



**Tango Tutara O Te Ture
(Ministry of Justice)
GOVERNMENT OF THE COOK ISLANDS
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www.justice.gov.ck**

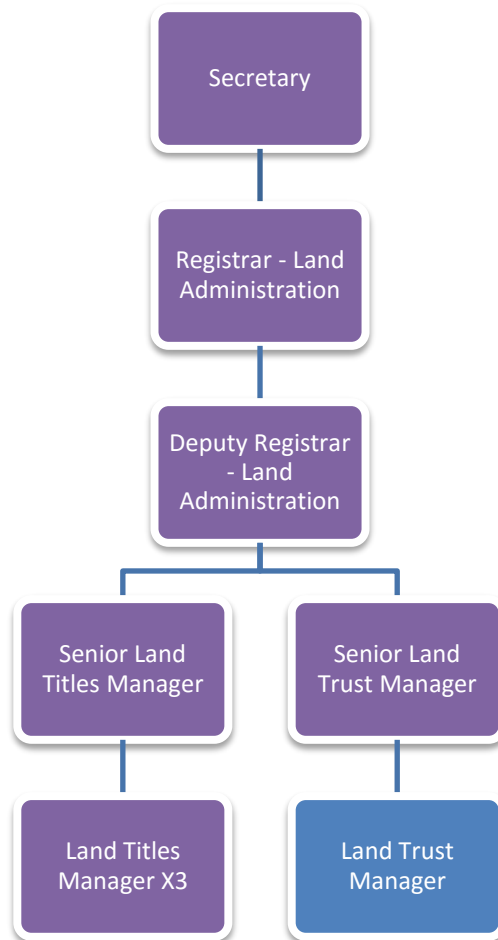
POSITION SUMMARY

Job Title:	Land Trust Manager
Division:	Land Administration
Responsible To:	Registrar – Land Administration
Responsible For:	None
Job Purpose:	<p>The role of the Land Trust Manager is to facilitate the management and administrative compliance of the land trust within the Cook Islands legal framework and Ministry of Justice systems, polices, processes, and procedures. This is a technical role requiring specialized skills and knowledge in legislation, regulations, and custom governing land ownership, tribal titles, legal and court processes, registry and records management, compliance, accounting, investment, banking, trustee and fiduciary obligations, and information systems, while ensuring accuracy, timely reporting, and efficient and effective administration.</p> <p>The position relies heavily on the integrity of land and tribal titles records and systems, and provides key administrative and trust services relating to a high volume of receipting, management, and distribution of land trust funds.</p> <p>The position must work at a high level of competence in legal, accounting, and compliance principles and technical requirements to deliver the provision of Ministry land trust services to the public in an environment moving towards greater use of available technology.</p>
Job Classification:	Function: Technical and Service delivery Job band: F Jobwise Code: T3 – First Level Specialist
Date updated:	April 2019

AGENCY VISION

“For a **safe, secure, just** and **fair** society with a **trusted** land management and information and register systems”

ORGANISATIONAL STAFFING STRUCTURE (PROVISIONAL)



KEY RESULT AREAS (KRA'S)/OUTPUTS

KRAs for this position (maximum of 6)	Key Performance Indicators (use SMART principles)
<p>1. Land Trust Management</p> <ul style="list-style-type: none"> Assist in the provision of advice and input into the development, implementation, and updating of policies, procedures, and manuals relating to land trust matters. Provide timely advice and information to Secretary and senior management when requested, and when there are changes in Ministry operations or applicable legislation, regulations, and government policy. Using available technology, efficiently and effectively manage land trust application and payment systems and processes to ensure the accurate and timely payment of funds from the land trust to beneficiaries, proper receipting of funds into the land trust, and effective management of banked funds in compliance with applicable legislation, regulations, and Ministry policies and procedures. Ensure applications are properly vetted and applicants are verified to safeguard proper beneficiary payments are made in accordance with policies and procedures. Manage outward payment processes to ensure correct amounts are paid to beneficiaries according to their share on relevant lands, appropriate deductions are made, and 	<ul style="list-style-type: none"> Ministry policies and procedures are updated and consistent with legislative and regulatory requirements, and best practices. Accurate and timely advice and information is provided. Land trust payments to and from the land trust account are without error, are timely processed and reconciled, and properly documented. Funds in the land trust account are appropriately invested. Applications and applicants are timely reviewed for legislative and regulatory compliance, and appropriately actioned. Proper payments are made to beneficiaries with applicable deductions of

