

1 General Provisions

1. This job description has been developed on the basis of the Qualification Handbook of Positions of Managers, Specialists and Other Employees, approved by the Order of the Minister of Labor and Social Protection of the Population of the Republic of Kazakhstan dated May 21, 2012 No. 201-Ө-М.

2. The legal adviser belongs to the category of administrative personnel and is hired and dismissed by order of the college director.

3. A person with higher professional (legal) education or secondary vocational (legal) education without any requirements for work experience shall be appointed to the position of legal adviser.

4. Legal Counsel is Accountable to the director of the college.

5. In its activities is guided by:

- legislative acts of the Republic of Kazakhstan;
- college charter;
- administrative documents of the college director;
- internal work regulations of the college;
- employment contract;
- requirements of international standards ISO 9000, 19011, recommendations of the international organization (ISO) on quality management, etc.;

- The Regulation on the QMS Department and this job description.

6. Must know:

legislative and other normative and legal acts of the Republic of Kazakhstan governing the production, economic and financial activities of the organization, methodological and other materials on the legal activities of the organization, civil, labor, financial, administrative law, tax legislation, the procedure for concluding and formalizing business contracts, collective agreements, industry agreements, the procedure for systematization, accounting and maintenance of legal documentation using modern information technologies, production and management, computing equipment, communications and communications, labor protection rules and standards.

7. During the absence of a legal adviser (business trip, vacation, illness), his duties are performed by a person appointed in the established manner, who acquires the corresponding rights and bears responsibility for improper performance of the duties assigned to him.

2 Job responsibilities

1. Develops constituent documents and legal documents.

2. Analyzes contractual work at the enterprise, develops programs for its revision and modification.

3. Determines the forms of contractual relations, develops draft contracts, checks the compliance of draft contracts with legislation, takes measures to resolve disagreements on draft contracts, ensures notarization and (or) state registration of certain types of contracts.

4. Provides methodological guidance for legal work, provides legal assistance to structural divisions in the preparation and execution of various types of legal documents, checks the status of contractual work in structural divisions, participates in the preparation of reasoned responses when rejecting claims.

5. Conducts litigation work, takes measures to comply with the pre-trial procedure for settling contractual disputes. Prepares statements of claim and materials and submits them to the courts. Represents the interests of the enterprise in the courts.

6. Prepares, together with other departments, materials on thefts, shortages, embezzlement, etc., and on other offenses for submission to the court, carries out the registration and storage of pending and completed court cases.

7. Participates in the development and implementation of measures to strengthen contractual and labor discipline, and ensure the safety of the organization's property. Ensures the legality of the write-off of fixed assets.

8. Conducts a study and generalization of the results of the consideration of claims, the practice of concluding and executing business contracts in order to develop proposals for eliminating identified deficiencies and improving the economic and financial activities of the organization.

9. Participates in the work on concluding business contracts, conducting their legal examination, developing the terms of collective agreements and industry agreements.

10. Monitors the timeliness of the submission by structural divisions of certificates, explanations and other materials for the preparation of responses to claims.

11. Checks the compliance of draft orders, instructions, regulations and other legal documents submitted to the manager for signature with the law , as well as checks the legality of the dismissal and transfer of employees, and the imposition of disciplinary sanctions on them.

12. Represents the interests of the enterprise during inspections conducted at the enterprise by state control and supervisory bodies for the purpose of legal control over compliance with procedural actions by inspectors, the validity and correctness of the inspectors' conclusions.

13. Participates in the preparation of opinions on legal issues arising in the activities of the organization, draft regulatory acts submitted for review.

14. Informs employees about current legislation and changes therein.

15. Provides advice to employees on organizational, legal and other legal issues, provides assistance in the preparation of documents and acts of a property and legal nature.

16. Carries out the work (functions) of the anti-corruption compliance service

Requirements for the QMS system

- 1) Ensures the quality of processes and educational services in accordance with the QMS documents
- 2) Carries out corrective and preventive actions to prevent and eliminate non-conformities of the QMS
- 3) Maintains documentation in accordance with the regulatory documents of the QMS

3 Rights

- 1) request and receive the necessary materials and documents related to the activities of the legal adviser;
- 2) to verify the compliance with the legislation of draft orders, instructions, regulations and other legal documents submitted to the manager for signature;
- 3) to endorse projects and/or documents of a legal nature necessary for the implementation of the organization's activities;
- 4) on issues within his competence, submit proposals for improving the organization's activities and improving work methods, and propose options for eliminating existing deficiencies in the organization.

4 Responsibility

- 1) improper performance or failure to perform their job duties stipulated by this job description, in accordance with the labor legislation of the Republic of Kazakhstan;
- 2) causing material damage in the manner determined by the current labor and civil legislation of the Republic of Kazakhstan.
- 3) other violations of the requirements provided for in regulatory legal acts and the terms of the employment contract.