



**JOB DESCRIPTION**

Job Title:	Manager: Regulatory Compliance
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Department:	Regulatory Compliance	Number of Incumbents:	1 (one)
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Job Analyst:	Practical Outsourcing Solutions	Reports To:	Council and Director of the LSN
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*It is hereby acknowledged that this Job Description is a broad indication of the work the job holder is required to do. The jobholder may be required to undertake other duties that can be reasonably expected from him / her, particularly when others are absent from work. No job title or job description can be regarded as a precise specification of duties but should be seen as a guide to main responsibilities.*

**SIGNED AS ACCEPTED:**

DIRECT REPORT	INCUMBENT
Date :	Date :

**PRIMARY PURPOSE OF THIS POSITION:**

This position supports the Director in achieving inter alia, the primary management of internal and external relationships in various segments, such as continuing professional development, management of committees and facilitation of complaints against legal practitioners; corporate governance; supporting the strategic and operational objectives of the LSN; and ensuring statutory and policy compliance.

**A. COMPETENCY PROFILE:**

Analytical thinking and problem solving skills with an ability to think and plan strategically whilst executing realistically;

Must possess excellent facilitating, negotiating and mediating skills;

Be able to work in and develop team atmosphere;

Build capacity and promote development of expertise;

Leadership, Influencing, Transparent and growth orientated;

Business knowledge with ability to cross pollinate and apply learnings across;

Creative and intrinsically motivated;

Must possess excellent communication and interpersonal qualities both written and verbal;

Must be able to handle highly confidential information in a strictly professional manner;

Must be able to maintain professional demeanor in times of high stress;

Effective time management and organizational skills, with the ability to manage multiple projects with competing deadlines and the ability to prioritise tasks in an appropriate manner;

Trustworthy, reliable and accurate – attention to detail;

Must be able to manage and supervise staff;

Develop, implement and oversee company policies and procedures;

In-depth knowledge of the Legal Practitioners Act and the Rules of the Law Society;

Knowledge of Protocols, Policies and Procedures including Parliament decisions and processes;

Knowledge of legislation, regulations, Acts, agreements, policies, associated schedules and procedures relating to the legal profession in Namibia, common sense and common knowledge of the law;

Ability to handle multiple tasks independently and meeting deadlines;

**TRAINING REQUIRED TO ACHIEVE PROFICIENCY:**

<i>Type of Training</i>	<i>Minimum Period</i>
On-The-Job training in all relevant policies, procedures, systems, regulations, legislations and the totality of the Law Society;	6 – 12 months

**MINIMUM QUALIFICATIONS REQUIRED:**

B.Proc and / or an LL.B. (Hons) (or equivalent recognized degree); or  
 Business Management degree with Law as a major subject;  
 Admitted Legal Practitioner of the High Court of Namibia  
 Post admission experience of at least 5 years.

**MINIMUM EXPERIENCE REQUIRED:**

<i>Experience</i>	<i>Minimum Period</i>
Management experience in a law firm and / or corporate governance & company secretarial; Experience in private practice with the relevant trust account knowledge, would be a strong advantage; Trust account bookkeeping knowledge would be an advantage. Valid drivers license	2 years

**B. GENERAL:**

Working Conditions:	Office
Degree of Supervision Required:	Occasionally
Work Pressure:	High
Forward Planning Required:	Annually & Monthly