<p>appropriate documentation and reconciliation requirements are complied with.</p> <ul style="list-style-type: none"> • Manage inward payments to ensure correct amounts are receipted and reconciled and appropriate deductions and commissions are recorded. • Ensure prescribed fees are paid and receipted, recorded, and trading revenue is collated and timely reported within policies and procedures. • Review and verify Court orders relating to land trust payments are accurate, sealed and witnessed where applicable, and compliant with legislation and regulations, and assist with drafting such orders if required. • Execute applicable Court orders relating to land trust and update the land trust records accordingly while ensuring data integrity. • Manage the issuance of required advertisements and notices. • Assist in preparing and providing Court affidavits, evidence, and testimony when required. • Assist in reconciling any unclaimed funds annually and process payment of unclaimed funds to MFEM. 	<p>tax and any fees. Proper payment procedures are complied with (e.g. completed signed vouchers).</p> <ul style="list-style-type: none"> • Payments from lessees and CIIC (for crown land) are properly receipted and commissions recorded. • Monitor compliance and ensure correct processes are adhered to. • Appropriate fees are collected, receipted, recorded, and reported. • Court orders are reviewed, accurate and timely issued. • Land trust records are accurately and timely updated to reflect Court orders received. • Appropriate advertisements and notices are provided. • When required, accurate information is provided to the Courts. • Unclaimed funds are balanced and MFEM acknowledged receipt of unclaimed funds.
<p>2. Records Management</p> <ul style="list-style-type: none"> • Manage hard copy documents so they are timely and properly scanned, digitized, preserved, filed, and maintained according to Ministry policies and procedures. • Digital records are organized, internally accessible and searchable, and configured for public access in accordance with Ministry policy, procedures and set parameters. • Undertake faxing, photocopying, scanning, printing, laminating, binding, filing, distribution and dissemination as required. • Regularly liaise with IT staff to ensure digital backups of division files and records are being done and are maintained. • Ensure management of records meets legislative and regulatory requirements, and best practices, and facilitates quick and easy reporting and appropriate access. • Records are maintained in a manner to facilitate for quick and easy reporting. • Assists in ensuring record storage areas are kept clean, healthy, tidy, safe, secure, organized and clear of clutter, within Ministry policy and procedures. 	<ul style="list-style-type: none"> • Physical records are organized, cared for, digitized, and properly stored. • Digital records are organized, backed up, secured, complete, and timely updated when necessary, and properly maintained to ensure referential integrity and prevent corruption and unauthorized access or duplication. • Tasks are completed within set parameters. • Digital records are actively being backed up, and backups are maintained. • Records management meets requirements and best practices. • Any backlog in records management is timely reported to senior management and properly

	<p>dealt with, and any indexing completed.</p> <ul style="list-style-type: none"> Record storage areas are stored and regularly cleaned in a manner to maximize record preservation, and coordinated with the Janitor or HR & Asset Manager.
<p>3. Land Administration Division and Pa Enea</p> <ul style="list-style-type: none"> Assist with general queries relating to services provided by the Land Administration division and Land Court, and facilitate accurate and timely responses. Assist with divisional tasks and logistical support when required. Assist in the training of divisional staff, outer island staff, and other relevant persons on matters relating to land trust matters. Provide support and advice to, and collect data from, Pa Enea staff on matters relating to land trust matters, and facilitate processing of applications, payments and the provision of information where appropriate. Inform and consult with Secretary, HR & Asset Manager, and relevant senior manager in relation to any management issue. Support the Secretary and senior management in resolving conflicts related to work related issues. Assist with the verification and processing of landownerships for land trust, survey, and land court staff. Take on responsibilities of divisional staff in their absence or vacancy where required. 	<ul style="list-style-type: none"> General enquiries relating to the Land Administration division are facilitated and responded to. Tasks are timely completed within set parameters. Appropriate persons are trained on relevant matters. Pa Enea staff are provided accurate and timely advice and support, and appropriate data is obtained. Secretary, HR & Asset Manager, and relevant senior management are provided with accurate and relevant information and management support to resolve work related issues. Processes regarding landownership information is reviewed, improved when possible, and followed. Land trust related duties are met and managed during staff absence or vacancy, and Land Administration division is supported.
<p>4. Reporting and Compliance</p> <ul style="list-style-type: none"> In consultation with the Finance Manager, comply with applicable requirements under the MFEM Act and policies, PERCA, PSC, Audit, and Ministry of Justice legislation, policies and procedures applicable to administration of and reporting on the land trust, including the provision of financial information to support the compilation and timely submission of monthly variance reports and annual reports. Review and verify submitted applications and other documents for compliance with legislative and regulatory requirements and processes. 	<ul style="list-style-type: none"> Monthly Variance Reports and Annual Reports are timely completed and submitted with MFEM timeframes. Documents are timely reviewed to determine compliance and actioned in accordance with policies, procedures, and legislative requirements.

