



Economic Regulation Authority

Promoting fair prices, quality services and choice

PUBLICATION

Review of the Railways (Access) Code 2000

FINAL REPORT PUBLISHED

The Economic Regulation Authority has published its final report on the Review of the Railways (Access) Code 2000.

Section 12 (Part 2) of the *Railways (Access) Act 1998* requires the Authority to undertake a review of the *Railways (Access) Code 2000* (**Code**) on the third anniversary of its commencement and every five years thereafter. The Code commenced on 1 September 2001.

The current review was commenced by the Authority in October 2009 and a draft report was published by the Authority on 22 November 2010. The final report was given to the Treasurer, for his consideration, on 23 December 2011.

This final report makes recommendations which seek to:

- Improve the availability of information for parties seeking access to the railway to promote competition in the provision of above rail operations;
- Reduce the likelihood that access negotiations may be unnecessarily delayed if a railway owner withholds information by broadening the definition of disputes to include disputes relating to information provision and negotiation obligations;
- Remove barriers to the efficient/effective administration of the Code and ensure that the consultation provisions within the Code are applied consistently;
- Clarify the definitions of railways which are subject to the Code;
- Clarify the considerations a railway owner might properly have regard to in providing differential treatment to prospective access seekers; and
- Expedite timely resolution of proposals for access to new railways by development of a set of 'model' Part 5 instruments to apply to all new railways from commencement of their operations.

A copy of the final report and all related documents are available on the Authority's [website](#).

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