

**IDENTIFICATION**

<i>Position Number</i>	<i>Position Title</i>	
<b>82-6802</b>	<b>Document Examiner, Legal Registries</b>	
<i>Department</i>	<i>Division/Region</i>	<i>Location</i>
Justice	Legal Registries	Yellowknife

**PURPOSE OF THE POSITION**

In the Corporate Registries section of Legal Registries, the Document Examiner is responsible for the review and, if acceptable, approval of a wide variety of moderately complex documents submitted for registration under the corporate law statutes. The Document Examiner also evaluates and approves applications submitted by individuals wishing to be licensed as securities dealers and other filings under the *Securities Act*.

The Document Examiner responds to enquiries by the general public, law firms, financial institutions and various government departments in respect of the legislation, policies and registration requirements governing the Corporate and Securities Registries.

**SCOPE**

Under the *Business Corporations Act*, *Societies Act*, *Co-operative Associations Act* and *Partnership Act*, the Corporate Registries section is responsible for incorporating business corporations, co-operatives and societies as well as registering corporations incorporated elsewhere but carrying on business in the NWT. This section is also responsible for registering limited partnerships, limited liability partnerships, partnerships and business names. All documents and records are available for inspection by the general public.

Under the *Evidence Act*, section staff review applications from individuals to be appointed as a Commissioner for Oaths or a Notary Public and recommend that suitable applicants be appointed by the Commissioner of the NWT.

➤ Section budget	<b>\$450,000<sub>±</sub></b>
➤ Section Revenue	<b>\$600,000<sub>±</sub></b>
➤ Section Activity:	
➤ Incorporations and corporate registrations	<b>600<sub>±</sub></b>
➤ Corporate and Partnership filings	<b>8,000<sub>±</sub></b>
➤ Corporate and Partnership searches	<b>6,000<sub>±</sub></b>
➤ Notary Public and Commissioner for Oaths Appointments	<b>200<sub>±</sub></b>

Pursuant to the *Securities Act*, the Securities Registry is responsible for providing protection for investors by:

- licensing securities dealers and their officers and salespersons;
- ensuring that companies disclose sufficient details of its activities and finances before it sells its shares or other securities to the general public, which includes considering numerous complex applications for discretionary relief from statutory requirements; and
- initiating enforcement action for non-compliance with securities legislation, which can involve coordinating action with other jurisdictions and the RCMP

Failure to ensure that issuers of securities provide appropriate disclosure to investors or to ensure that only qualified and honest brokers are registered would expose investors to unwarranted risks of financial loss

➤ Section budget	\$300,000±
➤ Section Revenue	\$3,000,000±
➤ Securities Dealer and Salesperson registrations	5,000±
➤ Securities, major issuer filings & applications	6,000±

All services in this section are provided directly to the public and must be available in both English and French.

The Document Examiner reports to the Deputy Registrar, Corporate Registries but provides support to the Deputy Superintendent of Securities on average 20% of the time. This position provides advice and assistance to occasional casual staff. Registration and technical assistance is provided to a wide variety of clients, including members of the public, law firms, government agencies and corporations.

In Corporate Registries, the Document Examiner is responsible for the review of incorporations, extra-territorial registrations, amalgamations, corporate amendments and other document types prepared and submitted under the *Business Corporations Act*, *Partnership Act* and *Societies Act*. The documents are of varying complexity and must be carefully examined to ensure they meet the statutory requirements of the applicable legislation.

The Document Examiner independently determines whether to register or reject documents. Delay or improper acceptance or rejection of registrations can significantly impact commercial transactions and the ability of business to function (e.g. new businesses may not be able to commence operations; loans may be delayed or withheld; businesses may not qualify for the Business Incentive Policy).

