

# Principal Legal Advisor

## Statement of duties

Position number	724580
Location	Hobart
Division	Revenue, Gaming and Licensing
Branch	Revenue
Section	Legislation, Communication and Review
Award	Tasmanian State Service Award
Classification	General Stream, Band 6
Immediate supervisor	Assistant Director
Employment conditions	Permanent
Hours per week	Flexible up to 36.75 hours

### Branch responsibilities

The primary responsibilities of the Branch are to:

- administer State taxation legislation, manage the assessment and collection of State taxes, and provide advice to taxpayers;
- administer a range of grants, concessions and rebates including processing applications and undertaking activities to ensure adherence to eligibility criteria;
- ensure that taxpayers are in full compliance with State taxation legislation and administered grants through ongoing education, risk prioritisation and targeted audits; and
- manage the collection of outstanding State taxation debts, including court recovery and prosecution action where appropriate.

## Position objective

As a Delegate of the Commissioner of State Revenue (Commissioner), the key focus of this position is to manage and independently determine taxpayer objections to decisions and/or assessments issued by the Commissioner. The position also manages the Commissioner's input into any subsequent review or appeal proceedings and undertakes the preparation and referral of prosecution briefs concerning suspected breaches of the State's taxation laws.

The position is responsible for undertaking legal research, statutory interpretation and legal advisory services on behalf of the Commissioner and for the wider State Revenue Office.

In the context of the selection criteria, to be successful in the position applicants will have:

- demonstrated knowledge and experience in interpreting legislation and working with legal and legislative structures and processes, particularly in relation to providing advice relating to State taxation matters, or capacity to quickly acquire such knowledge;
- high-level communication, negotiation and conflict resolutions skills and the ability to work in a fast paced environment with competing priorities; and
- sound investigative, research and analytical skills and the ability to provide clear advice and apply sound judgement to complex and ambiguous situations where limited precedent may exist.

The position is varied and involves detailed investigation and analysis of a myriad of legislative and legal regimes, both Commonwealth and State, in order to determine the State taxation outcomes when undertaking the below primary duties.

## Primary duties

The Principal Legal Advisor's primary duties include:

- deciding taxpayer objections under delegation and communicating outcomes in a clear, accurate, concise and understandable language to the intended audience;
- providing legislative advice and input into the drafting of taxation legislation which covers a range of complex, elaborate and intricate issues and involves a comprehensive understanding of a number of legal regimes and relevant statutes;
- interpreting taxation and other legislation and providing advice where limited precedent exists as well as advising government on emerging legal and taxation issues;
- providing internal advice and technical training to staff on a range of complex legal matters that require substantial research and the interpretation of relevant statutes;
- providing advice and assistance to the Director of Public Prosecutions in relation to administrative review and Supreme Court appeal proceedings concerning the State's taxation legislation;
- preparing responses to requests made under the reciprocal powers legislation of other jurisdictions, the *Right to Information Act 2009* and the *Personal Information Protection Act 2004* to ensure compliance with legislation;
- preparing responses to issues raised by the Ombudsman to ensure a consistent and effective approach in the provision of legal services;
- preparing prosecutions briefs in relation to state taxation and First Home Owner Grant matters and monitoring the progress of such matters through other government agencies;
- providing input into the preparation of ministerial correspondence including Question Time Briefings and Minutes to the Treasurer relating to state taxation and grant matters;

- contributing to the overall management of the Section, Branch and Division through relevant forums and input into annual operating plans;
- representing the Branch and/or the Department in various meetings, and managing effective relationships with relevant stakeholders, both internally and externally;
- leading, developing or contributing to key projects that promote continuous improvement or implementation of legislative changes; and
- undertaking other duties and responsibilities within the classification level of this position, which are within the employee's competence and skill level.

### **Level of responsibility, direction and supervision**

The Principal Legal Advisor will operate with considerable independence in determining priorities, procedures and approach. The Principal Legal Advisor applies the decision-making framework (policies, rules and regulations) in support of a defined field of activity, which may involve more than one discipline. Considerable autonomy of approach in delivering outcomes and the advice and recommendations provided are regarded as authoritative for that activity. Guidance and instruction from the Assistant Director may on occasion be received related to the implementation of recommendations. The Principal Legal Advisor may also manage a small team of employees, and requires significant management skills and expertise to support the operations of a functional area.

