

IDENTIFICATION

82-0054	Director, Legislation Division	
<i>Department</i>	<i>Division/Region</i>	<i>Location</i>
Justice	Headquarters	Yellowknife

PURPOSE OF THE POSITION

Reporting to the Assistant Deputy Minister of Justice (Attorney General), the Director, Legislation Division (the "Director") is responsible for directing the preparation and publication of Government Bills at the behest of Cabinet, Private Members Bills at the behest of the Legislative Assembly, and regulations, statutory instruments and appointments at the behest of the departments and public agencies of the Government of the Northwest Territories, and for the giving of advice with respect to legislation and statutory interpretation.

SCOPE and ORGANIZATIONAL STRUCTURE

The Legislation Division of the Department of Justice has the vital responsibility of preparing, in English and French, the laws that govern private and public affairs in the Northwest Territories. The Director is the administrative head of the Division, but is also regarded as a senior lawyer within the Government. Under his or her direction and guidance, a team of legislative counsel and legal translators provide the legislative drafting services required by the Government and the Legislative Assembly, and administrative staff provide support in respect of legislative drafting services and also in respect of other services provided by the Division, including the preparation of statutory appointments, the posting of legislative information on the Department of Justice website, and the statutorily required publication of annual volumes of the statutes, and of regulations, statutory instruments, appointments and government and private notices in the *Northwest Territories Gazette*.

The Director personally drafts the most sensitive and confidential legislation, and he or she personally reviews all Bills and amending motions prepared by the Division. The Director will, if necessary, appear at Cabinet to explain complex Bills prepared by the Division, and in the usual course the Director appears in respect of Bills he or she has prepared as a witness before the Committee of the Whole and the various Standing Committees of the Legislative Assembly.

The Director directs the preparation of regulations for enactment by the Commissioner in Executive Council, Commissioner, Ministers or other persons or bodies, and establishes standards for regulations to ensure their legality. These standards are applied by the Registrar of Regulations - a statutory officer within the Division - with respect to all regulations made under the statutes. **If** the Director does not personally serve as Registrar of Regulations he or she will serve as Deputy Registrar of Regulations.

The Director is responsible for the preparation and production of statutory publications, including "Introduction ready" Bills, Certified Bills, the Annual Statute Volumes (including the Tables), Rules of Court and the *Northwest Territories Gazette*. The Director is responsible for ensuring that updated consolidations of the statutes, regulations and Rules of Court are maintained on the Department of Justice website, and for ensuring that Bills are provided to the Legislative Assembly for publication on its website.

The Director directs the Legislative Assistant in the preparation of almost all statutory appointments, and for their submission for approval and ultimate execution and registration.

The Director is responsible for the Legal Translation Section of Legislation Division which, in addition to its primary responsibility for the preparation of French versions of the Bills, regulations and statutory instruments, also provides legal translation services to the Courts in respect of judgments and to the Deputy Minister and the Assistant Deputy Ministers in respect of internal Justice documents which require translation into French or external French documents which require translation into English.

Organizational Structure:

A. Drafting Section:

- Legislative Counsel (staff of 4): Legislative counsel provide legislative drafting services to Cabinet, the Legislative Assembly and the departments and public agencies. In addition to preparing Bills, regulations and statutory instruments, legislative counsel give legal opinions with respect to the legislation being prepared and statutory interpretation.
- Editor-Administrator/Legislative Co-ordinator. Director's Secretary: (staff of 3): These individuals perform administrative and support tasks within the Division, though each position has discrete responsibilities for the preparation of legislation, appointments or statutory publications.

B. Legal Translation Section:

- **Manager. Legal Translation:** (staff of 1): Reporting to the Director, the Manager, Legal Translation manages the Legal Translation Section, including serving as a legal translator.

Legal Translator: (staff of 1): the Legal Translator provides French translations of the Bills, regulations and other statutory instruments prepared within Legislation Division. At the request of the Judiciary or the Department of Justice, he or she translates into English or French, as the case may be, judicial decisions, policy papers, letters or other instruments.

- **Legislative Assistant:** (staff of 1): The Legislative Assistant performs administrative and support tasks within the Section.

DIMENSIONS (2012-2013 Fiscal Year)

Legislation Division O & M \$1,205,000

Positions: 10

RESPONSIBILITIES/ACCOUNTABILITIES

1. To provide a full range of legislative drafting services, in English and French, to Cabinet, the Legislative Assembly and to the departments and public agencies of the Government.
2. To ensure that Government Bills are drafted and ready for Introduction in the Legislative Assembly, and to personally draft the most sensitive and confidential legislation.
3. To provide advice to the Government on legislative matters and to assist Ministers, as a witness or otherwise, during the passage of Bills in the Legislative Assembly.
4. To ensure that regulations are drafted in accordance with established standards and that the authority for regulations is reviewed in accordance with the *Statutory Instruments Act*.
5. To advise the Deputy Minister of Justice and the Assistant Deputy Minister of Justice on emerging legislative issues.
6. To ensure that subscribers and the general public have timely access to Government legislation in both hard copy publications and in on-line electronic formats.

7. To ensure that the statutory appointments of the Government are prepared and submitted for execution in a timely manner.
8. To manage Legislation Division and to establish standards of professional competence within the Division, to ensure the provision of effective and comprehensive legislative drafting services.
9. To organize and assign the work within Legislation Division among legislative counsel, legal translators and support staff to ensure balance and efficiency.

KNOWLEDGE, SKILLS AND ABILITIES

The Director must have the following knowledge, skills and abilities, typically obtained through a degree in common law and membership in a Canadian law society, and 5 or more years of experience practicing law, including not less than 3 years experience as a dedicated legislative counsel:

- A demonstrated understanding of legal and procedural issues relevant to the Legislative Assembly and to the Government.
- A full working knowledge of and experience with the laws of Canada and the NWT, and of Aboriginal and northern issues.
- The ability to think strategically, including the ability to recognize those issues that may have political as well as legal implications.
- Superior written communication skills and excellent verbal communication skills.
- The ability to participate discretely and effectively in meetings or hearings with Ministers, Members of the Legislative Assembly and senior public servants.
- Effective negotiation and problem-solving skills.
- The ability to respond to deadlines consistently and to respond to changing priorities.
- The ability to manage a team of individuals, and to work effectively within different teams within the Department of Justice or the Government as a whole.
- The ability to supervise staff and manage a budget.

WORKING CONDITIONS

Physical Demands

The Director works in a typical office setting and there are no unusual physical demands.

Environmental Conditions

The Director works in a typical office setting and there are no unusual physical demands.

Mental and Sensory Demands

The Director is called upon to meet demands for advice or for preparation of legislation on short notice, and must be flexible to changing priorities and must recognize and be sensitive to the pressures facing those who make requests to or demands upon Legislation Division.

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CERTIFICATION