



IDENTIFICATION

Department	Position Title	
Environment and Climate Change	Advisor, Legislation and Legal Affairs	
Position Number	Community	Division/Region
23-14323	Yellowknife	Policy, Legislation, Evaluation & Communications

PURPOSE OF THE POSITION

The Advisor, Legislation and Legal Affairs (Advisor) provides research, analysis and advice on the review of Departmental legislation and other assigned special projects. The Advisor coordinates the amendment of existing, and development of new legislation and provides advice on legislation processes including drafting.

SCOPE

Based in Yellowknife and reporting directly to the Manager, Legislation and Legal Affairs (Manager), the Advisor, Legislation and Legal Affairs provides advice in the areas of legislation analysis, coordination and implementation to ensure the development and amendment of legislation and regulations administered by the Department of Environment and Climate Change (ECC) are consistent with Cabinet direction, land claim agreements and federal legislation.

The Advisor undertakes the considerable research necessary to develop effective legislation and associated policy in support of departmental matters related to legislative and legal affairs, including Search Results and the preparation of court documents. The Advisor is responsible for all aspects relating to *Access to Information and Protection of Privacy Act* (ATIPP) requests.

The Legislation Unit within the Policy, Legislation, Evaluation and Communications Division (Division) is responsible for providing expert advice relating to legislation and legal affairs relating to the mandate of the Department, in addition to coordinating the development of new policies and legislative initiatives as well as the legal activities of the Department.

The Department is responsible for the administration of numerous Territorial Acts and their associated Regulations, as well as federal legislation applicable in the Northwest Territories (NWT). The subject matter is varied spanning six divisions within the Department. The

incumbent must be knowledgeable on legislative matters regarding forest management, wildlife, water resources, environmental, and conservation assessment and monitoring. The incumbent is a key point of contact for divisions in amending and creating the Department's legislation, regulations. The incumbent guides and monitors the legislative process and needs to be familiar with important aspects of Indigenous law, such as Section 35 consultation, and take into account settled land claims areas in the NWT and those areas still under lands, resources and self-government negotiations. The incumbent understands how ECC's program delivery is affected by case law, land claim agreements, territorial and federal legislation, and policies of the Government of the Northwest Territories (GNWT). The incumbent understands this legal complex legal framework and applies expert knowledge in reviewing and developing a wide range of legislation, regulations, policies which inform departmental programs.

The Advisor works cooperatively with ECC division-leads 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). Internally, the incumbent assists the Senior Advisors, Legislation and Legal Affairs, Senior Advisor Indigenous Affairs, Legislative Advisor, Manager, Legislation and Legal Affairs, and Director, Policy, Legislation, Evaluation and Communications in the coordination and development of legislation and regulations. External to the Division, the incumbent works closely with other Directors and designated staff in the Department on their respective legislative initiatives.

The incumbent is required to work under tight deadlines, often with information of a confidential and highly political nature and must ensure that accurate information and briefings are provided to the Minister, Cabinet, Standing Committees, all stakeholder groups, and the Department of Justice, when appropriate.

RESPONSIBILITIES

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

- Conducts cross-jurisdictional research into regulation development as required by departmental legislative projects;
- Provides expert advice on departmental research in the following areas: wildlife, forest management, water resources, environment, and cumulative assessment and monitoring;
- Reviews current legislation and Indigenous lands, resources and self-government agreements in order to identify legislative matters that require reworking by amending or developing regulations, a policy or guideline based on current issues or emerging practices in other jurisdictions;
- Reviews politically and legally sensitive documents including letters, contracts, agreements, memoranda of understanding, proposed policies and subsequently identifies potential legal concerns of concern to the Manager, Legislation and Legal Affairs;
- Outlines possible subject matter for legislative development based on current events shaping the NWT and also monitors media in order to stay informed about legislative

advancements in other jurisdictions; and,

- Develops confidential briefing materials related to emerging legislative and legal issues in the NWT.

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

- Identifies legal issues related to legislation or policy proposals and provides recommendations on approaches to address potential issues;
- Reviews departmental actions or proposals to determine whether they are consistent with legal obligations under Acts or agreements;
- Advises on the substance of new and amended legislation and develops recommendations for the consideration of Cabinet and the Legislative Assembly;
- Participates on departmental project teams created to coordinate departmental and public input into legislation development or amendments;
- Interprets legislation and provides advice to the Department about the legislative development process;
- Provides advice about the appropriate instrument (statutes, regulations, policy, etc.) required to achieve departmental objectives;
- Revises and prepares documents used in the legislative process, including draft legislation, drafting instructions, legislative proposals and public engagement/ Section 35 Consultation documents, for conformity with departmental standards and recommending revisions;
- Provides advice on effective public engagement and Section 35 Consultation processes consistent with settled land claims agreements, case law and other legal obligations;
- Prepares legislative drafting instructions for the Department of Justice and meets with legal counsel and legislation drafters to ensure draft legislation accurately reflects the intent of the proposed legislation and policy goals of the Department;
- Conducts research to assist in developing legislation and advises on ways to address legislative issues;
- Analyzes results of Section 35 Consultation and public engagement for potential accommodation in relation to new legislation or amendments to legislation being developed;
- Reviews Section 35 Pre-Consultation Assessments, Consultation Plans and related materials for accuracy;
- Assists in writing and reviewing correspondence for public engagement and Section 35 consultation;
- Participates in public engagement sessions meetings and Section 35 consultations;
- Coordinates legal records for the Department of Justice in response to court action.