Supervisors are responsible for monitoring the work practices and behaviour within their area to promote compliance with: ethical standards; the State Service Code of Conduct and Principles; relevant Work Health and Safety Legislation; the policies, procedures and guidelines issued by the Department; and adherence to the principles of equal employment opportunity.

## Selection criteria

*Relative merit of candidates for this position is assessed using the following selection criteria:*

### 1. Communication

Demonstrates capacity to: prepare all documentation to a high level and prepare drafts of more complex interpretive material which may require minor rework; clearly inform staff and stakeholders with regard to complex technical issues; and represent Treasury in area of expertise, negotiate and, where possible, influence outcomes effectively both internally and externally.

### 2. Output management

Demonstrates capacity to: plan, organise, schedule and prioritise work for areas of responsibility; co-ordinate input from others and negotiate changes to outputs, deadlines and resources; contribute to the outputs of other team members; and foster and contribute to a client focus.

### 3. Conceptual, analytical and judgement

Demonstrates capacity to: use appropriate decision making strategies to identify possible solutions to non-routine problems; make informed, timely and accurate decisions on activities within the work unit; and provide authoritative advice in relation to area of expertise.

### 4. Leadership and people skills

Demonstrates capacity to: lead, inform, guide and mentor in areas of expertise, and promote the objectives of the Branch, Division and Department; actively contribute to a positive team environment and use networks to obtain results; and behave in alignment with and promote Treasury's Values.

### 5. Technical and professional\*

Demonstrates highly developed knowledge, skill and ability in relation to the role or the capacity to rapidly acquire competency.

*The above selection criteria are weighted equally for assessment purposes.*

### \* Qualifications and requirements

Highly desirable - completion or partial completion of relevant tertiary or industry qualifications, and/or professional affiliation.

Approved: Angelo Pavlides

Date: 30 October 2020

*For further information please email [recruitment@treasury.tas.gov.au](mailto:recruitment@treasury.tas.gov.au), or visit [www.treasury.tas.gov.au](http://www.treasury.tas.gov.au)*

## Working at Treasury

We are responsible for managing the Tasmanian Government's financial resources and for implementing strategies to achieve the Government's economic and financial objectives. Treasury is a challenging and exciting place to work. Our mission is to improve the wellbeing of Tasmanians by providing high quality advice to the Government as well as effective and efficient administration of our financial and regulatory responsibilities.

Treasury is a values-based organisation. If your personal and work values are consistent with those developed by our staff, we're sure you'll find Treasury a great workplace. Our decisions and behaviours are guided by the following values and belief statements:

- **Integrity** as it builds confidence, trust and self-respect, and is the foundation of open and honest communication;
- **Excellence** as it challenges us to give our best and brings us recognition;
- **Respect** as it recognises the value of each of us and the contribution we all make;
- **Camaraderie** as it creates a fun and supportive place to be; and
- **Passion** as it inspires us to achieve great things.



## Treasury employment conditions

All roles at Treasury can be undertaken flexibly (up to the hours specified) and we will readily consider proposals to reduce hours or to undertake the hours flexibly or with an altered work pattern. We are interested in developing our staff and supporting them to be the best they can be.

We are an equal opportunity employer and we welcome a diverse range of applicants for our positions. We appreciate the diversity of our employees and value the contribution they make to our organisation. We provide reasonable adjustment, as medically required, to enable inherent role requirements to be met. We promote and uphold the principles of fair and equitable access to employment, promotion, personal development and training. Our workplace has a culture of zero tolerance towards violence against women, and towards any form of family violence.

Treasury seeks to provide a healthy and safe workplace for all employees and the Department has a 'duty of care' responsibility in this respect. Employees have a 'duty of self-care' to ensure that they conduct themselves in a manner that protects the safety, health and welfare of themselves and others in the work environment. This position involves a significant proportion of screen-based equipment work. Treasury is a smoke free work environment.

Treasury is committed to creating, as far as is reasonably practicable, a respectful work environment which is free from inappropriate and disrespectful workplace behaviours, including discrimination, bullying and harassment. All employees must adhere to the standards of behaviour and conduct specified in the State Service Principles and Code of Conduct (*State Service Act 2000*).