



**Australian Government**

# **CPCCB5007 Administer the legal obligations of a building and construction contractor**

**Release: 2**

# **CPCBC5007 Administer the legal obligations of a building and construction contractor**

## **Modification History**

Release 2 Updated reference to general construction induction training program.

Release 1 This version first released with CPC Construction, Plumbing and Services Training Package Release 5.0.

Supersedes and is equivalent to CPCBC5007B Administer the legal obligations of a building or construction contractor. Updated to meet the Standards for Training Packages 2012.

## **Application**

This unit of competency specifies the skills and knowledge required to administer the legal obligations of a building and construction contractor, as either party to a contract. It includes maintaining legal obligations, licensing and registration, and managing systems for ensuring compliance with legislation.

It applies to National Construction Code (NCC) classifications:

- Residential - Class 1 and 10 buildings, maximum three storeys
- Commercial - Class 2 to 9, Type B and C.

This unit of competency applies to builders, senior managers within building and construction organisations and other construction industry personnel responsible for administering and ensuring contractor obligations and responsibilities are fulfilled for building and construction projects.

Completion of the general construction induction training program specified by the model Code of Practice for Construction Work is required for any person who is to carry out construction work. Achievement of *CPCWHS1001 Prepare to work safely in the construction industry* meets this requirement.

Licensing, regulatory or registration requirements apply to this unit of competency in some jurisdictions. Relevant state and territory regulatory authorities should be consulted to confirm these requirements.

## **Pre-requisite Unit**

Nil.

## **Unit Sector**

Building and Construction

## Elements and Performance Criteria

Elements describe the essential outcomes.

Performance criteria describe what needs to be done to demonstrate achievement of the element.

- |                                                   |                                                                                                                                    |
|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| 1 Establish legal requirements of the business.   | 1.1 Secure business registration of the organisation in accordance with owner/operator preferences and legal requirements.         |
|                                                   | 1.2 Seek approval of licensing and registration as a contractor/supervisor from the appropriate government agency.                 |
|                                                   | 1.3 Investigate and meet legal responsibilities of operating a construction business.                                              |
|                                                   | 1.4 Complete, submit and maintain accurate and secure legal documents and records.                                                 |
| 2 Engage personnel for the project.               | 2.1 Identify and interpret relevant industrial awards for the hiring of staff or labour.                                           |
|                                                   | 2.2 Determine contracts of employment on a case-by-case basis and implement the principles and legalities of workplace agreements. |
|                                                   | 2.3 Apply equal opportunity principles in all aspects of recruitment and selection of staff and other personnel.                   |
|                                                   | 2.4 Follow procedures for employment termination and redundancy.                                                                   |
|                                                   | 2.5 Establish, document and implement dispute resolution processes as necessary.                                                   |
|                                                   | 2.6 Identify and implement workers compensation policies.                                                                          |
| 3 Meet work health and safety (WHS) requirements. | 3.1 Comply with WHS legislation.                                                                                                   |
|                                                   | 3.2 Investigate and apply for necessary approvals or permits from WHS authority prior to work commencing.                          |
|                                                   | 3.3 Inform workers of their rights and responsibilities and ensure a safe workplace that complies with legislative requirements.   |

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|-------------------------------------------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------|
|                                           | 3.4 | Adhere to regulations relating to noise abatement and working hours.                                                                          |
|                                           | 3.5 | Inform workers of personal and organisational obligations and ensure that workers have been inducted.                                         |
|                                           | 3.6 | Facilitate and implement rehabilitation arrangements for employees returning from injury or illness.                                          |
|                                           | 3.7 | Assist workers returning to work after injury or illness to regain full employment status as soon as practicable.                             |
| 4 Administer business obligations.        | 4.1 | Collect, record and make taxation and Goods and Services Tax (GST) payments in compliance with Australian Taxation Office (ATO) requirements. |
|                                           | 4.2 | Calculate and contribute individual worker's superannuation entitlements.                                                                     |
|                                           | 4.3 | Evaluate and attain adequate personnel, property and project work insurance policies.                                                         |
|                                           | 4.4 | Implement and maintain consumer fair trading practices ethically, effectively and efficiently.                                                |
| 5 Comply with environmental requirements. | 5.1 | Introduce and use renewable materials as a primary aim, wherever possible, over non-renewable materials.                                      |
|                                           | 5.2 | Minimise use of high energy materials and introduce low energy materials where practical.                                                     |
|                                           | 5.3 | Implement processes to ensure compliance with environmental protection and sustainability requirements.                                       |

## Foundation Skills

As well as the foundation skills explicit in the performance criteria of this unit, candidates require:

- writing skills to:
  - complete legal documents and records
- communication skills to:

- liaise verbally and in writing with government agencies
- provide information to employees and other stakeholders
- technology skills to:
  - use communication tools and devices to communicate and collaborate effectively with others
  - use equipment and programs to access, extract information and develop relevant documentation.

## Unit Mapping Information

Supersedes and is equivalent to CPCCBBC5007B Administer the legal obligations of a building or construction contractor.

## Links

Companion volumes to this training package are available at the VETNet website - <https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=7e15fa6a-68b8-4097-b099-030a5569b1ad>

# **Assessment Requirements for CPCBC5007 Administer the legal obligations of a building and construction contractor**

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## **Performance Evidence**

To demonstrate competency, a candidate must meet the performance criteria of this unit by administering the contractor's legal obligations of one building or construction project.

In doing this, the candidate must:

- advise appropriate authorities and gain the necessary approvals or responses
- establish and maintain good human relations with contracted employees, subcontractors and other stakeholders
- manage organisational taxation and insurance obligations

## **Knowledge Evidence**

To be competent in this unit, a candidate must demonstrate knowledge of:

- Commonwealth and state/territory legislation and regulations appropriate to the operations of the business:
  - Building Code of Australia (BCA)
  - Australian Consumer Law (ACL)
  - Australian Securities and Investments Commission (ASIC)
  - public liability, workers compensation, property and project work insurance requirements
  - industrial relations Acts and regulations
  - privacy
  - superannuation contributions
  - work health and safety (WHS)
  - environmental and sustainability
- Australian Tax Office (ATO) requirements
- builder's registration and licensing requirements

- return to work and rehabilitation arrangements
- employees and subcontractor's awards and agreements
- building industry codes of practice and standards
- Australian Business Licence and Information Service (ABLIS)
- local building authority regulations.

## **Assessment Conditions**

Assessors must meet the requirements for assessors contained in the Standards for Registered Training Organisations.

Assessment of performance must be undertaken in the workplace or in a realistically simulated workplace environment.

Candidates must have access to:

- current and relevant Commonwealth and state and territory legislation for businesses
- relevant codes, standards and regulations for operating a business
- copies of appropriate awards, workplace agreements and contracts
- business equipment and technology to access information, lodge documentation and records, securely store legal documentation and records and facilitate administration of legal obligations of a building or construction contractor.

## **Links**

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