

Legislation Compliance  
Policy, Procedures, Forms and Registers

<b>POLICY</b>	
<b>Purpose</b>	ATAR Design is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (RTOs). As such, ATAR Design is required to ensure it complies with Commonwealth, State and Territory legislation and regulatory requirements relevant to its operations, integrate these into policies and procedures, maintain compliance and inform staff and clients of changes to legislation that affect the services delivered.
<b>Standard reference</b>	8.5, 8.6
<b>Who is responsible</b>	The CEO is responsible for ensuring compliance with this policy.
<b>Review date</b>	Every 12 months
<b>Definitions</b>	<p>The following words and expressions have the following specific meaning, as in the Standards for Registered Training Organisations (RTOs) 2015.</p> <p><b>Scope of registration means</b> the training products for which an RTO is registered to issue AQF certification documentation. It allows the RTO to:</p> <ul style="list-style-type: none"> <li>– both provide training delivery and assessment resulting in the issuance of AQF certification documentation by the RTO; or</li> <li>– provide assessment resulting in the issuance of AQF certification documentation by the RTO.</li> </ul>
<b>Policy</b>	<p>ATAR Design is committed to ensuring it complies with all relevant Commonwealth, State and Territory legislation and regulatory requirements in its operations as a Registered Training Organisation (RTO).</p> <p>ATAR Design will ensure that:</p> <ul style="list-style-type: none"> <li>• Compliance with legislation and regulatory requirements is monitored and maintained;</li> <li>• It maintains copies of or access to all legislation that affects its business and /or is services delivered;</li> <li>• Legislation and regulatory requirements relevant to its operations are integrated into its policies and procedures;</li> <li>• All staff and clients are provided with information regarding changes in legislation and regulatory requirements that affects their duties or participation in vocational education and training services provided.</li> </ul>

## POLICY

### Policy principles

There are numerous Acts that impact upon the training and assessment for courses offered by ATAR Design. A list is kept on a legislation register.

- ATAR Design advises its staff and clients of legislation that affects their duties or learning.
- ATAR Design will purchase a copy of, or have electronic access to, all Commonwealth, State and Territory legislation that affects its operations or services delivered.
- ATAR Design has and maintains memberships to the following legislation publishers so as to receive updates and notifications of changes in legislation and regulatory requirements.
- Australian Government, Federal Register of Legislation at <https://www.legislation.gov.au/>
- Australasian Legal Information Institute, website: <http://www.austlii.edu.au>
- New South Wales – <http://www.legislation.nsw.gov.au/>
- Victoria – <http://www.legislation.vic.gov.au/>
- Queensland – <https://www.legislation.qld.gov.au/OQPChome.htm>
- Western Australia - State Law Publisher, at [www.slp.wa.gov.au](http://www.slp.wa.gov.au).
- South Australia – <http://www.legislation.sa.gov.au/index.aspx>
- Northern Territory – <https://dcm.nt.gov.au/nt-legislation-and-publications/current-nt-legislation-database>
- ACT – <http://www.legislation.act.gov.au/>
- Tasmania - <http://www.thelaw.tas.gov.au/index.w3p>

ATAR Design has access to solicitors who provide advice on legislation.

Legislation relevant to Vocational Education and Training (VET) Legislation includes:

- Commonwealth - National Vocational Education and Training Regulator Act 2011
- New South Wales - Vocational Education and Training (Commonwealth Powers) Act 2010
- Victoria – Vocational Education and Training Act 1990
- Queensland – Vocational Education and Training (Commonwealth Powers) Act 2012
- Western Australia – Vocational Education and Training Act 1996
- South Australia – Vocational Education and Training (Commonwealth Powers) Act 2012
- Northern Territory –
- ACT – Training and Tertiary Education Act 2003
- Tasmania - Vocational Education and Training (Commonwealth Powers) Act
- Anti-Discrimination Legislation

There is a range of legislation and policies which promote access and equity within the national Vocational Education and Training system. (See Access and Equity Policy)

### Workplace Health and Safety (WHS) Legislation

There is a range of legislation and policies which promote workplace health and safety within the national Vocational Education and Training system. (See Workplace Health and Safety Policy)

