



Australian Government

Department of Education, Employment and Workplace Relations

BSBCOM405A Promote compliance with legislation

Revision Number: 1

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Modification History

Not applicable.

Unit Descriptor

Unit descriptor	<p>This unit describes the performance outcomes, skills and knowledge required to promote compliance with domestic and international legislation, both by self and others in the workplace.</p> <p>No licensing, legislative, regulatory or certification requirements apply to this unit at the time of endorsement.</p>
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Application of the Unit

Application of the unit	<p>This unit applies to individuals with a broad knowledge of international trade who determine compliance strategies and model and encourage compliance by implementing these strategies.</p>
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Licensing/Regulatory Information

Not applicable.

Pre-Requisites

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 performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the required skills and knowledge section and 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. Determine compliance strategies	1.1. Access current information about the range of domestic and international <i>legislation</i> relating to own work 1.2. Clarify <i>compliance requirements</i> to confirm understanding and ensure consistency of interpretation and application 1.3. Obtain advice to assist in applying relevant legislation to own work and identifying compliance requirements 1.4. Access organisation's procedures and practices to facilitate compliance with relevant legislation 1.5. Assess interface with <i>other organisations</i>
2. Model and encourage compliance with legislative requirements	2.1. Apply organisation's procedures and practices to own work practices to meet compliance requirements 2.2. Identify areas of uncertainty in own work related to compliance requirements and take action to clarify issues 2.3. Review own work and seek feedback from others to confirm continuing compliance with legislative requirements 2.4. Evaluate own competence and address any identified gaps 2.5. Identify possible <i>implications of non-compliance</i> and use these to guide own work practices 2.6. Raise inadequacies in organisation's procedures and practices which may contribute to non-compliance in accordance with organisational procedures 2.7. Raise inadequacies with outside organisations' procedures and practices which may contribute to non-compliance in accordance with organisational procedures

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

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

Required skills

- communication skills to provide advice and to document policies and procedures
- leadership skills to gain trust and confidence of colleagues and clients
- learning skills to maintain knowledge of changes to compliance legislation and requirements
- problem-solving skills to address compliance issues.

Required knowledge

- identification and overview knowledge of key provisions of relevant legislation from all levels of government that affects business operations, codes of practice and national standards, such as:
 - Australian Harmonized Export Commodity Codes conditions
 - Carriage of Goods by Sea Act
 - Customs Act
 - INCOTERMS
 - trade modernisation legislation: Customs Legislation Amendment and Repeal Act, Import Processing Charges Act, Customs Depot Licensing Charges Amendment Act
 - Trade Practices Act
 - transport of dangerous goods
 - contract law
 - sales of goods legislation
 - Warsaw Convention
 - World Trade Organisation determinations
- organisational policies and procedures relating to legislation in organisation's functional area
- penalties for non-compliance with legislative requirements
- auditing requirements
- Occupational Health and Safety (OHS) requirements applicable to own work and functional area.

Evidence Guide

EVIDENCE GUIDE	
<p>The Evidence Guide provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge, range statement and the Assessment Guidelines for the Training Package.</p>	
Overview of assessment	
Critical aspects for assessment and evidence required to demonstrate competency in this unit	<p>Evidence of the following is essential:</p> <ul style="list-style-type: none"> • identifying compliance requirements • developing and implementing strategies to manage compliance with appropriate legislation • documenting policies, procedures and practices developed to address compliance issues • encouraging and supporting own compliance and that of others in the workplace • knowledge of relevant conventions, treaties, agreements, guidelines, declarations, recommendations, laws and rules.
Context of and specific resources for assessment	<p>Assessment must ensure:</p> <ul style="list-style-type: none"> • access to relevant workplace documentation and compliance measures • access to libraries or other resource collections • access to an actual workplace or simulated environment • access to office equipment and resources.
Method of assessment	<p>A range of assessment methods should be used to assess practical skills and knowledge. The following examples are appropriate for this unit:</p> <ul style="list-style-type: none"> • direct questioning combined with review of portfolios of evidence and third party workplace reports of on-the-job performance by the candidate • review of own work and feedback sought from others to confirm continuing compliance with legislative requirements • analysis of responses to case studies and scenarios • oral or written questioning to assess knowledge of penalties for non-compliance with legislative requirements • evaluation of inadequacies raised about the organisation's procedures and practices in relation to compliance with legislative requirements.

EVIDENCE GUIDE**Guidance information for assessment**

Holistic assessment with other units relevant to the industry sector, workplace and job role is recommended, for example:

- BSBINT405B Apply knowledge of import and export international conventions, laws and finance.

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, if used in the performance criteria, is detailed below. 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) may also be included.

<i>Legislation</i> may include:	<ul style="list-style-type: none"> • legislation applicable across all organisations such as OHS, equal opportunity, anti-discrimination, company law, contract law, consumer law • legislation specific to the operations of the organisation
<i>Compliance requirements</i> may include:	<ul style="list-style-type: none"> • audit schedules and cycles • Australian Customs Service Accredited Client Program for qualifying clients • checks and balances • crosschecking • policies and procedures detailing compliance requirements and processes to ensure compliance • sign offs by individual/s responsible for ensuring compliance
<i>Other organisations</i> may include:	<ul style="list-style-type: none"> • agents • clients • customers • partners • suppliers
<i>Implications of non-compliance</i> may include:	<ul style="list-style-type: none"> • fines or penalties • loss of Accredited Client Program status for client • warnings • withdrawal of licences, approvals

Unit Sector(s)

Unit sector	
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Competency field

Competency field	Regulation, Licensing and Risk - Compliance
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Co-requisite units

Co-requisite units		