**C. ORGANIZATIONAL STRUCTURE:**

**(This is not the full structure – Only illustrative to see line of reporting)**



## D. DESCRIPTION OF TASKS:

<b>General Governance</b>	<ul style="list-style-type: none"><li>i. Assist the Director to ensure compliance with the strategic vision and mission of the LSN in adherence of the ‘Objects’ and ‘Powers’ of the LSN.</li><li>ii. Provide efficient administrative and ‘company’ secretarial support and services to the LSN Council Chairperson, Director and various Committees in line with legislation, regulation, meeting procedures, such as:<ul style="list-style-type: none"><li>a. Ensure preparation of monthly agendas to Council, incorporating reports from the various units.</li><li>b. Ensure that the agendas contain recommendations, based on minutes or factual and/or well-researched data / information, obtained from the various units.</li><li>c. Ensure preparation of minutes of the Council meetings / retreats.</li><li>d. Ensure, after each meeting, that resolutions from the minutes are filed; the resolution register is updated; that Council resolutions are implemented; and that action items are distributed and followed-up for completion.</li><li>e. Ensure, after each meeting, that the policy register is updated and that policies are implemented, as required.</li><li>f. Ensure that the Chairperson of the meeting duly signs off all approved minutes he/she chaired and that the minutes are securely stored.</li></ul></li><li>iii. Ensure the effective implementation of governance principles throughout the LSN, thereby protecting the LSN’s interests, enhancing compliance and limiting risks.</li><li>iv. Handling all reporting in this regard to either the Director of the LSN; the Law Society of Namibia (LSN) Council; the Board of Control of the Legal Practitioners Fidelity Fund (LPPF);</li><li>v. Ensure compliance with the Legal Practitioners Act, Act 15 of 1995 and the Rules of the Law Society of Namibia.</li><li>vi. Identify legislative amendments to the Legal Practitioners Act and the Rules of the LSN; provide suggested changes and advise the Director and Council accordingly, including law reform needs.</li><li>vii. Assist the Director with brand management.</li><li>viii. Assist the Director with the organizational development.</li><li>ix. Assist the Director in identifying and monitoring changes and developments within the legal profession.</li></ul>
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<p><b>Regulatory Compliance Unit</b></p>	<ul style="list-style-type: none"> <li>i. Data Protection: Assist the Director and Manager Finance with the implementation of data storage systems.</li> <li>ii. Staff Management: <ul style="list-style-type: none"> <li>a. Manage the day-to-day administration of the unit.</li> <li>b. Manage, train, mentor and coach subordinates to ensure optimal performance and support to the Council and the Director.</li> <li>c. Identify topics for continuous professional development (CPD): training for the legal practitioners / members of the LSN; support staff at law firms; as well as LSN staff.</li> <li>d. Ensure that the relevant training is arranged within the budget limits.</li> <li>e. Ensure that staff evaluations are done three (3) times a year and that KPIs and development areas are addressed.</li> </ul> </li> <li>iii. Report on a monthly basis to the Director and Council on matters falling under this unit and ensure to submit the monthly report on the activities of the unit.</li> <li>iv. Admissions: <ul style="list-style-type: none"> <li>(a) Ensure that files are opened in respect of each candidate legal practitioner.</li> <li>(b) Consider the applications for admission.</li> <li>(c) Ensure that Council considers all applications and that the Court be advised of decisions.</li> </ul> </li> <li>v. Budget Management: <ul style="list-style-type: none"> <li>a. In consultation with the Director and the Manager Finance, Admin and Compliance, prepare the yearly budgetary requirements for the projects of the unit.</li> <li>b. Manage the assets and budget assigned to the unit.</li> </ul> </li> </ul>
<p><b>Stakeholder Liaison</b></p>	<ul style="list-style-type: none"> <li>i. Representation and liaison: <ul style="list-style-type: none"> <li>a. Members – Assisting the Director in managing and maintaining relationships with members, look after their needs and requirements, ensuring regular interaction and statutory compliance.</li> <li>b. Official stakeholders – assisting the Director in managing and maintaining high-level interaction and consultation with, inter alia, the Ministry, Judiciary, Ombudsman, Prosecutor General, Master of the High Court Law Reform and Development Commission and Master of the High Court, etc on mutual concerns and joint ventures.</li> <li>c. Public – assisting the Director and Manager Finance in managing, monitoring and ensuring the protection of client funds held in trust by legal practitioners, facilitating complaints against legal practitioners and responding to enquiries.</li> <li>d. Regional – assisting the Director in managing and maintaining relationships with professional bodies and counterparts within the SADC region (SADC Lawyers’ Association – SADC LA; and Law Society of South Africa - LSSA).</li> </ul> </li> <li>ii. Based on conference attendance reports of persons who represented the LSN, ensure that action items are referred to the relevant committees for consideration or implementation.</li> </ul>

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<p><b>Continuous Professional Development (CPD) and Support</b></p>	<ul style="list-style-type: none"> <li>i. Issuing circulars as part of capacity building and development to the legal practitioners and the bookkeepers or as identified. CPD</li> <li>ii. Identify topics for continuous professional development (CPD) training for the legal practitioners / members of the LSN / support staff at law firms.</li> <li>iii. Ensure that the relevant training is arranged within the budget limits.</li> <li>iv. Assist the Manager Finance to develop a training programme for new applicants (for practice certificates) relating to running a practice either with a fidelity fund certificate or exemption certificate from holding a fidelity fund certificate.</li> <li>v. Develop, in consultation with the Director and Manager Finance an evaluation to test the knowledge of all new sole proprietors / partners / directors of firm, with regard to the Legal Practitioners Act (LPA), Rules of the LSN, best practices, controls, duties, etc., relating to a law practice.</li> <li>vi. In consultation with the Manager Finance, arrange training to build skills, knowledge and capacity of all legal practitioners practising at firms, administrative and bookkeeping staff, as the case may be.</li> <li>vii. Assist the Manager Finance to provide support and guidance to the newly established firms / their staff / their bookkeepers for the first 12 months.</li> <li>viii. Assist the Manager Finance to monitor the firms on an ongoing basis for compliance with the LPA; the Rules; and lawful requirements.</li> <li>ix. In consultation with the Manager Finance compile regular circulars on matters of interest to legal practitioners (re professional and regulatory affairs) as well as on compliance and control matters for legal practitioners practicing at law firms and their support staff.</li> </ul>
<p><b>Free Legal Advice Days (FLAD) / Public Legal Education (PLE) / Circle Meetings</b></p>	<ul style="list-style-type: none"> <li>i. Provide the Director with a year planner for FLAD, PLE and circle meetings.</li> <li>ii. Ensure that the relevant legal officer arranges free legal advice days (FLAD) in all the identified regions, as per the year planner, within budget limits.</li> <li>iii. Ensure that the relevant legal officer arranges circle meetings in all the identified regions as per the year planner, within budget limits.</li> <li>iv. Identify public legal education (PLE) programs and initiatives.</li> <li>v. Ensure that the relevant legal officer arranges and implements the PLE and / or ensure that PLE pamphlets and booklets are prepared for distribution, within budget limits and / or in co-operation with stakeholders/ sponsors.</li> <li>vi. Educational Projects – assist the Director in organising and facilitating local, regional and international training and conferences; drafting, publishing and distributing commemorative books / newsletters / conference reports.</li> </ul>

