

# Principal Government Lawyer, Electoral Authorisation, Executive Level 2

## Position Details

<b>Job Reference Number</b>	2404	<b>Title</b>	Principal Government Lawyer
<b>Classification</b>	EL2	<b>Division/ Branch</b>	Legal and Procurement Branch
<b>Status</b>	Ongoing	<b>Section</b>	Electoral Authorisation Section
<b>Salary Range</b>	\$115,968 - \$135,052	<b>Location</b>	Canberra, ACT
<b>Contact Person</b>	Paul Pirani	<b>Contact Number</b>	(02) 6271 4474
<b>Date Applications Open</b>	23 November 2017	<b>Date Applications Close</b>	7 December 2017

## Agency Purpose



The Australian Electoral Commission (AEC) is an independent statutory authority established by the Australian Government to maintain an impartial and independent electoral system for eligible voters through active electoral roll management, efficient delivery of polling services, and targeted education and public awareness programs.

### The AEC's values and commitments

The AEC values and commitments are an essential component of our operating environment and frame how AEC staff work. The AEC's focus is on electoral integrity through the values of **quality**, **agility** and **professionalism**.

## Locations

The AEC is geographically diverse with a [National Office](#) in Canberra, a [State Office](#) in each state capital and a Northern Territory Office in Darwin. Each state is divided into electoral divisions (there are 150 across Australia), which may alter in accordance with changes to the distribution of electoral boundaries.

## Work Environment

The Electoral Authorisation section implements and manages the ongoing administration of the authorisation requirements contained in the *Commonwealth Electoral Act 1918* and the *Referendum*

*(Machinery Provisions) Act 1984*. The authorisation requirements are to promote free and informed voting at elections and referendums by allowing voters to know who is communicating matters and ensuring the accountability of persons participating in public debate. Please see the [title] position description below.

The AEC is committed to the APS values of being impartial, committed to service, accountable, respectful and ethical.

## What we can offer the successful candidate

This position offers the successful candidate a unique opportunity to contribute to the Australian Electoral Commission by applying their professional knowledge and expertise.

## Politically Sensitive Position

*Any person who is, and is seen to be active in political affairs, and intends to publicly carry on this activity, may compromise the strict neutrality of the AEC and cannot be considered.*

## Selection Criteria

Applicants are required to provide responses to the selection criteria along with ensuring they meet the essential requirements of the position. The following selection criteria will be used throughout the selection process to determine an applicant's suitability for the advertised position:

### Shapes strategic thinking

- Inspires a sense of purpose and direction
- Focuses strategically
- Harnesses information and opportunities
- Shows judgement, intelligence and commonsense

### Achieves results

- Builds organisational capability and responsiveness
- Marshals professional expertise
- Steers and implements change and deals with uncertainty
- Ensures closure and delivers on intended results

### Cultivates productive working relationships

- Nurtures internal and external relationships
- Facilitates cooperation and partnerships
- Values individual differences and diversity
- Guides, mentors and develops people

### Exemplifies personal drive and integrity

- Demonstrates public service professionalism and probity
- Engages with risk and shows personal courage
- Commits to action
- Displays resilience
- Demonstrates self-awareness and a commitment to personal development

## Communicates with influence

- Communicates clearly
- Listens, understands and adapts to audience
- Negotiates persuasively

## Order of Merit

An order of merit may be created and utilised to fill similar vacancies within 12 months from the position being advertised.

## How to apply

All applications must be submitted online at: <http://www.aec.gov.au/employment/> prior to the closing date.

Your application must include the following:

- An up to date resume
- A candidate coversheet
- A two page statement of claims addressing the selection criteria

# Position Description – Job description template

## Position Details

<b>Position Number</b>	2404	<b>Branch/State</b>	National Office
<b>Classification</b>	Principal Government Lawyer	<b>Location</b>	Canberra, ACT
<b>Status</b>	Ongoing	<b>Date Last Modified</b>	14/11/2017
<b>Legislative basis</b>	APS	<b>Direct Reports: BAU</b>	3
<b>Reports To</b>	Chief Legal Officer PN 1009	<b>Direct Reports Electoral Events</b>	3
<b>APS Family</b>	Legal and Parliamentary	<b>APS Function</b>	Lawyer
<b>APS Role</b>	Lawyer	<b>APS Job Code</b>	180201

### Purpose of the role

The role Principal Government Lawyer, Electoral Authorisation will lead and manage a team responsible for implementing and managing the ongoing administration of the authorisation requirements contained in the *Commonwealth Electoral Act 1918* and the *Referendum (Machinery Provisions) Act 1984*.

This role is responsible for undertaking work with a high level of complexity or sensitivity, utilising professional and/or technical knowledge and significant judgement to provide strategic advice and guidance on the management of and reporting on electoral requirements including related complaints, including liaising with both internal and external stakeholders.

