



Australian Government

DEFLAW003 Provide advice on service administrative law

Release: 1

DEFLAW003 Provide advice on service administrative law

Modification History

Release	Comments
1	This unit was released in DEF Defence Training Package release 1.0 and meets the Standards for Training Packages. This unit supersedes and is equivalent to DEFCM122A Provide advice on service administrative law. • Unit code updated • Content and formatting updated to comply with new standards • All PC transitioned from passive to active voice • PC 2.2 and 2.3 merged

Application

This unit describes the skills required to provide advice to subordinates on the procedural aspects and practical application of service administrative law as it relates to the Australian Defence Force (ADF). This is to assist supervisors in the following situations:

- reviewing administrative sanctions
- reviewing the Notice to Show Cause process
- drafting a regress of grievance
- listing common administrative law references
- reviewing administrative law principles
- outlining how administrative law processes apply to common ADF policies such as illicit drugs, equity and diversity, harassment and bullying, sexual harassment, alcohol abuse

This unit applies to those working as members of the ADF.

The skills and knowledge described in this unit must be applied within the legislative, regulatory and policy environment in which they are carried out. Organisational policies and procedures must be consulted and adhered to.

Those undertaking this unit must have authority to act independently, have or will have responsibility for subordinates, would work under the commander's direction, while performing complex tasks in a broad range of contexts.

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

Competency Field

Military Justice

Elements and Performance Criteria

ELEMENTS	PERFORMANCE CRITERIA
Elements describe the essential outcomes	Performance criteria describe the performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the range of conditions section.
1. Plan and prepare to provide advice on service administrative law	1.1 Identify circumstances that require the provision of advice on service administrative law. 1.2 Analyse circumstances and conduct research within the scope of own responsibility. 1.3 Locate and interpret guidance in relevant administrative law organisational policy documents.
2. Provide information on service administrative law	2.1 Identify and explain policy references on common administrative law issues to subordinates. 2.2 Explain procedures on common administrative law issues and administrative law principles to subordinates. 2.3 Provide assistance to subordinates in preparing common administrative law documents.

Foundation Skills

The foundation skills demands of this unit have been mapped for alignment with the Australian Core Skills Framework (ACSF). The following tables outline the performance levels indicated for successful attainment of the unit.

ACSF levels indicative of performance:

1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Learning N/A					Reading					Writing					Oral communication					Numeracy N/A				

Performance variables

1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Support					Context					Text complexity					Task complexity				

Further information on ACSF and the foundation skills underpinning this unit can be found in the Foundation Skills Guide on the GSA website.

Unit Mapping Information

This unit supersedes and is equivalent to DEFCM122A Provide advice on service administrative law.

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=6bdbab1e-11ed-4bc9-9cba-9e1a55d4e4a9>

Companion Volume implementation guides are found in VETNet -

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Assessment Requirements for DEFLAW003 Provide advice on service administrative law

Modification History

Release	Comments
1	These Assessment Requirements were released in DEF Defence Training Package release 1.0 and meet the Standards for Training Packages. • Assessment Requirements created drawing upon specified assessment information from superseded unit

Performance Evidence

Evidence required to demonstrate competence must satisfy all of the requirements of the elements and performance criteria. The candidate must demonstrate evidence of performance of the following on at least one occasion.

- communicating effectively orally
- conducting briefings
- responding to questioning
- listening
- reflecting
- interpreting relevant policies
- undertaking research
- providing advice that is relevant and appropriate to the circumstances

Knowledge Evidence

Evidence required to demonstrate competence must satisfy all of the requirements of the elements and performance criteria. If not otherwise specified the depth of knowledge demonstrated must be appropriate to the job context of the candidate.

- ADF administrative policies and procedures for sanctions
- ADF drug and alcohol policies
- equity and diversity principles
- origin and structure of the Defence administrative system
- role, duties and powers of administrative decision makers

Assessment Conditions

Competency should be assessed in an actual workplace or in a simulated environment, with access to equipment and infrastructure appropriate to the outcome. Competency should be demonstrated over time to ensure the candidate is assessed across a variety of situations.

Assessors must satisfy the NVR/AQTF mandatory competency requirements for assessors.

Links

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