



Australian Government

MSFFDT5014 Investigate legal requirements for design

Release: 1

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Modification History

Release 1 - New unit of competency

Application

This unit of competency covers investigating legal requirements for design, including procurement, business legalities, contractual obligations and operational issues. It applies to an industry workplace or design studio environment and involves application of skills and knowledge at a managerial level.

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

Pre-requisite Unit

Competency Field

Unit Sector

Furniture design and technology

Elements and Performance Criteria

Elements describe the essential outcomes.		Performance criteria describe the performance needed to demonstrate achievement of the element.	
1	Research legal requirements	1.1	Applicable work health and safety (WHS), legislative and organisational requirements relevant to investigating legal requirements for design are verified and complied with
		1.2	Communication with others is established and maintained in accordance with WHS requirements
		1.3	Legal requirements affecting the enterprise are detected and researched
		1.4	Enterprise legal requirements are analysed and procedures developed and implemented to ensure full compliance
2	Comply with legal requirements	2.1	Business registration and government procedures are adhered to

- 2.2 Suitable employment conditions, including industrial relations, are abided by
- 2.3 Contracts and invoices used comply with legal requirements
- 2.4 Operational codes of practice are researched and applied to day-to-day procedures
- 2.5 Essential insurances are obtained and are regularly updated
- 2.6 Procurement rights are adhered to and applied for own products
- 2.7 WHS regulations are stringently applied and followed
- 2.8 Import and export regulations are adhered to
- 2.9 Risk management policies are applied, updated and maintained

Foundation Skills

Foundation skills essential to performance are explicit in the performance criteria of this unit of competency. Detail on appropriate performance levels for each furnishing unit of competency in reading, writing, oral communication and numeracy utilising the Australian Core Skills Framework (ACSF) are provided in the Furnishing Training Package Implementation Guide.

Range of Conditions

Specifies different work environments and conditions that may affect performance. Essential operating conditions that may be present (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) are included. Range is restricted to essential operating conditions and any other variables essential to the work environment.

Organisational requirements include:

- policies and procedures relating to own role and responsibility
- quality assurance
- procedural manuals
- quality and continuous improvement processes and standards
- WHS, emergency and evacuation requirements

Legal requirements include:	• ethical standards • recording and reporting • access and equity principles and practices • laws, regulations or policies which affect the operating systems of an enterprise
Enterprises include:	• sole traders • partnerships • trusts • franchises • agencies • companies • consortiums
Business registration includes:	• business name registration • achievement of an Australian Business Number (ABN) • ownership transfer arrangements and licensing
Government procedures include:	• taxation and accounting requirements • superannuation provisions • business activity statements and the Goods and Services Tax (GST) • tax file number • Pay As You Go (PAYG) • withholding tax
Employment conditions include:	• industrial relations • award rates • employment conditions • unfair dismissal laws • equal employment opportunities (EEO) • anti-discrimination • enterprise agreements • privacy • confidentiality • duty of care
Contracts and invoices include:	• contracts deemed legal by authorities with: • suppliers • owners • employees • landlords • agents • distributors • customers

Operational codes of practice include:	• Australian Standards • industry codes of practice • equipment operating standards or regulations • resource access regulations
Insurances include:	• professional indemnity • public liability • income protection • third party • comprehensive • building and contents insurance • workers compensation • any other legally prescribed insurance
Procurement rights include:	• royalties • copyright • patents • trademarks • design registration • intellectual property • software licences
Import and export regulations include:	• duties • tariffs • customs • immigration • any countries relevant import and export laws
Risk management includes:	• provisions for ensuring all potential legal possibilities have been investigated and evaluated to minimise threats to continuing efficiency, profitability and success of its operations

Unit Mapping Information

Supersedes and is equivalent to LMFFDT6004A Investigate legal requirements for design networks

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=0601ab95-583a-4e93-b2d4-cfb27b03ed73>

Assessment Requirements for MSFFDT5014 Investigate legal requirements for design

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Performance Evidence

- Interpret and analyse legal documentation and industry standards
- Investigate legal requirements for design and for the protection and efficient operation of the enterprise, ensuring all relevant legal requirements are in place
- Produce reports on the legal requirements for a design business
- Use communication tools, such as computers, internet, email and databases
- Lead others and work effectively to improve production quality and outcomes
- Communicate ideas and information to enable confirmation of work requirements and specifications and the reporting of work outcomes and problems, interpret basic plans and follow safety procedures
- Use workplace technology related to the coordination, including communication equipment, time and management aids and other measuring devices
- Minimise wastage of resources, including materials, time and money
- Work with others and in a team by recognising dependencies and using cooperative approaches to optimise work flow and productivity and encourage participation of employees in the planning of work activities and changes

Knowledge Evidence

- State or territory WHS legislation, regulations, standards and codes of practice relevant to investigating legal requirements for design
- Organisational and site standards, requirements, policies and procedures for investigating legal requirements for design
- Business and operational legal requirements
- Relevant computer programs
- Procedures for the recording, reporting and maintenance of workplace records and information
- Environmental protection requirements
- Established communication channels and protocols
- Relevant problem identification and resolution

Assessment Conditions

- Assessors must:
 - hold training and assessment competencies as determined by the National Skills Standards Council (NSSC) or its successors

- have vocational competency in the furnishing industry at least to the level being assessed with broad industry knowledge and experience, usually combined with a relevant industry qualification
- be familiar with the current skills and knowledge used and have relevant, current experience in the furnishing industry.
- Assessment methods must confirm consistency of performance over time rather than a single assessment event and in a range of workplace relevant contexts.
- Assessment must be by observation of relevant tasks with questioning on underpinning knowledge and, where applicable, multimedia evidence, supervisor's reports, projects and work samples.
- Assessment is to be conducted on single units of competency or in conjunction with other related units of competency. Foundation skills are integral to competent performance in the unit and should not be assessed separately.
- Assessment must occur on the job or in a workplace simulated facility with relevant process, equipment, materials, work instructions and deadlines.
- Access is required to resources for investigating legal requirements for design.

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