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Loden Foundation
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www.loden.org

TERMS OF REFERENCE FOR LEGAL OFFICER

Organisation: Loden Foundation

Location: Thimphu, Bhutan

Reports to: Executive Director

Position Type: Full-time contract (2 years renewal based on performance)

A. Position Overview

The Legal Officer will directly lead the Loden Foundation and Loden Tewa's legal matters to ensure it complies with the laws of the Kingdom of Bhutan. S/he will ensure all legal and regulatory compliance matters are appropriately executed, including, but not limited to, developing, executing, and maintaining all necessary legal documents and providing legal advice on all matters.

The Legal Officer shall work closely with the Programme Officers of the Loden Entrepreneurship Programme (LEP) and carry out loan recovery tasks, including an appearance in Court to pursue claims as required. In addition, the officer should also be willing to take on programme and communications tasks as and when directed by the Executive Director.

B. The primary duties and responsibilities are:

1. Provide Legal Advice

The Legal Officer will be expected to train staff, Loden entrepreneurs and scholars on legal issues, potential liabilities, and possible courses of action using oral or written platforms. This involves translating complicated legal jargon into a language everyone can understand and considering all possible legal problems before making recommendations. All recommendations that the Legal Officer makes must comply with the law and strive to minimise risk for the foundation.

2. Recovery of Loans

The Legal Officer shall work with the Programme Officer (LEP) and Administration and Finance (AFD) Manager to ensure that all necessary documents on credit and recovery are held on file in soft or hard copies. In consultation with the Programme Officer (LEP)



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and Finance Officer, the Legal Officer shall be responsible for pursuing the recovery of loans by sending timely reminders via phone calls and official notices.

The Legal Officer will prepare monthly reports and submit to the Executive Director (ED) for the approval of defaulters that must be taken to court. Following approval from the ED and/or the LEP Committee, s/he should carry out the necessary legal procedures in close consultation with the Programme Officer (LEP) and the AFD Manager. At each board meeting, s/he will present a report to the Board, including a summary of the status of each court proceeding in progress.

3. Process Documents

The Legal Officer frequently must write and review settlement documents, contracts, agreements, legal documents, etc. Maintained all working files and required records at all times. Generate reports based on office findings and monitor results for office records.

4. Perform Research

The Legal Officer is required to continuously research legal resources such as articles, codes, statutes, judicial decisions, and more to stay updated with all current laws and make well-informed legal recommendations. Review all contracts or any other documentation where Loden has committed itself and assess legal implications that must be brought to the senior management's attention. Prepare, review, and modify contractual instruments to assist and support various business activities. As needed, guide project officers or other operational staff on contract matters. Develop and implement contract management and administration procedures in compliance with Loden policy.

5. Identify Risks

The Legal Officer must regularly analyse the actions and decisions of the Foundation to identify problem areas, suggest alternative courses of action, and mitigate risk as much as possible. Negotiate, review, and draft documentation for Foundation transactions and prepare and advise on the necessary checklist to ensure information is submitted on time.

6. Legal risk

Review and provide legal advice on MOUs, Contracts, and tender documents. Review ongoing cases and advise management accordingly. Liaise with relevant sections to ensure



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that appropriate courses of action have been taken where legal risks have been identified. Provide legal protection and risk management advice to management, primarily on contract management. Policy development Review and advise management on the legal implications of internal policies and procedures. Review and draft contracts, agreements, and internal policies and ensure they comply with Bhutan's statutory and legal requirements.

7. Member Secretary

The Legal Officer will be a member Secretary to the Board and will coordinate the Board meetings and file the Board Documents as per the requirement of the CSOA Act.

C. Minimum Qualification and Other Requirements:

- I. Education: LLB/PGDNL/ DNL
- II. Training: Bar Certification from the Bar Council of Bhutan.
- III. Length and type of practical experience required: candidate should be able to work independently – with minimum supervision and supervisor guidance.

8. Skills:

- Excellent written and oral English communication skills and proficiency in Dzongkha are required. Knowledge of other languages/dialects is an asset.
- Knowledge of all applicable laws, rules, and regulations.
- Great attention to detail.
- Strong negotiation skills.
- Ability to prepare complex legal documents.

D. Complexity of Work

- The work requires the analytical ability to provide practical legal opinions/views on administrative and credit lending law.
- The work requires sound knowledge of national laws.
- The work demands integrity, ethics, and professionalism.
- The work requires proper planning, concentration, commitment, and originality.
- The work requires thorough research/comparative studies.



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E. Reporting and Supervision

The Legal Officer will report directly to and work under the supervision of the Executive Director, ensuring alignment with the organisation's requirement. This reporting structure facilitates close collaboration in managing the organisation's legal matters and compliance with regulatory requirements.

F. Pay and Benefits

Competitive salary and benefits package, in line with the Loden Foundation's ISR and compensation structure.

G. Duration and Terms

This is a full-time position with an initial contract of 2 years, subject to performance evaluation and renewal based on organisational needs.

Note: Female Candidates with relevant qualification and experience are highly encouraged and candidates with relevant master's degree will be given preference for shortlisting.