<ul style="list-style-type: none"> • Compile and submit regular accurate reports on land trust payments, including the number of applications, beneficiary and land names, payment amounts and applicable year(s), response times, taxes withheld, and related revenue (e.g. Commissions) and information. • Assist in the development and implementation of appropriate policies and procedures, and ensure compliance with legislation and regulations. • Alert relevant senior management to discrepancies, errors, and concerns. • Provide reports to Secretary and senior management regularly and as requested, including assisting the Finance Manager in meeting any audit requirements. • Collect daily information and statistical data for periodic reports and ministry use. 	<ul style="list-style-type: none"> • Reports are accurate, timely, and submitted at least monthly, and within set parameters. • Appropriate policies and procedures are in place, regularly updated, and complied with. • Timely reporting of discrepancies, errors, and concerns. • Requested reports are accurate and timely provided. • Statistical data is collected, accurate, complete, and collated for reports.
<p>5. Customer Service and Risk Management</p> <ul style="list-style-type: none"> • Efficiently and effectively manage and respond to local and international enquiries by phone, email, or over the counter, relating to land and tribal titles information, applications and court processes and their outcomes, and any other relevant matters. • Ensure Ministry data and information, including customer and financial information, are kept secure. • Provide timely advice to senior management regarding matters that may impact the operation of Ministry services. • Assist in the organizing, coordination, and logistical support of all Ministry led and staff related events and activities. • Support the implementation of Ministry Plans, policies, and procedures endorsed by the Secretary. • Resolve any issues that relate to land trust payments that arise from changes in the status of beneficiaries, including deaths and successions. • Ensure funds received are documented and secured. • Where appropriate, educate and inform customers of services and processes, and facilitate access to information. • Liaise with beneficiaries and financial institutions should there be any discrepancies in payments. 	<ul style="list-style-type: none"> • Enquiries are professionally managed with accurate and appropriate advice, and complaints and attempts to resolve them are documented. • Timely respond to enquiries (including phone and email) within set parameters. • No breaches in data and information security. • Advice to senior management is accurate, timely, and appropriately communicated. • Ministry led and staff related events and activities are timely organized within set parameters. • Ministry plans, policies, and procedures are supported, and a performance management agreement is in place. • Issues relating to status of beneficiaries are mitigated, resolved and documented. • Funds are documented and banked or properly secured in a locked safe or compartment. • Customer Satisfaction. • Performance management agreement targets are met.

<p>6. Systems Development</p> <ul style="list-style-type: none"> • Assist in the development, implementation, and improvement of IT systems that improve efficiency, effectiveness, reporting, management and accessibility to Ministry services (e.g. online payment methods; case management system) related to the Land Administration division. • Assist in development, implementation, and improvement of policies and processes to verify applicants' identity to information on the land registry of titles, and document and digitalize any supporting information provided in connection with applications. • Assist in community outreach programs, initiatives, and events relating to Land Administration division. • Undertake any project or task assigned that is reasonably expected to support the Ministry. 	<ul style="list-style-type: none"> • IT solutions are identified, and implemented where approved by the Secretary and where resources are available. • A system is developed, implemented and regularly reviewed for improvement in accordance with best practises, within agreed parameters. • Community outreach programs, initiatives, and events are appropriately supported. • Projects and tasks are completed within agreed parameters.
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WORK COMPLEXITY

