

Regulatory Competencies

Process Competency: Enforcement

Description: The ability to assess an event which may be in contravention of legislation or requirements and determine the correct course of action.

Note: Elements are shown in italics.

Operational	Supervisory
<p><i>Regulatory Process</i></p> <p>Can demonstrate the ability to identify the appropriate means of enforcement, proportionate to the scale of the event, and takes appropriate action in light of the law and the local environment.</p> <p>Is aware of the prosecuting authority for each relevant Territory, and of their specific requirements.</p> <p>Has good comprehension of the rules and processes involved in the gathering of evidence for presentation to relevant authorities.</p> <p>Is able to correctly identify the points in the enforcement process where the involvement of legal advisers is either a requirement or an application of best practice.</p> <p><i>Responsibilities</i></p> <p>Is able to explain own responsibilities regarding 'Authorised Person' actions and appreciate the impact these may have on any subsequent enforcement process.</p> <p><i>Report and Recommendations</i></p> <p>Can present cogent arguments to operators and others concerned to explain the reasoning and process of enforcement actions undertaken.</p>	<p><i>Understanding</i></p> <p>Can demonstrate broad understanding of legislation and has a sound understanding of the relevant parts.</p> <p><i>Guidance</i></p> <p>Demonstrates the ability to provide suitable practical advice to staff considering the options for, and implications of, particular enforcement activities.</p> <p><i>Approval</i></p> <p>Can make a judgement on the appropriate enforcement action to be followed in both simple and complex cases.</p>
<p><i>Persons to whom this is likely to apply:</i> Specialist technical managers. Inspectors.</p>	<p><i>Persons to whom this is likely to apply:</i> General technical manager (DCA/COO/MANU/MPQS etc)</p>