



# Rail Safety 2013

## National Rail Safety Regulation

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## Overview

- Introducing ONRSR
- Regulating under the new law
- Challenge of ensuring national consistency
- Next Steps



## Introducing ONRSR – Regulatory Reform

Rail Reform Agenda (2009) sought

- One National Regulator
- One National law
- One National Investigator

The Office of the National Rail Safety Regulator (ONRSR) went live on 20 January 2013, presenting new opportunities and challenges.

# Introducing ONRSR - Brief History



- COAG decision to create a National Rail Safety Regulator.
- To develop RSNL (South Australia) Act.
- All Jurisdictions to apply or mirror RSNL.
- Initial funding arrangement for ONRSR.
- Full industry cost recovery proposals to be developed.
- ONRSR & Jurisdictions may agree to regulation via SLA.
- RSNL and mirror law now passed in SA, NSW, NT, TAS.
- RSNL enacted 20 January 2013.
- Remaining States expected to pass law by Dec 2013.
- ITSR act as the NSW Branch of ONRSR under SLA.

## Introducing ONRSR – Functions & Objectives

- Facilitate safe operations of rail transport.
- Exhibit independence, rigour and excellence in regulatory functions.
- Promote safety and safety improvement as a fundamental objective.
- Administer, audit and review accreditation regime.
- Work with rail transport operators and others to improve rail safety nationally.
- Conduct research, collect and publish information.
- Provide or facilitate the provision of advice, education and training.
- Monitor, investigate and enforce compliance with the RSNL.
- To engage in, promote and co-ordinate the sharing of information.

# Regulating under the RSNL



- 180 Accredited Rail Transport Operators (RTOs).
- Approx. 1/3 of RTOs operate across multiple states/territories giving 271 Accreditations on 19 January 2013.
- The ONRSR has coverage of 104 accredited RTOs at commencement.
- Prior to 20 January 2013, these operators held 141 Accreditations.
- Once all States join ONRSR the 271 Accreditations reduce to 180.

# Regulating under the RSNL



Our approach to working with Stakeholders is Co-Regulatory.

- Supporting operators to deliver on obligations and enforcing the Law where this has failed.
- Establishing National Stakeholder Forums
- Promoting industry leadership on:
  - National Standards – contributing to & endorsing examples of good industry practice – encouraging industry take-up
  - Risk Management through data acquisition and analysis
- Supporting industry innovation
- Reducing red-tape and providing freedom of dealing with one national regulator – One stop shop.
- Risk-based and proportionate.
- Robust, engaging, transparent, and honest.

# Approach to National Consistency



- National Operations Committee – Central, NSW, (Vic, QLD and WA) Branches .
- Delegations framework to assist in uniform approach.
- Standing invite to Industry to discuss operational consistency.
- MoU's with WA, QLD.
- Policy development based on:
  - input from NOC.
  - Stakeholder engagement.
- Work with RTOs to review accreditation conditions.
- Potential endorsement of national industry standards.
- Ability to access & build national regulatory capability.
- Intelligence from identifying national risks and priorities.



# Next Steps



- Support the transition of remaining State Regulators into ONRSR.
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- Corporate Plan & Statement of Intent to Ministers .
- Stakeholder forums to be established.
- NOC - up and running – Industry engagement.
- ‘Standards’ and Work Plans of mutual priority established and tackled.
- National and local priorities defined.
- Work Programme for 2013/14 developed.
- Data migration followed by first national data report
- Cost recovery implemented.

## Next Steps - Significant Recent Incidents



- Transition in regulation does not mean we can be complacent about rail safety risk
- Since commencing operations on 20 January 2013, the states and territory regulated by ONRSR have seen 10 category A rail safety occurrences in its first month.
- Nationally we have seen other high-profile rail occurrences which are timely reminders that there is still a lot of work to be done.



# Next Steps - Rail Safety Risks



- Reduce regulatory burden to allow focus on risk.
- Overcome disaggregated data and lack of national safety intelligence.
- ONRSR will work with industry on a national data strategy.
- ONRSR will support industry moving to its own data collection and analysis.
- Reporting standards are currently too “regulator-centric”.
  - Too much focus on outcomes over precursors.
- ONRSR will focus regulatory effort and prioritise policy development on ‘risk’ and ‘solubility’.