



**Australian Government**

**Department of Education, Employment and Workplace Relations**

# **CUSADM09A Address legal and administrative requirements**

**Release: 1**

## **CUSADM09A Address legal and administrative requirements**

### **Modification History**

Not applicable.

### **Unit Descriptor**

This unit describes the skills and knowledge required to ensure that the business or project complies with the relevant legislative and regulatory requirements. It covers the skills needed by those setting up and managing the legal and administrative aspects of businesses, and projects a cultural industry context.

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### **Application of the Unit**

Not applicable.

### **Licensing/Regulatory Information**

Not applicable.

### **Pre-Requisites**

Not applicable.

### **Employability Skills Information**

Not applicable.

### **Elements and Performance Criteria Pre-Content**

Not applicable.

## Elements and Performance Criteria

### Elements and Performance Criteria

<b>Element</b>	<b>Performance Criteria</b>
1 Establish legal structures for businesses or projects	<p>1.1 Examine the legal options for setting up a business or project to determine the most suitable structure, taking into account:</p> <ul style="list-style-type: none"><li>preference of interested parties</li><li>requirements of funding bodies</li><li>structure of the industry</li><li>subsequent ownership transfer considerations</li></ul> <p>1.2 Investigate legal rights and responsibilities of the business/project to ensure they are understood and the business/project is adequately protected</p> <p>1.3 Establish and maintain a file of all relevant documentation and correspondence</p>
2 Comply with statutory and regulatory requirements	<p>2.1 Ascertain the statutory and regulatory requirements affecting the way the business operates and take appropriate steps to ensure adequate cover and full compliance</p> <p>2.2 Identify the insurance requirements fully to ensure cover and minimise risk</p> <p>2.3 If required, secure registration of the business in accordance with owner/operator preferences and legal requirements</p> <p>2.4 Investigate any specific legal questions of particular relevance to the industry</p> <p>2.5 Maintain legal documents accurately and securely, keep relevant records and update to ensure their ongoing security and accessibility</p>
3 Establish rights to materials, products/services	<p>3.1 Seek information on any procurement rights needed to ensure that the implications are fully understood</p> <p>3.2 Explore conditions applying to materials, products and services fully to ensure compliance with legal and contractual requirements</p>

- 3.3 Identify fully the cost of procurement rights to materials, products and services and include in ongoing financial planning
- 3.4 Explore fully the rights and responsibilities applying to use of products, materials and services to ensure accurate information is communicated to customers
- 3.5 Seek legal advice on contractual rights and obligations as required, to clarify liabilities
- 4 Secure rights to materials/products/ services
  - 4.1 Assess materials, products and services to determine procurement rights
  - 4.2 Ensure that contractual procurement rights are secured

## Required Skills and Knowledge

Not applicable.

## Evidence Guide

Evidence guide

### Underpinning knowledge and skills

Assessment must include evidence of essential knowledge of, and skills in, the following areas:

knowledge of the relevant industry sector

knowledge of the legal issues that affect negotiations and contracts in the relevant industry sector

negotiation skills, including the skills to conduct negotiations of significant commercial value

knowledge of the statutory and regulatory requirements

**Linkages to other units**

This unit underpins effective performance in a range of other business administration units. Depending upon the industry sector and workplace combined assessment and training may be appropriate. Examples include but are not limited to:

CUEFIN1A Develop a budget

CUEFIN2A Manage a budget

CUSADM03A Manage a project

CUSADM05A Develop and implement a business/strategic plan

CUSADM10A Establish and manage contracts

**Critical aspects of evidence**

The following evidence is critical to the judgement of competence in this unit:

understanding the range of legislative and administrative issues affecting the industry sector in which the person is employed

the ability to apply the knowledge to the context in which the project or business is operating and ensure compliance

the ability to communicate information accurately to relevant individuals and groups

**Method and context of assessment**

Assessment may take place on the job, off the job or a combination of both of these. However, assessment of this unit would most effectively be undertaken on the job due to the specific workplace environment requirements. Off the job assessment must be undertaken in a closely simulated workplace environment.

Assessment may incorporate a range of methods to assess performance and the application of essential underpinning knowledge, and might include:

case studies

work samples or simulated workplace activities

oral questioning/interview  
 projects/reports/logbooks  
 third party reports and authenticated prior achievements  
 portfolios of evidence

Assessment must take place over a period of time in order to determine competence in the ongoing implementation and monitoring aspects of this unit.

### Resource requirements

Access to the sources of information needed to deal with legal issues relating to the music, television, radio and multimedia industry sectors is required. There is no specialist equipment required but access to a computer and appropriate software would be useful.

Key competencies	Level
Collecting, organising and analysing information	3
Communicating ideas and information	3
Planning and organising activities	3
Working with others and in teams	3
Solving problems	1
Using mathematical ideas and techniques	3
Using technology	1

## Range Statement

Range of variables

Variable

Scope

Statutory and regulatory requirements may include:

All relevant commonwealth and state or territory statutory and regulatory requirements, for example:

occupational health and safety

copyright

equal employment opportunity

distribution of film, television and multimedia, music, radio/broadcast products

libel, defamation

company and tax legislation

employment conditions and relevant awards and others

music licensing

Interested parties may be:

enterprises

individuals

professional organisations

finance institutions

special public funding programs

existing sponsors

boards of directors, councils or other governing bodies

government agencies

investors

joint partners (including limited life partners)

friends' organisations

community bodies

audiences

Materials, products and services may be:

- film rights
- documents and texts
- scripts
- provision of special services or expertise
- music
- recording rights
- distribution rights
- insurance
- supplies and equipment
- images
- broadcast rights

### **Unit Sector(s)**

Not applicable.