



Australian Government

Department of Education, Employment and Workplace Relations

LMFFDT6004A Investigate legal requirements for design

Revision Number: 1

LMFFDT6004A Investigate legal requirements for design

Modification History

Not applicable.

Unit Descriptor

Unit descriptor	This unit specifies the outcomes required to investigate legal requirements for design, including procurement, business legalities, contractual obligations and operational issues.
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Application of the Unit

Application of the unit	<p>This unit supports the attainment of skills and knowledge required for competent workplace performance in furnishing operations of all sizes.</p> <p>Investigate legal requirements for design applies to an industry workplace or design studio environment and involves application of skills and knowledge at a managerial level. These skills and knowledge are to be used within the scope of the individual's job and authority.</p> <p>This unit requires communication, problem solving skills and initiative and enterprise to analyse legal information and assess implications for specific designs. Planning and organising skills are applied to assess design against legal criteria.</p>
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Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Prerequisite units		

Prerequisite units		

Employability Skills Information

Employability skills	This unit contains employability skills.
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Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a unit of competency.	Performance Criteria describe the required performance needed to demonstrate achievement of the Element. Where bold italicised text is used, further information is detailed in the required skills and knowledge and/or the Range Statement. Assessment of performance is to be consistent with the Evidence Guide.
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Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Research legal requirements	<p>1.1. Applicable <i>OHS, legislative and organisational requirements</i> relevant to investigating legal requirements for design are verified and complied with</p> <p>1.2. <i>Communication</i> with others is established and maintained in accordance with OHS requirements</p> <p>1.3. <i>Legal requirements</i> affecting the enterprise are detected and researched</p> <p>1.4. <i>Enterprise</i> legal requirements are analysed and procedures developed and implemented to ensure full compliance</p>
2. Comply with legal requirements	<p>2.1. <i>Business registration and government procedures</i> are adhered to</p> <p>2.2. Suitable <i>employment conditions</i> including industrial relations are abided by</p> <p>2.3. <i>Contracts and invoices</i> used comply with legal requirements</p> <p>2.4. <i>Operational codes of practice</i> are researched and applied to day to day procedures</p> <p>2.5. Essential <i>insurances</i> are obtained and are regularly updated</p> <p>2.6. <i>Procurement rights</i> are adhered to and applied for own products</p> <p>2.7. OHS regulations are stringently applied and followed</p> <p>2.8. <i>Import and export regulations</i> are adhered to</p> <p>2.9. <i>Risk management</i> policies are applied, updated and maintained</p>

Required Skills and Knowledge

REQUIRED KNOWLEDGE AND SKILLS

This section describes the skills and knowledge required for this unit.

Required skills

- interpret legal documentation
- access industry standards
- analyse legal information
- maintain accurate records
- communicate within the workplace
- sequence operations
- meet specifications
- clarify and check task-related information
- carry out work according to OHS practices.

Required knowledge

- State or Territory OHS legislation, regulations, standards and codes of practice relevant to investigating legal requirements for design
- organisational and site standards, requirements, policies and procedures for investigating legal requirements for design
- business and operational legal requirements
- computer programs
- procedures for the recording, reporting and maintenance of workplace records and information
- appropriate mathematical procedures for estimation and measurement
- environmental protection requirements
- established communication channels and protocols
- problem identification and resolution.

Evidence Guide

EVIDENCE GUIDE

The Evidence Guide provides advice on assessment and must be read in conjunction with the Performance Criteria, Required Skills and Knowledge, the Range Statement and the Assessment Guidelines for the relevant Training Package.

Overview of assessment

Critical aspects for assessment and evidence required to demonstrate competency in this unit

- Effectively investigate legal requirements for design and for the protection and efficient operation of the enterprise, ensuring all relevant legal requirements are in place
- Effectively produce a report on the legal requirements for a design business
- Comply with legislation, regulations, standards, codes of practice and established safe practices and procedures for investigating legal requirements for design
- Communicate effectively and work safely with others in the work area

Context of and specific resources for assessment

- The application of competency is to be assessed in the workplace or simulated workplace
- Assessment is to occur under standard and authorised work practices, safety requirements and environmental constraints
- Assessment of essential underpinning knowledge, other than confirmatory questions, will usually be conducted in an off-site context
- Assessment is to comply with relevant regulatory or Australian Standards requirements
- The following resources should be made available:
 - workplace location or simulated workplace
 - materials and equipment relevant to investigating legal requirements for design
 - specifications and work instructions

