



Australian Government

BSBLEG416 Apply the principles of the law of torts

Release: 1

BSBLEG416 Apply the principles of the law of torts

Modification History

Release	Comments
Release 1	This version first released with BSB Business Services Training Package Version 1.0.

Application

This unit describes the skills and knowledge required to assess, analyse, and evaluate tort law matters, and apply the principles of the law of torts.

It applies to individuals who provide administrative support in a range of legal service settings.

No licensing, legislative or certification requirements apply to this unit at the time of publication.

Unit Sector

Administration – Legal Services Administration

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. Define nature and meaning of law of torts	1.1 Access sources of legal information on nature and meaning of law of torts 1.2 Distinguish tort from crime, breach of contract, or other legal obligations
2. Identify principles of law of torts	2.1 Define legal principles in application of law of torts 2.2 Determine key elements of law of torts matters
3. Apply relevant elements of tort	3.1 Assess legal matters relevant to possible torts 3.2 Analyse and evaluate information 3.3 Extract and document information relevant to the particular matter

ELEMENT	PERFORMANCE CRITERIA
4. Identify remedies for breaches of law of torts	4.1 Identify circumstances giving rise to liability in law of torts 4.2 Identify and document remedies applicable to breach 4.3 Submit findings to designated person according to organisational policies and procedures

Foundation Skills

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

Skill	Performance Criteria	Description
Reading	1.1, 1.2, 3.1-3.3, 4.1, 4.2	Identifies, reviews and interprets complex legal text from a range of sources and determines how content may be applied in application of torts law
Writing	3.3, 4.2	Documents research findings, analyses and evaluations using format, language and structure suitable to audience and environment
Oral Communication	1.1, 4.3	- Uses questioning and listening techniques to elicit information - Presents factual information and recommendations using specific and relevant language and features
Navigate the world of work	4.3	Takes personal responsibility for following organisational policies and procedures
Interact with others	4.3	Selects appropriate form, channel and mode of communication for a specific purpose relevant to own role
Get the work done	1.2, 3.1-3.3, 4.1, 4.2	- Plans, organises and implements tasks required to achieve organisational outcomes - Makes a range of critical and non-critical decisions in relatively complex situations, analysing a range of factors to inform decision-making - Uses formal analytical thinking techniques to identify issues and generate possible solutions

Unit Mapping Information

Code and title current version	Code and title previous version	Comments	Equivalence status
BSBLEG416 Apply the principles of the law of torts	BSBLEG416A Apply the principles of the law of torts	Updated to meet Standards for Training Packages	Equivalent unit

Links

Companion Volume implementation guides are found in VETNet -

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

Assessment Requirements for BSBLEG416 Apply the principles of the law of torts

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Performance Evidence

Evidence of the ability to:

- locate legal information from a range of sources
- document central tenets and applications of torts law
- provide a documented explanation of burden in law of torts.

Note: If a specific volume or frequency is not stated, then evidence must be provided at least once.

Knowledge Evidence

To complete the unit requirements safely and effectively, the individual must:

- define commonly used legal terminology, institutions and main features of Australian legal system
- outline methods used to identify appropriate information about sources of Australian law
- identify torts relating to:
 - negligence
 - negligent misrepresentation
 - person, goods and land
- explain meaning of:
 - occupier's liability
 - vicarious liability
- explain law of defamation.

Assessment Conditions

Assessment must be conducted in a safe environment where evidence gathered demonstrates consistent performance of typical activities experienced in the legal services administration field of work and include access to:

- office equipment and materials
- legislation and regulations relevant to tort law
- sources of information on tort law.

Assessors must satisfy NVR/AQTF assessor requirements.

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