3. Supports and coordinates effective Section 35 Consultation and discussion with internal and external partners and parties related to the development and amendment of legislation

- Advises on other departmental and GNWT-wide initiatives in order to coordinate with, and obtain information on, other related Departmental and GNWT projects;
- Participates on and coordinates departmental and, when necessary, interdepartmental

committees dealing with legislative issues related to departmental initiatives, including legislation development;

- Facilitates and coordinates departmental reviews on intergovernmental or interdepartmental legal affairs and legislation;
- Researches effective means to fulfill meaningful Section 35 Consultation and public engagement plans as defined by case law and Indigenous land, resources and self-government agreements; and,
- Advises on the proper process for Consultation and public engagement and provides logistical support for ECC divisions throughout the process.

4. Coordinates and facilitates *Access to Information and Protection of Privacy Act* (ATIPP) requests.

- Collects records from ECC divisions;
- Analyzes and redacts records in accordance with ATIPP;
- Provides guidance to departmental staff regarding all aspects of ATIPP;
- Provides advice to management on protecting personal or third-party information regarding releasing the requested documents;
- Liaises with the Department of Justice to ensure consistency when processing ATIPP-related requests; and,
- Provides advice to Departmental staff on appeals under ATIPP.

5. Provides information on ECC legal issues needing clarification and liaises with the Department of Justice.

- Collects and analyzes departmental records related to possible court challenges for the Department of Justice.
- Coordinates with ECC's Senior Management and Legal Counsel in order to ensure that documents are relevant and provided within the court's timelines.

6. Develops and maintains skills in professional, technical and administrative areas by attending workshops, conference seminars, meetings, courses, and other training.

WORKING CONDITIONS

Physical Demands

No unusual demands.

Environmental Conditions

No unusual demands.

Sensory Demands

The incumbent will be required to capture important subtleties during difficult and often emotionally charged meetings and negotiation sessions.

Mental Demands

The incumbent undertakes multiple projects and tasks, often with tight deadlines, in a setting where there are frequently changing priorities, conflicting interests, and politically sensitive issues. Section 35 Consultation and public engagement sessions can, from time to time, be adversarial and emotional in nature.

This position involves collaboration with senior officials, politicians and staff that may have divergent perspectives and demands.

Travel is required throughout the Northwest Territories via small aircraft or by road vehicle.

KNOWLEDGE, SKILLS AND ABILITIES

- Knowledge of legal and legislative principles and practice.
- Knowledge of departmental legislation, goals and objectives, and the political and social environment in which department programs and services are delivered.
- Familiarity with key pieces of NWT and Federal legislation that relate to departmental operations.
- Knowledge of the legislative development process.
- Knowledge of land claim and self-government agreements.
- Knowledge of northern peoples, cultures and communities.
- Ability to read and interpret legislation.
- Demonstrated strong oral and written skills to effectively convey a message and add clarity and meaning to communications.
- Demonstrated strong organizational and time management skills, including the ability to plan, coordinate, prioritize activities, and meet deadlines.
- Demonstrated ability to express ideas, negotiate and communicate effectively and to identify key issues from complex documents, and explain these issues in plain language.
- Ability to work effectively in teams; and,
- Demonstrated proficiency in use of Microsoft Office suite including word processing and spreadsheet software.
- 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:

Bachelor's degree in a related field with two (2) years of experience with the development, implementation and evaluation of policy/legislation.

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

CERTIFICATION

Title: Advisor, Legislation and Legal Affairs

Position Number: 23-14323

Employee Signature	Supervisor Signature
Printed Name	Printed Name
Date <i>I certify that I have read and understand the responsibilities assigned to this position.</i>	Date <i>I certify that this job description is an accurate description of the responsibilities assigned to the position.</i>
Deputy Head/Delegate Signature	Date
<i>I approve the delegation of the responsibilities outlined herein within the context of the attached organizational structure.</i>	

The above statements are intended to describe the general nature and level of work being performed by the incumbents of this job. They are not intended to be an exhaustive list of all responsibilities and activities required of this position.