



APPLICANT INFORMATION PACKAGE
LEGAL COUNSEL (LCO)

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A. BACKGROUND INFORMATION ON SPREP

The *Secretariat of the Pacific Region Environment Programme* (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.

The head office is based in Apia, Samoa with over 130 staff. There are SPREP offices in Fiji, the Republic of the Marshalls Islands and Vanuatu.

SPREP has an annual budget of approximately USD30 million in 2021.

The establishment of SPREP in 1993 sends a clear signal to the global community of the deep commitment of Pacific island Governments and Administrations for better management of the environment within the context of sustainable development.

The strategic direction for SPREP is clearly set out in the 2017-2026 SPREP Strategic Plan. The Plan outlines the mandate, vision and programmes for the organisation, and places strong emphasis on effective delivery of services to SPREP Member countries and territories.

Mandate

SPREP's **mandate** is to promote cooperation in the Pacific region and provide assistance to Pacific island countries and territories 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**:

"A resilient 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	▪ Northern Marianas
▪ Cook Islands	▪ Palau
▪ Federate States of Micronesia	▪ Papua New Guinea
▪ Fiji	▪ Samoa
▪ French Polynesia	▪ Solomon Islands
▪ Guam	▪ Tokelau
▪ Kiribati	▪ Tonga
▪ Marshall Islands	▪ Tuvalu
▪ Nauru	▪ Vanuatu
▪ New Caledonia	▪ Wallis and Futuna
▪ Niue	

and 5 'metropolitan' member countries with direct interests in the region:

- Australia,
- France,

- New Zealand,
- United Kingdom and
- the United States of America;

SPREP Goals and Objectives

The Secretariat continues to strengthen and realign its institutional capacities, competencies, and systems to best support its Members by delivering more integrated, responsive, and cost-effective services to Members and partners and by better coordinating regional efforts.

SPREP's Pacific and metropolitan members agreed that SPREP's Strategic plan should span 10 years to address critical environmental and related social and governance strategic priorities, which are reflected in the strategy's regional and organisational goals and objectives, as well as in SPREP's core 'Values'.

Regional Goals

- **Regional Goal 1:** Pacific people benefit from strengthened resilience to climate change;
- **Regional Goal 2:** Pacific people benefit from healthy and resilient island and ocean ecosystems;
- **Regional Goal 3:** Pacific people benefit from improved waste management and pollution control;
- **Regional Goal 4:** Pacific people and their environment benefit from commitment to and best practice of environmental governance.

Organisational Goals

- **Organisation Goal 1:** SPREP has information, knowledge, and communications systems that get the right information to the right people at the right time and influence positive organisational, behavioural and environmental change.
- **Organisation Goal 2:** SPREP has multi-disciplinary processes in programme delivery and in supporting Members to develop national and regional policies and strategies.
- **Organisation Goal 3:** SPREP has a reliable and sustainable funding base to achieve environmental outcomes for the benefit of the Pacific islands region and manages its programmes and operations to stay within its agreed budget.
- **Organisation Goal 4:** SPREP is leading and engaged in productive partnerships and collaboration.
- **Organisation Goal 5:** SPREP has access to a pool of people with the attitudes, knowledge, and skills to enable it to deliver on its shared regional vision.

SPREP's Values

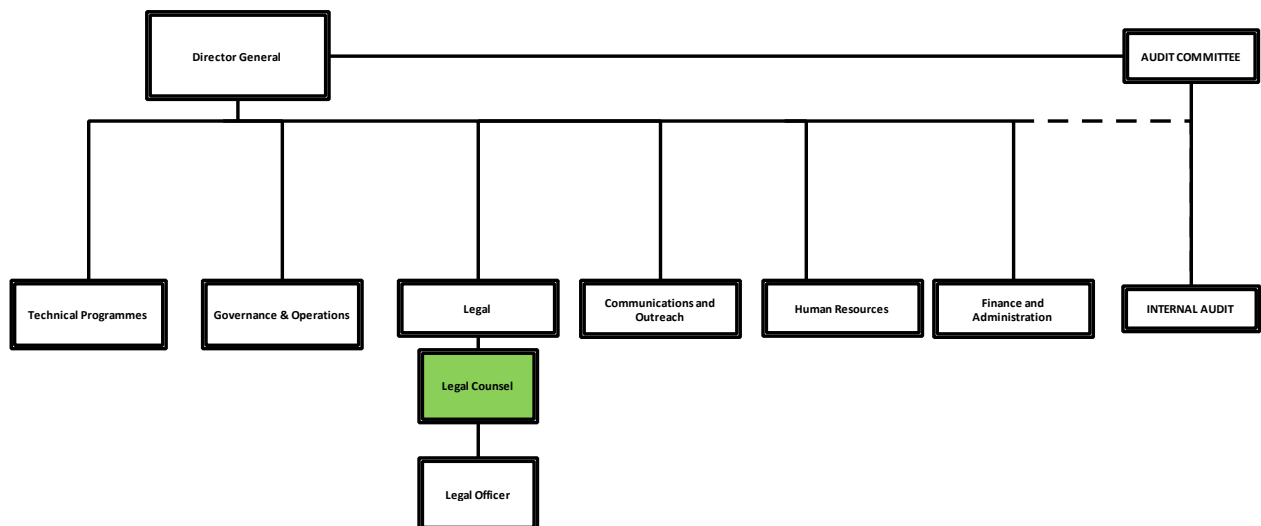
SPREP approaches the environmental challenges faced by the Pacific guided by four simple **Values**. These values guide all aspects of our work:

