

GUYANA ELECTIONS COMMISSION
SENIOR MANAGEMENT JOB DESCRIPTION

POSITION TITLE:	LEGAL OFFICER	POSITION CODE:
REPORTS TO:	CHAIRMAN, ELECTIONS COMMISSION	AGREED TO BY:
OFFICE:	CHAIRMAN	APPROVED:
SECTION:	LEGAL	EFFECTIVE DATE:

I. ACCOUNTABILITY OBJECTIVE:

Responsible for ensuring that the **Guyana Elections Commission** meets all legal and statutory requirements. Performs the tasks of the Secretary to the commission and advises **GECOM** in organizational matters which hold legal implications.

II. DIMENSIONS OF POSITION:

A. NATURE AND SCOPE OF THE POSITION:

- The **Incumbent** is responsible for making recommendations for any amendments to the legislation and regulations relating to the administration of **GECOM**; conducts research and prepares briefs on the suitability of legislative amendments or procedural guidelines to facilitate the effective operations of the **GECOM**, particularly the framework of the two Acts: National Registration Act Chapter 19:08 and Representation of the People Act Chapter 103, to give guidance with respect to legislative changes for the **Guyana Elections Commission**.
- The **Incumbent** is required to construct checklists of all legal and statutory requirements so as to appraise the relevant **Guyana Elections Commission** officers of the relevant elements which impinge on their work and must monitor and otherwise assist in ensuring that these requirements are complied with for the registration and electoral process.
- The **Incumbent** shall be required to advise the Commission and prepare legal opinions in respect of all actions or applications filed against Guyana Elections Commission and if necessary to appear in any Court for and on behalf of the Commission.
- The **Incumbent** is required to have in-depth knowledge of the electoral laws governing the operations and function of GECOM and any other legal issues on which the Commission may require advise and guidance.

- The **Incumbent** assists in the examination of various legal instruments, identifies inconsistencies; advises on the legal implications and makes recommendations for appropriate treatment, as well as draws up legal documents and contracts.
- The **Incumbent** is required to scrutinize the validity of claims/complaints by individuals or agencies regarding the nature, timeliness, and other features affecting matters related to **GECOM** activities and to advise on appropriate responses or actions. The Incumbent must also undertake research on legal theories and principles and their relationship to specific laws or court judgements as they relate to the functioning of **GECOM**.
- The **Incumbent** participates in determining on an annual basis the “**Major Job Objectives**” for such Staff members as may be assigned and identifies and discusses with subordinates the “**Key Results Areas**” to be used as determinants to their performance results on a quarterly and annual basis.

B. PRINCIPAL ORGANISATIONAL RELATIONSHIPS:

(The Incumbent relates to the following areas/titles internally and externally in carrying out accountability objectives)

<u>AREA/TITLE:</u>	<u>RESPONSIBILITY:</u>
INTERNAL:	
Commissioners/Chairman, Elections Commission	To obtain guidance and leadership regarding policy and comment, and advise accordingly on the strategy to be applied for implementation; to brief on legal and policy related problems; to give legal advice on a wide variety of subjects, engaging the attention of the Commission; to provide initial legal guidance on all aspects of the registration and electoral processes.
Chief Election officer/Deputy Chief Election Officer (Operations)/Deputy Chief Election Officer (Administration) /Chief Internal Auditor/Department Heads/Section Heads	To liaise regarding the legality of systems defined and implemented; to advise on legal or technical matters relating to their particular cases; to check validity of documents, processes; to advise on all statutory provisions and requirements; to participate in training programmes.
Human Resource	To recommend/discuss action on breaches of discipline; to discuss matters related to conditions of service and entitlement.
Information Technology	To obtain support in selecting and using appropriate hardware and software applications.

Civic/Voter Education Manager

To participate in education programmes.

Clerical/Secretarial Support

To plan/discuss/assign/review secretarial duties for Legal Officer.

EXTERNAL:

Courts

To receive/provide information in legal system regarding action of **GECOM** which may be contested.

