

Terms of Reference Legal advisor

Background ACTED

Since 1993, as an international non-governmental organization, ACTED has been committed to immediate

humanitarian relief to support those in urgent need and protect people's dignity, while co-creating longer term opportunities for sustainable growth and fulfilling people's potential. ACTED endeavors to respond to humanitarian crises and build resilience; promote inclusive and sustainable growth; co-construct effective governance and support the building of civil society worldwide by investing in people and their potential. We go the last mile: ACTED's mission is to save lives and support people in meeting their needs in hard-to-reach areas. With a team of 4,800 national staff, 450 international staff, ACTED is active in 38 countries and implements more than 505 projects a year reaching over 20 million beneficiaries. More on www.acted.org

JOB PURPOSE

ACTED is seeking to hire a Lawyer/ Legal advisor with excellent analytical, research and writing skills as well as with demonstrated ability to make good judgments, to be responsible in providing legal assistance such as preparing all documents required to file cases, work closely with ACTED management to prepare a comprehensive brief on each case that goes to trial, maintain a regular schedule of hearings, court appearances and conferences based on case requirements, schedule and administer full depositions of case witnesses and experts, review discovery documents and determine the best course of action for the organization in each case.

WORKING RELATIONS

- Country Director
- Human Resource, Finance and Security Departments
- Government Authorities

OBJECTIVE

The legal advisor is primarily responsible for providing high quality advice to the organization on major legal issues and problems while ensuring legal cases are well addressed and closed up preferably in favor of the organization.

DUTIES AND RESPONSIBILITIES

Legal frameworks

S/he shall.

- Summarize all relevant international, national and local laws applicable across the Country (mission) for easy reference by ACTED/REACH
- be the supply source from whom all relevant legal references (laws books, articles, press

- release, local orders, circulars etc) are supplied/collected for use in the ACTED management.
- share with ACTED management such relevant changes/amendments made from time to time by any act of legislation or competent authority on prompt basis
- offer further interpretation of major sections of any legal framework whenever requested and/or during drafting of the client's internal documents such as contracts etc
- support and monitor the drafting/reviewing of necessary internal regulations including conducting thorough proof reading when requested
- analyze and research on, etc., that may affect the organization.
- conduct legal analysis and research legal matters, the implication of laws, legislation etc which may affect the client organization
- Drafting legal opinions, memoranda, and briefing documents.
- Conduct analysis and follow-up with ACTED for any requested legal matters (NRA, immigration, RRC, Labor Law, any other local authorities negotiation or types of law)

Legal advice

S/he shall

- Skillfully come out with a desired outcome from the Organization's point of view while handling any contested matter.
- be responsible for taking correct decisions and providing the necessary professional support to difficult matters.
- provide advice about whether all the proceedings of the organization are in compliance with the requirements of the various legislations.
- provide advisory notes in writing for timely adaptation of new government policies such as taxes, immigration, etc
- advise the organization so that there are minimum legal exposure risks and liability.
- provide advice on legal matters directly linked with the humanitarian business of the organization.
- monitor the implementation of the legal clauses.

Internal disputes

S/he shall.

- review employment system, resolve disputes and guide the Organization on taking an appropriate decision.
- act as the first arbitrator to serious internal disputes arising between the employee and the employer due to the employment.
- support in deescalating any contest resulting from re-structuring downsizing due to economic reason or during insolvency
- negotiate on behalf of but in consultation with the organization any severance in consideration of any dismissal, action or communication dubbed inappropriate or unfair by competent authorities.
- attend to any disgruntlement or stand-off between employee association and the employer during staff action to try to defuse tension and resolve any demands by the act of mediation (if any)

Litigations

S/he shall.

- undertake, perform and maintain the role of defense lawyer or prosecutor lawyer in all court proceedings as shall be determined case by case, representing ACTED

- draft, submit and follow up all lawsuits filed by the organizations in court of law
- receive, review and respond to any lawsuit filed against the organization wherever it is within the mission
- be responsible for formulating the best possible legal solution after analyzing the legal problem in depth.
- be able to provide the much-needed legal assistance while dealing with some particular legal tasks of litigations
- make all necessary follow up of all outstanding legal issues with courts of law or government institutions and provide feedback/solutions to any such cases as they are under resolution.
- undertake negotiation or file an appeal in the event of fines imposed by competent court or any legal institution whose payment could compromise the organization's ability to deliver its mandate smoothly
- represent ACTED for any litigation between ACTED and local institutions, authorities or other entities

Ad hoc interventions

S/he shall.

- share written requested copies of documents on outstanding issues for transparency on a monthly basis to include engagements with authorities in writing
- take over and follow-up on outstanding matters and provide feedback and possible solutions/way forward.
- be available whenever duty calls from the client side in the case of emergencies requiring her/his respond
- participate (attend) or facilitate (call for) meeting with the organization on topical contemporary/emerging issues of legal nature for early warning and preparedness purposes
- conduct ad hoc briefing with the senior management of the organization on any contextual changes either structural or political changes taking, or which have taken place in the country that could affect the structural operations of the client organization
- be assigned any other cross-cutting legal issues as may be identified or referred from time to time to her/his attention

Safety and Security

- Required to intervene in work-related detainments /arrests of the staff members (private matters are not included).

Professional Qualifications

- At least a bachelor's degree from an accredited college or university in law.
- An individual with a master's degree will definitely have an added advantage.
- At least 5 years of experience in the law field.
- Strong analytical and research skills.
- Effective interpersonal and communication skills.
- Ability to work well within a team and individually.
- Ability to work long hours when needed.
- Ability to provide responses as soon as possible depending on the urgent need.