

## POSITION DESCRIPTION

### Senior Solicitor, Enforcement

<b>Function</b>	General Counsel	<b>Direct Reports</b>	-
<b>Team</b>	Enforcement	<b>Location</b>	Auckland
<b>Reporting to</b>	Manager, Enforcement	<b>Salary Band</b>	6

The Financial Markets Authority (FMA) is responsible for ensuring New Zealand's capital markets and financial services sector provide better outcomes. That's better outcomes for investors, consumers, professionals, businesses, and for the New Zealand economy.

#### **GENERAL COUNSEL PURPOSE ... what we do matters**

To enable and support the FMA in promoting and facilitating the development of fair, efficient and transparent markets through the provision of the holistic, pragmatic and high quality legal and policy advice required by the FMA to achieve its objectives. Provide independent assurance that internal processes are operating effectively.

#### **POSITION PURPOSE ... what you do counts**

The purpose of this position is to provide legal advice and expertise in relation to investigations, litigation and other enforcement action to ensure FMA's enforcement function reinforces the FMA's reputation as a strong, effective, proactive and respected organization

#### **KEY RESPONSIBILITIES:**

-  Provision of high quality legal advice and litigation expertise to ensure FMA's enforcement goals are achieved.

#### **OPERATIONS**

-  Provide expert input into wider FMA projects, discussion groups and committees as required.
-  Take on a project manager/leadership role on larger and/or significant projects where opportunities arise.
-  Providing input and advice to the investigation team on active investigations.
-  Drafting instructions to external Counsel and experts, drafting Court documents and as required.
-  Advocacy where the opportunity arises, including appearing at Financial Advisors Disciplinary Committee hearings.
-  Championing team projects.
-  Providing internal training sessions for the team or the wider organisation.
-  Undertake and deliver one-off projects as required.

## RELATIONSHIPS

- ▶ Work as a 'virtual team' with other members of the Enforcement team located in other cities.
- ▶ Act as a role model and mentor for more junior members of the legal team.
- ▶ Work closely with Investigations teams in a collaborative, efficient manner on active cases.
- ▶ Facilitate positive working relationships and identify opportunities for collaboration between others in the organisation to promote a connected-organisational approach.
- ▶ Work as a 'virtual team' with other legal and policy advisers within the organisation to ensure a spirit of professional collegiality, mutual support, and information sharing is fostered and maintained.
- ▶ Work as a part of the overall FMA team in a way that demonstrates openness; mutual cooperation, respect and trust; commitment and energy; positivity; excellent performance; and a can-do attitude.
- ▶ Identify opportunities for and actively engage with key stakeholders (internal and external) to ensure others are informed, involved and buy-into initiatives and developments.
- ▶ Develop positive relationships with external parties that further the goals of FMA.
  
- ▶ The delegations for this position are specified in FMA's Delegations Policy and Framework.
- ▶ From time to time the job holder may be expected to perform other such duties within their experience and capabilities in response to the changing nature of our work environment.

## ▶ KEY BEHAVIOURS / ATTRIBUTES ... how you do it counts

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- ▶ Shows drive, enthusiasm, self-motivation, confidence, and initiative independent of direction from others.
- ▶ Demonstrates a sound and pragmatic approach to interpreting and applying legislation.
- ▶ Leads and empowers others – encourages others to extend themselves and exercise their thinking and decision-making skills, ensures staff know what is expected of them and have the information and support they need to achieve this.
- ▶ Motivated not only to perform as an individual, but to promote overall team performance and harmony.
- ▶ Is accessible - gets out and about and talks to people.
- ▶ Takes a well-considered, forward thinking and planned approach, but responds with agility and flexibility to change.
- ▶ Thinks creatively around issues and makes a positive contribution to solution development and implementation.
- ▶ Demonstrates commitment and resilience in the face of obstacles and setbacks.
- ▶ Ability and enthusiasm to perform in the face of pressure and time constraints.
- ▶ Acts with utmost integrity consistent with FMA's role as a regulator and model litigant.
- ▶ Is respectful of others – treats others with consideration, consistency, openness and honesty.
- ▶ Is willing to take responsibility and be personally held to account.
- ▶ Shows loyalty and commitment to FMA, and safeguards FMA's reputation.
- ▶ Maintains the highest standards of confidentiality, discretion, and trustworthiness.

## ▶ PREREQUISITES ... what you will bring

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- ▶ Qualifications (Essential)
  - Tertiary qualification in law, Honours degree desirable.
  - Commerce or business degree desirable.
  - Current practising certificate (or entitlement to one).

▶ Knowledge / Experience / Skills (Essential/Desirable)

- At least 8 years' + post admission experience in litigation work.
- Financial services industry knowledge and experience gained in a law firm and/or corporate environment.
- Working knowledge of civil procedure (essential) and criminal procedure (desirable).
- Excellent knowledge of laws and regulations relevant to the financial sector.
- Strong analytical, critical thinking and reasoning skills.
- Ability to quickly establish credibility and grow trust and respect.
- Ability to build and maintain positive relationships and work constructively and collaboratively with others.
- Excellent written and oral communication skills.
- Strong self-management skills – sound social judgement, mature and professional conduct, and an ability to effectively manage stress.
- Well-developed planning and organising skills, including the ability to maintain performance when under pressure, and consistently deliver on time and to a good standard.

▶ **OUR VALUES** ... how we all approach our work

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The success of FMA will depend on the right capability, capacity and commitment of its staff to fulfil its regulatory mandate and have maximum impact on key outcomes. We look for and expect our people, to live and implement our shared values into their daily work practices -

Bold - Enterprising, intrepid, daring

Proactive - Strategic, can do, forward-thinking

Respected - Astute, credible, fair, accountable, consistent, transparent

Connected - Visible, in the know, influential

Agile - Nimble, adaptable, energetic.