<i>Indicate most challenging problem solving duties typically undertaken (3-4 examples):</i>	
1	Time Management: Efficiently and effectively prioritizing and multitasking in order to timely respond to daily enquiries by email, phone, and over the counter, while ensuring proper prescribed fees are paid, applications and their determination are verified and compliant with legal requirements and court orders, records are properly managed, customers are efficiently educated on legal requirements and Ministry processes, accurate amount of funds are receipted and disbursed, and reports are timely submitted.
2	Managing customer land trust concerns and assisting with advice on application and payment processes in the outer islands and across international borders.
3	Assisting in troubleshooting and resolving accessibility issues to online registry platforms and liaising with Ministry IT Technicians, ICT, Bluesky, and international service providers.
4	Verifying identities of landowners where similar names exist, and determining relevant ownership shares, based on records stored on disparate and legacy systems that retain errors and omissions, and physical records that may be incomplete due to lost documents or documents damaged by the old courthouse fire.
5	Assisting in negotiating the correction of records using Ministry records, processes and procedures, consistent with applicable legislation and regulation.
6	Regularly processing an application for a single person with several pieces of land, each with a large number of owners (e.g. 100 landowners on one piece of land), with trust funds for each piece of land spanning across multiple years.

AUTHORITY

Authority levels expressed in terms of routine expenditure, granting loans, and recruiting and dismissing staff. *(Explain the authority if any)*

Financial	None
Staff	None
Contractual	None

FUNCTIONAL RELATIONSHIPS

The requirement for human relations skills in dealing with other personnel and external contacts. *(List the external and internal types of functional relationships)*

Internal	Nature of Contact	External	Nature of Contact
Secretary of Justice	Heavy: Providing advice on any activities that may impact on the operations of the Land Administration division during the absence of the senior management in the division. Seeks advice, and obtains final approval on beneficiary distributions.	Service Providers Lawyers and Land agents	Medium: System support for online platform(s). Routine: Exchanges information to facilitate appropriate responses to enquiries and compliance with court orders, and payments to and from the land trust on behalf of clients.
Registrar – Land Administration, Deputy Registrar – Land Administration, Senior Land Trust Manager	Heavy: Coordinates tasks and projects, prepares and delivers reports, obtains approval on beneficiary distributions, and seeks advice on complex issues. Where necessary, assumes responsibilities of Senior Land Trust Manager in his/her absence.	Lessee(s) Beneficiaries & their agents (Power of Attorney)	Routine: Exchanges information to facilitate appropriate responses to enquiries and payment advice, and receipting rental payments to the land trust. Routine: Process applications, respond to enquiries, exchange information, compliance checks to verify identification and authority, and provide advice and educate as to Ministry processes.
Senior Land Titles Manager, Land Titles Manager(s)	Heavy: Assist with general queries, tasks, and logistical support when requested, and assists in negotiating correction of registry of title discrepancies.	CIIC	Routine: Receives payments into land trust account, and provides information to facilitate other Agency's functions and services (e.g. information on Crown land).
Court and Land Court staff	Medium: Provide information requested by court, executes relevant court orders, and progresses enquiries.	Tax Authority (MFEM)	Routine: Process withholding tax (e.g. Income Tax Act 1997 section 220(3)) and provide information related to beneficiaries for tax purposes.
Corporate Services staff	Medium: Provides and obtains information and support relating to finance, IT, and HR matters.	MFEM	Minimal: Provide information for relating to unclaimed funds.
Finance Manager	Heavy: Seeks advice on complex financial issues, assists with financial reconciliations, reports		

Janitor	and audits, and where necessary obtains approval on beneficiary distributions. Medium: Assists in the proper cleaning, maintenance, and security of record storage areas.	Other Government Ministries and Agencies	Medium: Assist with government and government facilitated enquiries.
Pa Enea offices	Medium/Heavy: Provides information, advice, support, and training to Pa Enea staff related to land titles responsibilities.	Banks	Routine: Ensures compliance with Ministry investment and banking policies and interfaces with banking institutions, and information sharing to facilitate payments (including international) and reporting.
All Ministry staff	Medium: Provides information and assists with logistical support and the facilitation of Ministry services. Cultivates staff cohesion.	Media General public	Minimal: Advertises required notices. Routine: Manages and responds to enquiries, facilitates payments to landowners, provides advice, training, and community outreach, ensures payment of prescribed fees, and facilitates OIA requests.

