



## IDENTIFICATION

Department	Position Title	
Environment and Climate Change	Legislative Advisor	
Position Number	Community	Division/Region
23-14631	Yellowknife	Policy, Legislation, Evaluation & Communications

## PURPOSE OF THE POSITION

The Legislative Advisor (Advisor) provides advice on departmental legislation and other assigned special projects. The position provides advice in the areas of legislative analysis, development, and implementation to ensure that statutes and regulations administered by the Department of Environment and Climate Change (ECC) are consistent with Executive Council direction, land claims and self-government agreements and federal legislation. This position provides advice on legal issues in relation to departmental activities as they arise. The position is also responsible for working with the departmental Information Access Coordinator on requests for information under the *Access to Information and Protection of Privacy Act* (ATIPPA), and for contributing to policy research and planning for the Department.

## SCOPE

Located in Yellowknife and reporting to the Manager, Legislation and Legal Affairs (Manager), the Advisor provides advice on the varied legal issues that arise related to legislation and departmental activities, and recommends courses of action to mitigate risks, including recommending positions on litigation. The actions recommended can have a significant impact on the way the Department delivers programs. Recommendations also have potentially significant financial implications through provision of advice that may result in the Department avoiding costly lawsuits. Recommended actions often deal with issues that have a high public profile as well.

The mandate of the Department of Environment and Climate Change (ECC) is to support, manage and administer the sustainable use of public land in the Northwest Territories (NWT). Land management and administration is considered a core public good and critical infrastructure that needs to be effectively and efficiently managed. The importance of land is articulated through the Land Use and Sustainability Framework and Northern Lands - Northern Leadership. Land provides for ecological, spiritual, cultural, recreational and economic goods and services as well as being a predominant and key driver of the NWT GDP. As such, it is critical that lands are managed efficiently and effectively to maximize the benefits to the people of the

NWT and that communications and public affairs are managed to uphold public trust in fair and transparent land administration and management.

The Advisor works within the a legislative framework which includes the *Commissioner's Land Act* and Regulations; *Northwest Territories Lands Act* and Regulations; the *Area Development Act*; and the *Mackenzie Valley Resource Management Act* and Regulations; *Surface Rights Board Act*; as well as the settled Lands, Resources and Self-government Agreements within the NWT; Interim Measures Agreements; Interim Land Withdrawals; Devolution Final Agreement; Land Use Sustainability Framework; Northern Lands - Northern Leadership; Sustainable Development Policy (GNWT and Canada); Mineral Development Strategy; Economic Opportunity Strategy; Water Stewardship Strategy; Land Pricing Policy; the Land Lease Only Policy; the Municipal Lands Policy; the Sustainable Development Policy and the Recreational Leasing Policy.

Amendment of existing legislation and regulations, and development of new legislation and policies, must be undertaken in the context of devolution of lands and resources from the Federal government to the Government of Northwest Territories (GNWT), as well as settled and unsettled land claims agreements, which will require integration with departmental legislation and policies. In addition, program delivery is affected by case law, federal and territorial legislation, and by the policies of the GNWT and the Department. The incumbent will need to be familiar with this legal framework in the review and development of a wide range of legislation and polices, as well as administration of existing legislation, policies and programs.

The Advisor works closely with the divisions responsible for implementation of the legislation and program delivery, as well as legislative drafters and legal counsel from the Department of Justice, and contract legal counsel where necessary. The incumbent may be required to work under tight deadlines with information of a confidential nature.

The Advisor is responsible for coordinating and managing the review of requests for information under the ATIPP Act. The Advisor also contributes to policy research and planning for the Department, in conjunction with the Legislation Unit.

