



Transport Administration (General) Amendment (Miscellaneous) Regulation 2013

under the

Transport Administration Act 1988

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Transport Administration Act 1988*.

GLADYS BEREJIKLIAN, MP
Minister for Transport

Explanatory note

The object of this Regulation is to make further provision in relation to the operation of Sydney Trains and NSW Trains, which were established in 2012 as public subsidiary corporations of RailCorp. This Regulation:

- (a) makes it clear that the regulations do not prevent the establishment of separate funds in relation to the operations of Sydney Trains and NSW Trains, and
- (b) makes provision for the application, to Sydney Trains and NSW Trains, of IPART pricing determinations made in respect of railway passenger services supplied by RailCorp.

This Regulation is made under the *Transport Administration Act 1988*, including section 55C and section 119 (the general regulation-making power).

2013 No 347

Transport Administration (General) Amendment (Miscellaneous) Regulation
Clause 1 2013

**Transport Administration (General) Amendment
(Miscellaneous) Regulation 2013**

under the

Transport Administration Act 1988

1 Name of Regulation

This Regulation is the *Transport Administration (General) Amendment (Miscellaneous) Regulation 2013*.

2 Commencement

This Regulation commences on 1 July 2013 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Transport Administration (General) Regulation 2005

[1] Clause 9J Financial provisions

Omit “, but not so as to authorise or require the establishment of any fund in addition to the RailCorp Fund” from clause 9J.

[2] Clause 9V Application of other Acts and instruments to Sydney Trains

Insert after clause 9V (3):

- (4) Any pricing determination that applies to railway passenger services supplied by RailCorp under the name “CityRail” is taken to apply to and in respect of railway passenger services operated by Sydney Trains that are specified by the Director-General, in a direction given under clause 9C, to be services that are to be operated by Sydney Trains in accordance with the pricing determination.
- (5) In this clause, *pricing determination* means:
 - (a) any declaration of a government monopoly service made under section 4 of the *Independent Pricing and Regulatory Tribunal Act 1992*, and
 - (b) any determination of the pricing for a government monopoly service made by the Independent Pricing and Regulatory Tribunal under section 11 of that Act and in force immediately before 1 July 2013.

[3] Clause 9ZG Financial provisions

Omit “, but not so as to authorise or require the establishment of any fund in addition to the RailCorp Fund” from clause 9ZG.

[4] Clause 9ZQ Application of other Acts and instruments to NSW Trains

Insert after clause 9ZQ (3):

- (4) Any pricing determination that applies to railway passenger services supplied by RailCorp under the name “CityRail” is taken to apply to and in respect of railway passenger services operated by NSW Trains that are specified by the Director-General, in a direction given under clause 9Z, to be services that are to be operated by NSW Trains in accordance with the pricing determination.

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Schedule 1

Amendment of Transport Administration (General) Regulation 2005

- (5) In this clause, ***pricing determination*** means:
- (a) any declaration of a government monopoly service made under section 4 of the *Independent Pricing and Regulatory Tribunal Act 1992*, and
 - (b) any determination of the pricing for a government monopoly service made by the Independent Pricing and Regulatory Tribunal under section 11 of that Act and in force immediately before 1 July 2013.