



PAPUA NEW GUINEA PUBLIC SERVICE

JOB DESCRIPTION

1.0 IDENTIFICATION

AGENCY: Department of Information and Communication Technology	SYS. POSN. NO: 58000038	REF. NO: ICEX.05
WING: Executive Services	DESIGNATION/CLASSIFICATION: Principal Legal Counsel Gr.17	
DIVISION: Office of the Secretary	LOCAL DESIGNATION: Principal Legal Counsel	
BRANCH:	REPORTING TO: Secretary Department of Information and Communications Technology. ICEX.01	SYS. POS. NO: REF. NO:
SECTION:	LOCATION: Waigani	

HISTORY OF POSITION

FILE REF.	DATE OF VARIATION	DETAILS
Org:	01/08/20	Created as per the restructure of the Department.

2.0 PURPOSE

The Principal Legal Counsel plays a critical role in providing expert legal guidance and support to the Secretary and the department in the formulation, implementation, and management of policies, programs, and initiatives related to ICT and digital government. This role ensures that the department's activities, projects, and operations are compliant with relevant laws, regulations, and best practices, while also mitigating legal risks.

The Principal Legal Counsel is responsible for offering legal counsel on a wide range of issues, including contracts, procurement, intellectual property, data protection, privacy, and digital governance. They also ensure that the department's policies and digital transformation efforts are in line with national legal frameworks, including the Digital Government Act, ICT-related legislation, and international agreements or conventions that Papua New Guinea may be a party to.

3.0 DIMENSIONS

FINANCE Annual Branch budget plan	NO.OF STAFF SUPERVISED Direct: 2 Indirect: SOS	OTHER RESOURCES All Branch assets
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4.0 PRINCIPAL ACCOUNTABILITIES

- 4.1 Offer comprehensive legal advice to the Secretary and senior management of the Department of Information and Communications Technology (DICT) on ICT-related policies,

regulations, contracts, and digital government initiatives to ensure alignment with national laws and international standards.

- 4.2 Oversee and ensure the department's compliance with relevant laws, regulations, and policies, including the Digital Government Act, data protection laws, intellectual property rights, and procurement regulations, mitigating legal risks across all department operations.
- 4.3 Review, draft, and negotiate contracts, memoranda of understanding (MOUs), and agreements related to ICT projects, partnerships, and procurements, ensuring legal integrity, fairness, and protection of the department's interests.
- 4.4 Identify, assess, and manage potential legal risks related to digital transformation projects, technology deployments, data handling, and government digital services, advising on strategies to mitigate or resolve such risks effectively.
- 4.5 Represent the department in legal proceedings, including litigation, arbitration, or dispute resolution, related to ICT matters, contracts, or digital policy, ensuring that the department's position is adequately defended and represented.
- 4.6 Lead the development, review, and implementation of policies and regulations governing digital governance, cybersecurity, data protection, and other ICT-related areas, ensuring they are legally sound and aligned with the government's strategic digital transformation goals.
- 4.7 Provide legal training and capacity-building support to department staff, ensuring that employees are aware of and understand relevant legal requirements, policies, and ethical standards in the ICT sector, fostering a legally compliant organizational culture.

5.0 MAJOR DUTIES

- 5.1 Offer timely and well-researched legal counsel to the Secretary and senior management on a range of ICT-related matters, including policy development, compliance, and digital transformation initiatives.
- 5.2 Monitor and ensure compliance with local, national, and international laws and regulations, such as the Digital Government Act, data protection laws, and intellectual property rights, ensuring that all department activities are legally sound.
- 5.3 Draft, review, and negotiate contracts, agreements, and memorandums of understanding (MOUs) with external stakeholders, ensuring legal integrity, clarity, and alignment with departmental goals and legal frameworks.
- 5.4 Identify potential legal risks associated with digital transformation initiatives, ICT projects, and data management. Provide risk management strategies and legal guidance to mitigate these risks.
- 5.5 Represent the department in legal proceedings, including litigation, arbitration, and dispute resolution, concerning ICT projects, digital policies, and government services.
- 5.6 Support the development and implementation of policies, laws, and regulations relating to digital governance, data protection, cybersecurity, and other ICT-related fields, ensuring they comply with legal standards.
- 5.7 Advise on the department's approach to data protection, ensuring compliance with national and international data privacy laws, and develop strategies to safeguard personal and sensitive data across government systems.

