

<b>Title</b>	<b>Demonstrate knowledge of the law in practice in a public sector context</b>		
<b>Level</b>	<b>4</b>	<b>Credits</b>	<b>7</b>

<b>Purpose</b>	<p>This unit standard is intended for people employed in service roles in the public sector.</p> <p>People credited with this unit standard are able to:</p> <ul style="list-style-type: none"> <li>– demonstrate knowledge of the New Zealand legal system in a public sector operational context; and</li> <li>– explain legislation in relation to public sector practice.</li> </ul>
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<b>Classification</b>	Public Sector Services > Public Sector Core Skills
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<b>Available grade</b>	Achieved
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## Guidance Information

### 1 References

Crown Entities Act 2004;  
 Employment Relations Act 2000;  
 Health and Safety at Work Act 2015;  
 Human Rights Act 1993;  
 Income Tax Act 2007;  
 Local Government Act 2002;  
 Local Government Official Information and Meetings Act 1987;  
 New Zealand Bill of Rights Act 1990;  
 Official Information Act 1982;  
 Privacy Act 1993;  
 Protected Disclosures Act 2000;  
 Public Finance Act 1989;  
 Public Records Act 2005;  
 State Sector Act 1988;  
 Statistics Act 1975;  
 Te Tiriti o Waitangi/Treaty of Waitangi;  
 Te Ture mō Te Reo Māori 2016/Māori Language Act 2016;  
 and all subsequent amendments and replacements.

It is important to note that there is in most cases specific legislation relevant to the organisation in which the candidate is employed. This must be included.

- 2 Assessment against this unit standard must be based on evidence from a real or simulated public sector workplace situation, provided the simulation reflects public sector requirements and requires performance that replicates a real working environment

- 3 Demonstration of knowledge and skills must be consistent with any applicable code or codes of conduct such as the New Zealand State Services Code of Conduct, *Standards of Integrity and Conduct* (available from <http://www.ssc.govt.nz>) and/or any other public sector specific code or codes of conduct and/or ethics, and must reflect operating professionally and ethically in New Zealand's diverse, bi-, and multicultural environment.
- 4 Definitions  
*Components* may refer to Sections within an Act, regulations within a Regulation, substantive clauses within bylaws, or Other Instruments.  
*Public sector* refers to organisations of the state sector (listed in Schedule 1 and 1A to the State Sector Act 1988, available from <http://www.legislation.govt.nz>), plus organisations of local government.  
*Primary legislation* refers to an Act or Acts of Parliament.  
*Subordinate legislation* refers to law made under the delegated authority of Parliament, including but not limited to – Regulations, Bylaws, Rules, orders, licence conditions, and consent conditions. Subordinate legislation may also be referred to as delegated or derived legislation.

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## Outcomes and performance criteria

### Outcome 1

Demonstrate knowledge of the New Zealand legal system in a public sector operational context.

#### Performance criteria

- 1.1 Describe how legislation currently used in an organisation is created, applied, and reviewed.
- Range maximum of two statutes.
- 1.2 Identify enabling primary legislation relevant to an organisation's core business.
- Range a maximum of two Acts of Parliament.
- 1.3 Describe links between an organisation's core business and the identified primary legislation (performance criterion 1.2) as well as any related subordinate legislation.
- Range a maximum of one piece of subordinate legislation per Act.

### Outcome 2

Explain legislation in relation to public sector practice.

## Performance criteria

2.1 Identify and define specialist terms used in legislation and provide an example of how their meaning affects public sector practice.

Range terms may include but are not limited to – and, or, may, shall, provided that, notwithstanding, subject to, deemed, except as expressly provided for, includes, means; four terms are required.

2.2 Explain components of an Act or legislative instrument in plain terms.

Range two components relevant to own organisation.

2.3 Explain the practical effect of two components (performance criterion 2.2) of an Act or legislative instrument on a public sector organisation.

<b>Planned review date</b>	31 December 2023
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### Status information and last date for assessment for superseded versions

Process	Version	Date	Last Date for Assessment
Registration	1	24 January 2019	N/A

<b>Consent and Moderation Requirements (CMR) reference</b>	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](mailto:reviewcomments@skills.org.nz) if you wish to suggest changes to the content of this unit standard.