

Position Description

Senior Solicitor

This position description is designed to give an overview of the type of work and performance required for this role and may include other duties as required.

Who We Are

The Civil Aviation Authority of New Zealand is the country's aviation safety and security regulator. We are a Public Service Crown entity responsible through our Board to the Minister of Transport. We regulate a wide range of aviation activities, from commercial airlines to private pilots, ensuring that all aspects of the industry meet the highest standards of safety and security. Our important work not only saves lives but also facilitates travel, recreation, commerce, and protects the environment. By ensuring a safe and secure aviation system, we provide confidence and safeguard the reputation of New Zealand, benefiting our country as a whole.

Our Vision and Purpose

Everything we do is related towards the achievement of 'a safe and secure aviation system – so people are safe, and feel safe when they fly'.

Our Pathways

We have three pathways that lead us to delivering our vision and purpose:

1. Leadership and Influence

Through regulatory leadership we influence a safe and secure civil aviation system for New Zealand.

2. Active Regulatory Stewardship

We monitor and care for the civil aviation regulatory system through our policy and operational responsibilities.

3. Professional Regulatory Practice

We act to identify risk and reduce it through intelligence-led intervention.

Our Values

Our organisation's Values support how we work to keep New Zealand skies safe and secure.

Collaboration - *Me mahi tahi*

We work together to achieve and succeed

Transparency - *Me mahi pono*

We are open and honest communicators

Integrity - *Me mahi tika*

We do the right thing

Respect - *Me manaaki*

We treat all people with consideration and kindness

Professionalism - *Kia tu rangatira ai*

We act in a way that brings credit to ourselves and our organisation



These feathers symbolise our Values, which are inspired by the sacred huia bird – a revered symbol of friendship, respect, leadership and mana.

Each feather in the Values has a different hue to reflect different aspects of the diversity, leadership, talent and experience our people bring to their work every day.

Our Values are us – we are many cultures, languages, genders, unique personalities and perspectives working together to achieve our Vision and Purpose.



Role Purpose

- Provision of specialist legal services and advice to Director of Civil Aviation (DCA), members of the Executive Leadership Team (ELT) and other managers on statutory decision making, regulatory compliance, public law obligations and associated legal risks
- Provision of specialist legal services and advice to CAA staff members on application of regulatory functions and powers and internal compliance with related statutory obligations including the NZ Bill of Rights, Official Information and Privacy Act.
- Preparing legal opinions and giving legal advice on the interpretation and application of legislation generally, and specific advice in respect to legislation the regulatory context including the enforcement of civil aviation law and the adoption, implementation and application of international obligations
- Conducting legal training of CAA staff through internal training sessions and publishing of internal legal newsletter articles
- Provide advice on corporate functions, including contracts, financial matters and Memorandum of understanding's (MOUs)
- Reviewing the work performed by others in the legal team and managing the Legal Counsel Group as Acting Chief Legal Counsel (if/when required)
- Support other areas of work as required by the Chief Legal Counsel.

Key Dimensions

Group:	Regulatory Enablement and Response	
Team:	Legal Services	
Reports to:	Chief Legal Counsel	
Location:	National Office	
Salary Band:	17	
Financial:	Nil	Delegation Level = Nil
People:	Direct Reports = Nil	Delegation Level = Nil
Organisational Delegations:	Obtain and hold competence to undertake delegated functions or powers and exercise them correctly and responsibly as outlined within the 'Instrument of Delegation' document.	
Key Relationships:	Internal: • Other members of Legal Services • Director, ELT and other leaders in need of legal services and advice	External: • External legal firms • Other government agencies, e.g. Ministry of Transport
Essential requirement/s:	• Qualified solicitor (LLB) • Current or eligible for practicing certificate from New Zealand Law Society	

Shared Accountabilities

- We work professionally, aligned with our Values, Code of Conduct and guiding CAA policies.



