



# Executive Director Alcohol Gaming Fuel and Tobacco

Job Description

## CLASSIFICATION JOB INFORMATION

SAP Job ID:	90000691
Position/Classification Title:	Executive Director Alcohol Gaming Fuel and Tobacco
Pay Grade:	EC 15
Add-On Eligibility:	False
Standardized:	No
Inactive	No
Date Last Evaluated:	10/13/2015

## JOB INFORMATION

Job/Working Title:	Executive Director Alcohol Gaming Fuel and Tobacco
Department:	Service Nova Scotia
Division/Section:	Alcohol Gaming Fuel and Tobacco
Reports To (Position Title):	
Exclusion Status:	Excluded

## OVERALL PURPOSE

Reporting to the Associate Deputy Minister, the Executive Director Alcohol, Gaming, Fuel and Tobacco will champion program modernization and red tape reduction while ensuring the delivery of the highest quality programs and services to the public. The Executive Director will participate in transformational agenda as part of the executive management team of Service Nova Scotia redesigning the organizational strategy, structure and culture to focus on client service excellence, red tape reduction and program modernization.

The Executive Director is responsible for the executive level oversight and leadership of multiple comprehensive, diverse and complex regulatory environments in an effective, efficient manner and in the best interests of the Province. The Executive Director oversees licensing and registration and ensures compliance with regards to gaming, liquor and amusement activities in Nova Scotia and that these activities are conducted with honesty, integrity and in the public interest. The division also enforces the Smoke Free Places Act in licensed premises in the province and provides compliance support for the Federal Proceeds of Crime, Terrorist Financing and Money Laundering Act (PCTFMLA). The Executive Director oversees audit, inspection, compliance and investigation activities as it relates to provincial fuel, tobacco and sales taxes in relation to the underground economy, International Fuel Tax Agreement (IFTA), Nova Scotia Indian Fuel Tax Exemption program (NSIFTE), Native Tobacco Quota System, Your Energy Rebate Program (YERP), International Registration Program (IRP), Petroleum Products Pricing Act (PPPA), Corporate Capital Tax (CCT) Act, and the Small Business Tax Deduction (Income Tax Act).

The main focus of the position is protection of the public and ensuring that hundreds of millions of dollars in provincial revenues are properly remitted.

The incumbent is required to lead and direct the development of appropriate policy objectives and the planning and development of programs and services. This work is undertaken in conjunction with other government departments and divisions, crown corporations, industry, industry associations, charities, charitable and community based organizations, police agencies and municipalities. There is a legislated mandate to ensure the honesty and integrity of gambling, the provision and consumption of alcohol in a moderate and responsible manner at retail locations and the classification and distribution of films in a safe and age appropriate manner.

The Executive Director Alcohol, Gaming Fuel and Tobacco is one of three senior executive leads of major divisions who report to the Associate Deputy Minister (ADM). Through the CEO and the Minister, these executives both give and take confidential Cabinet policy guidance and oversee implementation once final Cabinet decisions are taken. The Executive Director is accountable for coordinating division planning and operational processes (strategic, legislative, policy, program, business, budget, human resources, workforce succession, etc) and is the final filter before the ADM signs off and transmits high level matters requiring the CEO, Minister, and /or Cabinet approval

## KEY RESPONSIBILITIES

Performs the duties formerly performed by the Nova Scotia Utility and Review Board with regard to public consultation for new permanent liquor licenses; grants or denies new liquor licenses and imposes penalties where disciplinary action to protect the public is necessary; mediates disputes between members of the public and liquor licensees. Appeals of decisions made by the Executive Director may also be referred to the Utility and Review Board.

Performs adjudicative functions in relation to the Gaming Control Act. Hears matters relating to the Gaming Control Act and may impose penalties, including cancellation of licenses and monetary penalties of up to \$50,000, as well as awarding unlimited investigation costs. Hears appeals relating to registration denials.

Provides senior executive level oversight and strategic leadership for multiple comprehensive regulatory environments, in an effective and efficient manner, for the Province by ensuring legislation and regulations are streamlined and modernized; the effective administration of acts and supporting regulations; the development and implementation of frameworks for policy, program and quality management; the development and implementation of service level agreements to allow programs to be delivered effectively and efficiently; and ensuring the security, integrity and accuracy of the information.

