Modification history

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| Release | Comments |
| Release 1 | This version released with Agriculture, Horticulture and Conservation and Land Management Training Package Version 8.0 |

| AHCASW3X13 | Apply knowledge of relevant legislation to Aboriginal and/or Torres Strait Islander sites work |
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| Application | This unit of competency describes the skills and knowledge required to work within the constructs of relevant legislation when working with Aboriginal and/or Torres Strait Islander sites, cultural materials and cultural landscapes.  This unit applies to Aboriginal and/or Torres Strait Islander sites workers working on Country or in other cultural and heritage contexts where legislative requirements are in place. The unit applies to working either as an autonomous sites worker or under the supervision and cultural authority of Traditional owners or Elders for specific Country.  No occupational licensing, legislative or certification requirements are known to apply to this unit at the time of publication. |
| Prerequisite Unit | Nil |
| Unit Sector | Aboriginal Sites Work (ASW) |

| Elements | Performance Criteria |
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| Elements describe the essential outcomes. | Performance criteria describe the performance needed to demonstrate achievement of the element. |
| 1. Research the relevant legislation | 1.1 Identify the legislative requirements that relate to Aboriginal and/or Torres Strait Islander sites work  1.2 Identify the purpose of legislation and environmental and sustainability requirements which apply to own work context |
| 2. Identify relevant legislative provisions | 2.1 Identify the laws that safeguard Aboriginal and/or Torres Strait Islander sites  2.2 Clarify compliance requirements with supervisor to confirm understanding and to ensure consistency of application across the organisation  2.3 Consult with experts to address any competing interests arising from different pieces of legislation with jurisdiction over a local Aboriginal and/or Torres Strait Islander cultural site, landscape or material  2.4 Carry out Aboriginal and/or Torres Strait Islander sites work within the constructs of relevant legislation |
| 3. Identify stakeholder requirements | 3.1 Communicate with clients and stakeholders to identify their needs in relation to relevant legislation  3.2 Provide referrals for stakeholders to expert advisors or advisory organisations  3.3 Recognise own limitations and professional boundaries  3.4 Conduct own Aboriginal and/or Torres Strait Islander sites work in accordance with legislative requirements and following cultural protocols and values |

| Foundation Skills  This section describes those language, literacy, numeracy and employment skills that are essential for performance in this unit of competency but are not explicit in the performance criteria. | |
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| Skill | Description |
| Reading | * Interpret, analyse and extract information from a range of sources including legal documents, policies and procedures |
| Oral Communication | * Use culturally appropriate verbal and non-verbal communication |

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| Unit Mapping Information | | | |
| Code and title current version | Code and title previous version | Comments | Equivalence status |
| AHCASW3X13 Apply knowledge of relevant legislation to Aboriginal and/or Torres Strait Islander sites work | AHCASW313 Apply knowledge of relevant legislation to Aboriginal sites work | Updated unit code and title to include Torres Strait Islander people Minor changes to Application  Minor changes to Elements and Performance Criteria Added Foundation Skills Revised Performance Evidence to express assessment in terms of frequency  Revised Knowledge Evidence Revised Assessment Conditions to include Assessor requirements | Equivalent |

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| Links | Companion Volumes, including Implementation Guides, are available at VETNet:  https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=c6399549-9c62-4a5e-bf1a-524b2322cf72. |

| TITLE | Assessment requirements for AHCASW3X13 Apply knowledge of relevant legislation to Aboriginal and/or Torres Strait Islander sites work |
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| Performance Evidence | |
| An individual demonstrating competency must satisfy all of the elements and performance criteria in this unit.  There must be evidence that the individual has at least once:   * worked within the constructs of relevant legislation in their work with Aboriginal and/or Torres Strait Islander sites, cultural materials and cultural landscapes * identified and applied relevant legislation to the circumstances appropriately and accurately * identified and applied relevant compliance requirements affecting Aboriginal and/or Torres Strait Islander sites work in a specified jurisdiction * used referral options and other expertise to assist in interpreting and applying legislative requirements * communicated basic legal concepts and legislative language to Aboriginal and/or Torres Strait Islander clients and stakeholders in a culturally appropriate manner. | |

| Knowledge Evidence |
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| An individual must be able to demonstrate the knowledge required to perform the tasks outlined in the elements and performance criteria of this unit. This includes knowledge of:   * key principles of Cultural and Heritage Legislation or relevant National Parks and Wildlife Service (NPWS) legislation * other legislation that may impact on Aboriginal and/or Torres Strait Islander sites work * organisations to which appropriate referrals can be made. |

| Assessment Conditions |
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| Assessment of the skills in this unit of competency must take place under the following conditions:   * physical conditions: * skills must be demonstrated on Country and/or within an Aboriginal and/or Torres Strait Islander Community or an environment that accurately represents workplace conditions * specifications: * access to specific legislation/codes of practice * relationships: * local Community Elders and/or Custodians.   Assessors of this unit must satisfy the requirements for assessors in applicable vocational education and training legislation, frameworks and/or standards. In addition, the following specific assessor requirements apply to this unit:   * Assessment must be undertaken by a workplace assessor who has expertise in this unit of competency and who is: * an Aboriginal and/or Torres Strait Islander Elder and/or Custodian   or:   * accompanied by, or in communication with, an Aboriginal and/or Torres Strait Islander person who is a recognised member of the community with experience and knowledge of local cultural protocols. |

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