

ACTOM HIGH VOLTAGE EQUIPMENT	SUBJECT	DOCUMENT No. JD134
	ACTIVITY PROFILE: Commercial and Contract Administrator	REVISION No. 01
		WRITTEN BY: SK/CZ
		APPROVED AND DATED 08/07/2024

1.0 SCOPE

All functions, duties and responsibilities of the **Commercial and Contract Administrator**.

2.0 PURPOSE

Plays a pivotal role in safeguarding the legal interests of the organization, ensuring that its operations are conducted within the bounds of the law, and providing strategic legal advice to support business objectives.

3.0 POSITION

Commercial and Contract Administrator.

4.0 DEPARTMENT

5.0 REPORTS TO

Divisional Chief Executive Officer

6.0 ORGANOGRAM

Yes

7.0 QUALIFICATIONS

Grade 12 with an appropriate LLB Degree

8.0 BEHAVIOURAL ATTRIBUTES AND EXPERIENCE/COMPETENCIES

- A minimum of 5 years of work experience in a corporate construction/engineering environment.
- In-depth understanding of construction contracts such as NEC, FIDIC, GCC, EPC/EPCM, and IPP agreements.
- Exceptional communication skills, both written and verbal.
- High level of personal integrity, self-discipline, and a **positive attitude**.
- Ability to collaborate effectively with multifunctional departments/offices and diverse individuals.
- Deadline-driven, with meticulous attention to detail, and the capacity to excel under pressure.

9.0 AUTHORITY

N/A

10.0 RESPONSIBILITIES/ACCOUNTABILITIES

10.1. Contracts Management

- Drafting, reviewing, and negotiating various commercial agreements such as sales contracts, service agreements, vendor contracts/terms and conditions, and partnership agreements.
- Ensuring that these contracts comply with legal requirements and protect the organization's interests.
- Processing of general queries in terms of contract, commercial, corporate, and statutory law and ensuring compliance with all relevant laws and regulations.

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- Reviewing, drafting, and negotiating a range of engineering and construction-related contracts such as NEC, FIDIC, GCC, JBCC, and bespoke EPCM/EPC contracts.
- Pre-contract review and qualification of tender vet and contractual terms and conditions.
- Post-contract claims and dispute management arising from time to time during project execution involving, amongst others, extension of time, Force Majeure, and scope variation claims.

10.2. Legal Compliance

- Monitoring changes in laws and regulations that may affect the organization's operations.
- Advising management on compliance issues and developing policies and procedures to ensure adherence to legal guidelines.

10.3. Risk Management

- Identifying legal risks and potential liabilities for the organization.
- Providing recommendations to mitigate risks and minimize legal exposure.

10.4. Dispute Resolution

- Handling legal disputes and litigation matters that may arise, including initiating legal actions or defending the organization in legal proceedings.
- Liaising with external legal counsel when necessary.

10.5. Corporate Governance

- Assisting with corporate governance matters, such as board meetings, shareholder relations, and regulatory filings.
- Ensuring compliance with corporate governance principles and best practices.

10.6. Legal Advice and Support

- Providing legal advice and guidance to various departments within the organization, including executives on a wide range of legal issues impacting their operations.
- Assisting the Division with general corporate matters by reviewing and preparation of documentation in the areas of general corporate and commercial law.
- Preparing letters of demand for defaulting Debtors.

10.7. Policy Development

- Developing and implementing internal policies and procedures to ensure legal compliance and mitigate legal risks across the organization.

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108. Due Diligence

- Conducting legal due diligence for mergers, acquisitions, or other business transactions to assess legal risks and ensure compliance with regulatory requirements.

SHEQ Management (ISO9001, ISO14001, ISO45001)

- Responsible for adhering to the requirements of above-mentioned systems as directed by the SHEQ Management System (which includes relevant legislation, Policies, Procedures, Work Instructions, specifications, etc.)
- Ensure that Quality Assurance is confirmed to in every aspect, especially in the area of documentation control.
- Ensures compliance with all standards for Safety, Environmental, Work Procedures, Quality Assurance and Quality Control systems as adopted by the High Voltage Equipment Division.

Accepted by:

Approved by:

Authorised by:

Employee

Line Manager

Divisional CEO