



Australian Government

Department of Education, Employment and Workplace Relations

AURA354616A Determine legal aspects of an automotive service and repair contract

Release: 1

AURA354616A Determine legal aspects of an automotive service and repair contract

Modification History

Not Applicable

Unit Descriptor

Unit descriptor	This unit of competency covers the competence to act within legal and ethical boundaries in dealing with customers and implement measures to avoid disputes and resolve those that do occur.
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Application of the Unit

Application of the unit	This unit of competency applies to the legal and ethical operation in retail, service and repair. Methods include: • written and verbal communication • researching requirements • monitoring performance against requirements • ensuring currency of requirements • documentation. Work is carried out in accordance with award provisions
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Licensing/Regulatory Information

Not Applicable

Pre-Requisites

Prerequisite units		

Employability Skills Information

Employability skills	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. Comply with service and repair contract and agreement legislation	1.1. Identify and comply with the rights and legal obligations of parties involved in a valid service and repair contract 1.2. Identify and comply with the legal liabilities of a repairer who performs service or repair work without a valid contract 1.3. Prepare draft documents that would form a valid contract for service and repair work in the automotive industry 1.4. Implement procedures to advise customers of the nature of the contract they are entering into requesting service and repair work to be undertaken 1.5. Implement procedures for staff to follow to ensure valid contracts are in place for all stages of work undertaken 1.6. Implement procedures to minimise liability or customer claims in relationship to bailment 1.7. Identify which regulatory bodies have authority to inspect the premises and the procedures for this to occur
2. Establish warranties in accordance with legal requirements and company policy	2.1. Ensure customer statutory rights have been protected 2.2. Ensure warranty documents have regard for fair trading principles 2.3. Ensure warranty interpretation is in accordance with company policy
3. Enforce contract in accordance with legal requirements and company policy	3.1. Develop company policy on payment terms for services rendered 3.2. Identify and observe different forms of liens and their applicability of the automotive industry 3.3. Identify and observe the legal rights and obligations of an automotive business in respect of the disposal or sale of uncollected vehicles or goods 3.4. Outline the legal procedure that should be followed for recovery of payment when a customer is in default of payment
4. Dispute resolution in the automotive industry	4.1. Implement procedures to minimise disputes with customers 4.2. Maintain necessary records to support positions in disputes with customers 4.3. Identify external sources of assistance in dispute resolution 4.4. Monitor customer disputes and resolutions to implement procedures for avoidance strategies

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

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

Required skills

- collect, organise and understand information related to legal and ethical business dealings
- communicate ideas and information to customers and supervisors related to legal and ethical business dealings
- plan and organise activities related to legal and ethical business dealings
- work with others and in a team by observing and conveying information related to planning, sequencing and completion of the task
- use mathematical ideas and techniques to count and measure
- establish and utilise processes that identify appropriate methods related to legal and ethical business dealings
- use workplace technology related to legal and ethical business dealings

Required knowledge

- legal and ethical requirements related to contracts
- warranty rights and responsibilities of suppliers and repairers
- components of a valid contract
- written communication and report writing skills procedures
- oral communication skills procedures
- assessing vehicle damage and recommended repair methods
- dispute resolution techniques

Evidence Guide

EVIDENCE GUIDE

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.

Overview of assessment

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

It is essential that competence is fully observed and there is ability to transfer the competence to changing circumstances and to respond to unusual situations in critical aspects of:

- establishment and revision of model customer contracts
- implementation procedures to avoid or deal with customer disputes
- maintenance of customer records
- identification of key components of a valid service and repair contract
- establishment of an appropriate paper trail and records to verify actions taken in a dispute situation.

Context of and specific resources for assessment

- Underpinning knowledge may be assessed on or off the job.
- Assessment of practical skills must take place only after a period of supervised practice and repetitive experience. Assessment must take place in the workplace.
- The prescribed outcome must be able to be achieved without direct supervision.

Method of assessment

Guidance information for assessment

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

RANGE STATEMENT	
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.	
Resources	Resources may include: • enterprise stationery, telephone and appropriate forms/business documents • repair orders, job cards and invoices • sample repair contracts • computer, calculator and software • customer records
Information/documents	Sources of information/documents may include: • consumer legislation and regulation, including sections of the Trade Practices Act • enterprise operating procedures • product manufacturer/component supplier specifications and warranties • customer requirements • industry/workplace codes of practice • state/industry OHS legislation • contract law information relevant to automotive business • company policy on payment terms • industry association code of ethics

Unit Sector(s)

Unit sector	Administration
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Co-requisite units

Co-requisite units	

Competency field

Competency field	
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