



Australian Government

FNSFMK505 Comply with financial services regulation and industry codes of practice

Release: 1

FNSFMK505 Comply with financial services regulation and industry codes of practice

Modification History

Release	Comments
Release 1	This version first released with FNS Financial Services Training Package Version 1.0.

Application

This unit describes the skills and knowledge required to ensure compliance with finance industry regulations and industry codes of practice on an organisational level.

It applies to individuals who use, maintain and disseminate highly specialised knowledge to a range of personnel to ensure compliance and quality standards.

Work functions in the occupational areas where this unit may be used are subject to regulatory requirements. Refer to the FNS Implementation Guide Companion Volume or the relevant regulator for specific guidance on requirements.

Unit Sector

Financial markets

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. Identify and apply organisational requirements of regulatory obligations	1.1 Access source documents for regulations relevant to provision of financial products and services 1.2 Identify procedural requirements of these source documents and their impact on organisational requirements and work practices 1.3 Execute procedural requirements in line with organisational policy 1.4 Comply with role authorities and restrictions identified in position profiles 1.5 Implement internal monitoring or audit program according to organisational and role requirements

ELEMENT	PERFORMANCE CRITERIA
2. Identify changes to regulations and procedural implications	2.1 Establish mechanism to ensure currency of regulatory literature is maintained 2.2 Identify, access and communicate changed regulations and policies in a timely manner in accordance with organisational policy 2.3 Review operational procedures to accurately reflect changes to regulations 2.4 Identify implications for products and services, and implement changes in accordance with client, regulatory and organisational requirements
3. Comply with any relevant industry or professional codes	3.1 Source and access relevant industry codes of practice 3.2 Interpret implications of industry codes of practice and confirm and clarify with relevant persons as required 3.3 Execute changes to organisational policy, procedures and practices to align with industry codes of practice
4. Maintain statutory records	4.1 Maintain relevant records and keep copies of any relevant agreements on file 4.2 Maintain evidence of current authorisation, training and relevant licences in accordance with organisational, legal and regulatory requirements

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, 2.1, 2.2, 2.3, 3.1, 3.2	Researches, analyses and interprets complex information from a range of sources
Writing	2.2, 3.2, 4.1, 4.2	Produces reports and records information using language, concepts and terminology appropriate to audience and purpose
Oral Communication	2.2, 3.2	Participates effectively in verbal exchanges and clearly explains and presents complex information using language, tone and pace appropriate to audience

Navigate the world of work	1.3, 1.4, 1.5, 2.1, 2.2, 2.4, 3.1-3.3, 4.2	• Takes full responsibility for following policies, procedures and legislative requirements, and identifies organisational implications of new legislation or regulation • Maintains knowledge required to carry out work role
Interact with others	1.4, 1.5, 2.2, 2.4, 3.2	• Communicate changes to legislation, codes of practice and organisational requirements to relevant persons and seeks clarification of interpretation as required.
Get the work done	1.1, 1.2, 1.3, 1.5, 2.1-2.4, 3.1, 3.2, 4.1, 4.2	• Accepts responsibility for planning and sequencing complex tasks and workload • Applies systematic and analytical decision-making processes to make recommendations in complex and non-routine situations • Uses the main features and functions of digital tools to complete work tasks, store data and access information

Unit Mapping Information

Code and title current version	Code and title previous version	Comments	Equivalence status
FNSFMK505 Comply with financial services regulation and industry codes of practice	FNSFMK505A Comply with financial services legislation and industry codes of practice	Updated to meet Standards for Training Packages Revised title Rewritten and clarified performance criteria in elements 1-3	Equivalent unit

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=c7200cc8-0566-4f04-b76f-e89fd6f102fe>

Assessment Requirements for FNSFMK505 Comply with financial services regulation and industry codes of practice

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Performance Evidence

Evidence of the ability to:

- access, accurately interpret and comply with relevant industry codes of practice and relevant regulations
- explain changes and implications of regulations to clients and colleagues
- accurately maintain statutory records in a timely manner.

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:

- explain compliance issues relating to:
 - disclosure of capacity criteria
 - contract law principles
 - duty of care principles
 - fiduciary duties
 - general obligations of a financial services officer
 - laws of principal and agents
- describe the key features of:
 - organisation's financial products and services
 - relevant agency agreements or broker authority
 - relevant industry codes of practice
 - relevant regulation pertaining to the financial services industry
- identify and categorise the statutory records a financial services organisation needs to maintain
- explain the internal monitoring or audit program process.

Assessment Conditions

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

- office equipment, technology, software and consumables
- financial services legislative and industry code of practice information.

Assessors must satisfy NVR/AQTF assessor requirements.

Links

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<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=c7200cc8-0566-4f04-b76f-e89fd6f102fe>