

NOTICE

Final Determination and Approval of the Public Transport Authority's Proposed Train Management Guidelines, Train Path Policy, Costing Principles and Over-payment Rules

The Economic Regulation Authority has released its Final Determination approving the Public Transport Authority's (PTA) proposed revised Train Management Guidelines, Train Path Policy, Costing Principles and Over-payment Rules submitted to the Authority on 28 March 2008.

The [Final Determination](#) and the approved [Train Management Guidelines](#), [Train Path Policy](#), [Costing Principles](#) and [Over-payment Rules](#) are available on the Authority's web site.

The *Railways (Access) Code 2000* requires railway owners to submit the four regulatory instrument documents to the Authority for approval. They are collectively referred to as the "Part 5 Instruments".

Their purpose is to ensure that users gain access to monopoly rail infrastructure based on a reasonable level of service at fair prices.

Background

The former Independent Rail Access Regulator (IRAR) approved the PTA's Part 5 Instruments in 2003. The IRAR determined that they would be reviewed five years after commencement.

On 22 June 2007, the PTA submitted its proposed revised instruments for approval. These documents were amended from those approved by the IRAR in 2003, to reflect consistency, where relevant, with WestNet Rail's Part 5 Instruments approved by the Authority in August 2006.

In December 2007 the Authority reviewed the regulatory compliance arrangements for the PTA and decided the obligations could be reduced. This decision meant the PTA's Part 5 Instruments needed further amendment to reflect the compliance changes.

On 28 March 2008, the PTA submitted amended proposed revised Part 5 Instruments incorporating the changes required.

Two separate public consultation processes were undertaken in the course of preparing the Final Determination on the PTA instruments.

The first round took place during July and August 2007 when public submissions were invited on all of the PTA's proposed revised Part 5 Instruments. No submissions were received.

The second round was undertaken in January 2008 as a result of the Authority's review of the PTA's compliance arrangements with public submissions invited on a Background Paper prepared by the Authority on the compliance changes being considered. Two submissions were received, from the Chamber of Commerce and Industry Western Australia (CCIWA) and the Australian Rail Track Corporation Ltd (ARTC), and these are available on the Authority's web site.

As a result of this review, the Authority determined that the PTA's compliance arrangements should be modified by reducing some of the obligations. The changes reflected the nature of the PTA's urban rail network and the limited extent to which third party access to the PTA rail network was likely to be an issue in the future.

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