- We value the **Environment**
- We value our **People**
- We value high quality and targeted **Service Delivery**
- We value **Integrity**

B. JOB DESCRIPTION

Job Title:	Legal Counsel
Programme:	Executive and Sub-Regional Offices
Team:	Legal
Responsible To:	Director General
Responsible For: (Total number of staff)	1 direct report
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 legal advice, support and services to the Executive, Senior Leadership Team and the organisation
Date:	May 2021

Organisation Context



Key Result Areas

The position of **Legal Counsel (LCO)** addresses the following Key Result Areas:

1. Senior Leadership Team
2. Strategic Leadership and Management on all legal matters
3. Team Leadership and Management
4. Constitutional matters
5. Contractual matters
6. Communications, Monitoring and Reporting

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

Jobholder is accountable for	Jobholder is successful when
1. Senior Leadership Team <ol style="list-style-type: none"> a) Provide strategic vision and direction to guide SPREP on all legal matters b) Work strategically and collaboratively with the Executive and Senior Leadership Team to provide an integrated approach to the strategic leadership of SPREP as well as organisational planning, programme and project design, work programme and budget implementation, performance monitoring and evaluation, and building partnerships in line with the SLT Terms of Reference (TOR) to ensure the ongoing success of SPREP. c) Take part in SLT meetings and effectively contribute to discussions and decision making on key strategic issues for the organisation d) Lead and drive the implementation of an agreed Outcome of the SPREP People Strategy e) Provide strategic policy advice and assistance particularly on key legal issues and implications for the Secretariat and bringing critical and emerging issues to the attention of the Senior Management Team. 	<ul style="list-style-type: none"> • Strategic vision and direction is provided to SPREP and has had positive influence on SPREP's role and profile as an environment leader in the region • Participates and contributes strategically and effectively to the SLT TOR, the SLT Meetings as well as all organisational matters • Critical and emerging legal issues with strategic action plan options are brought to the Executive and SMT's attention in a timely manner • Key milestones for implementation of the agreed outcome of the SPREP People Strategy are achieved
2. Strategic Leadership and Management on all Legal Matters <ol style="list-style-type: none"> a) Provide leadership within SPREP on all Legal issues b) Provide strategic advice and assistance to the Executive Leadership on key strategic legal issues and opportunities for the Secretariat, building insights into planning 	<ul style="list-style-type: none"> • Strategic and inspirational leadership and effective input is provided to key SPREP legal issues and related projects as well as key organisational matters

<p>and priority setting and bringing critical and emerging issues to the attention of the Senior Leadership Team.</p> <p>c) Lead on and ensure the key objectives and targets for the Legal Team under the Performance Implementation Plan (PIP) are achieved</p> <p>d) Participate and provide advice to various SPREP working groups</p>	<ul style="list-style-type: none"> • Executive Leadership accepts and values advice and assistance which contributes to the SPREP mandate and strategic objectives • Targets and objectives of the PIP are achieved in collaboration with the programmes and departments • Legal needs of the organisation are well planned and fulfilled • Strategic and legal advice and inputs are provided to organisational strategic planning and all relevant institutional development • Critical and emerging issues are brought to the attention of the Executive and SLT in a timely manner
<p>3. Team Leadership and Management</p> <p>a) Lead and provide direction to the Legal team, ensuring that SPREP's legal goals and objectives, including all related legal concepts and principles, policies and processes are integrated into other SPREP programmes and related projects.</p> <p>b) Lead, support and manage the continuous professional and performance development of the Legal staff</p> <p>c) Ensure that the Legal team keeps up to date with current and emerging legal issues and practices and identify implications for SPREP.</p> <p>d) Provide strategic leadership, planning and management of all the legal team's human and financial resources</p> <p>e) Develop and oversee implementation of the Legal team's Annual Work Plan and Budget (AWP&B) and implementation strategy towards achievement of the PIP goals and objectives, including staffing resources and requirements.</p>	<ul style="list-style-type: none"> • Legal Team is a high performing team operating with a positive, cohesive and effective collaborative approach to work within the team and across SPREP • Key legal concepts and initiatives, policies and processes, are well understood within the team and are fully integrated and linked across the other SPREP programmes • Effective and inspirational leader who motivates the team and provides guidance on their work and responsibilities • Efficient and effective management of staffing issues, in collaboration with the Executive Leadership • AWP&B is developed and implemented with continuous performance monitoring • Team's Performance Monitoring and Evaluation Report (PMER) is completed and presented to annual SPREP Meeting (SM) • Legal team's strategic priorities are met and technical assessment and reporting completed • Fully compliance and accountable to corporate responsibilities including budget management, financial reporting, staff recruitment, staff Performance Development Plans, and other general management requirements
<p>4. Constitutional matters</p> <p>a) Ensure effectiveness of SPREP's legal status and that of its staff under the</p>	<ul style="list-style-type: none"> • Legal requirements and system are well understood by staff • Sound advice provided in a timely manner

