



**Australian Government**

# **FNSMCA402 Initiate legal recovery of debts**

**Release: 1**

## FNSMCA402 Initiate legal recovery of debts

### Modification History

Release	Comments
Release 1	This version first released with FNS Financial Services Training Package Version 1.0.

### Application

This unit describes skills and knowledge required to establish contact and rapport with debtors and successfully collect debts using a relevant legal recovery process.

It applies to individuals who use specialised knowledge of legal requirements and follow organisational procedures to complete tasks.

Work functions in the occupational areas where this unit may be used are subject to regulatory requirements. Refer to the FNS Implementation Guide Companion Volume or the relevant regulator for specific guidance on requirements.

### Unit Sector

Mercantile agents

### Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
<i>Elements describe the essential outcomes.</i>	<i>Performance criteria describe the performance needed to demonstrate achievement of the element.</i>
1. Plan and prepare procedures	1.1 Interpret and confirm client's written instructions 1.2 Identify relevant legal and procedural issues for consideration and action in accordance with legislative requirements and organisational policy and procedures 1.3 Check all appropriate mercantile data for relevant information to determine subject's whereabouts and credit history 1.4 Develop appropriate plan for contact, with most appropriate means of communication selected
2. Negotiate debt payment and settlements	2.1 Establish contact and build rapport with subject, using most appropriate means of communication

ELEMENT	PERFORMANCE CRITERIA
	<p>2.2 Propose and negotiate debt payment and settlements with subject, according to organisational policy and procedures, and client needs</p> <p>2.3 Discuss outcomes with management, when required, and document recommendations clearly and concisely providing reasons for proceeding, not proceeding or strategies for taking further action with debt payment and settlements</p>
3. Present recommendations to client and implement	<p>3.1 Present documented recommendations to client and obtain agreement on how to proceed</p> <p>3.2 Initiate legal process, when appropriate, in line with client needs and legal requirements, and progress in accordance with court requirements</p> <p>3.2 Complete necessary supporting documents correctly and in line with court requirements</p>

## Foundation Skills

*This section describes language, literacy, numeracy and employment skills incorporated in the performance criteria that are required for competent performance.*

Skill	Performance Criteria	Description
Reading	1.1, 4.1	<ul style="list-style-type: none"> <li>Interprets, analyses and consolidates information from a variety of sources to determine and confirm relevance</li> </ul>
Writing	2.1, 2.2, 3.1, 3.2, 4.2	<ul style="list-style-type: none"> <li>Drafts reports and letters, making recommendations where necessary, and completes relevant documentation as required</li> </ul>
Oral Communication	2.1, 3.1	<ul style="list-style-type: none"> <li>Uses language and concepts appropriate to the audience and purpose to convey and clarify information</li> <li>Use questioning and active listening in verbal exchanges to determine and confirm client requirements</li> </ul>
Navigate the world of work	3.1, 3.2, 3.3	<ul style="list-style-type: none"> <li>Complies with legal obligations, industry and organisational codes of practice, and ethical principles</li> </ul>
Interact with others	2.1, 2.2, 3.1, 4.2	<ul style="list-style-type: none"> <li>Selects the appropriate form, channel and mode of communication to build rapport, liaise with others and share information</li> </ul>

Get the work done	1.1, 1.2, 2.1, 2.2, 3.1-3.3, 4.1, 4.2	<ul style="list-style-type: none"> <li>Adopts efficient and effective organisational and time management skills to sequence tasks and meet timelines</li> <li>Clearly and thoroughly researches and analyses information and tasks, and then plans strategies and actions to achieve optimal outcomes within given parameters</li> <li>Seeks information or advice before implementing a solution, where appropriate</li> <li>Uses digitally based technologies and software packages to complete work requirements</li> </ul>
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## Unit Mapping Information

Code and title current version	Code and title previous version	Comments	Equivalence status
FNSMCA402 Initiate legal recovery of debts	FNSMCA402A Initiate legal recovery of debts	<p>Updated to meet Standards for Training Packages.</p> <p>Rewritten, reordered and clarified performance criteria.</p>	Equivalent unit

## Links

Companion Volume implementation guides are found in VETNet - <https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=c7200cc8-0566-4f04-b76f-e89fd6f102fe>