



# PUBLICATION

## BROOKFIELD RAIL

### DRAFT DETERMINATIONS: PROPOSED REVISED TRAIN MANAGEMENT GUIDELINES AND TRAIN PATH POLICY

The Authority today published its draft determinations on revisions to [Train Management Guidelines](#) and [Train Path Policy](#) proposed by Brookfield Rail.

The Train Management Guidelines instrument is a statement of principles, rules and practices which will be applied in the real time management of services on the network. The Train Path Policy instrument is a statement of policy relating to the allocation of train paths in the negotiation and making of an access agreement.

The *Railways (Access) Code 2000* (**Code**) establishes the requirements for Train Management Guidelines and Train Path Policy at Part 5 of the Code, sections 43 and 44.

Public consultation was carried out over a four week period from 3 May 2012, following submission of the proposed instruments by Brookfield Rail. The Authority considered all submissions in preparing its draft determinations.

#### Key Issues

While the draft determinations deal with a range of issues which arose from the assessment of Brookfield Rail's proposals, key issues include the following:

- Application of the instruments to out-of-Code track access arrangements
- Review and audit of the instruments
- Definition of 'operator' in the Code
- Dispute resolution procedures
- Provision for variations, cancellation and review of, and trading in train paths

#### Public Submissions

Interested parties are invited to make submissions on the draft determinations by **4:00 pm (WST) on Friday 7 September 2012**.

Submissions should be marked to the attention of Leonie Browner, Principal Regulatory Analyst.

Postal address: PO Box 8469, PERTH BC WA 6849

Office address: Level 4, Albert Facey House, 469 Wellington Street, PERTH WA 6000

Email address: [publicsubmissions@erawa.com.au](mailto:publicsubmissions@erawa.com.au)

## **CONFIDENTIALITY**

In general, all submissions from interested parties will be treated as being in the public domain and placed on the Authority's website. Where an interested party wishes to make a submission in confidence, it should clearly indicate the parts of the submission for which confidentiality is claimed, and specify in reasonable detail the basis for the claim. Any claim of confidentiality will be considered in accordance with the provisions of section 50 of the *Railways (Access) Code 2000*.

The publication of a submission on the Authority's website shall not be taken as indicating that the Authority has knowledge either actual or constructive of the contents of a particular submission and, in particular, whether the submission in whole or part contains information of a confidential nature and no duty of confidence will arise for the Authority.

For further information contact:

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LYNDON ROWE  
**CHAIRMAN**

10 August 2012