- We foster a safe, inclusive culture by respecting and embracing the diverse perspectives, experiences, and backgrounds of all.
- We ensure our work is aligned to our strategy, vision and purpose in our approach to delivering intelligence led, risk-based safety and security outcomes.
- We carry out work and conduct our relationships in a way that supports CAA's commitment to Te Tiriti o Waitangi.
- We work together to create an environment that keeps ourselves and others safe and by following the responsibilities laid out in our Health, Safety and Wellbeing Commitment Statement which outlines the expectations of leaders and all staff.

Key Accountabilities

Provides specialist legal services and advice by:

- Taking a proactive role in identifying legal and governance risks and providing oral advice or drafting opinions on addressing and managing those risks.
- Conducting specialist research and drafting and publishing legal opinions and legal papers on a variety of legal matters that are relevant to the exercise of the DCAs' statutory functions including:
 - Identifying legal risks to the CAA in respect of specific statutory actions or failure to take specific actions and providing advice on avoidance or appropriate management of such risks
 - Legislative and policy decisions regarding the safety regulatory system, international operational policies and procedures and inquiries
 - Managing litigation case files, including handling of instructions to external counsel and ongoing case management through the litigation process.
- Conducting in-depth research and drafting and publishing legal opinions for CAA staff in respect of the appropriate exercise of regulatory functions that they exercise on behalf of the DCA and/or CAA staff conducting audits, accident investigations, and certification of pilots, operators and aircraft.
- Developing and preparing specific advice for the CAA in respect of compliance with other statutory obligations affecting their daily work including the New Zealand Bill of Rights, Official Information Act, Privacy Act, and Health and Safety at Work Act.
- Contributing to policy development by identifying legal issues associated with policy considerations.
- Representing the CAA in designated legal forums including New Zealand Courts, Tribunals, Coroners Courts, parliamentary committees and such other judicial and government Inquiries as required.
- Representing the CAA in legal and industry forums as appropriate.
- Providing, as appropriate, legal advice and comment on a variety of other documents published by the CAA including:
 - providing legal input to the Statement of Intent and the Annual business plan
 - drafting and reviewing contracts and memoranda of understanding
 - providing legal input to Ministerial correspondence and responses to parliamentary committees
 - providing targeted legal advice on drafting and amending internal policies and procedures
 - Conducting legal vetting of and providing advice on external publications including the Vector, press releases and documents to be published on the CAA website



- Providing advice in respect of general correspondence including responses to official information requests, Ombudsman inquiries and responses to external lawyers.
- Reviewing and advising on enforcement investigations and decisions to prosecute, and appearing on prosecutions as directed by the Chief Legal Counsel.
- Managing prosecution matters by preparing instructions to crown solicitors and providing specialist aviation law advice to crown solicitors including reviewing of case documents as required.
- Promoting and protecting the CAA interest in dealings with government departments, agencies and State-Owned Enterprises; including representing the CAA's view in matters raised in discussion papers.
- Developing and maintaining a positive and effective interface with representatives of the aviation industry and government departments, agencies, State Owned Enterprises and the Ministry of Transport on matters relating to the CAA.
- Taking responsibility for updating key legislative material including working copy of the Civil Aviation Act.
- Provides general and specialist legal advice on the application of legislative powers and the impact of associated legislative obligations, with emphasis on:
 - advising on the ambit of the statutory powers of the DCA and the appropriate legal exercise of such powers including the delegation of powers and the issuing of warrants of authority
 - the interpretation of New Zealand and foreign legislation as well as applicable international instruments
 - providing advice on dealing with inquiries from Barristers and Solicitors in relation the taking of administrative action in respect of document holders and the impact of other regulatory functions such as the conduct of audit, or general and accident investigations
 - advising on compliance with the Official Information Act 1982 and the Privacy Act 1993 and other key legislation set out in the legislative compliance manual
 - advising on dealing with allegations that Service Charter standards have not been met
 - providing advice on the issuing of exemptions by the DCA from certain requirements set out in the Civil Aviation Rules.
- Drafts, or assists CAA employees and the Ministry of Transport to draft, legislation including the Civil Aviation Rules, and in particular:
 - makes proposals for amendments to existing legislation
 - presents written analysis of issues relating to the critical factors affecting proposed legislation including alternative strategies and their consequences
 - provides a consistent style and approach to the presentation of text and maintaining control of drafting standards
 - assists in the passage of proposed legislation through the industry consultation process.
- Advises on the development of CAA legal resources, including the legal, opinion database and legal library.

