



## Media Statement

2 February 2016

### Railways Code Review: more consistent access

Recommendations from an Economic Regulation Authority (ERA) review of the Railways (Access) Code 2000 aim to make Western Australian railway access regulations more workable and consistent with regulations across Australia.

ERA governing body member, Dr Stephen King, said the ERA is required to review the Code every five years and provide a report to the Western Australian Treasurer.

“The report provides 10 recommendations, one of which aims to make the regulation of Brookfield Rail’s interstate services consistent with the regulation of similar services outside Western Australia,” Dr King said.

“A number of recommendations aim to facilitate more timely negotiated outcomes,” he said.

“One of these is changing the basis for valuation of assets of intrastate services to an ‘established asset base’ approach which takes depreciation into account. This would be a significant change which would reduce the number of matters to be settled in negotiation.

“We would also like information from access seekers to be provided more promptly and information provided by railway owners to be updated more frequently.

“We recommend that rail extensions and expansions may be proposed at any time, including prior to the start of negotiations.

“Also outlined in the report is a proposed merits review of the regulator’s determinations and suggestion that third parties in dispute be involved in the selection of an arbitrator.

“We are also seeking clarification of some terms used in the code such as ‘available capacity’ and the removal of some of the obsolete provisions in the Code.”

Dr King said the ERA received a wide range of stakeholder comments during three rounds of public consultation. Its report was provided to the Treasurer on 8 December.

- The Railways (Access) Act 1998 provides for the Treasurer to amend or replace the Railways (Access) Code and requires that further public comment be sought prior to any changes.

**ENDS**

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