<p>Agreement Establishing SPREP and as an international organisation within Samoa</p> <ul style="list-style-type: none"> b) Ensure effectiveness of SPREP's sub-regional arrangements with other host countries c) Advocate for SPREP's status as a CROP member and its role within the regional framework d) Advise on Rules of procedure for meetings of SPREP and SPREP bodies e) Handle all matters of a legally contentious nature. f) Liaise with depositaries on documents such as the Agreement Establishing SPREP and the Noumea and Waigani Conventions 	<ul style="list-style-type: none"> • Legal input provided to enhance procedures or systems • SPREP's interests are safeguarded • Documents drafted in response to emerging needs or as required
<p>5. Contractual matters</p> <ul style="list-style-type: none"> a) Develop a system to ensure all contractual matters are routed through legal b) Provide advice and assistance to all Programmes and Departments regarding contractual, regulation and compliance issues c) Advise, facilitate and provide management oversight on the formulation and implementation of organisational policies d) Assist with the procurement process including updating of contract templates in line with emerging needs e) Provide advice on all contracts such as project documentation, grant agreements, rental agreements, insurance agreements etc. f) Provide advice and facilitate any corporate agreements, position or documentation that may be required as a result of SPREP's engagement and participation in MEA implementation in consultation with EMG and other SPREP Technical Programmes g) Advise and facilitate Memorandum of Understand (MOUs), Letter of Agreements (LoAs) and partnership agreements with other organisations 	<ul style="list-style-type: none"> • System established to ensure all contractual matters have legal advice and input • Legal requirements and system are well understood by staff • Sound advice provided in a timely manner • Legal input provided to enhance procedures or systems • SPREP's interests are safeguarded • Documents drafted in response to emerging needs or as required
<p>6. Communications, Monitoring and Reporting</p> <ul style="list-style-type: none"> a) Provide effective communication and strategic high level reporting of all essential 	<ul style="list-style-type: none"> • Effective and strategic high-level communication is provided at all times on key legal issues

<p>legal information to SPREP Executive Leadership, SLT, staff and stakeholders</p> <p>b) Communicate and build an environment of open and constructive communication within the Legal team and across SPREP</p> <p>c) Ensure all organisational reporting requirements and commitments to Executive Leadership, SLT, staff and other stakeholders are upheld and strategic communications are undertaken with stakeholders on key legal concepts, policies and processes.</p> <p>d) Ensure all legal records are updated, maintained and safeguarded</p>	<ul style="list-style-type: none"> • Open and constructive communication with the Legal team and across other SPREP programmes • High level reporting on all key legal issues and requirements are provided in line with SPREP's reporting framework • All legal reporting requirements and commitments to Executive Leadership, SLT, staff and other stakeholders are completed in line with established standards and agreements • SPREP Leadership and staff have access to accurate and relevant legal information
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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 General as part of the Performance Development System.

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

Work Complexity

Most challenging duties typically undertaken:
<ul style="list-style-type: none"> • Provision of timely and accurate briefings and advice to Executive, Senior Leadership Team, Members, and Partners • Analysis of complex contracts and documentation • Dispute resolution • Leading and managing a technically complex work area and providing timely guidance • Ensuring that activities are effectively delivered by SPREP and its partners and reported to donors and communicated through relevant regional and international fora. • Coordination and collaboration internally within SPREP and externally with relevant agencies and stakeholders • Promoting SPREP's mission at relevant fora outside the environment and conservation mainstream where appropriate

Functional Relationships & Related Skills

Key internal and/or external contacts	Nature of the contact most typical

External <ul style="list-style-type: none"> • SPREP Members • Donors / Partners • Regional / International organisations • Professional / Scientific organisations 	<ul style="list-style-type: none"> • Advice and assistance • Consultations and collaboration • Negotiations • Fundraising • Communications and reporting
Internal <ul style="list-style-type: none"> • Executive • Senior Leadership Team • PRMG • Risk Committee • All programmes and departments • Environmental Legal Adviser • All staff 	<ul style="list-style-type: none"> • Leadership and management • Supervision and delegation • Advice and support

Level of Delegation

The position holder:

- manages an operational budget
- can authorise costs in own budget
- 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 a Bachelor degree in lieu from a recognised institution with relevant applied work experience in excess of the minimum required relevant work experience.

