11. Demonstrated ability to work to strict time-lines.
12. Demonstrated ability to be a cooperative member of the team, effectively contributing to achieving corporate objectives.
13. Understanding or ability to develop an understanding of the interaction between the NQLC and various government, Aboriginal and community organisations and agencies, particularly in the context of NQLC's role as a Native Title Representative Body.

14. Preparedness to travel to remote locations when required.
15. Hold or be eligible to hold a manual Queensland Driver Licence.