POLICY	
	<p><b>Privacy Legislation</b> Federal legislation impacts on the national Vocational Education and Training system. (See Privacy Policy)</p> <p><b>Other Legislation</b> There is a range of legislation and policies, including consumer protection, which impact on the operational business of. These include:</p> <ul style="list-style-type: none"> <li>• Corporation law – Corporations Act 2001 and Regulations</li> <li>• Competition and Consumer Act 2010 and Regulations</li> <li>• Fair Work Act 2009 and Regulations</li> <li>• A New Tax System Act 1999 and Regulations</li> <li>• Copyright Act 1968 and Regulations</li> <li>• Fair Trading Legislation and Regulations</li> <li>• Trade Practices Legislation and Regulations</li> <li>• Spam Act 2003 and Regulations</li> </ul> <p>The following represents legislation that impacts on vocational outcomes of training and assessment services delivered.</p> <ul style="list-style-type: none"> <li>• Standards for Registered Training Organisations (RTOs) 2015</li> <li>• Education Services for Overseas Students Act 20010 – ELICOS Standards</li> <li>• Data Provisions Requirements 2012</li> <li>• Financial Viability Risk Assessment Requirements 2011</li> <li>• Student Identifiers Act 2014</li> <li>• Legislation that impacts on training and assessment provided within scope of registration is referred to in the Training and assessment strategy</li> </ul>
<p><b>Records management</b></p>	<p>All documentation from compliance with legislation processes are maintained in accordance with the Records Management Policy. (See Records Management Policy)</p> <p><b>Monitoring and Improvement</b> All practices relating to compliance with legislation are monitored by the CEO and areas for improvement identified and acted upon. (See Continuous Improvement Policy)</p>

PROCEDURE		
Step	Who	Procedure
1 Accessing Federal Legislation	All	<ul style="list-style-type: none"> <li>Details of Commonwealth legislation can be sourced through Australian Government Federal Register of Legislation</li> <li>Website: <a href="https://www.legislation.gov.au/">https://www.legislation.gov.au/</a></li> <li>Click on relevant legislative document category from Menu</li> <li>Acts</li> <li>Legislative Instruments</li> <li>Gazettes</li> <li>Bills</li> <li>Other</li> <li>Search using 'Filter' parameters or Click on Alpha character.</li> </ul>
2 Accessing State Legislation	All	<ul style="list-style-type: none"> <li>Details of State/Territory legislation can be sourced through</li> <li>Website: (e.g. New South Wales Government – NSW Legislation) <a href="http://www.legislation.nsw.gov.au/">http://www.legislation.nsw.gov.au/</a></li> <li>Click on 'Search' from 'Top menu'; this will present the search parameters.</li> <li>Click on 'Browse' to filter alphabetically.</li> </ul>
3 Monitoring Legislation	CEO	<ul style="list-style-type: none"> <li>Changes to legislation are monitored through subscription to the relevant Federal / State Law Publisher website.</li> <li>Subscribe to receive Notification of changes.</li> <li>Any changes that are identified are noted / printed.</li> <li>Check the legislation register to determine the resources or documents that include information about the legislation which may require updating. These may include: <ul style="list-style-type: none"> <li>Policies; Procedures; Forms; Training resources; Assessment resources; Marketing materials; Other business documentation;</li> <li>Other client documentation e.g. Student Handbook</li> </ul> </li> <li>Determine which legislation needs to be provided to staff and how this information will be best provided.</li> <li>Determine which legislation needs to be provided to clients and how this information will be best provided.</li> </ul>
4 Incorporating Legislation	CEO	<ul style="list-style-type: none"> <li>Review the relevant resources or documents or modification requirements.</li> <li>Complete a 'Continuous improvement form' for implementation into continuous improvement of resources. (See Continuous Improvement procedures)</li> <li>Ensure information regarding legislative requirements is provided to staff.</li> </ul>

## PROCEDURE

Number	Legislation	Type		Business Operations Impacted			Qualification / Units / Modules Affected	Date Last Checked	Any Changes Y/N	Changes Affect RTO Y/N	Amendment Implemented Y/N
		Federal	State	Business General	RTO	Training & Assessment					
0001		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
0002		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
0003		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
0004		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
0005		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
0006		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
0007		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
0008		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
0009		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
0010		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
0011		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
0012		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
0013		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					