



Australian Government

Department of Education, Employment and Workplace Relations

DEFPL007B Provide support in contract law matters

Release: 1

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Modification History

Not applicable.

Unit Descriptor

Unit Descriptor

This unit covers the competency required to analyse information and prepare documents in contract law matters.

This competency includes researching case histories and assisting the instructing legal officer or senior paralegal to prepare *contracts and contract negotiations*.

Application of the Unit

Application of the Unit

The application of this unit in the workplace - the environments, complexities and situations involved - will be written during Phase II of the Review of the PUA00 Public Safety Training Package.

This text will be useful for the purposes of job descriptions, recruitment advice or job analysis; where possible, it will not be too job specific to allow other industries to import it into other Training Packages, where feasible.

Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Prerequisite Unit/s

Nil

Employability Skills Information

Employability Skills

This unit contains employability skills.

Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a Unit of Competency.

Performance Criteria describe the required performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the Required Skills and Knowledge and/or the Range Statement. Assessment of performance is to be consistent with the Evidence Guide.

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Plan and prepare for the provision of support in contract law	1.1 Instructions that require the provision of support in contract law are received and acted upon 1.2 Circumstances are analysed and contract issues are interpreted and clearly defined
2. Prepare and process documents involved in contract law matters	2.1 Documents are identified, prepared and processed in accordance with legal practices and procedures 2.2 Documents are despatched/served in accordance with legal practices and procedures 2.3 Incoming documents are checked for completeness and timely delivery and sender is contacted where insufficient information is provided or deadlines are not honoured 2.4 Requests for information are reviewed with the legal officer and identified documents are retrieved, copied and despatched in accordance with legal practices and procedures
3. Perform research to support instructing legal officer	3.1 Files are reviewed and research requirements are determined in conjunction with the instructing legal officer 3.2 Relevant documents and exhibits for review are retrieved and processed 3.3 Precedent and case law are retrieved, researched and reviewed, and summaries are made where appropriate 3.4 Summaries are forwarded to the instructing legal officer and explanations are presented where necessary
4. Assist instructing legal officer to prepare contracts and for contract negotiations	4.1 Different contract matters, jurisdictions and types of courts or tribunals are identified 4.2 Communications from client, other authorities and details of client's status are communicated to instructing legal officer 4.3 File is discussed with legal officer and work is planned and diarised 4.4 Availability of legal officers is canvassed and details are forwarded to instructing legal officer to facilitate engagement 4.5 Briefs for legal officers are prepared in conjunction with instructing legal officer and are delivered

ELEMENT	PERFORMANCE CRITERIA
1. Plan and prepare for the provision of support in contract law	1.1 Instructions that require the provision of support in contract law are received and acted upon 1.2 Circumstances are analysed and contract issues are interpreted and clearly defined 4.6 Liaison and communication between instructing legal officer and other parties is facilitated 4.7 Reminders of pending critical dates are forwarded to relevant persons
5. Conduct contract and post contract administration	5.1 Relevant contract administrative instruction is prepared/processed 5.2 Contract participants are notified of relevant details 5.3 Post contract documents are collected and archived as appropriate, outcomes are notified, accounts are prepared and relevant reviewing is authority notified

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

This describes the essential skills and knowledge and their level, required for this unit.

Required Skills

- communicate ideas, arguments and conclusions logically
- conduct research
- conflict resolution
- identify and evaluate status of information
- follow complex legal procedures
- follow written and oral instructions with regards to preparation of briefs
- prepare complex legal documents
- prepare summaries of cases
- proofread and check for accuracy
- use appropriate legal terminology

Required Knowledge

- applicable legal practices and procedures required in the full range of tasks covered
- legal terminology
- legal terminology specific to contract law
- policies, processes and procedures
- relationships between different contract matters, jurisdictions and types of courts or tribunals
- relevant contract law
- relevant legal process, legislation and sections, and stages involved in the legal process

Evidence Guide

EVIDENCE GUIDE

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

Assessment must confirm the ability to identify the issues surrounding the provision of support in contract law matters, and to research and analyse information in relation to these issues; to comply with professional codes of practice and ethical standards at all times; and to implement access, equity and diversity principles and practices.

Assessment must also confirm the ability to support the instructing legal officer or senior paralegal to prepare for contract negotiations and contract preparation.

Consistency in performance

Competency should be demonstrated providing a range of support services over time.

Context of and specific resources for assessment

Context of assessment

Competency should be assessed in the workplace or in a simulated workplace environment providing a range of support services that could be expected in the workplace.

Specific resources for assessment

Access to appropriate documentation and resources normally found in the work environment and required for the job or task to be properly performed.

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 in the Performance Criteria is detailed below.

Contracts and contract negotiations may include

Commercial leases and contracts
Corporation issues
Environmental issues
Equity issues
Financial and accounting issues
Heritage issues
Humanitarian issues
Intellectual property rights issues
Memorandum of understanding

Instructions may include

Documentary material, exhibits and evidence
Oral or written correspondence, including from the command structure, commanding officer or an individual
Summary of matter

Contract law may include

Relevant state/territory/commonwealth legislation
International law and inter-government agreements

Documents may include

Accounts
Adjournment letters
Confirming/reporting letters outlining results of contract discussions/negotiations
Forms
Reminder letters
Summons/orders

Legal practices and procedures may include

Engaging experts
Equity
Instructing legal officer supervisory procedures
Practice notes
Protocol for accommodating special client needs

RANGE STATEMENT

	Protocol for contacting clients e.g. translator, interpreter
	Recording information
	Security/confidentiality/privacy procedures
	Verifying and authorising information
Relevant documents and exhibits for review may include	Artefacts
	Briefs
	Expert reports
	Further and better particulars
	Letters
	Photographs
	Service history
	Videos
Different contract matters may include	Operations environment
	Service activities
Critical dates may include	Appointments
	Contractual agreements
Relevant details may include	Date
	Time
	Venue

Unit Sector(s)

Not applicable.

Corequisite Unit/s

Co-requisite Unit/s Nil