



Australian Government

SITXGLC501 Research and comply with regulatory requirements

Release 2

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Modification History

The version details of this endorsed unit of competency set are in the table below. The latest information is at the top.

Version	Comments
2.0	Editorial corrections.
1.0	E Replaces and is equivalent to SITXGLC001A Develop and update legal knowledge required for business compliance. Title changed to better reflect the intent and content of the unit. Re-worked Elements, Performance Criteria, Required Skills and Knowledge to more fully articulate content.

Unit Descriptor

This unit describes the performance outcomes, skills and knowledge required to comply with laws and licensing requirements for specific business operations. It requires the ability to access and interpret regulatory information, determine scope of compliance, develop, implement and continuously review and update policies and practices for business compliance.

Application of the Unit

This unit applies to regulatory requirements for day-to-day business operations in the tourism, travel, hospitality and event industries and to special requirements for one-off events. It applies to senior personnel who operate independently or with limited guidance from others and who are responsible for making a range of operational business and regulatory compliance decisions.

Licensing/Regulatory Information

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

Pre-Requisites

Not applicable.

Employability Skills Information

This unit contains employability skills.

Elements and Performance Criteria Pre-Content

Not applicable.

Elements and Performance Criteria

Elements describe the essential outcomes of a unit of competency.

Performance criteria describe the performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the required skills and knowledge section and the range statement. Assessment of performance is to be consistent with the evidence guide.

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| <p>1. Research information required for legal compliance.</p> | <p>1.1 Identify <i>sources of information</i> for compliance with <i>laws and licensing</i> for business operations.</p> <p>1.2 Evaluate areas of business operation and determine scope of compliance requirements.</p> <p>1.3 Access regulatory information relevant to specific <i>business operation</i>.</p> <p>1.4 Identify risks, penalties and consequences of non compliance.</p> <p>1.5 Assess and act on need for <i>specialist legal advice</i>.</p> |
| <p>2. Develop and communicate policies and procedures for legal compliance.</p> | <p>2.1 Develop and clearly articulate <i>regulatory policies and procedures</i> in a format readily accessible to all workers.</p> <p>2.2 Nominate the roles and responsibilities of personnel for regulatory compliance within policies and procedures.</p> <p>2.3 Distribute policies, procedures and legal information to personnel at appropriate times.</p> <p>2.4 Organise <i>information updates</i> for personnel and ensure knowledge of roles and responsibilities for legal compliance.</p> |
| <p>3. Ensure compliance with legal requirements.</p> | <p>3.1 Communicate with regulatory authorities when planning business operations and submit required documentation.</p> <p>3.2 Maintain business and occupational licences and check contractor compliance to avoid risk to business.</p> <p>3.3 Continuously evaluate business operations for non-compliance and implement modifications.</p> |
| <p>4. Maintain personal and organisational knowledge of regulatory requirements.</p> | <p>4.1 Identify and use a range of <i>opportunities</i> to maintain knowledge of current regulatory requirements.</p> <p>4.2 Use organisational communication methods to share updated regulatory knowledge.</p> <p>4.3 Continuously review and distribute plans, policies and procedures for compliance with current laws and licensing requirements.</p> |

Required Skills and Knowledge

This section describes the skills and knowledge required for this unit.

Required skills

- communication skills to:
 - consult with regulatory authorities to determine the scope of compliance requirements
 - provide clear and accurate information to personnel about roles and responsibilities in regulatory compliance
- critical thinking skills to evaluate areas of business operation and determine scope of compliance
- learning skills to proactively maintain current knowledge of regulatory requirements
- literacy skills to:
 - read and interpret unfamiliar and complex materials describing regulatory requirements
 - research regulatory requirements specifically applicable to the business operation
 - write comprehensive yet easily accessible regulatory policies and procedures; complete complex documentation required by regulatory authorities
- planning and organising skills to research, establish and regularly monitor all components of a business compliance system
- problem-solving skills to evaluate business operations for non-compliance and implement changes to practices
- self-management skills to take responsibility for regulatory compliance
- teamwork skills to share updated regulatory knowledge with personnel.

Required knowledge

- legal responsibilities and liabilities of managers and directors in varying business structures
- sources of information and advice on regulatory compliance including:
 - 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 tourism, hospitality and events industries
- methods of receiving updated information on laws and licensing requirements
- use of policies and procedures in managing regulatory compliance
- a range of formats for and inclusions of 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 including those 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 (NES)
 - 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
 - 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 within the tourism, hospitality and event industries; chosen to be applicable to the individual's context these could include:
 - Criminal Code Act 1995 - child sex offences outside Australia
 - European Economic Directive of Foreign Travel
 - food safety
 - Food Standards Australia New Zealand Act 1991
 - liquor licensing, especially as it relates to the responsible service of alcohol
 - Queensland Tourism Services Act (2003)
 - Residential Tenancy Act
 - responsible conduct of gaming
 - travel agents licensing
 - for each relevant law, code, standard and licensing requirement, the depth of knowledge must cover any:
 - 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.

