

<b>UNIT CODE</b>	<b>PSPREG003</b>
<b>UNIT TITLE</b>	<b>Apply regulatory powers</b>
<b>APPLICATION</b>	<p>This unit describes the performance outcomes, skills and knowledge required when exercising regulation, monitoring, inspection and investigation powers under the organisation's enabling legislation and other applicable legislation.</p> <p>This unit applies to those working in roles conducting regulatory activities. Those undertaking this unit would work independently as part of a team, performing routine tasks involving a range of familiar and unfamiliar contexts.</p> <p>The skills in this unit must be applied in accordance with Commonwealth and State or Territory legislation, Australian standards and industry codes of practice.</p> <p>No occupational licensing, certification or specific legislative or certificate requirements apply to this unit at the time of publication.</p>
<b>PREREQUISITE UNIT</b>	Nil
<b>COMPETENCY FIELD</b>	Regulatory
<b>UNIT SECTOR</b>	

<b>ELEMENTS</b>	<b>PERFORMANCE CRITERIA</b>
<i>Elements describe the essential outcomes</i>	<i>Performance criteria describe the performance needed to demonstrate achievement of the element.</i>
1. Establish regulatory powers	<p>1.1 Access and use current information relating to enabling legislation and regulations.</p> <p>1.2 Confirm powers provided under the legislation and the boundaries of those powers.</p> <p>1.3 Identify and confirm compliance requirements of the legislation, related regulations, standards, codes of practice and policy.</p> <p>1.4 Identify and confirm acts and omissions that comprise non-compliance or offences under the legislation.</p>

2. Apply enabling legislation	<p>2.1 Identify and analyse circumstances where regulatory powers will be exercised to determine response or measures to apply.</p> <p>2.2 Identify circumstances requiring the exercise of regulatory powers outside own limits and refer to others.</p> <p>2.3 Identify risks associated with the exercise of regulatory powers and strategies to manage risks.</p> <p>2.4 Apply enabling legislation consistent with the boundaries and powers contained therein.</p>
3. Utilise other legislation and standards	<p>3.1 Identify other legislation and standards which impact on powers and confirm their requirements.</p> <p>3.2 Resolve or refer apparently conflicting legislative directions.</p>
4. Work with other organisations	<p>4.1 Identify organisations that have jurisdictions which may overlap and establish and maintain relationships.</p> <p>4.2 Identify organisations available to provide assistance and advice and establish relationships for mutual benefit.</p> <p>4.3 Follow organisational protocols and procedures when working with other organisations.</p> <p>4.4 Refer compliance matters to other organisations for action when required.</p> <p>4.5 Follow lead agency protocols and/or lines of authority during operations involving more than one organisation.</p>

FOUNDATION SKILLS	
<i>Foundation skills essential to performance in this unit, but not explicit in the performance criteria are listed here, along with a brief context statement.</i>	
SKILLS	DESCRIPTION
<b>READING SKILLS TO:</b>	<ul style="list-style-type: none"> <li>■ use scanning techniques to locate main ideas in legislation, guidelines and policy documents.</li> </ul>
<b>ORAL COMMUNICATION SKILLS TO:</b>	<ul style="list-style-type: none"> <li>■ engage in discussion involving exchanges of often complex oral information.</li> </ul>
<b>UNIT MAPPING INFORMATION</b>	Release 1: Supersedes and is equivalent to PSPREG003 Apply regulatory powers.
<b>LINKS</b>	Companion Volume Implementation Guide

<b>TITLE</b>	<b>Assessment Requirements for PSPREG003 Apply regulatory powers</b>
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<b>PERFORMANCE EVIDENCE</b>	<p>Evidence of the ability to complete tasks outlined in elements and performance criteria of this unit in the context of the job role, and evidence of performance of each of the following in relation to the job role on at least one occasion:</p> <ul style="list-style-type: none"> <li>■ undertake research and analysis</li> <li>■ use information technology to access relevant legislation and procedures</li> <li>■ read complex written materials and apply them to work practices</li> <li>■ choose regulatory responses and measures to fit the circumstances and justify those responses against legislation, guidelines, policies and regulations.</li> </ul>
<b>KNOWLEDGE EVIDENCE</b>	<p>Demonstrated knowledge required to complete the tasks outlined in elements and performance criteria of this unit:</p> <ul style="list-style-type: none"> <li>■ full range of regulatory powers and the limits to those powers</li> <li>■ enabling legislation</li> <li>■ offences under the legislation</li> <li>■ aspects of criminal law, administrative law, industrial law, contract law</li> <li>■ statutory time limits</li> <li>■ terminology used in legislation and procedures</li> <li>■ organisational policies, guidelines and regulations</li> <li>■ legislation including, health and safety and environment relating to the exercise of regulatory powers.</li> </ul>
<b>ASSESSMENT CONDITIONS</b>	<p>Skills must be demonstrated in either:</p> <ul style="list-style-type: none"> <li>■ a workplace environment or</li> <li>■ a simulated environment.</li> </ul> <p>Simulated assessment environments must simulate the real-life working environment where the skills and knowledge within this unit would be utilised, with all the relevant equipment and resources of that working environment.</p> <p>Assessment must ensure access to:</p> <ul style="list-style-type: none"> <li>■ legislation, regulations, policy, guidelines and standards</li> <li>■ public sector values and codes of conduct.</li> </ul> <p>Assessors must satisfy the Standards for Registered Training Organisations' requirements for assessors.</p>
<b>LINKS</b>	Companion Volume Implementation Guide

