



## **MINISTRY INDUSTRY, COMMERCE, AGRICULTURE AND FISHERIES**

### **CAREER OPPORTUNITY**

#### **Government Trustee (JLG/LO 5)**

The Ministry of Industry, Commerce, Agriculture and Fisheries is inviting suitably qualified persons to fill the post of **Government Trustee (JLG/LO 5)** in the Office of the Government Trustee.

#### **JOB PURPOSE**

The incumbent is responsible for performing all the duties of a Trustee when appointed as Trustee in an insolvency matter by the Supervisor of Insolvency or the Court in accordance with the Insolvency Act. The incumbent ensures that the functions of the Office are carried out in a manner that maximizes cost-efficiency and best meets the Office's short, medium and long-term objectives.

#### **KEY OUTPUTS**

- Corporate Strategic Business Plan
- Operational Plan
- Issue/Publication of Notices
- Administration of Proposals
- Administration of bankrupt estates
- Trustee's Reports
- Meetings of Creditors and/or Contributories
- Statements of Accounts
- Recovery and disposal assets
- Receipt and management of estate funds
- Satisfaction of creditor's liabilities
- Legal work

#### **QUALIFICATIONS & EXPERIENCE**

- Licensed to practice as an Attorney-at-Law in the Courts of Jamaica and;
- At least seven (7) years working experience dealing in Insolvency, estates or trust matters

**OR**

- Master's Degree in Commercial Law, Corporate Management, Insolvency Law or similar component.

**Salary:** \$3,375,929.00 – \$4,012,919.00 per annum and other allowances

Details of the post can be obtained from the website of the Ministry of Industry, Commerce, Agriculture and Fisheries ([moa.gov.jm](http://moa.gov.jm)) or from the Human Resource Management Unit in the Ministry.

Applications accompanied by resume should be submitted no later than **September 22, 2017**.

**Senior Director  
Human Resource Management and Development  
Division  
Ministry of Industry, Commerce, Agriculture  
and Fisheries  
Hope Gardens  
Kingston 6**

***Please note that we thank all for responding, but only shortlisted applicants will be contacted.***

**OFFICE OF THE GOVERNMENT TRUSTEE**  
**JOB DESCRIPTION AND SPECIFICATION**

JOB TITLE	:	Government Trustee
POST NUMBER	:	21406
JOB GRADE	:	JLG/L05
REPORTS TO	:	The Permanent Secretary, MICAF
ACCOUNTABLE TO	:	The Permanent Secretary, MICAF
MANAGES	:	Staff of the Office of the Government Trustee
SALARY SCALE	:	

**THIS DOCUMENT IS VALIDATED AS AN ACCURATE AND TRUE DESCRIPTION OF THE JOB SIGNIFIED BELOW.**

\_\_\_\_\_  
**Employee**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Permanent Secretary**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Date received in Human Resource Division**

## **JOB PURPOSE**

The incumbent is responsible for performing all the duties of a trustee when appointed as trustee in an insolvency matter by the Supervisor of Insolvency or the Court in accordance with the Insolvency Act. He ensures that the functions of the Office are carried out in a manner that maximizes cost-efficiency and best meets the Office's short, medium and long-term objectives.

## **KEY OUTPUTS**

The following are the deliverables of the Government Trustee:-

- Corporate Strategic Business Plan
- Operational Plan
- Issue/Publication of Notices
- Administration of Proposals
- Administration of bankrupt estates
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## **KEY RESPONSIBILITY AREAS**

### **MANAGEMENT/ADMINISTRATIVE RESPONSIBILITIES**

- Ensures public knowledge and understanding of the law and procedures relating to insolvency administration
- Prepares the Strategic Business Plan and Operational Plan for the Office and monitors their implementation to achieve short and long-term objectives

- Reviews and approves the budget of the Office to ensure sufficiency to finance planned activities and monitors its implementation to ensure reasonable expenditure in meeting office's needs
- Review and approve Unit Work Plans and establish criteria for assessing the performance of Unit Heads and their Units
- Provides proper supervision to the staff of the Office to ensure their compliance with relevant laws, regulations and policies and that tasks are performed with efficiency and due diligence.

