



Queensland

Queensland Competition Authority Amendment Regulation (No. ..) 2010

Subordinate Legislation 2010 No. ...

made under the

Queensland Competition Authority Act 2007

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[s 1]

1 Short title

This regulation may be cited as the *Queensland Competition Authority Amendment Regulation (No. ..) 2010*.

2 Regulation amended

This regulation amends the *Queensland Competition Authority Regulation 2007*.

3 Insertion of new ss 2B and 2C

After section 2A—

insert—

‘2B Declaration under the Act, s 97—central Queensland coal network rail infrastructure

‘(1) The service mentioned in subsection (2) is declared for section 97 of the Act.

‘(2) The service is the use of relevant rail infrastructure for providing transportation by rail.

‘(3) In this section—

addition, to an existing system, means an augmentation, duplication, replacement or extension of the existing system, built after the commencement of this section, that—

(a) does not connect the existing system to a coal basin to which the existing system is not connected on the commencement of this section; and

(b) does not connect the existing system to another existing system; and

(c) is owned or leased by—

(i) the owner or lessee of the existing system; or

(ii) a related body corporate of the owner or lessee of the existing system.

Note—

Updated line diagrams showing additions made to the existing systems after the commencement of this section can be viewed on QR Network Limited's website at <www.qrnetwork.com.au>.

relevant rail infrastructure means rail transport infrastructure that is—

- (a) an existing system; or
- (b) an addition to an existing system.

existing system means the following—

- (a) the Blackwater system as shown in red on the diagram in schedule 1, part 1;
- (b) the Goonyella system as shown in red on the diagram in schedule 1, part 2;
- (c) the Moura system as shown in red on the diagram in schedule 1, part 3;
- (d) the Newlands system as shown in red on the diagram in schedule 1, part 4.

Note—

The diagrams in schedule 1 show the existing systems as of the day this section commences.'

'2C Declaration under the Act, s 97—Queensland Rail rail infrastructure

- '(1) The service mentioned in subsection (2) is declared for section 97 of the Act.
- '(2) The service is the use of rail transport infrastructure for providing transportation by rail if the infrastructure is used for operating a railway for which Queensland Rail, or a successor, assign or subsidiary of Queensland Rail, is the railway manager.
- '(3) The declaration has effect only while the rail transport infrastructure remains a public facility.'

[s 4]

4 Amendment of s 3 (Fees—Act, s 245(2))

Section 3(1), ‘the schedule’—

omit, insert—

‘schedule 2’.

5 Omission of s 6 (Continuation of existing declaration under the Act, s 97—rail transport infrastructure)

Section 6—

omit.

6 Insertion of new sch 1

After section 7—

insert—

‘Schedule 1 Central Queensland coal network rail infrastructure

section 2B

‘Part 1 Blackwater system

Line diagram of Blackwater system to be inserted.

‘Part 2 Goonyella system

Line diagram of Goonyella system to be inserted.

Part 3 Moura system

Line diagram of Moura system to be inserted.

Part 4 Newlands system

Line diagram of Newlands system to be inserted.

7 Renumbering of schedule (Services and functions for which fees are payable)

Schedule—
renumber as schedule 2.

ENDNOTES

- 1 Made by the Governor in Council on . . .
- 2 Notified in the gazette on . . .
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Treasury Department.