

Title	Demonstrate knowledge of credit dispute resolution processes		
Level	3	Credits	5

Purpose	<p>This unit standard is for people involved or intending to be involved in the management of credit.</p> <p>People credited with this unit standard are able to demonstrate knowledge of:</p> <ul style="list-style-type: none"> – disputed debts; – the application of Disputes Tribunals legislation; – Disputes Tribunal processes; and – alternative dispute resolution processes.
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Classification	Financial Management > Credit Management
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Available grade	Achieved
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Guidance Information

- 1 Legislation applicable to this unit standard includes:
Arbitration Act 1996;
Disputes Tribunals Act 1988;
Disputes Tribunals Rules 1989;
Financial Service Providers (Registration and Dispute Resolution) Act 2008;
and all subsequent amendments and replacements.
- 2 Definitions
Applicant shall be given the meaning defined in the Disputes Tribunals Act 1988 and subsequent amendments.
Arbitration and *Arbitrator*, *Mediation* and *Mediator* shall be given the meanings as defined by the Arbitrators' and Mediators' Institute of New Zealand Inc.
Industry practice includes policies, procedures and standards that competent practitioners in the industry recognise as current industry best practice.
Institute practices shall mean the policy, procedures, and practice of the Arbitrators' and Mediators' Institute of New Zealand Inc.
Organisational practice includes documented policies, procedures, and practices, and policy and procedure manuals pertaining to credit.
- 3 This unit standard may be assessed on-job in the workplace using naturally occurring evidence or in off-job simulated work situations designed to draw upon similar performance to that required in work in a credit administration and/or credit management context.
- 4 All evidence is in accordance with organisational practice where possible, otherwise evidence may be based on industry practice.

Outcomes and performance criteria

Outcome 1

Demonstrate knowledge of disputed debts.

Performance criteria

- 1.1 Describe organisational procedures for classifying debts as disputed.
- 1.2 Identify disputed debts.
- 1.3 Describe organisational procedures for when a debt has been classified as disputed.

Outcome 2

Demonstrate knowledge of the application of Disputes Tribunals legislation.

Performance criteria

- 2.1 Identify the functions of the Disputes Tribunals in accordance with legislation.
- 2.2 Identify and describe the jurisdiction of the Disputes Tribunals in accordance with legislation.

Range disputes relating to quality of services or goods, contested amounts charged, loss or damage to property, exclusion of debt collection.
- 2.3 Identify the limitations on amounts of claim by applicant.

Range claim limitation, extension of jurisdiction by agreement.
- 2.4 Explain the right of persons to appear.

Range minors, permission for representative of legal entity required, insurance company involvement, exclusion of legal counsel.
- 2.5 Explain the power of the Disputes Tribunals to make orders in accordance with legislation.

Outcome 3

Demonstrate knowledge of Disputes Tribunal processes.

Performance criteria

3.1 Identify the requirements for completion of prescribed forms for lodging a claim before a Disputes Tribunal in accordance with legislation.

Range statement of claim form, notification of witnesses form, summons to witnesses form.

3.2 Describe alternatives for the enforcement of order.

Range order for examination, instalment order, attachment order, application for order for periodic detention, distress warrant, garnishee summons, charging order, statutory demands; minimum of two required.

Outcome 4

Demonstrate knowledge of alternative dispute resolution processes.

Performance criteria

4.1 Identify the functions of arbitration and mediation in accordance with Institute practices.

4.2 Explain when it is applicable to use arbitration over mediation and vice versa.

4.3 Explain the remedies available to enforce decision in accordance with Institute practices.

4.4 Describe the functions of dispute resolution schemes.

Planned review date	31 December 2025
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Status information and last date for assessment for superseded versions

Process	Version	Date	Last Date for Assessment
Registration	1	27 September 1999	31 December 2013
Revision	2	22 October 2002	31 December 2013
Review	3	28 June 2005	31 December 2021
Rollover and Revision	4	15 November 2012	31 December 2021
Rollover and Revision	5	22 May 2014	31 December 2021
Review	6	18 June 2015	31 December 2023
Review	7	24 September 2020	N/A

Consent and Moderation Requirements (CMR) reference	0121
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This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

Comments on this unit standard

Please contact The Skills Organisation reviewcomments@skills.org.nz if you wish to suggest changes to the content of this unit standard.