Provides senior executive oversight in the development and execution of a comprehensive strategy for the program modernization and red tape reduction within the division by: working with national regulatory associations to develop consistent standards and regulations, working with leadership within the division and the branch to develop a strategic approach; developing a systematic mechanism for the review of current regulatory and legislative requirements; putting in place mechanisms for the systematic review of proposed regulatory and legislative requirements; putting in place a process for program modernization and the creation of a scorecard for performance measurement.

Provides senior executive leadership and oversight in the strategic negotiations of service level agreements with the service branch of the organization by: brokering and promoting effective service delivery agreements that are cost effective, client-centred, and well managed; developing and promoting service relationships; overseeing an issue management process to identify and resolve partnership issues effectively; innovating with the service delivery branch to look for new and creative ways of providing services; establishing a performance framework within service level agreements that define performance targets; benchmarking of service delivery; risk monitoring and continuous improvement; participating in the assessment of partnerships to ensure they are effective and producing results as planned.

Leads and oversees the division which involves: execution of ongoing senior executive managerial responsibilities to ensure the effective formulation, development, administration, and evaluation of the division's mandate; executive guidance (based on clear evidence based considerations) and oversight at the executive and managerial tables; provision of confidential briefings; advising and consulting senior authorities up to and including the CEO, Minister and Cabinet; oversight of best practice research and continuous/cost effective improvements; oversight of the establishment of new systems to effectively monitor, evaluate, report on, and improve the quality of the division's services/results; and oversight and advancement of the division's interests through the development of proposals for the CEO, Minister and Cabinet during planning processes (strategic, legislative, policy, program, business, budget, human resources, etc.).

Ensures honesty, integrity and the responsible provision of alcohol and gambling by overseeing the regulatory control of Liquor, Casino, Amusement, Bingo, Charitable Lottery licensees, Casino and Video Lottery registrants, the Nova Scotia Provincial Lotteries and Corporation's Ticket Lottery, Video Lottery Program,, as well as gaming and non-gaming suppliers to ensure compliance with the Act and Regulations.

Oversees enforcement of Smoke Free Places Act in establishments licensed by the Division. This involves ensuring that procedures, controls and inspections are in place to collect revenue for the province in the order of several hundred million dollars. Ensures that the Directors are carrying out their duties for the development, implementation, monitoring and control of the security systems of the Division's offices located in Dartmouth, Sydney and at the Halifax and Sydney casinos.

Acts as provincial representative on national committees relating to the regulation of the liquor, gambling and film industries. Is responsible for working with these groups to derive consistent standards and regulations for these industries in support of red tape reductions and workforce mobility. Represents the Province at Federal-Provincial-Territorial working groups involved in modernizing the Criminal Code with respect to gambling.

Oversees audit and enforcement activities as it relates to provincial Fuel Tax, Tobacco Tax and Corporate Capital Taxes by maintaining efficient and effective risk-based enforcement; partnering with government and industry to develop national common standards; working collaboratively with provincial/federal/program partners and external enforcement agencies to share best practices; ensuring policy objectives are achieved; and strategically planning program structure to meet current and future needs.

Provides oversight of extensive stakeholder/partner consultations, collaboration, coordination, monitoring, reporting and evaluation and associated committee work. The division's work requires a vast scope of interaction. The incumbent makes strategic linkages to ensure that the branch is represented appropriately across partnerships and networks, and supports and guides the division in influencing/persuading senior decision makers in the three levels of government and stakeholders to champion ideas and issues with urgency and follow through to achieve necessary outcomes. This requires extensive collaboration, coordination, monitoring, reporting, evaluation among extensive stakeholders and partners. The incumbent represents the Division on executive level cross departmental committees (which give advice to Deputy Minister's committees) such as Senior Officials Committee on Gaming and Senior Official Committee on Aboriginal Affairs ensuring a "whole of government" approach is taken with regard to issues in these sectors.