Evidence Guide

The evidence guide provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge, range statement and the Assessment Guidelines for the Training Package.

Overview of assessment

Critical aspects for assessment and evidence required to demonstrate competency in this unit

Evidence of the ability to:

- access and interpret regulatory information and determine the scope of compliance for specific business operations
- develop a diverse range of policies and procedures for legal compliance
- integrate, into compliance planning activities, knowledge of:
 - 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 tourism, hospitality or event business operations
 - use of policies and procedures in managing regulatory compliance.

Context of and specific resources for assessment

Assessment must ensure use of:

- a real or simulated tourism, hospitality or event industry business operation for which a tailored set of regulatory requirements can be researched and compliance management implemented
- 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.

Method of assessment

A range of assessment methods should be used to assess practical skills and knowledge. The following examples are

appropriate for this unit:

- evaluation of a portfolio, prepared by the individual, on managing regulatory compliance for a specific business operation including:
 - notes and reports on regulatory information sourced
 - written report evaluating the scope of compliance requirements
 - list of policies and procedures required to manage regulatory compliance
 - sample policies and procedures
 - documents completed for submission to regulatory authorities
 - briefings and internal memos provided to personnel on current compliance requirements
- use of case studies so the individual can suggest appropriate scope of regulatory compliance requirements for different business operations
- written or oral questioning to assess knowledge of:
 - sources of information on regulatory compliance
 - objectives and primary components of laws relevant to specific tourism, hospitality or events business operations
 - use of policies and procedures in managing regulatory compliance
- review of portfolios of evidence and third-party workplace reports of on-the-job performance by the individual.

Guidance information for assessment

The assessor should design integrated assessment activities to holistically assess this unit with other units relevant to the industry sector, workplace and job role, for example:

- BSBMGT617A Develop and implement a business plan
- BSBPMG501A Manage projects
- BSBRSK501A Manage risk
- BSBWRT401A Write complex documents.

Range Statement

The range statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance. Bold italicised wording, if used in the performance criteria, is detailed below. Essential operating conditions that may be present with training and assessment (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) may also be included.

Sources of information may include:

- computer data, including the Internet
- discussions with experienced industry personnel
- industry:
 - accreditation operators
 - associations and organisations
 - developers of codes of conduct or ethics
 - journals
 - seminars
- lawyers
- networking with:
 - colleagues
 - suppliers
- plain English documents, issued by government regulators, that describe laws relevant to business operations
- libraries
- media
- personal observations and experience
- reference books
- local, state, territory or commonwealth government departments or regulatory agencies
- training courses
- unions.

Laws and licensing may involve:

- anti-discrimination
- Criminal Code Act 1995 - child sex offences outside Australia
- consumer protection
- contracts
- EEO
- environmental protection
- Fair Work Act 2009
- financial operations
- food safety
- land management
- local community protection
- liquor

- mandatory codes of conduct, enshrined in legislation
- NES
- occupational licences and certification for:
 - food handlers and food safety supervisors
 - operators of table games (dealers) within licensed casinos
 - tour guides operating in certain destinations
- public liability and duty of care
- Queensland Tourism Services Act (2003)
- responsible service of alcohol
- responsible conduct of gaming
- taxation
- travel agents licensing
- work health and safety
- Workers Compensation
- workplace relations.

Business operation may be for:

- day-to-day business operations in:
 - events
 - hospitality
 - tourism
 - travel
- one off:
 - event
 - tour
 - contract
- series of:
 - events
 - tours
 - contracts.

Specialist legal advice may involve:

- compliance consultants
- industry associations
- lawyers
- local, state, territory or commonwealth government departments or regulatory agencies.

Regulatory policies and procedures may include:

- accident and incident reporting
- counselling and discipline
- customer service
- cancellations, refunds and exchanges
- EEO
- food handling and hygiene
- harassment
- local community protection
- minimal impact practices to reduce negative environmental impacts of water, energy and site use
- responsible service of alcohol
- responsible conduct of gaming
- transport, handling and storage of food
- waste management
- work health and safety:
 - consultation
 - emergency evacuation
 - hazard identification and risk assessment
 - occupational rehabilitation.

Information updates may involve:

- briefings prior to:
 - commencement of service period
 - delivery of tours
 - operation of event or function
- internal memos
- staff handbooks
- staff meetings
- training sessions.

Opportunities may include:

- discussions with experienced industry personnel
- networking with:
 - colleagues
 - suppliers
- participating in:
 - industry accreditation schemes
 - industry seminars
 - membership of professional industry associations
 - training courses
- subscribing to regulatory newsletters.

Unit Sector(s)

Cross-Sector

Competency Field

Governance and Legal Compliance