



**Australian Government**

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

# **FNSPRT301A Establish entitlements to an intestate estate**

**Revision Number: 1**

## FNSPRT301A Establish entitlements to an intestate estate

### Modification History

Not applicable.

### Unit Descriptor

<b>Unit descriptor</b>	<p>This unit describes the performance outcomes, skills and knowledge required to determine entitlement to an intestate estate, including intestate succession, establish the identity of the next of kin and prove family entitlements.</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

<b>Application of the unit</b>	This unit applies to a range of personal trustee functions.
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### Licensing/Regulatory Information

Not applicable.

### Pre-Requisites

<b>Prerequisite units</b>		

## Employability Skills Information

<b>Employability skills</b>	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. Search for will	<p>1.1. Investigations are conducted to confirm that the deceased died intestate</p> <p>1.2. Relevant affidavits are obtained to support application for administration</p>
2. Determine intestate succession	<p>2.1. <b><i>Genealogical research</i></b> is undertaken pertaining to the estate and an accurate family tree is established and confirmed</p> <p>2.2. The identity and rights of the next of kin are analysed and confirmed with documentary evidence for verification obtained</p> <p>2.3. Beneficiaries are traced, located and their identity established</p> <p>2.4. Schedule of beneficiaries and their entitlements is prepared and approved.</p>

## Required Skills and Knowledge

### REQUIRED SKILLS AND KNOWLEDGE

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

#### Required skills

- communication skills to:
  - determine and confirm work requirements, using questioning and active listening as required
  - telephone contact with clients and others
  - liaise with others, share information, listen and understand
  - use language and concepts appropriate to cultural differences
- research and analysis skills for accessing, interpreting and managing information
- IT skills for accessing and using appropriate databases and using search engines for internet information
- literacy skills to:
  - read and interpret documentation from a variety of sources
  - prepare research documentation and entitlement schedules
  - record, consolidate and file information
- administrative and organisational skills, including the ability to plan and sequence work

#### Required knowledge

- relevant State and Territory legislation and regulations relating to:
  - the Administration and Probate Act
  - the law of intestate succession
  - other related legislation
- the roles, responsibilities and powers of the personal trust officer including:
  - organisational expectations
  - limitation of personal authority
- the professional code of conduct in the personal trustee industry including:
  - ethics
  - integrity
  - professionalism
  - confidentiality
- techniques for liaising with key organisational personnel with expertise in specialised areas relating to the personal trustee industry
- relevant organisation policies and procedures

## Evidence Guide

<b>EVIDENCE GUIDE</b>	
<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>	
<b>Overview of assessment</b>	
<b>Critical aspects for assessment and evidence required to demonstrate competency in this unit</b>	<p>Evidence of the ability to:</p> <ul style="list-style-type: none"> <li>• interpret and apply intestate legislation and regulations</li> <li>• follow the professional code of conduct in the personal trustee industry</li> <li>• determine and contact external specialists and resources relevant to the personal trustee industry.</li> </ul>
<b>Context of and specific resources for assessment</b>	<p>Assessment must ensure:</p> <ul style="list-style-type: none"> <li>• competency is demonstrated in the context of the financial services work environment and conditions specified in the range statement either in a relevant workplace or a closely simulated work environment</li> <li>• access to and the use of a range of common office equipment, technology, software and consumables</li> <li>• access to the internet for searches.</li> </ul>
<b>Method of assessment</b>	<p>A range of assessment methods should be used to assess practical skills and knowledge. The following examples, in combination, are appropriate for this unit:</p> <ul style="list-style-type: none"> <li>• evaluating an integrated activity which combines the elements of competency for the unit or a cluster of related units of competency</li> <li>• verbal or written questioning on underpinning knowledge and skills</li> <li>• evaluating samples of work</li> <li>• accessing and validating third party reports.</li> </ul>
<b>Guidance information for assessment</b>	

## 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.

***Genealogical research*** may include:

- searches of:
  - birth
  - marriage
  - death
  - other matters of lineage.

## Unit Sector(s)

<b>Unit sector</b>	Personal trustee
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## Competency field

<b>Competency field</b>	
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## Co-requisite units

<b>Co-requisite units</b>		