



Australian Government

BSBCNV612 Identify and apply legal requirements for a conveyancing transaction

Release: 1

BSBCNV612 Identify and apply legal requirements for a conveyancing transaction

Modification History

Release	Comments
Release 1	This version first released with BSB Business Services Training Package Version 7.0.

Application

This unit describes the skills and knowledge required to analyse and interpret legal requirements for conveyancing transactions within a range of contexts and environments. It encompasses identifying and applying statutory interpretation techniques, identifying and tracking changes to relevant legislation and codes of conduct, and maintaining appropriate records.

It applies to individuals who use specialised knowledge and skills to research and evaluate complex information and compliance requirements and apply that information to relevant tasks.

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

Unit Sector

Technical Skills – Conveyancing

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. Interpret legal principles and legislative requirements	1.1 Identify conveyancing practice's legal framework 1.2 Access legislation and regulations relevant to the provision of conveyancing services 1.3 Interpret relevant legislation and its application to conveyancing practice 1.4 Identify and analyse relevant case law for relevant legal principles

2. Evaluate legislative requirements	2.1 Interpret and analyse the structure of legislation and regulations that relate to conveyancing transactions 2.2 Analyse common interpretation problems 2.3 Apply interpretation rules and techniques relating to legislation and regulations in conveyancing transactions
3. Track and interpret changes to legislation and regulations	3.1 Identify processes that lead to changes in legislation and regulations 3.2 Access source documents for amendment legislation relevant to provision of conveyancing services 3.3 Establish process and technique for tracking amendments to legislation and regulations 3.4 Interpret and address implications of changes to legislative and regulatory requirements in line with agency procedures 3.5 Communicate changes to legislative and regulatory requirements to relevant people in line with agency policies and procedures
4. Comply with codes of conduct	4.1 Source and access relevant codes of conduct 4.2 Interpret relationship between industry codes of conduct and legislative requirements 4.3 Apply key principles and responsibilities of codes of conduct to own work in line with industry practice 4.4 Confirm own ethical behaviour complies with relevant codes of conduct
5. Maintain records of legislation and industry codes	5.1 Identify practice processes and the personnel responsible for monitoring and communicating changes to legislation and industry codes of conduct 5.2 Maintain relevant records of legislation, regulations and codes of conduct

Foundation Skills

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

Skill	Description
Reading	Accesses information and uses analytical skills to interpret complex documentation from a variety of sources
Writing	- Prepares complex documents including formal and informal letters, reports and applications - Completes forms and maintains records

Oral Communication	• Participates in verbal exchanges to convey and clarify information with range of personnel
Self-management	• Takes full responsibility for following policies, procedures and legislative requirements and identifies organisational implications of new legislation or regulations • Understands responsibilities of own role to behave ethically and according to codes of practice
Planning and organising	• Plans, schedules and implements processes and tasks to maintain currency of legislation, regulation and codes of practice for organisational use
Problem solving	• Uses problem solving processes to identify, analyse and resolve issues that could have legal consequences
Technology	• Uses the main features and functions of digital tools to complete work tasks and access information

Unit Mapping Information

Supersedes and is equivalent to BSBCNV503 Analyse and interpret legal requirements for a transaction.

Links

Companion Volume Implementation Guide is found on VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=11ef6853-ceed-4ba7-9d87-4da407e23c10>

Assessment Requirements for BSBCNV612 Identify and apply legal requirements for a conveyancing transaction

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Performance Evidence

The candidate must demonstrate the ability to complete the tasks outlined in the elements, performance criteria and foundation skills of this unit, including evidence of the ability to:

- interpret and comply with legislation and industry codes of conduct relating to conveyancing transactions and agency operations.

In the course of the above, the candidate must:

conduct legal research

communicate key information to clients and other relevant professionals

maintain file records.

Knowledge Evidence

The candidate must be able to demonstrate knowledge to complete the tasks outlined in the elements, performance criteria and foundation skills of this unit, including knowledge of:

- legal principles, requirements and amendments affecting conveyancing transactions and agency operations
- industry codes of conduct
- common problems associated with interpreting legislation
- relevant case law
- features of Commonwealth, and State or Territory legislation and local government regulations relating to:
 - contracts of sale of land
 - leases, easements, encumbrances, caveats and planning laws
 - disclosure requirements
 - duties and taxes
 - government fees and registration requirements
 - government reporting requirements
 - insurance
 - relevant legislation regarding the payment of a deposit

- estate agents' legislative requirements
- competition and consumer protection
- privacy
- corporations and other legal entities.

Assessment Conditions

Skills in this unit must be demonstrated in a workplace or simulated environment where the conditions are typical of those in a working environment in this industry.

This includes access to:

- assessment records showing the preparation of a variety of legal documents to support a transaction.

Assessors of this unit must satisfy the requirements for assessors in applicable vocational education and training legislation, frameworks and/or standards.

Links

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