## **RESPONSIBILITIES**

### **Activities - Corporate Registries**

- Reviews corporate registrations submitted for registration under the *Business Corporations Act*, *Societies Act* and *Partnership Act*, and either approves the registration or rejects the registration with a written explanation of deficiencies identifying the legal basis for their rejection, including:

- name reservation applications;
- incorporation documents;
- amalgamations;
- extra-territorial registrations;
- extra-territorial amalgamation and mergers;
- corporate amendments;
- partnership registrations;
- business name registrations
- Reviews and either approves or rejects various informational filings under the *Business Corporations Act*, *Societies Act* and *Partnership Act*, including:
  - annual returns;
  - notices of directors;
  - financial statements;
  - notices of other changes in corporate information
- Prepares notices required for publication in the Northwest Territories Gazette
- Provides information to the general public, the legal profession and various government departments in response to specific inquiries for corporate registry search information, particularly those of a more complex nature
- Responds to moderately complex enquiries

### **Activities – Securities Registry**

- Reviews and, where the application is complete and the individual is registered where they are resident, approves applications for registration of non-resident salespersons or officers submitted electronically on NRD (National Registration Database);
- Receives, reviews and records change notices for individuals registered as salespersons or officers submitted electronically on NRD (National Registration Database);
- Receives, reviews and records the electronic filing on SEDAR (System for Electronic Document Analysis and Retrieval) of notices required to be filed under the *Securities Act* and applicable rules and regulations;
- Identifies instances in which a filing or application does not appear to be routine and refers the matter to the Deputy Superintendent;
- Verifies fees paid and corresponds with filers in the event of incorrect fees;
- Maintains physical filing system, databases and electronic filing systems;
- Conducts file searches as requested by the Deputy Superintendent;

### **Activities – Enforcement**

- Identifies corporations and businesses in default of the requirement to register or in default of the ongoing filing requirements
- Takes steps to enforce corporate filing requirements by contacting those in default and if the corporation is not responsive takes additional steps to cancel or dissolve non-compliant corporations and societies

**Activities – General**

Undertakes a variety of duties necessary to the efficient operation of the section, often rotating with other section staff, such as:

- Assisting in updating the website, including preparing forms and materials suitable for posting and updating the file libraries as necessary
- Records management
- Document imaging
- Reconciling incoming revenue and receipts in preparation for daily deposit
- Receiving, recording and distributing mail
- Training and mentoring clerical staff and summer students
- Keeps statistics regarding workflow and volume
- Undertaking projects as assigned by the Registrar or Deputy Registrar
- Preparing staff training materials

**KNOWLEDGE, SKILLS AND ABILITIES**

- Thorough understanding of applicable statutes and regulations - the fully functioning document examiner has a level of knowledge and understanding of the legislation and corporate/commercial law principles which is close to that of the Deputy Registrar
- Ability to train and mentor staff
- Good analytical and problem-solving skills
- Excellent organizational and time management skills
- Ability to handle multiple tasks
- Ability to recognize unique issues/situations and deal with them appropriately
- Ability to communicate both orally and in writing with the general public and the legal profession
- Ability to deal with unhappy clients with tact and diplomacy
- Strong interpersonal skills and ability to work in a team environment
- Strong computer skills
- It would be an asset if the Document Examiner was bilingual, English and French

**Typically, the Above Qualifications Would Be Attained By:**

4 years of progressive experience in the corporate/commercial field and approximately 6 months of intensive training on the job in the specific procedures, policies and statutory requirements in Corporate Registries

**WORKING CONDITIONS****Physical Demands**

	Frequency	Duration	Intensity
Most of the incumbent's time is spent in a sitting position with frequent opportunity to move about.	Daily	5 Hours	Low

**Environmental Conditions**

	Frequency	Duration	Intensity
Incumbent works in a generally comfortable office work environment.	All Day		

**Sensory Demands**

	Frequency	Duration	Intensity
Concentrated attention to detail in the review of documents	Daily	Up to 5 hours	Medium

**Mental Demands**

	Frequency	Duration	Intensity
Concentrated attention to detail/accuracy	Daily	Up to five hours	Moderate
Dealing with difficult clients whose documents may have been rejected or who do not understand the registration or filing requirements	5-10 x per week	15-30 minutes	High
Responding to public demands for immediate service	2 X per week	variable	Moderate

