



Economic Regulation Authority

Western Australia

NOTICE

REVIEW OF THE RAILWAYS (ACCESS) CODE 2000 DRAFT REPORT

The Economic Regulation Authority (**Authority**) today issued its Draft Report on the review of the *Railways (Access) Code 2000* (**Code**).

This Report proposes changes to the Code in a number of areas designed to improve the working of the Western Australian Rail Access Regime, consistent with the objectives of the review.

BACKGROUND

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

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*”. This section also requires the Authority, as part of the review process, to undertake public consultation for a minimum period of thirty days and prepare a report based on the review for the Minister.

On 23 February 2005, the Authority released an Issues Paper to assist interested parties in making submissions on issues considered relevant to the review. Interested parties were invited to make submissions on the Issues Paper. These submissions were considered by the Authority in preparation of the Draft Report.

PUBLIC SUBMISSIONS

Pursuant to section 12 of the Act, the Authority invites submissions from interested parties on the Draft Report. All submissions should be in electronic and hard copy form.

Submissions made to the Authority will be treated as in the public domain and placed on the Authority’s website unless confidentiality is claimed. Parts of the submission in relation to which confidentiality is claimed should be clearly marked. Any claim of confidentiality will be considered in accordance with the provisions of section 50 of the Code.

The receipt and publication of a submission lodged by a person, with the Authority, and placed on this 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 in part contains information of a confidential nature and no duty of confidence will arise for the Authority in these circumstances.

Submissions to the Authority, on the Draft Report, must be received by **4.00pm (Western Standard Time) on Friday 5 August 2005**.

PUBLIC FORUM

It is intended that interested parties have the opportunity to discuss the Draft Report with the Authority, in a Public Forum, to assist these parties in making submissions. This Forum will be held on Thursday 21 July 2005 from 9.15am to 12.30pm. The venue for the Forum will be at a location yet to be finalised within the Perth CBD.

The Authority requests that parties wishing to attend the Public Forum on the Draft Report register their interest with the Authority by **4.00pm on Monday 11 July 2005** by email to railpublicforum@era.wa.gov.au. The Authority will email details of the venue for the Public Forum to registered parties by Wednesday 13 July 2005.

FURTHER INFORMATION

The Draft Report is available on the Authority's website (www.era.wa.gov.au). Printed copies of the Draft Report are available from the Authority on request at a cost of \$25 by telephoning the Authority on (08) 9213 1900.

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