



Australian Government

SISXIND003 Maintain legal knowledge for organisation governance

Release: 1

SISXIND003 Maintain legal knowledge for organisation governance

Modification History

Not applicable.

Application

This unit describes the performance outcomes, skills and knowledge required to develop and update legal knowledge to ensure compliance with legislation across sport, fitness and recreation organisations. This unit requires the ability to research, understand and use legal information relevant to organisational governance. This is combined with a general knowledge of the legal framework in which organisations in different sport, fitness and recreation contexts operate.

This unit applies to committee and board members, and senior personnel responsible for ensuring overall compliance of an organisation with legislative and regulatory requirements in the sport, fitness and recreation industries.

The unit does not cover the specialist skills and knowledge required by legal experts or managers whose primary role relates to compliance.

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

Pre-requisite Unit

Nil

Competency Field

Working in Industry

Unit Sector

Cross-Sector

Elements and Performance Criteria

ELEMENTS

Elements describe the essential outcomes

1. Identify legal information required for organisation

PERFORMANCE CRITERIA

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

- 1.1 Source and interpret relevant legal and licensing information and advice.
- 1.2 Determine compliance needs for the organisation.

compliance.	1.3 Determine risks, penalties and consequences of non-compliance.
2. Ensure compliance with legal requirements.	2.1 Assess the need for specialist legal advice and seek assistance, where appropriate. 2.2 Record and distribute relevant legal information to colleagues, employees and volunteers as appropriate. 2.3 Organise information updates and training for colleagues, employees and volunteers. 2.4 Establish and monitor workplace systems and procedures, including a risk management approach to ensure compliance with legal requirements. 2.5 Identify aspects of operations that may infringe laws. 2.6 Solicit advice on how to develop and implement required operational modifications to ensure legal compliance.
3. Update legal knowledge.	3.1 Use formal and informal research to update legal knowledge required for business compliance. 3.2 Share updated knowledge with colleagues, employees and volunteers and incorporate into organisation planning and operations.

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

Problem-solving skills to: • evaluate and apply complex information to a particular organisation operational context.

Unit Mapping Information

SISXIND402 Apply legal knowledge for organisation governance

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=1ca50016-24d2-4161-a044-d3faa200268b>

Assessment Requirements for SISXIND003 Maintain legal knowledge for organisation governance

Modification History

Not applicable.

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:

- access and interpret regulatory information and determine the scope of compliance for specific business operations in relation to at least three different areas of compliance
- develop a diverse range of policies and procedures for legal compliance with above areas of compliance
- integrate, into compliance planning activities and documentation:
 - sources of detailed information and advice on regulatory compliance
 - objectives and primary components of a broad range of local, state, territory and commonwealth government laws relevant to specific sport, fitness or recreation business operations
 - use of policies and procedures in managing regulatory compliance.

Knowledge Evidence

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

- legal responsibilities and liabilities of managers and directors in varying business structures
- sources of information and advice on regulatory compliance:
 - local, state, territory or commonwealth government departments or regulatory agencies
 - industry associations
 - plain English documentation that explains the operational requirements of legislation
- functions and general operating procedures of regulatory authorities of particular relevance to the sport, fitness or recreation industries
- methods of receiving updated information on laws and licensing requirements
- use of policies and procedures in managing regulatory compliance
- range of formats for and inclusions in policies and procedures
- objectives and primary components of a broad range of local, state, territory and commonwealth government laws to which all types of businesses must comply and that cover:
 - anti-discrimination especially provisions for Equal Employment Opportunity (EEO) and harassment

- Australian Consumer Law (ACL) especially provisions for refunds, exchanges and cancellations, terms and conditions of quotations and consumer contracts
- contracts
- employer superannuation contributions
- environmental protection especially provisions for environmental hazard identification, use of minimal impact practices and reporting of incidents
- Fair Work Act 2009 especially provisions for national employment standards
- local community protection especially provisions for land management and access and protecting the lifestyle of neighbouring residents
- taxation
- workplace relations
- public liability and duty of care
- work health and safety/occupational health and safety
- workers compensation especially provisions for injury reporting and occupational rehabilitation
- objectives and primary components of laws, codes, standards and licensing requirements that impact on specific operators in the sport, fitness or recreation industries; chosen to be applicable to the individual's context
- for each relevant law, code, standard and licensing requirement, the depth of knowledge must cover:
 - key practices that are prohibited by the law
 - auditing and inspection regimes
 - main consequences of non-compliance
 - need to apply for and maintain business or occupational licensing and associated mandatory training and certification requirements
 - requirements for record keeping and acceptable record keeping mechanisms
 - statutory reporting requirements for businesses
 - key business insurances required including public liability and workers compensation
 - adherence to mandatory codes of conduct enshrined in legislation
 - requirements to develop and implement plans, policies, codes of conduct or incorporate certain business practices
 - rights and responsibilities of employees and employers
 - other specific action that must be taken for legal compliance
- sources of legal information and advice relevant to particular industry sectors
- legal framework under which organisations operate:
 - non-incorporated groups
 - incorporated
 - company
 - company limited by guarantee
 - trust.

Assessment Conditions

Skills must be demonstrated in:

- a sport, fitness or recreation environment or context for which a tailored set of regulatory requirements can be researched and compliance management implemented. This can be a workplace or simulated environment.

Assessment must ensure access to:

- computers, software programs, printers and communication technology used to administer regulatory requirements
- current legislation
- current plain English regulatory documents distributed by government regulators
- codes of practice and standards issued by regulatory authorities
- regulatory information and business management manuals issued by industry associations or commercial publishers
- current commercial policies and procedures used to manage regulatory issues
- sources of specialist legal advice:
 - compliance consultants
 - industry associations
 - lawyers
 - local, state, territory or commonwealth government departments or regulatory agencies.

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

Links

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