Method of assessment

- Assessment must satisfy the endorsed assessment guidelines of the Furnishing Industry Training Package
- Assessment methods must confirm consistency and accuracy of performance (over time and in a range of workplace relevant contexts) together with application of underpinning knowledge
- Assessment methods must be by direct observation of tasks and include questioning on underpinning knowledge to ensure its correct interpretation and application
- Assessment may be applied under project related conditions (real or simulated) and require evidence of process
- Assessment must confirm a reasonable inference that

EVIDENCE GUIDE	
	<p>competency is able not only to be satisfied under the particular circumstance, but is able to be transferred to other circumstances</p> <ul style="list-style-type: none">• Assessment may be in conjunction with assessment of other units of competency
Guidance information for assessment	

Range Statement

RANGE STATEMENT

The Range Statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance. Bold italicised wording in the Performance Criteria is detailed below. Add any essential operating conditions that may be present with training and assessment depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts.

OHS requirements	<ul style="list-style-type: none"> are to be in accordance with Commonwealth, State or Territory legislation and regulations, organisational safety policies and procedures requirements may include but not be limited to the use of personal protective equipment and clothing, fire fighting equipment, first aid equipment, hazard and risk control and elimination of hazardous materials and substances, manual handling including lifting and carrying
Legislative requirements	<ul style="list-style-type: none"> are to be in accordance with applicable legislation from all levels of government that affect organisational operation requirements may include but not be limited to award and enterprise agreements, industrial relations, Australian Standards, confidentiality and privacy, OHS, the environment, equal opportunity, anti-discrimination, relevant industry codes of practice, duty of care and heritage
Organisational requirements	<ul style="list-style-type: none"> may include but not be limited to legal, organisational and site guidelines, policies and procedures relating to own role and responsibility, quality assurance, procedural manuals, quality and continuous improvement processes and standards, OHS, emergency and evacuation, ethical standards, recording and reporting, access and equity principles and practices, equipment use, maintenance and storage, environmental management (waste disposal, recycling and re-use guidelines)
Communication	<ul style="list-style-type: none"> may include verbal and non-verbal language, constructive feedback, active listening, questioning to clarify and confirm understanding, use of positive, confident and cooperative language, use of language and concepts appropriate to individual social and cultural differences, control of tone of voice and body language

RANGE STATEMENT	
Legal requirements	<ul style="list-style-type: none"> may include but not be limited to laws, regulations or policies which may affect the operating systems of an enterprise
Enterprises	<ul style="list-style-type: none"> may include but not be limited to sole traders, partnerships, trusts, franchises, agencies, companies or consortiums
Business registration	<ul style="list-style-type: none"> is to include business name registration, achievement of an Australian Business Number (ABN) and may include ownership transfer arrangements and licensing
Government procedures	<ul style="list-style-type: none"> may include taxation and accounting requirements, superannuation provisions, business activity statements and the Goods, Services Tax (GST), tax file number, Pay As You Go (PAYG) and withholding tax
Employment conditions	<ul style="list-style-type: none"> are to include but not be limited to industrial relations, award rates, employment conditions, unfair dismissal laws, equal employment opportunities, anti-discrimination, enterprise agreements, privacy, confidentiality and duty of care
Contracts and invoices	<ul style="list-style-type: none"> may include but not be limited to contracts deemed legal by authorities and may be with suppliers, owners, employees, landlords, agents, distributors or customers
Operational codes of practice	<ul style="list-style-type: none"> may include but not be limited to Australian Standards, industry codes of practice, equipment operating standards or regulations, resource access regulations
Insurances	<ul style="list-style-type: none"> may include but not be limited to professional indemnity, public liability, income protection, third party, comprehensive, building and contents insurance, workers compensation and any other legally prescribed insurance
Procurement rights	<ul style="list-style-type: none"> may include but not be limited to royalties, copyright, patents, trademarks, design registration, intellectual property and software licences
Import and export regulations	<ul style="list-style-type: none"> may include but not be limited to duties, tariffs, customs, immigration and any countries relevant import and export laws
Risk management	<ul style="list-style-type: none"> is to include provisions for ensuring all potential legal possibilities have been investigated and evaluated to minimise threats to continuing efficiency, profitability

RANGE STATEMENT

	and success of its operations
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Unit Sector(s)

Unit sector	Furniture design and technology.
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Competency field

Competency field	
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Co-requisite units

Co-requisite units		