### **TECHNICAL / PROFESSIONAL RESPONSIBILITIES**

Where a matter is referred or assigned to the Government Trustee by the Supervisor of Insolvency or the Government Trustee is appointed by the Court, do such of the following as are relevant and necessary:

- Review records of interviews with debtors and reports of their financial position and the viability of their businesses in order to determine the best strategies for administration
- Approve applications for proposal or bankruptcy as appropriate
- Ensure that proposals, assignments and all required or supporting documents are properly prepared, executed and filed with the Supervisor of Insolvency
- Ensure appropriate steps are taken to identify, trace, recover, protect/preserve, and dispose of the assets of a debtor for the benefit of his creditors
- On the recommendation of the Deputy Trustee and after review of the claims, admit the liabilities of creditors
- Review Dividend Sheets and approve payment of dividends to creditors
- Convene meeting of creditors and/or contributories, when necessary or directed, and ensure a proper record is kept of Minutes and Resolutions
- Carry on the operations of a debtor's business where necessary and as ordered by the Court
- Ensure the maintenance of proper accounts and records and the preparation of statements of accounts

- Monitor the receipt, investment and management of the funds of estates to ensure lowest costs and maximum returns during the process of administration
- Produce Trustee's reports and all reports, statements, notices necessary or required to be issued or presented to the creditors and/or filed with the Court or Supervisor of Insolvency
- Perform or instruct the legal work of the Office as far as possible including:
  - reviewing of contracts and transactions of debtors or the Office
  - preparing all necessary applications, affidavits and other documents relevant to the implementation of a proposal or administration of a bankruptcy for filing with or submission to the Court, Supervisor of Insolvency or other relevant authority or tribunal; and
  - attending Court and/or representing the Office in legal proceedings
- Report to the Supervisor, Court or any relevant authority any breaches of criminal or other law by the debtor or any other party in relation to the affairs of the debtor conducted or discovered during the course of the administration under a proposal or in bankruptcy
- Ensures that all things required to be done in the implementation of a proposal and administration of a bankruptcy are done in the prescribed time and manner
- Such other duties as may be required and necessary to ensure the efficient operation of the office and the proper administration of bankruptcy

## **HR RESPONSIBILITIES**

- Ensures the recruitment, training and evaluation of staff to maintain and improve competence
- Ensures staff familiarity with the core functions and priorities of the office
- Formulates and disseminates policies and procedures to guide performance to ensure awareness of and in compliance with the policies and procedures of the Department and the Public Service.

- Evaluates the performance of staff to identify and remedy training needs to improve productivity and efficiency

## **PERFORMANCE STANDARDS**

- Deliverables produced within agreed timeframe and support the strategic objectives of the Office.
- Strategic Business Plan establishes long term goals and reasonable strategies for accomplishing them
- Operation Plan identifies priority programmes and sets SMART targets to be achieved
- Notices are issued/published in accordance with the Act and/or as required
- Applications for proposals and bankruptcy are properly assessed and processed expeditiously
- Proposals are implemented and bankruptcies administered in accordance with the Insolvency Act and with due diligence
- Reports are accurate, comprehensive and submitted within established timeframes.
- Meetings of Creditors and/or Contributories are convened as prescribed by the Act or upon request
- Statements of Accounts are accurate and comprehensive
- Assets are recovered expeditiously and disposed of for best attainable price
- Estate funds are diligently monitored and invested in safe instruments in stable regulated financial institutions
- Creditor's liabilities are paid to the greatest extent and in the shortest time possible
- Legal opinions/advice are provided within agreed timeframes, are sound and reflect strong research and analytical skills
- High ethical standards are maintained in the conduct of professional and personal business.

## **REQUIRED COMPETENCIES**

- Excellent oral and written communication skills
- Excellent time management and organizational skills
- Good interpersonal skills and ability to work well with others
- Excellent management and leadership skills
- Conflict management and dispute resolution skills
- Sound knowledge of the legislative framework of Insolvency Administration in Jamaica
- Knowledge of Commercial and/or Business Law and civil practice and procedure and familiarity with Criminal Law
- Competence in the use of relevant computer applications

## **MINIMUM REQUIRED QUALIFICATION AND EXPERIENCE**

- Licensed to practice as an Attorney-at-Law in the Courts of Jamaica

**AND**

- At least seven (7) years working experience dealing in Insolvency, estates or trust matters

**OR**

- Master's Degree in Commercial Law, Corporate Management, Insolvency Law or similar component

## **SPECIAL CONDITIONS ASSOCIATED WITH THE JOB**

Typical office environment; no adverse working condition