



ASSOCIATION OF TOURIST & HERITAGE RAIL AUSTRALIA

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ATHRA ALERT #55 – July 2011 National Rail Safety Regulator Draft Act, Regulations and Regulatory Impact Statement

The draft Act, Regulations and associated Regulatory Impact Statement for the National Single Rail Safety Regulator were released by the National Transport Commission (NTC) on 18 July 2011. They can be accessed using the following link:

<http://www.ntc.gov.au/viewpage.aspx?Areald=34&DocumentId=1925>

The NTC and Project Office are running a series of public forums to explain the proposed law to give information and stakeholders an opportunity to ask questions and give feedback. Details of the forums and registration can be found on the above page and using this link:

<http://www.emgevents.com.au/event/ntc/> Evening forums have been arranged for those who are unable to attend during the day in the larger cities.

ATHRA has been involved in the Industry consultation and the development of the Regulatory Impact Statement. The costs for the sector to move to the new Regulatory environment have been estimated using our input. If you have any comment on these, please provide your feedback.

Issues

The draft Act maintains the fundamental co-regulatory approach to rail safety in Australia. The new Act and Regulations are based on the National Model Rail Safety Act which has been largely adopted in most states. It does however have some changes for example in the areas of competency assessment, drug and alcohol and fatigue management, which type rail operations are included or not, exemptions and regulatory requirements that you should be aware of. It is strongly recommend that you take the opportunity to attend the forums and provide feedback. Previously exempt operations may now be included and those who were included may now apply for certain exemptions.

Significant outstanding issues are Fees and Transitional Arrangements.

ATHRA will be making a submission, in conjunction with the Australasian Railway Association.

Recommended Actions:

Distribute this document to those who are responsible for Rail Safety in your railway and strongly encourage attendance at the forums. If you decide to make a direct submission to the NTC, would you please copy ATHRA in via rail.safety@athra.asn.au