



Australian Government

PSPREV011 Undertake legislative decision-making

Release: 1

PSPREV011 Undertake legislative decision-making

Modification History

Supersedes and is equivalent to PSPREV002 Undertake legislative decision making.

Application

This unit describes the performance outcomes, skills and knowledge required to apply a legislative decision-making process to make and justify legislatively based decisions.

This unit applies to those working in a public sector role involved in legislative decision-making. Those undertaking this unit would work independently, performing complex tasks in a familiar context.

The skills in this unit must be applied in accordance with Commonwealth and State or Territory legislation, Australian standards and industry codes of practice.

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

Pre-requisite Unit

Nil

Competency Field

Revenue administration

Elements and Performance Criteria

ELEMENTS

Elements describe the essential outcomes

1. Identify requirements for legislative decision making.

PERFORMANCE CRITERIA

Performance criteria describe the performance needed to demonstrate achievement of the element.

- 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.

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| 2. Complete required research. | <ul style="list-style-type: none">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 practices, internal advice, other legislation and advice from senior and specialist staff. |
| 3. Carry out the decision-making phase. | <ul style="list-style-type: none">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 in required format.3.4. Carry out actions as a result of the decision and record. |

Foundation Skills

Foundation skills essential to performance in this unit, but not explicit in the performance criteria are listed here, along with a brief context statement.

SKILLS

DESCRIPTION

Reading skills to:

- research information and establish relevant facts
- identify and interpret applicable statute law.

Unit Mapping Information

Supersedes and is equivalent to PSPREV002 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>

Assessment Requirements for PSPREV011 Undertake legislative decision-making

Modification History

Supersedes and is equivalent to PSPREV002 Undertake legislative decision making.

Performance Evidence

Evidence of the ability to complete tasks outlined in elements and performance criteria of this unit in the context of the job role, and on at least one occasion:

- navigate complex formal documents, including legislation and related materials to use in legislative decision-making
- analyse evidence to ensure it supports the situation or event being considered
- communicate with others on matters involving exchanges of complex oral and written information
- use technology to conduct research, make enquiries, review available data, access legislative requirements and record outcomes.

Knowledge Evidence

Demonstrated knowledge required to complete the tasks outlined in elements and performance criteria of this unit:

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

Assessment Conditions

Skills must be demonstrated in the workplace or in a simulated environment that reflects workplace conditions.

Assessment must ensure access to:

- legislative decision-making process
- legislation, regulations, rulings, commissioner practices and other applicable case law relating to legislative decision-making
- organisational procedures and protocols for legislative decision making
- information systems, equipment and resources of the working environment.

Assessors must satisfy the Standards for Registered Training Organisations' requirements for assessors.

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