

Frequently Asked Questions

Draft Guideline - Consultation under the RSNL

1. Why has ONRSR prepared the draft Guideline: Consultation under the Rail Safety National Law (RSNL)?	<p>ONRSR has prepared the draft Guideline to assist rail transport operators (operators) to understand the requirement to consult in establishing, reviewing or updating their safety management system.</p> <p>The draft Guideline sets out ONRSR's expectations.</p> <p>In addition, over the past 4 years there have been two court cases relating the requirements in the RSNL. The draft guideline addresses the outcomes from those cases.</p> <p>The draft guideline also responds to a recommendation in the National Transport Commission's Review of the RSNL. The Review recommended that the Regulator develop a code of practice or guidance material outlining the minimum expectations of meaningful consultation.</p>
2. Are there any changes to the RSNL in relation to consultation?	<p>There have not been any changes to the requirement to consult.</p> <p>A NSW Court of Appeal decision has clarified aspects of the scope and the nature of consultation operators must undertake. Further information about the decision of the Supreme Court of New South Wales – Court of Appeal is available on the AustLII website.</p>
3. What is the purpose of the guideline?	<p>The purpose of this the draft Guideline is to provide guidance to accredited rail transport operators, and those applying for accreditation, on the legislative requirements and expectations for meaningful consultation on the establishment, review or variation of their Safety Management System (SMS).</p>
4. Who has contributed to the draft guideline so far?	<p>A Consultation Guideline Reference Group (CGRG) was established by ONRSR to inform the development of the draft guideline.</p> <p>The CGRG involved representatives from the Rail, Tram and Bus Industry Union, Australian Federated Union of Locomotive Employees, Metro Trains Melbourne, Downer Group and Aurizon.</p>
5. When will the guideline be finalised?	<p>ONRSR will consider any feedback provided during the consultation period. Once any updates to the Guideline have been made, it will be published on the ONRSR website.</p>

6. Where do I send my submission?	Submissions should be sent to ONRSR via email: contact@onrsr.com.au
7. Where can I direct any questions?	In the first instance, send an email to the ONRSR email contact@onrsr.com.au