## **RESPONSIBILITIES**

### **1. Conducts research into and provides advice on existing and new legislation and regulations.**

- Researches and analyzes the substance of new and amended legislation and propose recommendations for the consideration of the Manager, Legislation that would meet the GNWT and departmental goals, objectives and priorities;

### **2. Coordinates the development of new or amended legislation and regulations.**

- Identifies and clarifies legal issues related to legislation or policy proposals and provide advice on the best means of addressing these issues;
- Reviews departmental actions or proposals to determine whether they are consistent with legal obligations under legislation or agreements;

- Drafts briefing materials to assist in decision-making related to legislative items and legal issues;
- Coordinates the development of, or amendments to legislation with divisions and regions;
- Participates on departmental project teams created to coordinate departmental and public input into legislation development or amendments;
- Drafts documents used in the legislative process, drafting instructions, legislative proposals and public consultation documents;
- Supports effective public consultation processes that are consistent with settled land claims agreements, case law and other legal obligations;
- Attends public meetings as required as part of the legislative consultation process;
- Prepares drafting instructions for Department of Justice and meet with legal and legislative counsel to ensure draft legislation accurately reflects the intent of the proposed legislation and policy goals of the Department; and
- Analyzes results of public consultation in relation to new legislation or amendments to legislation being developed.

**3. Supports the effective administration of response to departmental legal issues.**

- Reviews departmental requests for legal opinions and provide support and advice to originating divisions;
- Reviews and develops legal instruments including contracts, memoranda of understanding and proposed policies, and recommend referral for legal opinions where necessary;
- Provides advice on departmental legal affairs and propose approaches to dealing with legal issues that have been identified.
- Participates in the preparation of strategies and supporting documents (briefing notes, Ministerial statements and information items and decision papers for Cabinet and information items for Standing Committees as required) regarding legislative initiatives, and legal affairs of the Department; and
- Reviews documents for land claims negotiations and interim measures agreements to provide advice on issues where there may be legislative or legal implications.

**4. Works with the departmental information access coordinator to respond to requests for information under the ATIPP Act.**

- Works with the Information Access Coordinator to establish a tracking system to monitor and report on the status of requests received under the *ATIPP Act*;
- Reports on ATIPP request statistics to the Director Policy, Legislation and Communications;
- Reviews the material provided by divisions and regional offices in response to ATIPP requests to ensure that it meets the parameters for information that can be released under the *ATIPP Act*;
- Works with Departmental Information Access Coordinator to prepare ATIPP response packages for review by the Director, Policy, Legislation and Communications; and
- Prepares correspondence and briefing materials associated with ATIPP requests.

## **WORKING CONDITIONS**

### **Physical Demands**

No unusual demands.

### **Environmental Conditions**

No unusual demands.

### **Sensory Demands**

No unusual demands.

### **Mental Demands**

Mental demands include multi-tasking and working to tight deadlines.

## **KNOWLEDGE, SKILLS AND ABILITIES**

- Knowledge of legal and legislative principles and practice.
- Ability to read and interpret legislation;
- Expert knowledge of legislative development;
- Knowledge of the principles of land claims;
- Ability to identify key issues from complex documents, and explain these issues in plain language;
- Ability to work effectively in teams;
- Ability to work in a culturally diverse environment;
- Strong ability to organize, prioritize and work under pressure and with deadlines;
- Strong project management skills;
- Excellent written and verbal communication skills; and
- Ability to make effective oral presentations.
- Ability to commit to actively upholding and consistently practicing personal diversity, inclusion and cultural awareness, as well as safety and sensitivity approaches in the workplace.

### **Typically, the above qualifications would be attained by:**

This level of knowledge is most commonly acquired through an undergraduate degree in a related field and a degree program in law (LLB/JD), as well as a minimum of three (3) years of experience working with law and legislation, experience in the development, implementation and evaluation of legislation, and experience in writing and researching formal advisory and decision documents.

Equivalent combinations of education and experience will be considered.

## **ADDITIONAL REQUIREMENTS**

### **Position Security** (check one)

- ☐ No criminal records check required
- ☒ Position of Trust – criminal records check required
- ☐ Highly sensitive position – requires verification of identity and a criminal records check

### **French language** (check one if applicable)

- ☐ French required (must identify required level below)

Level required for this Designated Position is:

ORAL EXPRESSION AND COMPREHENSION

Basic (B) ☐ Intermediate (I) ☐ Advanced (A) ☐

READING COMPREHENSION:

Basic (B) ☐ Intermediate (I) ☐ Advanced (A) ☐

WRITING SKILLS:

Basic (B) ☐ Intermediate (I) ☐ Advanced (A) ☐

- ☐ French preferred

### **Indigenous language:** Select language

- ☐ Required
- ☐ Preferred