Provision of Legal training and publishing of legal material:

- Preparing and presenting legal training seminars to Senior Management and CAA staff on a variety of legal issues, including the Civil Aviation Act, the conduct of Fit and Proper person investigations, the relevance and application of the rules of Natural Justice, and the legislative compliance manual.



- Researching, drafting and publishing articles for internal publications (E.g.: Lex Loquitur, Vector).
- Drafting and publishing case summaries on relevant court decisions.
- Providing legal advice in respect of press statements.

Reviewing and Managing work of others (periodically required):

- Mentoring and/or managing staff in the legal team and providing specialist input in conducting reviews of the legal opinions drafted by other solicitors on the team.
- Providing assistance and guidance to staff in the performance of their tasks.
- Prepares management reports and attends senior management meetings as/when required.

Competencies

Get Smart – Knowledge & Context: Level 2 ■■■

Understands the role of the CAA within the aviation sector, and has a holistic understanding of the regulatory environment, the structure and interrelated operating practices of the CAA. Follows the guidance and processes expected of all CAA employees as a modern, adaptive regulator, set out in policies, legislation, aviation rules and other internal documents.

Think Smart – Sound Judgement: Level 2 ■■■

Makes appropriate and transparent decisions by analysing relevant information, takes into consideration different points of view, demonstrating the ability to make difficult and/or sensitive decisions. Has flexibility to both adopt a course of action and change it when required by the situation.

Work Smart – Achieves Results: Level 2 ■■■

Drives change and results through effective planning, collaboration, and communication. Builds trust, fosters teamwork, and demonstrates self-awareness to achieve shared goals and continuous improvement.

Act Smart – Personal Effectiveness: Level 2 ■■■

Is adaptable and resilient to meet changing needs and expectations. Displays self-awareness and is respectful of diversity. Takes responsibility for self-learning and development. Demonstrates behaviours consistent with the Code of Conduct and CAA Values.

Skills and Experience

The job holder will need to exercise the following characteristics to successfully fulfil the potentially demanding requirements of this position:

- Integrity and professionalism, even when placed under pressure.
- A good orator with a high level of competence in communicating complex legal issues to non-lawyers.
- Pro-active in recognising legal risks and problems with the ability to identifying appropriate solutions.
- The ability to maintain an independent, professional perspective even under pressure.

Qualifications:

- Qualified solicitor, having completed a tertiary qualification (LLB)
- Current membership or eligibility for membership in the New Zealand Law Society. (Practicing certificate).

Essential Knowledge/Experience:



- More than 6 years post-admission experience in providing high level legal advice in the field of public and international law, with specialist experience in administrative law, legislative and regulatory drafting and legal research and writing.
- Extensive experience in providing legal advice to senior management on statutory and regulatory compliance and decision making with particular skill in providing tactical advice and guidance in identifying and managing legal risk
- Experience in providing specialist legal services in public and international law and possess specialist knowledge in public law.
- Sound experience and demonstrated ability to conduct legal research and prepare written legal opinions on a variety of legal issues including Aviation law, Health and Safety, Official information, contract law issues,

Technical Knowledge and Skills:

- Specialist knowledge of Constitutional and Administrative law including knowledge of international law, legislative drafting, and the application of Bill of Rights and Human Rights law.
- Experience and knowledge of Aviation law and the adoption, implementation and application of international aviation law and/or other international law obligations in the domestic context.
- A sound understanding of the transport safety regulatory framework generally, and preferably a high level of knowledge of the NZ Civil Aviation legislative and regulatory framework and related international and statutory requirements.

