Terms of Reference Legal Officer

A. Job Description

The Legal Officer will lead the organisation's legal matters to ensure it complies with the laws of the Kingdom of Bhutan. S/he will ensure all legal and regulatory compliance matters are appropriately executed, including, but not limited to, developing, executing, and maintaining all necessary legal documents and providing legal advice on all matters.

The Legal Officer shall work closely with the Programme Officer of the Loden Entrepreneurship Programme (LEP) and carry out loan recovery tasks, including an appearance in Court to pursue claims as required.

In addition, the officer should also be willing to take on programme and communications tasks as and when directed by the Executive Director. The Legal Officer works closely with the Programme Officer - LEP and reports directly to the Executive Director.

B. The primary duties and responsibilities are:

1. Provide Legal Advice

The Legal Officer will be expected to brief staff and members on legal issues, potential liabilities, and possible courses of action using oral or written platforms. This involves translating complicated legal jargon into a language everyone can understand and considering all possible legal problems before making recommendations. All recommendations that the Legal Officer makes must comply with the law and strive to minimise risk for the foundation.

2. Recovery of Loans

The Legal Officer shall work with the Programme Officer (LEP) and Operations Manager to ensure that all necessary documents on credit and recovery are held on file in soft or hard copies. In consultation with the Programme Officer (LEP) and Finance Officer, Legal Officer shall be responsible for pursuing the recovery of loans by sending timely reminders via phone calls and official notices.

The Legal Officer will prepare monthly reports for the Board's approval of defaulters that must be taken to court. Following approval from the Board and/or the LEP Committee, s/he should carry out the necessary legal procedures in close consultation with the Programme Officer (LEP) and the Operations Manager.

At each board meeting, s/he will present a report to the Board, including a summary of the status of each court proceeding in progress.
3. Process Documents
The Legal Officer frequently must write and review settlement documents, contracts, agreements, etc. Maintained all working files and required records at all times. Generate reports based on office findings and monitor results for office records.

4. Perform Research
It’s up to the Legal Officer to continuously research legal resources such as articles, codes, statutes, judicial decisions, and more to stay updated with all current laws and make well-informed legal recommendations. Review all contracts or any other documentation where Loden has committed itself and assess legal implications that must be brought to the senior management’s attention. Prepare, review, and modify contractual instruments to assist and support various business activities. As needed, guide project officers or other operational staff on contract matters. Develop and implement contract management and administration procedures in compliance with Loden policy.

5. Identify Risks
The Legal Officer must regularly analyse the actions and decisions of the Foundation to identify problem areas, suggest alternative courses of action, and mitigate risk as much as possible. Negotiate, review, and draft documentation for Foundation transactions and prepare and advise on the necessary checklist to ensure information is submitted on time.

6. Direct Staff
When a legal matter is underway, it’s up to the Legal Officer to direct all claim adjusters, liability attorneys, and other legal staff members. The legal staff should proceed with clarity, efficiency, and confidence. Provide and interpret legal information, conduct training, and disseminate appropriate legal requirements to staff.

7. Legal risk.
Review and provide legal advice on MOUs, Contracts, and tender documents. Review ongoing cases and advise management accordingly. Liaise with relevant departments to ensure that appropriate courses of action have been taken where legal risks have been identified. Provide legal protection and risk management advice to management, primarily on contract management. Policy development Review and advise management on the legal implications of internal policies and procedures. Review and draft contracts, agreements, and internal policies and ensure they comply with Bhutan’s statutory and legal requirements.
8. Litigation management

Review the progress of outstanding litigation and liaise with and manage external lawyers. Identify local needs and develop efficient resource-smart solutions, including developing a network of outside counsel and pro-bono relationships. Regulatory compliance. Formulate legal compliance checklists for all the countries to be used to ensure that all information required is provided accordingly. Continuously monitor compliance with statutory obligations in the countries and advise management accordingly. Prepare monthly and quarterly reports for the department for executive management meetings. Contract negotiation.

C. Minimum Qualification and Other Requirements:

I. Education: BALLB for national law graduates and for international law graduates, BALLB+PGDNL.
II. Training: Bar Certification from the Bar Council of Bhutan.
III. Length and type of practical experience required: Entry; candidate should be able to work independently – with minimum supervision and supervisor guidance. Demonstrated and extensive social media experience is an added advantage.

D. Skills:

- Excellent written and oral English communication skills and proficiency in Dzongkha are required. Knowledge of other languages/dialects is an asset.
- Knowledge of all applicable laws, rules, and regulations.
- Great attention to detail.
- Strong negotiation skills.
- Ability to prepare complex legal documents.

E. Complexity of Work

- The work requires the analytical ability to provide practical legal opinions/views on administrative and credit lending law.
- The work requires sound knowledge of national laws.
- The work demands integrity, ethics, and professionalism.
- The work requires proper planning, concentration, commitment, and originality.
- The work requires thorough research/comparative studies.
F. Remuneration

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<tr>
<th>Income from Salary</th>
<th>Amount (Nu)</th>
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<tbody>
<tr>
<td>Basic Salary</td>
<td>Nu. 25000- Nu.35000</td>
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<tr>
<td>Travel and Communications Allowance</td>
<td>Nu.1500</td>
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<td><strong>Deductions</strong></td>
<td><strong>Amount</strong></td>
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<td>Provident Fund</td>
<td>8% of the Basic Salary</td>
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<tr>
<td>Health Contribution</td>
<td>1%</td>
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