<p><b>Public Relations and Integrity Protection</b></p>	<ul style="list-style-type: none"> <li>i. Assisting the Director in: <ul style="list-style-type: none"> <li>a. compiling and distributing press statements;</li> <li>b. newsletters;</li> <li>c. yearbooks;</li> <li>d. reports.</li> </ul> </li> </ul>
<p><b>Annual General Meeting</b></p>	<ul style="list-style-type: none"> <li>i. Compile a report on the activities of the unit for inclusion in the annual Chairperson’s report.</li> <li>ii. Provide Council with suggested motions from the various committees; or other sources; for consideration at the annual general meeting or special general meetings.</li> <li>iii. Assist the Director with all matter relating to the arrangement of the AGM meeting, agenda, minutes, etc.</li> </ul>
<p><b>Standing and Ad-hoc Committees</b></p>	<ul style="list-style-type: none"> <li>i. Provide the Director with a year planner for committee meetings.</li> <li>ii. Ensure that regular committee meetings take place as per the year planner and as the need arises.</li> <li>iii. Ensure that well researched recommendations are made available to Council, Director and/or committees and/or to stakeholders.</li> <li>iv. Ensure that the minutes of the committees are prepared and provided to Council for approval of the recommendations.</li> <li>v. Ensure that the recommendations, as approved by Council, are implemented.</li> <li>vi. Ensure that the committees make proper recommendations to Council.</li> </ul>
<p><b>Complaints</b></p>	<ul style="list-style-type: none"> <li>i. Ensure that the unit handles all complaints expeditiously.</li> <li>ii. Compile a log, indicating the type of complaints and sanctions instituted against legal practitioners, and ensure that the log is updated after each Council meeting / approval of the recommendations / upon receipt of feedback from the Disciplinary Committee on the sanction.</li> <li>iii. Ensure that all affidavits, in respect of action to be taken against legal practitioners, who are not acting in compliance with the LPA and the Rules of the LSN, are referred to the relevant body: <ul style="list-style-type: none"> <li>a. Ensure that criminal and disciplinary charges against legal practitioners / candidate legal practitioners, where applicable, are instituted as per resolution by Council, and that the necessary affidavits with supporting documentation are submitted to the relevant body.</li> <li>b. In consultation with the Director and Manager Finance, administer and facilitate complaints related to trust account / professional ethics against legal practitioners, to the Ethics Committee and/or to the Disciplinary Committee</li> </ul> </li> </ul>



	<p>and / or to the Namibian Police and ensure that the necessary affidavits are compiled, including the documentary proof.</p> <p>c. In consultation with the Director and the Manager Finance, facilitate or conduct special investigations into trust accounts.</p> <p>d. In consultation with the Director and Manager Finance, review any findings of the auditors / investigator and prepare the reports and affidavits necessary to institute legal proceedings and/or disciplinary action against the legal practitioner(s) / candidate legal practitioner involved.</p> <p>e. In consultation with the Manager Finance and Director, identify if auditors should be appointed to conduct a formal investigation in order to obtain a formal report and make recommendations in this regard.</p> <p>iv. Provide the public and legal practitioners with information re. claims procedures for professional indemnity (PI) insurance claims / claims against the Legal Practitioners Fidelity Fund (LPFF).</p> <p>v. Liaise with the insurer / LPFF, as required / necessary.</p>
<p><b>Curator Bonis matters</b></p>	<p>i. Assist the Director to deal with all legal matters / documentation; court applications; and litigation matters, on behalf of the LSN.</p> <p>ii. In consultation with the Manager Finance, make recommendations to the Director / Council relating to the appointment of a curator bonis.</p> <p>iii. Manage all curator bonis matters, including the agent to the curator bonis, as per the curator bonis guidelines / court order / order made by the Master of the High Court by taking control over a law firm / winding-up the trust account of a law firm and preparation of the accounts.</p> <p>iv. In consultation with the Director and Manager Finance, compile all affidavits relating to the court applications / disciplinary complaints / curator bonis applications, to either the High Court or the Master of the High Court, against legal practitioners, in matters relating to the contravention of the Legal Practitioners Act / the Rules / the law practice / trust account contraventions.</p>