



IDENTIFICATION

Department	Position Title	
Justice	Director, Legal Registries	
Position Number	Community	Division/Region
82-2353	Yellowknife	Legal Registries

PURPOSE OF THE POSITION

The Director of Legal Registries is a senior lawyer responsible for the delivery of five legal programs that provide services to the public. These are the Land Titles Office, Office of the Superintendent of Securities, Corporate Registries (business corporations, societies, co-operative associations and business names and partnerships), the Personal Property Security Registry, and the appointment of Commissioners for Oaths and Notaries Public.

Fulfilling a role similar to other lawyer senior managers in the Department of Justice, the Director is responsible for the interpretation and enforcement of legislation, development of legislation, programs and the development and implementation of electronic systems, as well as managerial and financial oversight of these areas.

SCOPE

The Director, Legal Registries reports to the Assistant Deputy Minister of Justice (Attorney General) and is responsible for overseeing a legal office of divisional staff including lawyers, managers, paralegals, project/policy officials, assistants and law students. The Director is a recognized expert in multiple fields of law that relate to property, corporate, societies, co-operative associations, securities, capital market regulation, secured transactions and financing. These are varied technical commercial law matters and the Director must have specialized mastery in four very distinct areas: property law, secured transactions, corporate law and securities.

With respect to each program:

- The Land Titles Office is an arm-length agency responsible for the review and approval for registration of property interests in privately owned land in the Northwest Territories, which includes land owned by municipal and Indigenous governments. This involves also regulating the GNWT. It also oversees other real property matters such as condominiums, mortgages, self-government agreements, commercial tenancies,. The



decisions of this office are independent and not subject to GNWT or political interference.

- The Personal Property Registry supports a legal system where financiers of personal property protect their interest by filing notices of their interest in order to establish legal priority against other creditors or subsequent purchasers of the property.
- Corporate Registries incorporates business corporations, co-operative associations and societies (charities), and registers corporations incorporated elsewhere but carrying on business in the NWT. The Registry is also responsible for registering limited partnerships, limited liability partnerships, general partnerships and business names.
- The Office of the Superintendent of Securities is an arm's-length regulatory agency which regulates Canada's capital markets. The Director is one of the 13 Chief Executive Officers of the Canadian Securities Administrators. Locally, the Office provides investor protection by licensing security dealers and their officers and salespersons, ensures there is public disclosure of sufficient details of securities, and initiates enforcement action which can involve coordinating action with other jurisdictions and the RCMP. The decisions of this office are independent and not subject to GNWT or political interference.
- The Division reviews and administers applications from individuals seeking appointment as a Commissioner for Oaths or a Notary Public, and recommends those considered to be qualified for appointment by the Minister.

Many aspects of the Territory's economy (real estate market, money lending, creating businesses, investing and capital markets) and land rights rely upon Legal Registries. The work typically involves other lawyers owing to the complexity and legal effect of the transactions. At times, the public may attempt to conduct their own legal work without legal representation or an adequate understanding of the law, the legal implications of which requires the office to respond to that challenge. Issues or problems that arise have a direct impact on the public. Errors can result in legal liability between private parties or against the GNWT, and undue delays can result in money being lost (e.g. business opening delayed, charities unable to obtain grants, occupancy dates deferred or financing costs). It is critical that the law be interpreted correctly and applied consistently.

Many aspects of the Director's scope are independent or arm's length from the GNWT. Legal Registries has multiple independent decision-making powers where decisions may not be subject to political or government interference. These powers include the rare power to exempt persons from laws passed by the legislature, including laws that if breached, would otherwise incur liability to fine or imprisonment and powers for the Director to conduct search and seizure on their own initiative without a search warrant.

This includes harmonized decisions with other jurisdictions and delegated enforcement agencies with statutory prohibitions against decisions being unduly influenced. In most other jurisdictions, the counterparts of the Superintendent of Securities, with whom we operate



jointly under the Canadian Securities Administrators (CSA), are the Chief Executive Officers of securities commissions largely independent from government.

All policy development related to Legal Registries is undertaken within the Division and overseen by the Director because of its complex and highly specialized legal nature. The Director initiates and oversees all policy and program enhancements, in particular the development of legislative initiatives. The Division is responsible for developing and administering several bespoke electronic and computer registration, search and information management systems, and works directly with computer programmers both within government and external contractors.

The Division participates in intergovernmental meetings and committees, working with counterparts across Canada to develop common systems or harmonized policy or legislation. For example, the NWT shares the Personal Property Registry systems and service provider with six other jurisdictions using harmonized legislation developed amongst the Registrars. The Division works particularly closely with the securities commissions in the development of national registration systems and common Rules, which have the same status as regulations. As a result, the Division participates in the Canadian Securities Administrators (CSA), Canadian Council of Land Titles Officials (CCLTO), Canadian Conference on Personal Property Security Law (CCPPSL), Canadian Association of Corporate Law Administrators (CACLA), North American Association of Securities Administrators (NAASA), International Association of Commercial Law Administrators (IACA) and Registrars of Title Conference (ROTC).

