



**Australian Government**

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

# **PUADEFPL007B Provide support in contract law matters**

**Revision Number: 1**

## **PUADEFPL007B Provide support in contract law matters**

### **Modification History**

Not applicable.

### **Unit Descriptor**

#### **Unit Descriptor**

This unit covers the competency required to analyse information and prepare documents in *contract law* matters.

This competency includes researching case histories and assisting the instructing legal officer or senior paralegal to prepare *contracts and contract negotiations*.

### **Application of the Unit**

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The application of this unit in the workplace - the environments, complexities and situations involved - will be written during Phase II of the Review of the PUA00 Public Safety Training Package.

This text will be useful for the purposes of job descriptions, recruitment advice or job analysis; where possible, it will not be too job specific to allow other industries to import it into other Training Packages, where feasible.

### **Licensing/Regulatory Information**

Not applicable.

## Pre-Requisites

**Prerequisite Unit/s** Nil

## Employability Skills Information

**Employability Skills** This unit contains employability skills.

## Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a Unit of Competency.

Performance Criteria describe the required performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the Required Skills and Knowledge and/or the Range Statement. Assessment of performance is to be consistent with the Evidence Guide.

## Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. <b>Plan and prepare for the provision of support in contract law</b>	1.1 <i>Instructions</i> that require the provision of support in contract law are received and acted upon 1.2 Circumstances are analysed and contract issues are interpreted and clearly defined
2. <b>Prepare and process documents involved in contract law matters</b>	2.1 <i>Documents</i> are identified, prepared and processed in accordance with <i>legal practices and procedures</i> 2.2 Documents are despatched/served in accordance with legal practices and procedures 2.3 Incoming documents are checked for completeness and timely delivery and sender is contacted where insufficient information is provided or deadlines are not honoured 2.4 Requests for information are reviewed with the legal officer and identified documents are retrieved, copied and despatched in accordance with legal practices and procedures
3. <b>Perform research to support instructing legal officer</b>	3.1 Files are reviewed and research requirements are determined in conjunction with the instructing legal officer 3.2 <i>Relevant documents and exhibits for review</i> are retrieved and processed 3.3 Precedent and case law are retrieved, researched and reviewed, and summaries are made where appropriate 3.4 Summaries are forwarded to the instructing legal officer and explanations are presented where necessary
4. <b>Assist instructing legal officer to prepare contracts and for contract negotiations</b>	4.1 <i>Different contract matters</i> , jurisdictions and types of courts or tribunals are identified 4.2 Communications from client, other authorities and details of client's status are communicated to instructing legal officer 4.3 File is discussed with legal officer and work is planned and diarised 4.4 Availability of legal officers is canvassed and details are forwarded to instructing legal officer to facilitate engagement 4.5 Briefs for legal officers are prepared in conjunction with instructing legal officer and are delivered

ELEMENT	PERFORMANCE CRITERIA
1. <b>Plan and prepare for the provision of support in contract law</b>	1.1 <b>Instructions</b> that require the provision of support in contract law are received and acted upon 1.2 Circumstances are analysed and contract issues are interpreted and clearly defined 4.6 Liaison and communication between instructing legal officer and other parties is facilitated 4.7 Reminders of pending <b>critical dates</b> are forwarded to relevant persons
5. <b>Conduct contract and post contract administration</b>	5.1 Relevant contract administrative instruction is prepared/processed 5.2 Contract participants are notified of <b>relevant details</b> 5.3 Post contract documents are collected and archived as appropriate, outcomes are notified, accounts are prepared and relevant reviewing is authority notified

## Required Skills and Knowledge

### REQUIRED SKILLS AND KNOWLEDGE

This describes the essential skills and knowledge and their level, required for this unit.

#### Required Skills

- communicate ideas, arguments and conclusions logically
- conduct research
- conflict resolution
- identify and evaluate status of information
- follow complex legal procedures
- follow written and oral instructions with regards to preparation of briefs
- prepare complex legal documents
- prepare summaries of cases
- proofread and check for accuracy
- use appropriate legal terminology

#### Required Knowledge

- applicable legal practices and procedures required in the full range of tasks covered
- legal terminology
- legal terminology specific to contract law
- policies, processes and procedures
- relationships between different contract matters, jurisdictions and types of courts or tribunals
- relevant contract law
- relevant legal process, legislation and sections, and stages involved in the legal process

## Evidence Guide

### EVIDENCE GUIDE

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### **Critical aspects for assessment and evidence required to demonstrate competency in this unit**

Assessment must confirm the ability to identify the issues surrounding the provision of support in contract law matters, and to research and analyse information in relation to these issues; to comply with professional codes of practice and ethical standards at all times; and to implement access, equity and diversity principles and practices.

Assessment must also confirm the ability to support the instructing legal officer or senior paralegal to prepare for contract negotiations and contract preparation.

### **Consistency in performance**

Competency should be demonstrated providing a range of support services over time.

### **Context of and specific resources for assessment**

#### **Context of assessment**

Competency should be assessed in the workplace or in a simulated workplace environment providing a range of support services that could be expected in the workplace.

#### **Specific resources for assessment**

Access to appropriate documentation and resources normally found in the work environment and required for the job or task to be properly performed.

### **Guidance information for assessment**

Information that will assist or guide assessment will be written during Phase II of the Review of the PUA00 Public Safety Training Package.

## 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 in the Performance Criteria is detailed below.

<b>Contract law may include</b>	<ul style="list-style-type: none"> <li>Relevant state/territory/commonwealth legislation</li> <li>International law and inter-government agreements</li> </ul>
<b>Contracts and contract negotiations may include</b>	<ul style="list-style-type: none"> <li>Commercial leases and contracts</li> <li>Corporation issues</li> <li>Environmental issues</li> <li>Equity issues</li> <li>Financial and accounting issues</li> <li>Heritage issues</li> <li>Humanitarian issues</li> <li>Intellectual property rights issues</li> <li>Memorandum of understanding</li> </ul>
<b>Instructions may include</b>	<ul style="list-style-type: none"> <li>Documentary material, exhibits and evidence</li> <li>Oral or written correspondence, including from the command structure, commanding officer or an individual</li> <li>Summary of matter</li> </ul>
<b>Documents may include</b>	<ul style="list-style-type: none"> <li>Accounts</li> <li>Adjournment letters</li> <li>Confirming/reporting letters outlining results of contract discussions/negotiations</li> <li>Forms</li> <li>Reminder letters</li> <li>Summons/orders</li> </ul>
<b>Legal practices and procedures may include</b>	<ul style="list-style-type: none"> <li>Engaging experts</li> <li>Equity</li> <li>Instructing legal officer supervisory procedures</li> <li>Practice notes</li> <li>Protocol for accommodating special client needs</li> </ul>



**RANGE STATEMENT**

	Protocol for contacting clients e.g. translator, interpreter
	Recording information
	Security/confidentiality/privacy procedures
	Verifying and authorising information
<b>Relevant documents and exhibits for review may include</b>	Artefacts
	Briefs
	Expert reports
	Further and better particulars
	Letters
	Photographs
	Service history
	Videos
<b>Different contract matters may include</b>	Operations environment
	Service activities
<b>Critical dates may include</b>	Appointments
	Contractual agreements
<b>Relevant details may include</b>	Date
	Time
	Venue

**Unit Sector(s)**

Not applicable.

**Corequisite Unit/s**

**Co-requisite Unit/s** Nil