Acts as principal advisor and subject matter expert for the regulatory environments overseen (including red tape

reduction and program modernization) to the ADM, CEO, Minister and Cabinet - providing advice and counsel to the ADM, Minister, CEO, and Premier on licensing and compliance issues and matters which attract media interest including, but not limited to, topics such as regulatory changes or high profile client matters. Through the ADM, CEO and Minister, the incumbent both gives and takes confidential Cabinet policy and legislative guidance and oversees implementation once final Cabinet decisions are made. The incumbent oversees the preparation of, and participates with the ADM, CEO and Minister, in presentation of final confidential policy and program recommendations to Cabinet, ministerial correspondence, briefing notes or advice, and response to internal and external/public information requests

May perform other related duties as assigned

In addition to the knowledge, skills and abilities outlined in the job description, this job may include other, assignment-specific requirements (ex: French language, drivers license, membership in an employment equity group or security screening, etc.)

## SCOPE

<b>Contacts (Typical):</b>	<p>Cabinet members; MLAs of all parties; the general public; Deputy Ministers and Ministers in a wide variety of departments (in particular Finance, Health, Aboriginal Affairs, Justice); Crown Corporations (Nova Scotia Liquor Corporation, Nova Scotia Provincial Lotteries and Casino Corporation) employees and officials of all three levels of government (federal, provincial, and municipal) including First Nations; Industry Associations (Restaurants Canada, LBRANS, Restaurant Association of Nova Scotia, etc.); Executive Directors/CEOs of licensees (such as the casino, liquor licensed establishments and movie distributors); Mayors and Chiefs of Police for municipalities; anti-gambling and anti-alcohol groups; communications staff; TV, Radio and print media; intergovernmental committees (Mayor's Task Force on Violence, Alcohol Strategy); National and International Regulatory Organizations in relation to liquor, gambling and movie classification (NAGRA, CAGRA, ALAC, Show Canada).</p> <p>As it relates to audit and enforcement the following contacts apply: program partners; external contacts/associations with industry and government partners; strong working relationship with RCMP Excise and other law enforcement agencies; other external contacts include stakeholders, lobby groups, operational agencies and client groups (taxpayers)</p>
	<p>Provides senior executive level oversight and strategic leadership for multiple comprehensive regulatory environments (alcohol, gambling, film, fuel, tobacco and corporate taxes) in an effective and efficient manner for the Province.</p> <p>Provides senior executive level strategic oversight to the development and implementation of a strategy for program modernization and red tape reduction as it relates to the regulatory environments overseen (alcohol, gambling, film and tobacco).</p> <p>Provides vision and oversight/leadership and ongoing operation/administration of the division.</p> <p>Ensures programs, policies, budgets and staff are aligned with evolving government and organizational goals by leading his/her business units contribution to the department's corporate planning and implementation processes.</p>
<b>Innovation:</b>	<p>Ensures continuous quality improvement by establishing systems to effectively monitor, evaluate, report on and improve the quality of programs and results.</p> <p>Builds new and improved government programs/policies with little precedent to use as guidance in the program/policy planning, costing, or implementation.</p> <p>Overhauls existing programs, policies, organizational structures to achieve a major shift and improvement in end results.</p> <p>Maintains good and effective working relationships with leaders in industry, industry associations, with the provincial, municipal and federal government officials.</p> <p>Deals with a wide variety of stakeholders who often have opposing opinions on the accessibility of alcohol, gambling and tobacco products. Must act as an impartial 3rd party where everyone's opinion is taken into consideration. Must be able to bring parties together to deal with issues that are divergent,</p>

