Unit of Competency

CPPSCM4009 Access and interpret legislation in strata community management

Modification history

Release	Comments
1	Supersedes and is not equivalent to CPPDSM4009 Interpret legislation to complete work in the property industry. Unit updated to reflect specific strata community management requirements. This version first released with CPP Property Services Training Package Release 15.0.

Application

This unit of competency specifies the skills and knowledge required to identify, access and interpret legislation relevant to work in strata community management. It includes developing an understanding of the legislative framework, its structure and the impact of legislation on work in strata community management, tracking changes to legislation and ethical conduct and maintaining appropriate records.

This unit is suitable for strata community managers who apply a broad range of skills and knowledge to complete routine and non-routine tasks and deal with predictable and sometimes unpredictable problems. Strata community managers may also be known as strata managers, owners corporation managers or body corporate managers depending on the jurisdiction of operation.

Licensing, legislative, regulatory or certification requirements apply to strata community management in some states and territories. For further information, check with the relevant regulatory authority.

Prerequisite Unit

None.

Unit Sector

Strata Community Management.

Elements and Performance Criteria

1. Identify and interpret legislation.	1.1 Identify the legislative framework for strata community management and source guidance material to support interpretation of legislation. 1.2 Identify and access source documents for legislation and regulations relating to strata community management. 1.3 Apply relevant rules and techniques to interpret legislation relevant to strata community management. 1.4 Source and apply common law principles relating to strata community management.
2. Maintain knowledge of current legislation and track changes.	2.1 Identify own responsibility to access, read, interpret and apply legislation to strata community management. 2.2 Identify and apply techniques to access current and point-in-time versions of legislation. 2.3 Identify and apply techniques for tracking changes and amendments to legislation.

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3. Comply with ethical conduct requirements.	3.1 Source ethical conduct requirements for strata community managers which are stipulated in legislated duties or codes of conduct. 3.2 Interpret ethical obligations from legislated duties or codes of conduct and apply to strata community management work activities to ensure compliance.
4. Identify and record processes to resolve regulatory concerns.	4.1 Identify and record processes to investigate discrepancies in the application of legislation to strata community management. 4.2 Identify and record processes to respond to identified discrepancies to ensure compliance with regulatory requirements for strata community management.

Foundation skills

Foundation skills essential to performance are explicit in the performance criteria of this unit of competency.

Unit Mapping Information

Supersedes and is not equivalent to CPPDSM4009 Interpret legislation to complete work in the property industry

Links

The Companion Volume Implementation Guide for the CPP Property Services Training Package is available at: https://vetnet.education.gov.au/Pages/TrainingDocs.aspx?q=6f3f9672-30e8-4835-b348-205dfcf13d9b

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Assessment Requirements for CPPSCM4009 Access and interpret legislation in strata community management

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Performance Evidence

To demonstrate competency, a candidate must meet the elements and performance criteria of this unit to access and interpret legislation in strata community management by:

- accessing and interpreting a minimum of two pieces of legislation that apply to strata community management in the jurisdiction of operation, and providing a documented report that includes:
    - full titles of legislation: one Commonwealth and one state/territory statute
    - where the chosen legislation is applicable
    - the purpose of each of the pieces of chosen legislation
    - the key components of the pieces of chosen legislation
    - two breaches specified within the legislation and the penalties or consequences for each breach
    - how to identify the currency of the chosen legislation
    - how the chosen legislation impacts a strata community
- documenting a regulatory compliance plan to ensure own work practices are ethical and consistent with legislated duties or codes of conduct for strata community managers.

Knowledge Evidence

To be competent in this unit, a candidate must demonstrate knowledge of:

- breaches of legislation and associated penalties or consequences in the jurisdiction of operation
- common problems with interpreting legislation and consequences of misinterpreting legislation
- ethical conduct requirements and obligations of strata community managers based on legislated duties or codes of conduct
- interrelationship between pieces of legislation
- key components of legislation:
    - Acts
    - regulations
    - amendments
    - mandatory codes of practice and Australian Standards
    - schedules
    - appendices
- key principles for reading and interpreting legislation:
    - aids to interpret legislation:

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        - external: interpretations of legislation, Acts, Hansard/parliamentary papers, legal dictionaries and previous judicial interpretations
        - Internal: objectives, legislation to be accessed as a whole, definitions and interpretation sections in legislation, headings and margin notes
    - express mention of one thing to the exclusion of another
    - language conventions and expressions:
        - and/or
        - gender
        - hierarchy
        - includes
        - may, should and must
    - words interpreted through their connection with other words
    - words with the same meaning
- legal framework in Australia and the jurisdiction of operation:
    - common law
    - contract law
    - equity law
    - statute law
- role of regulators in the jurisdiction of operation relevant to legislation associated with strata community management
- sources of, and legislation relevant to strata community management in the jurisdiction of operation:
    - equal opportunity, anti-discrimination and disability discrimination
    - civil liability
    - dispute resolution
    - environmental protection (sustainability)
    - fair trading and consumer protection
    - privacy
    - work health and safety (WHS)/occupational health and safety (OHS)
- sources of guidance to support interpretation of legislation applicable to strata community management
- structure of legislation:
    - long title
    - short title
    - commencement
    - application
    - contents
    - definitions
    - headings
    - parts
    - divisions and subdivisions
    - clauses and subclauses
    - schedules and appendices
- techniques to identify and track changes to legislation, including point-in-time versions and current versions.

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Assessment Conditions

Assessors must meet the requirements for assessors contained in the Standards for Registered Training Organisations.

Assessment must be conducted in the workplace or a simulated workplace using realistic conditions, materials, activities, responsibilities, procedures, safety requirements and environmental considerations.

Candidates must have access to documentation, information, technologies and online sites and databases required to achieve the performance criteria and performance evidence.

Links

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