



# PUBLICATION

## The Pilbara Infrastructure

### PUBLICATION OF AMENDED PART 5 INSTRUMENTS

The Economic Regulation Authority has today published amended Part 5 instruments for the Pilbara Infrastructure PL (TPI). TPI proposed amendments to these instruments in accordance with provisions contained in the previous documents, and these amendments have been approved by the Authority.

Part 5 instruments are those regulatory instruments required by Part 5 of the *Railways (Access) Code 2000* to be put in place by a railway owner. These instruments are listed below, with reference to the relevant sections of the Code:

- [Train Management Guidelines](#) – section 43
- [Train Path Policy](#) – section 44
- [Costing Principles](#) – section 46
- [Over-payment Rules](#) – section 47

The amendments to TPI's Train Management Guidelines and Over-payment Rules are confined to the removal of provisions for mandatory periodic review and audit provisions not required by the Code. These provisions were included in the original instruments in order to ensure an initial review by TPI. The amendments to the Train Management Guidelines and Over-payment Rules are to sections 4.9 and 5 respectively of those documents.

The amendments to the Train Path Policy are to section 4.5, and are confined to the removal of provisions for mandatory periodic review and the removal of provision for audit of the instrument. Retrospective audit of application of the Train Path Policy is not required by the Code and the Authority considers that such an audit is not appropriate following the allocation of train paths as part of an agreement made between a railway owner and an operator.

The amendment to the Costing Principles is at Appendix C of the instrument, and is the addition of a description of the Solomon Spur to the list of route sections to which the Costing Principles apply. Provision for mandatory periodic review of TPI's Costing Principles was removed when amendments to the instrument were last approved by the Authority in May 2012.

All of TPI's Part 5 instruments retain provisions for review by the Regulator at any time, and for stakeholders to approach the Regulator with any concerns in relation to the operation of these instruments.

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