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M E D I A R E L E A S E

A NATIONAL REGULATOR WITH 'TEETH' NEEDS TO ADMINISTER RAIL SAFETY LAW

With leaders set to discuss national transport reforms at this Friday's COAG meeting, the Australian Logistics Council (ALC) has argued in its submission on the National Draft Rail Safety Law that the law should be administered by a single agency with 'teeth'.

"ALC's submission on the draft rail safety law reflects our commitment to see the implementation of national regulators for rail safety, maritime safety and heavy vehicles, which is a critical reform needed to support greater efficiencies in the transport sector," said Michael Kilgariff, ALC CEO.

"ALC strongly supports the adoption of one national law for rail safety, but believes the current legislative package needs strengthening to ensure the full benefits of a national system are realised.

"The most significant of these are provisions enabling existing jurisdictions to administer the rail safety laws through service level agreements. ALC is concerned there is potential down the track for seven different interpretations of the national law.

"Clear, centrally drafted guidelines and procedures are necessary to ensure a consistent regulatory approach which is administered by a single, autonomous, properly funded national safety regulator.

"Delegating powers to seven jurisdictions to enforce the laws would be counter-productive, and obviously not in line with the reform's primary objective to eliminate inconsistencies across state boundaries," he said.

Mr Kilgariff said ALC's submission also highlighted concerns about how regulations could be made and disallowed under the legislation.

"Under the draft laws only the South Australian Government can make regulations relating to the laws on the advice of the nation's transport ministers or as an initiative of the state parliament," he said.

"ALC would prefer to see the rail safety package adopt an approach similar to the heavy vehicle national laws, whereby the ministerial council can make regulations.

"Similarly, ALC believes a regulation under the draft laws should be able to be disallowed nationally if a single jurisdiction is successful in overturning it.

"It is disappointing that under the current proposals there is no capacity for an Australian parliament to disallow a rail safety regulation," he said.

Mr Kilgariff added that overall ALC was pleased with the draft law package, saying the national rail safety reform process was an essential ingredient to achieving a seamless national economy.

"A consistent regulatory framework for rail safety would improve productivity in the rail sector by eliminating many of the state based inconsistencies which add to compliance costs," he said.

"When you factor in estimates that Australia's overall freight task is going to double by 2030 and triple by 2050, it's clear we need an efficient and productive rail industry in Australia to meet that demand.

"The implementation of these national safety laws is critical to achieving the efficiency gains we need to meet the growing national freight task, and we urge our nation's leaders not to lose sight of this important fact when they meet in Canberra this week," he said.

ALC's submission on the Draft Rail Safety National Law is available [here](#).

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