



## POSITION DESCRIPTION

|                                           |                                                |
|-------------------------------------------|------------------------------------------------|
| <b>Position Title:</b>                    | Senior Commercial & Strategic Projects Counsel |
| <b>Cluster / Business Unit / Division</b> | Chief Operating Office Group (COOG)            |
| <b>Section or Unit:</b>                   | Legal Services                                 |
| <b>Job Family:</b>                        | Legal                                          |
| <b>Classification:</b>                    | Band 8                                         |
| <b>Position Description Number:</b>       | PD-1978                                        |
| <b>Work Contract Type:</b>                | Professional                                   |

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### POSITION PURPOSE

There are three main components to this role.

The primary purpose of the Senior Commercial & Strategic Projects Counsel is to provide in-house expert legal knowledge, advice and support in relation to a wide range of commercial, corporate and strategic legal issues including commercial transactions, contracts, legal/deal structures, legal strategies and intellectual property arrangements. This includes providing advice on risks associated with commercial decisions from a legal perspective. The key objective is that this position should enable ANSTO to efficiently and effectively compete for revenue and reputation building activities both internationally and nationally.

In addition, the Senior Commercial & Strategic Projects Counsel will provide expert strategic legal input into the extraction of value from research and business activities, protection and maintenance of intellectual property and the development of applicable policies and procedures of ANSTO.

The Senior Commercial & Strategic Projects Counsel will also be required to lead initiatives which support the proactive integration of Legal into projects and activities across ANSTO, and improvements and transformation of the Legal office.

### ORGANISATIONAL ENVIRONMENT

ANSTO leverages great science to deliver big outcomes. We partner with scientists and engineers and apply new technologies to provide real-world benefits. Our work improves human health, saves lives, builds our industries and protects the environment. ANSTO is the home of Australia's most significant landmark and national infrastructure for research. Thousands of scientists from industry and academia benefit from gaining access to state-of-the-art instruments every year.

The Chief Operating Officer Group brings together several Corporate Services Functions from across ANSTO; creating greater synergies across operational areas of our organisation, and more streamlined interfaces with the Department of Industry, Science, Energy and Resources and other Federal agencies.

- Finance and Operational Services
- Corporate Affairs
- Legal Services
- People, Performance and Capability
- Regulatory and Safety Assurance
- Capital Program Management Office

Legal Services provides required in-house legal advice and support, including the provision of proactive assistance to support the development of knowledge and capability of others within Legal to efficiently complete legal documentation and ensure compliance.

### ACCOUNTABILITIES & RESPONSIBILITIES

## Key Accountabilities

- Providing expert strategic legal expertise, advice and support in relation to commercial and strategic legal issues including complex commercial transactions, contracts, legal structures, legal strategies and intellectual property arrangements to enable ANSTO to compete for revenue and reputation building activities both internationally and nationally. This will require a close working relationship in particular with business development, customer advocacy and value chain, science and research and other areas as well as being involved in negotiations and structuring with external partners.
- Providing specialist legal input into ANSTO's commercial strategies.
- Proactively identifying legal risks to the business and developing strategies to mitigate the risks to ensure that all operations are conducted within acceptable risk limits, compliant with relevant legislation and address the costs and benefits of proposed solutions to ensure the best possible outcome for ANSTO.
- Advice on interpretation of and compliance with legislation relevant to the conduct of business and commercialisation activities and intellectual property management.
- Contributing expert strategic legal input into:
  - the extraction of value from research and business activities (including commercialisation) and recognition of intellectual property created or owned by ANSTO through value identification, protection strategies, negotiations, technology transfers and contracts.
  - development of applicable policies and submissions of ANSTO
- Provision of policy, structuring and governance advice as required, focusing on the above areas. This may include areas relating to information handling (including FOI and privacy), human resources, and compliance.
- Provide specialist legal input into the management of commercial and intellectual property related litigation and tribunal matters, conducting and managing litigation claims and appearing in proceedings where ANSTO interests are represented. Where necessary brief external lawyers and barristers.
- Proactively working across ANSTO to lead projects which facilitate Legal integration into projects and activities early to enable Legal to improve holistic support to ANSTO's objectives and targets. Forster awareness across ANSTO of intellectual property and commercial law requirements.
- Working across ANSTO and internally within Legal to lead transformation projects for the Legal office and reduce the requirement for low value low risk transactional support, including implementation of a portfolio of digital tools, toolboxes, training programs, precedents, and other easy-to-access self-support
- Keep abreast of legal changes in commercial and intellectual property law legislation and case law.
- Proactively working within the Legal team to lead improvements on internal processes and operational effectiveness of the Legal team and in the manner in which we support cross-functional business partners.
- Effectively managing external legal service providers, where relevant, to ensure that these services are of high quality, timely, delivered economically and only utilised where necessary.
- Reporting to and working with the ANSTO Legal Counsel on legal issues in a highly collaborative manner.
- Undertake additional duties as required and during period of leave of other staff.