QUALIFICATIONS

Level of education required to perform the functions of the position. This combines formal and informal levels of training and education.

Essential: (least qualification to be competent)	Desirable: (other qualifications for job)
<ul style="list-style-type: none"> A bachelor's degree, preferably in law, information systems, accounting, finance or management. 	<ul style="list-style-type: none"> Post-graduate qualifications in law, information systems, accounting, finance, or management.

EXPERIENCE

The length of practical experience and nature of specialist, operational, business support or managerial familiarity required. This experience is in addition to formal education.

Essential: (least number of years to be competent)	Desirable: (target number of years you are looking for)
2 – 3 years of work experience in legal, compliance, clerical, office management, accounting, finance, or similar role.	4 – 5 years of work experience in legal, compliance, clerical, office management, accounting, finance, or similar role.

KEY SKILLS /ATTRIBUTES/JOB SPECIFIC COMPETENCIES

Level of ability required for the job	
Expert	<ul style="list-style-type: none"> Understands Ministry of Justice policies and procedures, role and functions, and committed to public service. Excellent attention to detail and customer service. Communicates with clarity and vision, actively listens to others and responds with respect. Excellent attention to detail. Takes ownership and acknowledges important outcomes of decisions.

	<ul style="list-style-type: none"> • Understands the workings of government. • Ability to negotiate and solve problems quickly. • Highly developed written and oral communication skills, preferably both English and Maori.
Advanced	<ul style="list-style-type: none"> • Knowledge of legislation, regulations, obligations, processes and procedures relating to Cook Islands land ownership, court processes, land registry of titles, and land trust. • Models high level of accuracy, professionalism, and dedication to high performance and ethical behaviour. • Ability to work in harmony with conflicting perspectives and diverse activities in a large organization. • Ability to prioritize and multitask, and work both independently and cooperatively.
Working	<ul style="list-style-type: none"> • Familiarity with legislation enabling all services provided through the Ministry of Justice. • Knowledge of tribal titles in the Cook Islands and the House of Ariki. • Knowledge of accounting principles, and trustee and fiduciary duties. • Understanding of AML/KYC standards and trustee fiduciary responsibilities. • Knowledge of MFEM, PERCA, PSC, and Audit requirements and policies relevant to land trust. • Knowledge of banking services and processes of Cook Islands licensed domestic banks and international payment methods. • Knowledge of Ministry of Justice prescribed fees, and court processes involving payments to and from the Ministry. • Knowledge of Microsoft Office suite (Word, Excel, Powerpoint). • Knowledge of Microsoft Windows operating system interface and basic IT troubleshooting. • Average computer typing speed of at least 36 words per minute. • Knowledge of scanning and preserving legal documents for archiving. • Knowledge of case management software, record management, online platforms facilitating registry services, and online payment processes. • Proven ability in collating factual information and producing reports. • Ability to think on one's feet and has a sound sense of judgement. • Ability to handle confidential and sensitive information. • Recognises the boundaries between politics, governance and management and acts accordingly. • Knowledge of the Cook Islands culture, language, protocol and history for engagement, including safe appropriate communication.
Awareness	<ul style="list-style-type: none"> • Knowledge of implementing online payment methods (e.g. wire transfer, credit card and EFTPOS). • Issues that impact land and vulnerable records. • Knowledge of the Official Information Act 2008. • Understands and exemplifies Ministry and public service values. • Knowledge of policy and guideline development and implementation.

	<ul style="list-style-type: none">• Applies understanding of the unique and special nature of the Cook Islands to decisions and actions.
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CHANGE TO JOB DESCRIPTION

Changes to the Job description may be made from time to time in response to the changing nature of the Agency work environment - including technological or statutory changes.

Approved:

HoM/Manager

Date

Employee

Date