



Australian Government

Department of Education, Employment and Workplace Relations

DEFPL010B Provide advice on environmental law matters

Release: 1

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Modification History

Not applicable.

Unit Descriptor

Unit Descriptor

This unit covers the competency required to provide advice on environmental law matters.

This competency includes analysing the circumstances surrounding the matter, conducting research, consulting legal officers and providing information.

The advice provided in this competency must be within the legal limit of the individual's responsibility.

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 advice on environmental law	1.1 Circumstances that require the provision of advice on environmental law are identified in accordance with legal practices and procedures 1.2 Circumstances are analysed and issues are interpreted and clearly defined
2. Receive enquiry	2.1 Enquirer's needs are identified, analysed and clarified in accordance with legal practices and procedures 2.2 Legal limits of own responsibility are clearly outlined to enquirer before any information is imparted, in accordance with legal practices and procedures 2.3 Enquiries outside one's area of responsibility and knowledge are identified and assistance is sought or enquiry is referred on to a legal officer where appropriate
3. Provide information on environmental law	3.1 Enquirer's or event details and problem/s are recorded in accordance with legal practices and procedures 3.2 Information is relayed where available and appropriate in accordance with legal practices and procedures 3.3 Research is conducted within the scope of own responsibility 3.4 Non-disclosable information is not communicated and where any doubt exists as to the information's status it is not disclosed in accordance with legal practices and procedures
4. Consult legal officer to resolve issues	4.1 Issues are discussed with legal officer in accordance with legal practices and procedures 4.2 Issues are communicated to legal officer and resolution/action is discussed in accordance with legal practices and procedures 4.3 Suggested action/resolution is carried out in accordance with legal practices and procedures

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

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

Required Skills

- analyse information
- apply complex legal procedures
- apply legal practices and procedures
- communicate ideas, arguments and conclusions logically
- conduct research
- prepare complex legal documents
- identify and evaluate status of information
- use appropriate legal terminology

Required Knowledge

- applicable legal practices and procedures required in the full range of tasks covered
- codes of practice, ethical standards
- environmental law and related legislation
- legal limits of own responsibility
- legal terminology
- legal terminology specific to environmental 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 issues surrounding the provision of advice on environmental law matters, and to research and analyse information in relation to these issues; to provide advice and information within the legal limits of own responsibility; to comply with the professional codes of practice and ethical standards at all times; and to implement access, equity and diversity principles and practices.

Consistency in performance

Competency should be demonstrated providing a range of advice and information 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 advice and information 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.

Environmental law may include

International agreements
Relevant commonwealth, state, territory or local government legislation or by-laws related to environmental matters

Circumstances that require the provision of advice on environmental law may include

Australian Defence Force (ADF) exercises
Complaint
Event arising that may disclose a Defence service activity
Incidents arising or related to ADF service
Legal inquiry
Non-legal inquiry
Peace keeping
Seeking information
Seeking referral
Someone seeking disclosable information

Legal practices and procedures may include

Emergency procedures
Handling contingencies
Information sources
Information specific to the Defence legal service
Interviewing process
Providing disclaimers
Protocol for accommodating special client needs e.g. case manager, social worker, parole officer, translator, interpreter, service requirement
Protocol for handling enquiries
Recording information
Security/confidentiality/privacy procedures
Telephone protocol
Verifying and authorising information

RANGE STATEMENT

Enquirer may include	Civilian employees of the Defence organisation Commanders Defence civilians Other members of the ADF Outside agencies
Identification, analysis and clarification of enquirer's needs may include	Accommodating any communication difficulties Clarification of request or problem by summarising and repeating summaries to ensure information gathered is reflective of the information the enquirer wishes to communicate Sensitivity to enquirer's emotional/physical state, cultural and service background And may include the requirement to communicate: • in writing • in person • verbally • via third party • electronically
Legal limits of own responsibility may include those covered by	Provision of legal advice by a person who is not a qualified legal officer as defined by the Legal Practice Act Relationship between the client and the Defence legal service Relevant state/territory/commonwealth legislation
Information may include	Areas of law/practice the Defence legal service handles Correct contact in the Defence legal service Jurisdiction
Non-disclosable information may include that covered by	Legally privileged information Organisationally classified or caveated information Relevant state/territory/commonwealth legislation
Resolution/action may include	Advising enquirer after researching the appropriate information Not pursuing the matter Referring enquirer to another legal officer or

RANGE STATEMENT**Carrying out suggested action/resolution may include**

practitioner
Referring enquirer to supervisor or appropriate authority
Referring enquirer to the appropriate government department
Alternate dispute resolution
Documenting and filing communication
Informing enquirer of resolution
Notifying relevant department of enquiry
Promptly contacting enquirer where appropriate
Providing written or oral advice
Recording contact on database

Unit Sector(s)

Not applicable.

Corequisite Unit/s**Co-requisite Unit/s**

Nil