



Western Australia

Economic Regulation Authority

NOTICE

The Review of the Rail (Access) Code 2000 by the Economic Regulation Authority

Background

The Western Australian Rail Access Regime has been in place since September 2001. Section 12, Part 2 of the *Railways (Access) Act 1998* (“the Act”) requires the Rail Access Regulator (“the Regulator”) to undertake a review of the *Railways (Access) Code 2000* (“the Code”) on the third anniversary of its commencement and every five years thereafter. The Economic Regulation Authority (Authority) is the relevant regulator under the legislation.

Section 12 of the Act stipulates that the “*purpose of the review is to assess the suitability of the provisions of the Code to give effect to the Competition Principles Agreement in respect of railways to which the Code applies*”.

The Act also requires, as part of the review process, the Regulator to undertake public consultation for a minimum period of thirty days and prepare a report on the review to the Minister.

Process

While the Act does not outline a process to be followed, it is proposed that the review of the Code should commence with the publication of an Issues Paper. This paper will discuss relevant issues to be considered to assist interested parties and stakeholders in making submissions to the Authority.

It is proposed that a period of thirty five days will be provided for submissions following the release of the Issues Paper and prior to release of a Draft Report. A further period of thirty five days will be provided following the release of the Draft Report and before the Final Report.

In order to provide interested parties and stakeholders an opportunity to discuss issues in an open forum, a workshop is proposed during the second period of public consultation.

The schedule of the principal dates summarising the proposed review process is as follows:

Activity	Date
Release Issues Paper	17 th February 2005
Submissions close	22 nd March 2005
Issue Draft Report	30 th May 2005
Stakeholder workshop	13 th June 2005
Submissions close	4 th July 2005
Issue Final Report	22 nd August 2005

Enquiries can be made with Mike Jansen on 9213 1952.

LYNDON ROWE
CHAIRMAN

22 October 2004