



Australian Government

**Assessment Requirements for SISXIND003
Maintain legal knowledge for organisation
governance**

Release: 1

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Modification History

Not applicable.

Performance Evidence

Evidence of the ability to complete tasks outlined in elements and performance criteria of this unit in the context of the job role, and:

- access and interpret regulatory information and determine the scope of compliance for specific business operations in relation to at least three different areas of compliance
- develop a diverse range of policies and procedures for legal compliance with above areas of compliance
- integrate, into compliance planning activities and documentation:
 - sources of detailed information and advice on regulatory compliance
 - objectives and primary components of a broad range of local, state, territory and commonwealth government laws relevant to specific sport, fitness or recreation business operations
 - use of policies and procedures in managing regulatory compliance.

Knowledge Evidence

Demonstrated knowledge required to complete the tasks outlined in elements and performance criteria of this unit:

- legal responsibilities and liabilities of managers and directors in varying business structures
- sources of information and advice on regulatory compliance:
 - local, state, territory or commonwealth government departments or regulatory agencies
 - industry associations
 - plain English documentation that explains the operational requirements of legislation
- functions and general operating procedures of regulatory authorities of particular relevance to the sport, fitness or recreation industries
- methods of receiving updated information on laws and licensing requirements
- use of policies and procedures in managing regulatory compliance
- range of formats for and inclusions in policies and procedures
- objectives and primary components of a broad range of local, state, territory and commonwealth government laws to which all types of businesses must comply and that cover:
 - anti-discrimination especially provisions for Equal Employment Opportunity (EEO) and harassment

- Australian Consumer Law (ACL) especially provisions for refunds, exchanges and cancellations, terms and conditions of quotations and consumer contracts
- contracts
- employer superannuation contributions
- environmental protection especially provisions for environmental hazard identification, use of minimal impact practices and reporting of incidents
- Fair Work Act 2009 especially provisions for national employment standards
- local community protection especially provisions for land management and access and protecting the lifestyle of neighbouring residents
- taxation
- workplace relations
- public liability and duty of care
- work health and safety/occupational health and safety
- workers compensation especially provisions for injury reporting and occupational rehabilitation
- objectives and primary components of laws, codes, standards and licensing requirements that impact on specific operators in the sport, fitness or recreation industries; chosen to be applicable to the individual's context
- for each relevant law, code, standard and licensing requirement, the depth of knowledge must cover:
 - key practices that are prohibited by the law
 - auditing and inspection regimes
 - main consequences of non-compliance
 - need to apply for and maintain business or occupational licensing and associated mandatory training and certification requirements
 - requirements for record keeping and acceptable record keeping mechanisms
 - statutory reporting requirements for businesses
 - key business insurances required including public liability and workers compensation
 - adherence to mandatory codes of conduct enshrined in legislation
 - requirements to develop and implement plans, policies, codes of conduct or incorporate certain business practices
 - rights and responsibilities of employees and employers
 - other specific action that must be taken for legal compliance
- sources of legal information and advice relevant to particular industry sectors
- legal framework under which organisations operate:
 - non-incorporated groups
 - incorporated
 - company
 - company limited by guarantee
 - trust.

Assessment Conditions

Skills must be demonstrated in:

- a sport, fitness or recreation environment or context for which a tailored set of regulatory requirements can be researched and compliance management implemented. This can be a workplace or simulated environment.

Assessment must ensure access to:

- computers, software programs, printers and communication technology used to administer regulatory requirements
- current legislation
- current plain English regulatory documents distributed by government regulators
- codes of practice and standards issued by regulatory authorities
- regulatory information and business management manuals issued by industry associations or commercial publishers
- current commercial policies and procedures used to manage regulatory issues
- sources of specialist legal advice:
 - compliance consultants
 - industry associations
 - lawyers
 - local, state, territory or commonwealth government departments or regulatory agencies.

Assessors must satisfy the Standards for Registered Training Organisations' requirements for assessors.

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=1ca50016-24d2-4161-a044-d3faa200268b>