Attorneys at Law

To vet legal documents to determine their implications and identify inconsistencies and make recommendations on revisions where necessary; to collaborate with legal representatives on behalf of the Commission; to assist in the drafting/review of legislation.

Chief Parliamentary Counsel/
Attorney General/other Counsel

To participate in the preparation and review of drafts briefs with respect to amendment, regulations or notices related to registration and elections; to discuss varied aspects of **GECOM's** work.

Election Observer

To assist in coordinating the status, itinerary and identification of all accredited observers at election time.

Members of the Public

To deal with various requests, including complaints of alleged infractions of existing legislation.

Foreign Delegations

To provide professional assistance and technical advice on all election and election related matters.

Stakeholder Groups

To participate in educational programmes to meet the needs of the groups and supporters at election time.

Political Parties

To receive and verify applications for registration in accordance with legislation.

C. PERSONNEL SUPERVISED BY THIS POSITION INCLUDE:

DIRECTLY

INDIRECTLY

Confidential Secretary

D. MACHINES, TOOLS, WORK AIDS AND EQUIPMENT, CONTROLLED BY THIS POSITION AND USED BY SUBORDINATES INCLUDE THE FOLLOWING:

MACHINES	TOOLS	WORK-AIDS	EQUIPMENT
Computer Printer Photocopier Fax	Pens Pencils Stapler	Laws of Guyana Forms: Guyana Elections Commission: - Pre, Peri – and Post Election GECOM Manuals of Rules and Regulations Disciplinary Code Writs/Summonses/Contracts Strategic Plan Operational Plan Acts: - National Registration Act, Cap. 19:08 - The Representation of the People Act, Cap. 103 - Amendments of the Election Laws of Guyana - Local Government Elections Act (28:03) Court Decisions Law Reports Precedents Contracts	Telephone

III. PRINCIPAL ACTIVITIES TO ATTAIN ACCOUNTABILITY OBJECTIVES:

(The following responsibility statements identify specific duties necessary to attain the GECOM's overall objectives while not precluding the position holder from carrying out other related activities that may be inherent in the position)

CONDUCTS legal research and prepares memoranda and correspondence in response to requests from official of **GECOM**. Advises on all legal and statutory requirements, privacy matters, the Conflict of Interest Code, and acts as legal adviser to the Chairman, Commission and Chief Election Officer.

ASSISTS in drafting legislation and preparing legal opinions and advises on appropriate courses of action. Also prepares contract documents between **GECOM** and all retained contractors/engaged persons.

PROVIDES advice to the Commission on a wide variety of subjects and undertakes legal business on behalf of the Commission with respect to registration and electoral processes.

MONITORS the framework of the two Acts: National Registration Act, Chapter 19:08 and Representation of the People Act, Chapter 103 and Local Government Elections Act, Chapter 28:03 with the view of making corrections to improve the efficiency of the Commission.

REVISES and **CONSOLIDATES** existing legislation. Periodically initiates draft legislation and advises on and prepares draft amendments to existing legislation and legal forms.

PREPARES drafting briefs for discussion with the Chief Parliamentary Counsel with respect to amendments, regulations or notices related to registration and elections or other aspects of the Commission's work.

PARTICIPATES in training programmes during the registration and Election process.

MAINTAINS a Register of all elected Members of Parliament and issues certificates on behalf of **GECOM** to those so elected.

RECEIVES and **VERIFIES** all applications for registration of political parties in accordance with legislation and maintains such information in the Commission.

PROVIDES relevant technical information informing electors about their right to vote as defined under the Constitution and advises on exercising that right without fear or favour.

BRIEFS foreign delegations and observers on constitutional and election law provisions and provides professional assistance and technical advice on all election and election related matters.

ESTABLISHES policies for dealing with the various requests from the public for handling complaints of alleged infractions of existing legislation and supervising the general administration of the statutes.

QUALIFICATION AND EXPERIENCE PROFILE

- 1) Bachelor of Laws Degree from a reputable and recognized institution.
 - 2) Applicants must be admitted and have practiced Law in Guyana for at least three (3) years.
- Experience in Corporate Services and Legal/Legislative Drafting; working knowledge of the Laws governing elections would be considered an advantage.