## Decision Making

- Providing advice and making decisions in relation to and inherent in the above accountabilities.
- The position works within a framework of legislation, policies, regulatory requirements, professional standards and resource parameters.
- The ANSTO values, organisational corporate plan, business plan, operational excellence program, the ANSTO Legal strategy and objectives provide the context for the position.
- The position is fully accountable to the General Counsel for the accuracy, integrity and quality of the content of advice provided, and is required to ensure that decisions are based on sound evidence, but at times may be required to make effective judgements under pressure or in the absence of complete information or expert advice.

- Determines key work priorities within the context of work plans agreed with the General Counsel
- The levels of authority delegated to this position are those approved and issued by the Chief Executive Officer. All delegations will be in line with the ANSTO Delegation Manual AS-1682 (as amended or replaced).

### Key Challenges

- Understanding the varied operational and business requirements of ANSTO.
- Working on a diverse and large number of projects.
- Being able to quickly understand complex scientific concepts/technologies.
- Being able to simply convey complex legal concepts and requirements and convey them to a range of audiences.
- Balance competing priorities and manage multiple projects simultaneously.
- Ability to understand varied scientific concepts and technologies in a diverse organisation.
- Ability to work collaboratively and to identify potential ANSTO-wide risks.
- Manage long-lead priorities from early stage projects through to implemented outcomes.
- Focus on continuous improvement, as well as the provision of routine legal advice and support.
- Working in a highly collaborative manner.
- Ability to provide legal services under time pressures that are of high quality and strategic value.
- Keeping abreast of legal, legislative and policy changes affecting the regulatory environment within which ANSTO operates and relevant developments in case law.
- Recognising when it is appropriate to refer a matter to an external provider for specialist legal advice and management of that external provider.

### KEY RELATIONSHIPS

| Who                                     | Purpose                                                                                                                                                                                                                                                                                                                                    |
|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Internal</b>                         |                                                                                                                                                                                                                                                                                                                                            |
| General Counsel                         | <ul style="list-style-type: none"> <li>• Receive day-to-day guidance and direction and approval for initiatives</li> <li>• Work collaboratively</li> <li>• Provide research and expert advice on specific topics</li> <li>• Recommend and gain endorsement for plans, projects and goals and other initiatives</li> </ul>                  |
| Legal Colleagues                        | <ul style="list-style-type: none"> <li>• Work collaboratively</li> <li>• Provide research and expert advice on specific topics</li> <li>• Contribute to group decision making processes, planning and goals</li> <li>• Lead implementation of improvement initiatives and other Legal projects</li> </ul>                                  |
| Other Internal Colleagues               | <ul style="list-style-type: none"> <li>• Work collaboratively</li> <li>• Contribute to group decision making processes, planning and goals</li> <li>• Provide advice and support</li> <li>• Negotiate and resolve conflicts</li> </ul>                                                                                                     |
| <b>External</b>                         |                                                                                                                                                                                                                                                                                                                                            |
| ANSTO external clients and stakeholders | <ul style="list-style-type: none"> <li>• Work to develop successful outcomes for particular transactions and for the relationship ANSTO holds with those clients and partners</li> <li>• Negotiation in relation to transactions</li> <li>• Support a positive and forward looking project management approach to relationships</li> </ul> |

|                           |                                                                                                                                                  |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Other Government agencies | <ul style="list-style-type: none"> <li>Fostering collaboration and relationships with Legal Counsel in other agencies and departments</li> </ul> |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|

## POSITION DIMENSIONS

The Senior Commercial & Strategic Projects Counsel reports to the General Counsel and is a position within ANSTO Legal.