- 5.8 Assist in creating legal frameworks to govern cybersecurity, ensuring that legal measures for protecting government infrastructure and sensitive information align with national security standards.
- 5.9 Provide legal support for the procurement of ICT services, equipment, and software, including drafting tender documents, negotiating terms, and reviewing licensing agreements to ensure adherence to legal guidelines.
- 5.10 Advise on intellectual property matters, including copyrights, trademarks, patents, and licensing issues related to digital government projects and innovations developed by the department.
- 5.11 Ensure that all e-Government platforms, digital services, and technologies meet legal and regulatory requirements, advising on potential risks and ensuring legal frameworks are in place for smooth operations.
- 5.12 Draft and review all necessary legal documentation for digital projects, including policies, user agreements, terms and conditions, and privacy policies to ensure they are legally compliant and clear.
- 5.13 Develop and implement legal training programs for department staff to ensure they understand their legal responsibilities, including compliance with data protection laws, procurement regulations, and digital policy frameworks.
- 5.14 Keep abreast of changes in national and international laws and regulations that may impact the department's digital initiatives. Advise the Secretary and relevant stakeholders on necessary adjustments to policies, processes, or practices to remain compliant.
- 5.15 Represent the Department at various meetings, conferences and forums.
- 5.16 Undertake other duties as directed by the Secretary Department of Information and Communications Technology.

6.0 NATURE AND SCOPE

The Principal Legal Counsel to the Office of the Secretary of the Department of Information and Communications Technology (DICT) plays a crucial role in ensuring that the department's legal operations are efficient, compliant, and aligned with national and international laws. This senior role is responsible for providing comprehensive legal support to the Secretary and senior management on a wide range of ICT-related matters, such as policy development, digital transformation initiatives, data protection, cybersecurity, and public service regulations. The Principal Legal Officer oversees the legal framework within which the DICT operates, ensuring all legal risks are effectively managed and mitigated.

The scope of this role extends across the entire department and its initiatives, offering guidance on the development and implementation of ICT-related laws, regulations, contracts, and policies. It also involves representing the department in legal matters, such as disputes, procurement, and litigation. The Principal Legal Officer ensures that all digital government services, technologies, and infrastructure comply with applicable laws, including data privacy, intellectual property, and cybersecurity regulations.

Additionally, this position plays a key role in drafting and reviewing contracts, negotiating with external partners, and ensuring that legal processes related to ICT projects are handled smoothly. The Principal Legal Officer will also be tasked with monitoring legal and

regulatory changes that could impact the department's operations, advising on necessary adjustments to maintain legal compliance.

6.1 WORKING RELATIONSHIP

Internal

- Consult with the Senior Management Team on all legal matters as directed by the Secretary on a daily basis.
- Consult with Executive Managers and other Branch Managers on matters legal requiring or as requested by the Secretary .

External

- Liaise with relevant government departments on legal matters requested by the Secretary.
- Liaise with relevant international development partners and other stakeholders as directed by the Secretary.

6.2 WORK ENVIRONMENT

- This is a professional and managerial job and requires a person with significant experience and background in legal services, administration and management.

7.0 CONSTRAINTS FRAMEWORK AND BOUNDARIES

7.1 Rules and Procedures

The incumbent is guided by:

- The Department Corporate Plan, Management Plan and various Management directives of the Department
- Medium Term Development Plans (MTDP) IV
- Various legislations including Digital Government Act 2022, ICT Regulations, Public Service General Orders 2014, Public Service (Management) Act 2014, Public Finance (Management) Act, and industry regulations

7.2 Decision

- Set priorities and targets for the Branch
- Work plans and procedures
- Staff performance appraisal, recruitment, training and development
- Conflict management and resolution.

7.3 Recommendation

- ICT Sector coordination and digital transformation initiatives, projects and programs.
- New or revised work plans and activities.
- Work ethics and best practices.

8.0 CHALLENGES

- Work culture, values and ethics.
- Lack of staff capacity and resources.

- Lack of team work and participation.
- Recruitment and retention of staff.
- New ICT initiatives and Digital Government Transformation.

9.0 QUALIFICATIONS, EXPERIENCES AND SKILLS

9.1 Qualifications

Must possess a bachelor's degree in Law / Legal Services or an appropriate discipline from a recognized university.

9.2 Knowledge

- Conversant with public service employment practices, policies and strategies and developments.
- Thorough knowledge of the Government policy implementation framework, national development plans including MTDP IV.
- Conversant with the Digital Government Act and ICT Regulations and appropriate public service laws and regulations.

9.3 Skills

- Demonstrated leadership, management and organizational ability in managing and coordinating digital transformation and change management initiatives.
- Excellent oral and written communication skills
- Demonstrated interpersonal ability to build and sustain collaborative relationships with staff at all levels of the organization, clients and stakeholders.
- Possess negotiation and analytical skills in conducting dialogue and reaching mutual beneficial outcomes with stakeholders.
- Demonstrates public service professionalism and probity.
- Maintains good image of the Department.
- Computer literacy in appropriate software applications.

9.4 Work Experience

Minimum of five years relevant work experience at a supervisory level or equivalent in large government agencies or private sector with a significant background and proven track record in managing and implementing human resource management programs.