The Principal Government Lawyer, Electoral Authorisations reports to the Chief Legal Officer and is a member of the Branch leadership team. As a member of this team active participation and advice on key Branch activities and initiatives is required.

### Key position responsibilities

- Responsible for strategic legal advice and administration of the authorisation requirements which promote free and informed voting at elections and referendums by allowing voters to know who is communicating matters and ensuring the accountability of persons participating in public debate.
- Develop, implement and oversee the administration of processes, procedures and systems for the receipt and management (including resolution) of complaints from the public and stakeholders, as well as educating key stakeholders regarding the new requirements.
- Undertake and manage the conduct of investigations and exercising statutory powers to

require the provision of information, including seeking injunctions to prevent threatened and continuing contraventions of the authorisation requirements.

- Lead and manage a team to ensure high quality outputs, including that the team maintains a high level of expertise and delivers client focused legal advice and services within agreed timeframes.
- Understanding of the legal, policy and political environment in which Commonwealth officers work and the independent nature of the AEC.
- Instruct external lawyers and Counsel on all litigation matters arising from the administration of the authorisation requirements.
- Communicate and make decisions using professional judgement, factoring in risks and being sensitive to the context.
- Develop and manage key strategic internal and external relationships, this may include promoting, representing and negotiating on behalf of the AEC in various forums.
- Provide high quality and timely advice, guidance and reporting to Branch leadership and the Senior Executive cohort including, Executive Leadership Team and the Electoral Commissioner in relation to section/Branch functional responsibilities.
- Contribute to election and referendum preparation and delivery activities in accordance with the election and referendum readiness framework, according to individual accountabilities and responsibilities.
- Perform additional duties or assume responsibility of functions as directed by Management from time to time.

### Additional responsibilities during an Electoral Event

- The volume of complaints and requests for advice, along with the urgency to resolve matters will increase significantly during both electoral and referendum events.

### Key organisational accountabilities

- Adherence to the:
  - APS Values and Code of Conduct;
  - AEC Values and Commitments; and
  - Ballot Paper Principles.
- Maintain currency and validity of essential qualifications, which may include mandatory continuing professional development.
- Complete learning and development relevant to role or classification as a required or directed, from time to time.
- Be familiar with, abide by and promote all AEC work health and safety frameworks, policies

and procedures, including but not limited to:

- Health, Safety and Wellbeing Policy;
  - WHS Due Diligence Framework;
  - Fatigue Management and Prevention Policy; and
  - Rehabilitation Management System (RMS).
- Abide by and promote the:
    - Model litigant and Legal Services Directions requirements;
    - Commonwealth Resource Management Framework and Procurement Framework; and
    - AEC related frameworks, instructions, policies and procedures.

## Key relationships/stakeholders – internal and external

- Internal
- Executive Leadership Team
  - Legal and Procurement Branch
  - SES Cohort, including State Managers/AEO's
  - Disclosure, Assurance and Engagement Branch

- External
- Registered political parties and candidates
  - Broadcasters / Carriage Service Providers
  - External Legal Service Providers
  - Other Commonwealth agencies, e.g. ACMA.

## Delegations

This position may have powers or functions conferred by the Australian Electoral Commission or the Electoral Commissioner under legislation or instrument.

This may include but is not limited to the *Commonwealth Electoral Act 1918*, *Referendum (Machinery Provisions) Act 1984*, *Public Governance, Performance and Accountability Act 2013*, *Public Service Act 1999*, *Regulatory Powers (Standard Provisions) Act 2014*, *Work, Health and Safety Act 2011* and AEC Enterprise Agreement 2016-19.

## Essential Requirements

### Security Clearance

- Baseline
- Character clearance, including a police check.

### Qualifications, Skills and Experience

#### Mandatory

- Relevant legal qualifications including admission as a legal practitioner however described, of the High Court or the Supreme Court of a State or Territory of Australia.
- Five years or more post admission work knowledge and experience providing legal services.

- Demonstrated ability to undertake complex analysis and apply significant judgement to provide professional advice and outcomes within a civil penalty regime.
- Extensive knowledge and experience in successfully leading and delivering results under scrutiny and within time restraints, with competing priorities.
- Proven ability to communicate with influence, negotiate strategic outcomes and manage strategic client / stakeholder relationships, including across a geographically dispersed network.
- Proven strategic conceptual and analytical abilities with sound knowledge of change management practices and techniques to enable innovation.
- Demonstrated ability to lead and manage staff while developing capabilities and embedding professionalism.
- Demonstrated personal drive and integrity whilst achieving results within legislative and budget parameters.

#### *Desirable*

- Knowledge and experience in relation to administering a civil penalty regime under the *Regulatory Powers (Standard Provisions) Act 2014 (Cth)*.
- Knowledge and experience in the conduct of sensitive and/or complex investigations.

#### **Other Requirements**

- Political neutrality
- Australian citizen

#### **Licence**

- Not Applicable