The Senior Commercial & Strategic Projects Counsel is required to work in a highly collaborative, flexible and commercially focussed manner, to communicate effectively, and to build and maintain ongoing productive working relationships with internal and external stakeholders.

| Staff Data       |                                                                |
|------------------|----------------------------------------------------------------|
| Reporting Line   | Reports to the General Counsel                                 |
| Direct Reports   | Nil                                                            |
| Indirect Reports | Required to be able to supervise and mentor junior legal staff |

| Special / Physical Requirements |                                                                                                                                                                                                                                  |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Location:                       | Lucas Heights                                                                                                                                                                                                                    |
| Travel:                         | May be required travel to ANSTO sites from time to time<br>Some travel to other ANSTO sites within Australia<br>Some travel within Australia and outside Australia as and when required to support the needs of internal clients |
| Physical:                       | Office based physical requirements (sitting, standing, minimal manual handling, movement around office and site, extended hours working at computer)<br>Public speaking                                                          |
| Radiation areas:                | Not expected to perform duties in an area where radioactive materials are handled                                                                                                                                                |
| Hours:                          | Willingness to work extended and varied hours based on operational requirements                                                                                                                                                  |
| Clearance requirements:         | Satisfy ANSTO Security and Medical clearance requirements                                                                                                                                                                        |

| Workplace Health & Safety                                                                  |                                                                                                                                                                                                    |
|--------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Specific role/s as specified in <a href="#">AG-2362</a> of the ANSTO WHS Management System | All Workers<br>Officer (definitions found in appendix 1 of AG-2362)<br>Other specialised roles identified within the guideline a position holder may be allocated to in the course of their duties |

## ORGANISATIONAL CHART

On file.

## KNOWLEDGE, SKILLS AND EXPERIENCE

1. Significant legal experience and qualifications (law degree or higher; 8+ years experience)
2. Extensive experience in commercial law and demonstrated experience in general corporate law including corporate structuring preferably gained as an associate with a leading Australian law firm.
3. *Situational Adaptability*. A positive team player attitude, and can easily handle multi-tasking between shifting priorities with ease and calm.
4. Demonstrated flexibility and the ability to prioritise in a fast paced, demanding environment.

5. *Building Collaborative Relationships.* The ability to build strong relationships within the Legal office, and other cross-functional stakeholders including Finance, Business Development, NSTLI and other operational teams.
6. Strong customer focus, with emphasis on building strong relationships and providing prompt, accurate and commercially focussed legal advice within required response timeframes.
7. *Focus on Improvements.* Experience in implementing / managing process improvement solutions and business excellence from conception to implementation
8. *Consultative Mindset.* Analytical skills and solutions oriented, with the ability to draw review options, reach conclusions and make informed recommendations, with input from subject matter experts; capable of being creative and supporting new innovations and services
9. *Clear Communication.* Exceptional communication skills (verbal and written) and experience communicating results
10. Confidence to work with clients and colleagues at all levels.
11. *Discretion and Adaptability.* Discretion and sensitivity and a strong awareness of ensuring communications are appropriate to audience.
12. *Management background.* Prior experience managing personnel directly.

#### VERIFICATION

This section verifies that the line manager and appropriate senior manager/executive confirm that this is a true and accurate reflection of the position.

| <b>Line Manager</b> |                  | <b>Delegated Authority</b> |                         |
|---------------------|------------------|----------------------------|-------------------------|
| Name:               | Felicity Doughty | Name:                      | John Edge               |
| Title:              | General Counsel  | Title:                     | Chief Operating Officer |
| Signature:          |                  | Signature:                 |                         |
| Date:               |                  | Date:                      |                         |