



Australian Government

**Assessment Requirements for
CPPSCM4009 Access and interpret
legislation in strata community
management**

Release: 1

Assessment Requirements for CPPSCM4009 Access and interpret legislation in strata community management

Modification History

Release 1 This version first released with CPP Property Services Training Package Release 15.0.

Supersedes and is not equivalent to CPPDSM4009 Interpret legislation to complete work in the property industry. Unit updated to reflect specific strata community management requirements.

Performance Evidence

To demonstrate competency, a candidate must meet the elements and performance criteria of this unit to access and interpret legislation in strata community management by:

- accessing and interpreting a minimum of two pieces of legislation that apply to strata community management in the jurisdiction of operation, and providing a documented report that includes:
 - full titles of legislation: one Commonwealth and one state/territory statute
 - where the chosen legislation is applicable
 - the purpose of each of the pieces of chosen legislation
 - the key components of the pieces of chosen legislation
 - two breaches specified within the legislation and the penalties or consequences for each breach
 - how to identify the currency of the chosen legislation
 - how the chosen legislation impacts a strata community
- explaining the process for addressing discrepancies in the application of legislation to strata community management duties.

Knowledge Evidence

To be competent in this unit, a candidate must demonstrate knowledge of:

- breaches of legislation and associated penalties or consequences in the jurisdiction of operation
- common problems with interpreting legislation and consequences of misinterpreting legislation
- ethical conduct requirements and obligations of strata community managers based on legislated duties or codes of conduct
- interrelationship between pieces of legislation
- key components of legislation:

- Acts
- regulations
- amendments
- mandatory codes of practice and Australian Standards
- schedules
- appendices
- key principles for reading and interpreting legislation:
 - aids to interpret legislation:
 - external: interpretations of legislation, Acts, Hansard/parliamentary papers, legal dictionaries and previous judicial interpretations
 - internal: objectives, legislation to be accessed as a whole, definitions and interpretation sections in legislation, headings and margin notes
 - express mention of one thing to the exclusion of another
 - language conventions and expressions:
 - and/or
 - gender
 - hierarchy
 - includes
 - may, should and must
 - words interpreted through their connection with other words
 - words with the same meaning
- legal framework in Australia and the jurisdiction of operation:
 - common law
 - contract law
 - equity law
 - statute law
- legislative requirements of tiered management structures relevant to the jurisdiction of operation
- role of regulators in the jurisdiction of operation relevant to legislation associated with strata community management
- sources of, and legislation relevant to strata community management in the jurisdiction of operation:
 - equal opportunity, anti-discrimination and disability discrimination
 - civil liability
 - dispute resolution
 - environmental protection (sustainability)
 - fair trading and consumer protection
 - privacy
 - work health and safety (WHS)
- sources of guidance to support interpretation of legislation applicable to strata community management

- structure of legislation:
 - long title
 - short title
 - commencement
 - application
 - contents
 - definitions
 - headings
 - parts
 - divisions and subdivisions
 - clauses and subclauses
 - schedules and appendices
- techniques to identify and track changes to legislation, including point-in-time versions and current versions.

Assessment Conditions

Assessors must meet the requirements for assessors contained in the Standards for Registered Training Organisations.

Assessment must be conducted in the workplace or a simulated workplace using realistic conditions, materials, activities, responsibilities, procedures, safety requirements and environmental considerations.

Candidates must have access to documentation, information, technologies and online sites and databases required to achieve the performance criteria and performance evidence.

Links

Companion volumes to this training package are available at the VETNet website - <https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=6f3f9672-30e8-4835-b348-205dfcf13d9b>