



Australian Government

PSPREV002 Undertake legislative decision making

Release: 1

PSPREV002 Undertake legislative decision making

Modification History

Release	Comments
1	This unit was released in PSP Public Sector Training Package release 1.0 and meets the Standards for Training Packages. This unit supersedes and is equivalent to PSPREV402A Undertake legislative decision making. • Unit code updated • Content and formatting updated to comply with new standards • All PC transitioned from passive to active voice

Application

This unit describes the skills required to apply a legislative decision making process to make and justify legislatively-based decisions. This includes identifying requirements for legislative decision making, completing research and carrying out the decision making phase.

This unit applies to those working in a public sector role involved in legislative decision making.

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 would work independently, performing complex tasks in a familiar context.

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

Competency Field

Revenue administration

Elements and Performance Criteria

ELEMENTS	PERFORMANCE CRITERIA
Elements describe	Performance criteria describe the performance needed to demonstrate

the essential outcomes	achievement of the element. Where bold italicised text is used, further information is detailed in the range of conditions section.
1. Identify requirements for legislative decision making	1.1 Identify and clarify purpose and key elements of legislative decision making process to ensure its consistent application. 1.2 Identify record-keeping procedures relating to legislative decision making.
2. Complete required research	2.1 Identify and outline the situation or event requiring a decision. 2.2 Determine applicable statute law and identify and record sections of the Acts that link to the decision. 2.3 Identify relevant case law and other extraneous material. 2.4 Record and analyse evidence to support situation or event with respect to applicable law. 2.5 Draw conclusions as to whether required facts have been established by available evidence and record. 2.6 Apply statute law using precedents, rulings, Commissioner's practices, internal advice, other legislation and advice from senior and specialist staff when required.
3. Carry out the decision making phase	3.1 Confirm delegation to make the decision or refer decision. 3.2 Make decision based on research outcomes and established facts, supported by explanation and justification. 3.3 Document decision. 3.4 Carry out actions as a result of the decision and record.

Foundation Skills

Foundation skills are embedded within the elements and performance criteria of this unit.

Unit Mapping Information

This unit supersedes and is equivalent to PSPREV402A Undertake legislative decision making.

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=bebbece7-ff48-4d2c-8876-405679019623>

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Assessment Requirements for PSPREV002 Undertake legislative decision making

Modification History

Release	Comments
1	These Assessment Requirements were released in PSP Public Sector 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. If not otherwise specified the candidate must demonstrate evidence of performance of the following on at least one occasion.

- researching information and establishing relevant facts
- identifying and interpreting applicable statute law
- navigating complex and formal documents, including legislation and related materials to use in legislative decision-making
- analysing evidence to ensure it supports the situation or event being considered
- communicating with others involving exchanges of complex oral and written information
- using technology to conduct research, make enquiries, review available data, access legislative requirements and record outcomes
- applying environmental and work health and safety procedures to administrative work and when dealing with customers

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.

- purpose and key elements of a legislative decision-making process
- components and structure of statutes
- interpretation of statutes
- use of precedents, rulings and Commissioner's practices
- exercise of delegations in relation to undertaking legislative decision-making

Assessment Conditions

This unit contains no specific industry-mandated assessment conditions. Guidance on suggested and recommended conditions and methods can be found in the Implementation Guide.

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

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