Knowledge / Experience

Essential	
2.	At least 15 years strategic high level experience in legal work or relevant area, preferably in the Pacific islands region, with at least 10 of those years at the senior leadership and management roles
3.	Extensive knowledge and experience of international law and organisations, current and emerging legal issues and challenges in the Pacific Islands region with sound understanding and appreciation of environmental issues, ethics, values and priorities (Working knowledge or specialisation in an area of Environmental Law or a particular MEA would be an advantage)
4.	Extensive strategic leadership and management experience including high level advisory and analytical skills as well as leading and nurturing teams of diverse technical backgrounds and expertise in multicultural and multi-disciplinary environments
5.	Excellent programme and project leadership and management experience including the development of funding proposals, design and delivery of integrated work programme activities, monitoring and evaluation of performance, resource management as well as a good understanding of synergies and inter-linkages across multilateral environmental agreements
6.	Excellent relationship management and fundraising skills and experience that demonstrate a high level of professional and constructive engagement with a diverse range of stakeholders as well as an excellent understanding of key donor partners and funding institutions with proven fundraising experience
7.	Excellent experience at strategic and high level communication, negotiation and reporting across diverse audiences, as well as extensive experience in capacity building, particularly in the Pacific setting

Excellent

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 analysis and statutory and contractual interpretation • Leadership and Advisory • Analytical and Environmental knowledge • Environmental issues and challenges in the Pacific islands region • Policy and governance issues in the Pacific islands region • Legal drafting • Staff Regulations • Procurement rules
Advanced level	<ul style="list-style-type: none"> • Project development • Work programme planning, budgeting and implementation • Fundraising

	<ul style="list-style-type: none"> • Legal systems and MEAs • HR Policies
Working Knowledge	<ul style="list-style-type: none"> • SPREP Strategic Plan • SPREP Work Programmes • General management principles • Results based management
Awareness	<ul style="list-style-type: none"> • Gender mainstreaming • SPREP People Strategy

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 14 of SPREP's salary scale. Starting salary will be SDR54,933 per annum. This is currently equivalent to Samoan Tala 209,642 (USD87,351) per annum. Upon confirmation of probation, salary will be adjusted to SDR61,800 which is equivalent to SAT235,847 (USD98,269) per annum. All positions have been evaluated to reflect the level of responsibilities and level of experience and qualifications required. Further progress in the salary scale will be based on annual performance reviews.

Cost of living differential allowance (COLDA): A Cost-of-Living Differential Allowance of SDR6,338 will be paid to the successful candidate. The current equivalent in Samoan Tala is SAT24,188 (USD10,078) per annum. Upon confirmation of probation, this will be adjusted to SDR6,917 which is equivalent to SAT26,397 (USD10,999) per annum. 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\$2.40

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 dependent(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 SAT4,198 (USD1,749).

Temporary Accommodation and Assistance: On arrival in Apia, the appointee and (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.

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 (USD6,500) per annum per dependent child, with an overall maximum of Samoan Tala 46,800 (USD\$19,500) per annum per family of 3 or more eligible children.

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.

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

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 SAT2,850 (USD1,188) 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 SAT2,400 (USD1,000) 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 dependents 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: For nationals of Samoa, SPREP will pay the minimum legal requirement of basic salary to the Samoa National Provident Fund. An expatriate internationally recruited staff member will be paid the same as an allowance.

Learning and Development

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

Definitions:

'Dependent' 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.

D. ADMINISTRATIVE INFORMATION

ESSENTIAL: Applications should include:

1. Completed Application Form – can be downloaded from the Employment Section of our website (you are required to complete in full all areas requested in the Form, particularly the Statements to demonstrate you meet the criteria – DO NOT refer us to your CV. Failure to do this will mean your application will not be considered);
2. A detailed Curriculum Vitae.

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

SUBMITTING APPLICATIONS:

- a) **BY EMAIL** (***MOST PREFERRED OPTION***): Subject matter to be clearly marked “**Application for Legal Counsel**” and send to recruitment@sprep.org 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 “**Legal Counsel**”

More Information on SPREP and its work in the region can be found on the SPREP website www.sprep.org

For further enquiries, contact Mr. Sepasitiano Paulo, HR Officer, on telephone (685) 21929 ext 285 or Email: sepasitianop@sprep.org

Closing date: Friday, 18th June 2021: Late applications will not be considered.

SPREP is an Equal Opportunity Employer