DIMENSIONS

Staff:	5 direct, 13 indirect
Division Budget:	\$2,400,000
Division Revenue:	\$6,500,000
Regulated NWT Industry:	\$3.35 billion
CSA Secretariat budget:	\$5,100,000
Canada's capital markets:	\$5.37 trillion

RESPONSIBILITIES

- 1. Uphold and consistently practice personal diversity, inclusion, and cultural awareness, as well as safety and sensitivity approaches in the workplace. Practice and ensure that any subordinate management and supervisory roles also prioritize staff mentorship and on-the-job training, including staff development in annual general objectives.**
- 2. The Director oversees program delivery for Legal Registries.**
 - Responsible for a substantial and broad suite of legislation (25+ statutes).



- Ensures program delivery is carried out in compliance with legislation, including:
 - Ensuring documents submitted for registration are accepted or refused and all applications for discretionary relief are dealt with appropriately in accordance with legislation and case law.
 - Policies & procedures consistent with legislation are established and applied consistently as necessary to efficiently and fairly deliver services to the public.
 - Staff decisions appealed to the Director are considered promptly and fairly.
 - Physical and electronic systems are established and maintained as necessary to give effect to legislation, policies, and procedures.
- Provides legal guidance to lawyers and staff.
- Supervises managers and supervisors.
- Administers and directs the development of computer and electronic systems with IT professionals within and outside the GNWT.
- Oversees GNWT service providers and contractors.

3. The Director administers a suite of corporate/commercial legislation.

- Identifies legislation, policies, procedures, and systems that may be improved.
- Identifies possible solutions, decides upon appropriate solutions, and oversees implementation of changes.
- Responsible for legislation and legislative changes, including:
 - policy development;
 - providing drafting instructions to legislative counsel;
 - preparing briefing and explanatory materials; and
 - appearing before Committees of the Legislature.

4. May act as statutory decision maker, legal counsel, or advisor within the scope of programs and legislation the Director is responsible for.

5. Establishes and maintains effective government relations.

- Works collaboratively with provincial and territorial counterparts on the development of legislation, policies, procedures and systems.
- Ensures the NWT is represented at various intergovernmental meetings and committees. Participates in various meetings including the CSA, NAASA, CCLTO, CCPSL, CACLA, IACA, ROTC, and others.
- Within the GNWT, works with other departments in respect of issues affecting Legal Registries, for example providing advice regarding negotiation, the impact, or implementation of land claims or self-government agreements.

6. Exercises the powers of the Office as Superintendent of Securities.

- Plays the lead role in the development of government policy in regulation of trading of securities, providing political, legal, and regulatory advice to the Minister.



- Is responsible for regulating the Northwest Territories capital market (valued on January 1, 2025 to be \$3.35 billion invested in the stock market).
- Serves as a Chief Executive of the CSA's board of directors.
- As one of the 13 Chief Executives, contributes to the CSA's setting all policy, Rules and regulation of Canada's capital markets (valued on November 30, 2024 at \$5.37 trillion).
- As the Superintendent, exercises a wide range of powers (can compel testimony, seize assets, freeze bank accounts), investigates breaches of legislation (insider trading, securities fraud, market manipulation), issues public interest orders in respect of the application of the *Securities Act*, and may impose sanctions (administrative penalties up to \$1 million, prohibit the trading of securities or occupying positions in business entities).
- Oversee the Canadian Securities Regulatory Organization (CIRO) as the self-regulatory body in the Northwest Territories with the CSA.

7. Manages the Division.

- Monitors revenues and expenditures, allocating resources, budget, staffing, and deploying staff to meet goals and objectives.
- Serves as a member of the Departmental Senior Management Committee.

WORKING CONDITIONS

Physical Demands

No unusual demands.

Environmental Conditions

No unusual demands.

Sensory Demands

No unusual demands.

Mental Demands

The position encounters priority shifts and is subject to deadlines.

KNOWLEDGE, SKILLS AND ABILITIES

- Knowledge of Mastery of property law, corporate law, secured transactions, securities law, general commercial law, and knowledge of the laws of Canada and the Northwest Territories.
- Knowledge of computerized system development from a management and legal perspective.
- Knowledge of policy and legislative development.
- Knowledge of financial and budgetary management.



- Human relations skills to deal effectively with staff, senior government officials, legal counsel, unrepresented individuals, and intergovernmental matters to work with other governments and inter-jurisdictional entities.
- Written and oral communications skills to communicate with legal counsel, the public, brief the Minister and provide instructions to legal counsel.
- Skilled in attention to detail.
- 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:

A Law degree with 8 years' experience as a commercial lawyer in property law and corporate/commercial law, and including 3 years' experience managing financial resources and supervising junior legal professionals and staff.

Equivalent combinations of education and experience will be considered.

ADDITIONAL REQUIREMENTS

Membership in the NWT bar at time of hire.

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