	<p>contentious and frequently moral in nature.</p> <p>Builds a reputation for being firm, fair and consistent; taking into consideration both the views of the public as well as the development of business in a responsible manner. Must be, as well as be seen to be, impartial.</p> <p>Must be creative in balancing priorities across a wide variety of diverse program areas especially because of the impact on resources that a single program or event can have. Areas involved include: alcohol, commercial gambling, charitable gambling, film classification, fuel, tobacco and sales tax, IFTA (International Fuel Tax Agreement), NSIFTE (Nova Scotia Indian Fuel Tax Exemption), native tobacco quota system, UE (Underground Economy), YERP (Your Energy Rebate Program), PPPA(Petroleum Product Pricing), CCT(Corporate Capital Tax), SBTD(Small Business Tax Deduction) and gas price regulation.</p> <p>Must be concerned with program design and delivery while balancing conflicting outcomes - the need for multi-jurisdictional harmonization, to address local issues, to promote tax or program compliance and to reduce red tape</p>
	<p>This position has both a quasi-adjudicative and an adjudicative function under the Gaming Control Act that empowers the Executive Director to hear appeals of Orders issued by the Director of Investigation and Enforcement and the Director of Licensing &amp; Registration. The Executive Director has the authority to confirm the Order, vary conditions of Orders or dismiss the Order, including Orders to freeze financial assets such as bank accounts. Pursuant to the above, the Executive Director can issue further Orders or may Order an administrative penalty of up to \$50,000 to be levied. Depending on the type of non-compliance decisions may need to be made to involve the RCMP to proceed with charges under the Criminal Code rather than through regulatory mechanisms. In these instances the penalties are up to \$500,000 and one year in prison. The Executive Director can issue gaming licenses for charitable gambling activities such as bingos, ticket lotteries and large lotteries such as high profile multi-million dollar house lotteries.</p>
<b>Decision Making:</b>	<p>This position has an adjudicative function under the Liquor Control Act that empowers the Executive Director to schedule public consultations for permanent liquor license applications, to hear opposition to complaints with regards to the issuance of licenses, to grant or deny licenses with restrictive conditions and to mediate disputes between the public and licensees/applicants. The Executive Director can act on disciplinary issues and impose penalties on licensees in relation to public safety and quiet enjoyment of property. The province has "dry" areas where liquor licenses are not presently permitted, the Executive Director is responsible for arranging for plebiscites in these areas to determine if the area can become "wet" and then subsequently determine if specific liquor license applications should be granted. Depending on the type and location of proposed liquor license applications these can be high profile and contentious/divisive within the community.</p>
	<p>This position oversees decisions related to fuel and tobacco taxation that are high profile and controversial. For instance within the Audit and Enforcement function the Director and staff deal with First Nations taxation issues. Decisions are made on assessment, compliance, and enforcement that can affect the competitive position and solvency of businesses and remedial action can also affect client's ability to stay in business. Decisions within this unit may determine that audits or issues need to be referred to various units within Audit&amp; Enforcement or to other law enforcement agencies such as RCMP Excise or RCMP Commercial Crime. In the process of enforcing the statutes, compliance action may be taken against taxpayers/vendors and discretion must be exercised to ensure an equal and unbiased application of the Acts and Regulations is taken during the assessment of the facts before authorizing an audit assessment, compliance or enforcement action.</p> <p>The incumbent makes decisions which are supported by collective agreements, governmental and departmental policies and regulations already in place. The incumbent also makes decisions independently and must have the depth of experience to make the correct decisions in high pressure situations. This incumbent in particular deals with issues that are seen as moral in nature and for which the public and business have vastly divergent opinions with regards to the level of regulation and even whether or not the activities should be permitted. Included are subject matters such as liquor, gambling, pornography (film), adult entertainment in liquor licensed establishments and tobacco. The</p>

	<p>incumbent must be able to speak to the media calmly and competently on these issues.</p> <p>Decisions that would be referred to the supervisor for resolution and approval would be financial issues beyond the authorization level; policy and legislative changes requiring government approval; decisions/actions with prescribed requirements for higher approval embedded in legislation, regulation, policy and collective agreements</p>
<b>Impact of Results:</b>	<p>Results achieved ensure that gambling is conducted with honest and integrity and that provincial revenues are properly collected. The annual economic activity of gambling in Nova Scotia is approximately \$1.5 billion with provincial revenues in excess of \$100 million and the position is responsible for ensuring that these revenues are properly recorded and submitted to government.</p> <p>Results achieved ensure that the retail sale and consumption of alcohol at liquor licensed premises is conducted to ensure public safety and quiet enjoyment of property. The annual economic activity of liquor licensed premises in Nova Scotia is \$1.5 billion.</p> <p>Results achieved affect the efficiency and effectiveness of the Audit and Enforcement section, which in turn impacts overall compliance within the Revenue Act, Corporate Capital Tax Act and Petroleum Products Pricing Act. The level of compliance with the legislation directly and significantly affects the tax revenues collected by the province, and impacts both the businesses and consumers as to the degree it provides a level playing field for legitimate business</p>

