

JOB DESCRIPTION

Position: *Unit Manager Legal Affairs*

Reports to: *Chief Executive Officer*

Ref: *CAA/117/26*

1. BASIC FUNCTIONS

The Climate Action Authority is the first of its kind in Europe, and we know our excellence depends on our staff. Our leadership needs an experienced and dedicated Unit Manager to drive workflows and ensure high levels of performance amongst the team. The Unit Manager Legal Affairs will be responsible for leading and coordinating all legal functions and affairs across the organisation. The role ensures that legal advice and decision-making support compliance with applicable Maltese, European Union, and international legislation, and that legal risks are managed effectively.

2. POSITION OBJECTIVES

To ensure that assigned duties are performed and fulfilled in accordance with the aims and objectives of the Authority;

To contribute towards the objectives of the Authority through effective and efficient planning, managing, controlling and fulfilling of assigned duties.

3. DUTIES OF UNIT MANAGER LEGAL AFFAIRS

The Unit Manager is responsible for the satisfactory performance of the duties in Annex A.

The Unit Manager shall foster, promote and contribute to a culture of work ethic and service to the public and suppliers.

4. ORGANISATIONAL RELATIONSHIPS

4.1 Structural

Under the direct supervision of the CEO, who shall be available to give guidance and direction as required.

4.2 Authority

The Unit Manager Legal Affairs has the authority to take any reasonable action consistent with position objectives and responsibilities and subject to any direction given by the CEO.

4.3 Responsibility

The Unit Manager is responsible for the satisfactory performance of all the above duties.

4.4 Accountability

The Unit Manager is accountable for all the duties undertaken. The performance and effectiveness of the appointee will be gauged by considering the following:

- the provision of technical advice and expertise within budgets;
- the provision of services within the agreed time frames;
- the sensitivity to concepts of cost-effectiveness and added value;
- initiative and innovative spirit shown;
- quality of the service provided.

4.5 Cooperation and Teamwork

The Unit Manager Legal Affairs shall promote and contribute to a culture of cooperation, collaboration and teamwork within the Authority.

4.6 Supervision

The Unit Manager Legal Affairs will receive directions from the Chief Executive Officer.

The position holder will be allowed to work private practice, with the prior approval of the CEO given in writing and so long that it is not related to the affairs of the Authority, or which can give rise to any conflict of interest.

5. ELIGIBILITY REQUIREMENTS

5.1 Qualifications and Experience

In possession of a recognised Bachelor's degree at MQF Level 6 (subject to a minimum of 180 ECTS/ECVET credits or an appropriate, recognized, comparable qualification) in Law and preferably seven (7) year relevant work experience.

Applicant holding foreign qualifications are required to produce a recognition statement by the Malta Qualifications Recognition Information Centre (MQRIC) within the Malta Further and Higher Education Authority (MFHEA), which is to be obtained by submitting an online application for the recognition of qualifications at <https://services.mfhea.mt/CertificationApplication.aspx>.

Qualifications at a level higher than that specified will be accepted for eligibility purposes, provided they meet the specified subject requirements.

Candidates must be in possession of the Warrant to practice the profession of Advocate in Malta.

Proficient in written and oral communications in Maltese and English.

5.2 Other

The applicant must have:

- Excellent negotiation and communication skills.
- Strong analytical and problem-solving abilities.
- Have the ability to meet strict deadlines.
- Attention to detail and strong organizational skills.
- Proficiency in Microsoft Office Suite and other relevant software.

The appointment of candidates who are not citizens of Malta may necessitate the issue of an employment licence in so far as this is required by the Immigration Act and subsidiary legislation. Jobsplus should be consulted as necessary on this issue.

6. **OTHER PROVISIONS**

6.1 This appointment is subject to a probationary period of twelve (12) months.

6.2 Selected candidates must be of conduct which is appropriate to the post/position applied for. Prior to appointment, selected candidates must produce a Certificate of Conduct issued by the Criminal Records Office or other competent authority not earlier than six (6) months from the closing date of this call for applications, which should be submitted by the selected candidate within one (1) week from the date of the notification of appointment.

