

Corporation Secretary and Legal Services at Micro and Small Enterprise Authority (MSEA)

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Job Description

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The Micro and Small Enterprise Authority (MSEA) is a state corporation established under the Micro and Small Enterprise Act No. 55 of . The Act was developed through a stakeholder's consultation process which took several years. The Authority is now domiciled in the Ministry of Industry, Trade and Co-operatives

REF NO. MSEA – 1/7/ (MSEA GRADE 2) Terms: 5 Years Contract

Duties and responsibilities entails:-

Arranging the business of the Board's meetings, keep records of the proceedings of the Board and perform other duties as the Board may direct in line with the relevant statutes and Mwongozo;

Providing advice on legal and corporate matters to the Board through interpretation and writing of legal opinions;

Providing secretariat services to the Board;

Developing and reviewing of relevant regulatory Legal framework for the better implementation of the Authority's mandate;

Coordinating and ensuring representation of the Authority in courts or other judicial authorities;

Drafting and reviewing Leases, Contracts, Licensing Frameworks, Service level Agreement, Memorandum of Understanding, leases and other legal documents to ensure compliance to statutory requirements and Authority's policies;

Liaising with the Attorney General, law enforcement agencies and stakeholders on all legal matters;

Ensuring that Legal Audit Compliance is carried out to confirm compliance with relevant statutory requirements;

Overseeing the implementation of Mwongozo, Code of Conduct at the Authority;

Formulating, drafting and facilitating gazettelement of Rules, Regulations and Directives issued by or on behalf of the Authority.

Establishing and managing the Authority's Securities Register for the custody and maintenance of securities, bonds or other proprietary instruments resulting from the Authority's transactional activities, as required.

Providing legal guidance on contractual and statutory obligations binding to the Authority;

Providing and interpreting legal information, conducting training and dissemination of appropriate legal requirement to staff;

Safeguarding the Authority's interests and ensuring that they are adequately defended before the court;

Managing, reviewing, and monitoring progress of all outstanding litigation;

Issuing instructions, liaising with Authority's appointed advocates with a view to ensuring that they act in the Authority's interest while handling cases on its behalf;

Ensuring the Authority complies with constitutional, regulatory and all relevant laws in force through the provision of legal advisory services and ensure contractual risks are efficiently managed.

Establishing and managing the Authority's alternative dispute resolution mechanism;

Developing the Authority's proactive and preventive legal policies and strategies aimed at

forestalling dispute controversies and litigation;

Risk management on all the Authority's internal legal and regulatory matters and liaise with relevant department to ensure that where legal risks have been identified, appropriate courses of action are taken;

Conducting legal and regulatory risk management extension services to the authority's Lessees, licensees, partners and other stakeholders for consistency in application and compliance.

Facilitate legal compliance audit.

Prepare review and modify contractual instruments to assist and support various business activities, and negotiate, review and draft documentation for business transactions;

Prepare and advise on necessary regulatory checklist to be adopted to ensure information and documentation is uniformly, accurately and timeously submitted to the Authority.

Attending to all legal matters of the Authority including advising, vetting and drafting of legal agreement in relation to Authority's operation.

Person Specifications

For appointment to this grade, a candidate must have:-

A minimum of twelve years in relevant work experience, five years of which should be in management in public or private sector;

Bachelor of Laws degree or equivalent qualifications from a recognized institution;

Master's Degree in Law or any equivalent qualifications from a recognized Institution.

Postgraduate Diploma in Law from the Kenya School of Law;

Been admitted as an Advocate of the High Court of Kenya;

A valid practicing certificate;

Membership with Law Society of Kenya;

Been Certified Public Secretary (CPSK) and a member of Certified Public Secretaries of Kenya in good standing;

Attended Leadership Course lasting not less than four weeks from a recognized institution;

Proficiency in computer applications;

Shown merit and ability as reflected in work performance and results; and

Fulfilled the requirements of Chapter Six of the Constitution.

Key competencies and skills

Analytical skills

Communication skills

Strategic and innovative thinking

Interpersonal skills

Ability to mobilize resources

Negotiation skills

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