## People Management:

	# Direct Resources Managed	# Indirect Resources Managed
<b>Additional Information (if required):</b>	<p>This Job Reports to: Associate Deputy Minister</p> <p>Job Titles and Number of Incumbents Reporting Directly to this Job:</p> <ul style="list-style-type: none"> <li>Director, Investigation &amp; Enforcement - 1 incumbent</li> <li>Director, Licensing &amp; Registration - 1 incumbent</li> <li>Director, Audit &amp; Enforcement - 1 incumbent</li> <li>Manager, Policy &amp; Research - 1 incumbent</li> <li>Secretary 3 - 1 incumbent</li> <li>Film Classification Clerk/Coordinator - 1 incumbent</li> <li>Film Classifiers (OIC) - 17 appointed to differing terms</li> </ul>	

## LICENSES/CERTIFICATIONS

	<p>Other important information that will assist the reader with a further appreciation of what is typical of this job:</p> <p>The major changes in this position has been taking over the responsibility for licensing and disciplinary action from the Utility and Review Board as well as oversight and responsibility for the Audit and Enforcement sections of the department. Decisions that are now made by this position were previously made by a Board or Board members of the Utility and Review Board.</p>
<b>Data From Conversion:</b>	<p>Extensive experience in a regulatory role is necessary. Knowledge of the Criminal Code of Canada, Liquor Control Act, Gaming Control Act, Theatres &amp; Amusement Act, Smoke-Free Places Act and the associated Regulations and Policies is crucial.</p> <p>Attacking the tobacco smuggling problem. This is a high priority of government as tobacco smuggling is negatively impacting not only tax revenues but more importantly, the government's tobacco control strategy. Tobacco smuggling has a negative impact on other issues such as increases in prosecutions impacting the court system, increases in other illegal activities, and long term consequences impacting the health care system</p>

## WORKING CONDITIONS

### Physical Effort

Minimal - Work activities involve alternating positions of light physical activities, which cause little physical effort. Majority of time of spent in a comfortable position with frequent opportunity to move about at will. Activities
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## **Physical Effort**

require a variety at easy muscle movements

## **Physical Environment**

Minimal - Works in an environment with occasional exposure to mild unpleasant or disagreeable conditions, and/or a remote possibility of risk of accident or health hazards.

## **Sensory Attention**

Moderate - Work activities involve need to concentrate on a variety of sensory inputs for intermediate durations at a time requiring close attention several times daily. If sensory activities are interrupted, time is required to backtrack to resume activities, involving lost time. The need for detailed or precise work is moderate.

## **Psychological Pressures**

Moderate - Work activities are performed in an environment with occasional exposure to one or more mental pressures. The mental stress would not be noticeably disruptive to the work, nor would the unpleasant reaction be too strong or persistent, e.g., pressure or deadlines, quotas or need for accuracy, unpleasant public or client contacts, probable concern about unpleasant situations, repetitious work, and or some disruption of personal life because of work, work schedules or need to travel.

Examples/ Additional Information:	
	<p>A Physical Environment: 1-Minimal The incumbent is usually located in a comfortable office environment.</p> <p>B Physical Effort: 1-Minimal Much of the time is spent sitting in a comfortable position and there is frequent opportunity to move about.</p> <p>C Sensory Attention: 5 - Considerable Regular need for reading, studying, listening and deciphering information that requires diligence and attention to interpret information effectively which results in proper decision making. Needs to review case law and other legal decisions and interpretations to factor into decision making.</p> <p>Unpleasant public contacts with regards to complaints against licensees. Unpleasant client contacts due to imposing</p> <p>D Mental Pressures 5 - Considerable Considerable pressure due to deadlines and the need for accuracy in dealing with regulatory and licensing situations. disciplinary actions which may result in license (business) closures and the termination of staff at these businesses. Subject to occasional threats of physical violence and legal action against the incumbent. Areas of responsibility/decision making may have ties to organized crime (in relation to gambling, liquor and tobacco). Responsible for numerous and varied Acts and Regulations.</p> <p>Decisions frequently lead to media inquiries or scrutiny as well as occasional complaints to the Ombudsman and Human Right Commission. Deals with issues relating to interpretation of the Criminal Code of Canada as well as issues such as First Nations rights. Occasionally required to travel by car or plane</p>
Data From Conversion:	