6.3 Submission of documentation

With application:

- i. CV
- ii. Scans of Educational Qualification Certificates
- iii. MQRIC certification of equivalence in case of foreign qualifications

At interview:

- i. Originals of Educational Qualification Certificates
- ii. Original ID card or passport (for verification)

Prior to signature of contract of employment

- i. Jobsplus / Identita (Identity Malta) permit to work, if applicable
- ii. Certificate of good conduct (original/s)

6.4 In terms of the requirements emanating from Directive 16, regarding the “Governing Framework for Preventing and Managing Conflicts of Interest in the Public Administration”, issued by the Principal Permanent Secretary on 27th November 2023 and which came into force on 1st February 2024, the Selection Board will assess candidates’ previous employments to assess potential conflicts of interest. In this respect, candidates are to provide a completely updated CV, including qualifications and employment history with their application. Any potential conflict of interest matters noted will be reported, to ensure that should the candidate be recruited, such conflicts of interest would be appropriately managed. Moreover, selected candidates are to report any known actual, potential or apparent conflicts of interest prior to accepting an appointment, through the prescribed Declaration available at Appendix 1 to Directive 16.

Annex A

Duties and Responsibilities

1. Legal Advisory and Strategic Support

- Provide high-level legal advice to the CEO and senior management on matters relating to Maltese, European Union, and international law.
- Contribute to the organisation's legal strategy, ensuring that legal risks are proactively identified, assessed, and effectively mitigated.
- Develop and maintain frameworks and systems to deliver clear, pragmatic legal guidance while ensuring regulatory compliance.
- Ensure full compliance with applicable statutory, regulatory, and internal policy requirements.
- Draft, review, and negotiate contracts and agreements, and oversee dispute management processes.
- Manage external legal advisors and the legal budget efficiently.
- Prepare legal and risk reports for senior management and Board committees, keeping leadership informed of key legal developments.
- Monitor and interpret legislative and regulatory developments to ensure timely and accurate advice.

2. Legislative Drafting and Regulatory Development

- Draft, review, and negotiate a wide range of legal instruments, including contracts, agreements, legislation, legal notices, and regulatory documentation.
- Contribute to the preparation of Bills, Regulations, and legal notices, ensuring legal accuracy, consistency, and alignment with policy objectives.
- Support the development, review, and implementation of internal policies and procedures in line with legal and governance frameworks.

3. Legal Case Management and Representation

- Manage legal cases, including actions relating to contract termination and recovery of funds.
- Coordinate and oversee legal representation in court, arbitration, or other proceedings.
- Liaise with public authorities on legal matters involving shared responsibilities or requiring formal engagement.

4. Enforcement and Compliance Support

- Provide strategic legal input on enforcement and compliance actions, ensuring decisions are legally sound and procedurally robust.
- Ensure consistency and integrity in enforcement processes across the organisation.
- Represent the Authority before the civil and administrative courts and tribunals in litigation matters, including the preparation of judicial acts, pleadings, and written submissions.
- Manage and coordinate all contentious proceedings instituted by or against the Authority, advising on litigation strategy, risk, and prospects of success.
- Liaise with external counsel where required, ensuring effective oversight and continuity of the Authority's legal position throughout proceedings.

5. Inter-Departmental Coordination

- Coordinate legal work across departments to ensure consistency in legal interpretation and positions.
- Support internal stakeholders by providing guidance on legal, compliance, and governance matters.

6. External Engagement and Representation

- Represent the organisation in meetings, negotiations, and discussions at national, EU, and international levels.
- Engage with public authorities, EU institutions, and international bodies on legal, regulatory, and policy matters.

7. Governance and Organisational Compliance

- Support the organisation in maintaining high standards of governance and legal compliance.
- Provide legal oversight to ensure that organisational activities align with applicable laws and regulations.

8. Reporting and Continuous Legal Development

- Monitor and assess legal and regulatory developments relevant to the organisation's mandate.
- Provide structured updates, briefings, and recommendations to senior management as required.

The Unit Manager Legal Affairs may also be required to carry out any other duty as may reasonably be directed by the Line Superior and or his/her representative.