



Queensland

Queensland Competition Authority Amendment Regulation (No. 3) 2010

Subordinate Legislation 2010 No. 200

made under the

Queensland Competition Authority Act 1997

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[s 1]

1 Short title

This regulation may be cited as the *Queensland Competition Authority Amendment Regulation (No. 3) 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 a coal system for providing transportation by rail.
- ‘(3) For this section, *coal system* means rail transport infrastructure that is—
 - (a) part of any of the following—
 - (i) the Blackwater system, being the railway connecting Gregory, Rolleston and Minerva to Gladstone, including the part of the North Coast Line between Parana and Rocklands, as shown on the diagram in schedule 1;
 - (ii) the Goonyella system, being the railway connecting Gregory, North Goonyella and Blair Athol mine to the Port of Hay Point, as shown on the diagram in schedule 1;
 - (iii) the Moura system, being the railway connecting Moura mine to Gladstone, as shown on the diagram in schedule 1;
 - (iv) the Newlands system, being the railway connecting Newlands to the Port of Abbott Point, including

the part of the North Coast Line between Durroburra and Kaili, as shown on the diagram in schedule 1; or

- (b) directly or indirectly connected to a system mentioned in paragraph (a) and owned or leased by the owner or lessee, or a related body corporate of the owner or lessee, of the system.

‘(4) Also, a ***coal system*** includes an extension of the coal system that—

- (a) is built after the commencement of this section; and
- (b) does not directly connect the coal system to a coal basin to which the coal system is not directly connected on the commencement of this section; and
- (c) is owned or leased by—
 - (i) the owner or lessee of the coal system; or
 - (ii) a related body corporate of the owner or lessee of the coal system.

‘(5) In this section—

extension, of a coal system, includes an enhancement, expansion, augmentation, duplication or replacement of all or part of the coal system.

North Coast Line means the railway running the length of the coast of Queensland from Brisbane to Cairns.

‘2C Declaration under the Act, s 97—Queensland Rail Limited 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 Limited, or a successor, assign or subsidiary of Queensland Rail Limited, is the railway manager.

[s 4]

‘(3) The declaration has effect only while the rail transport infrastructure remains a public facility.

‘(4) In this section—

Queensland Rail Limited means Queensland Rail Limited ACN 132 181 090.’.

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.

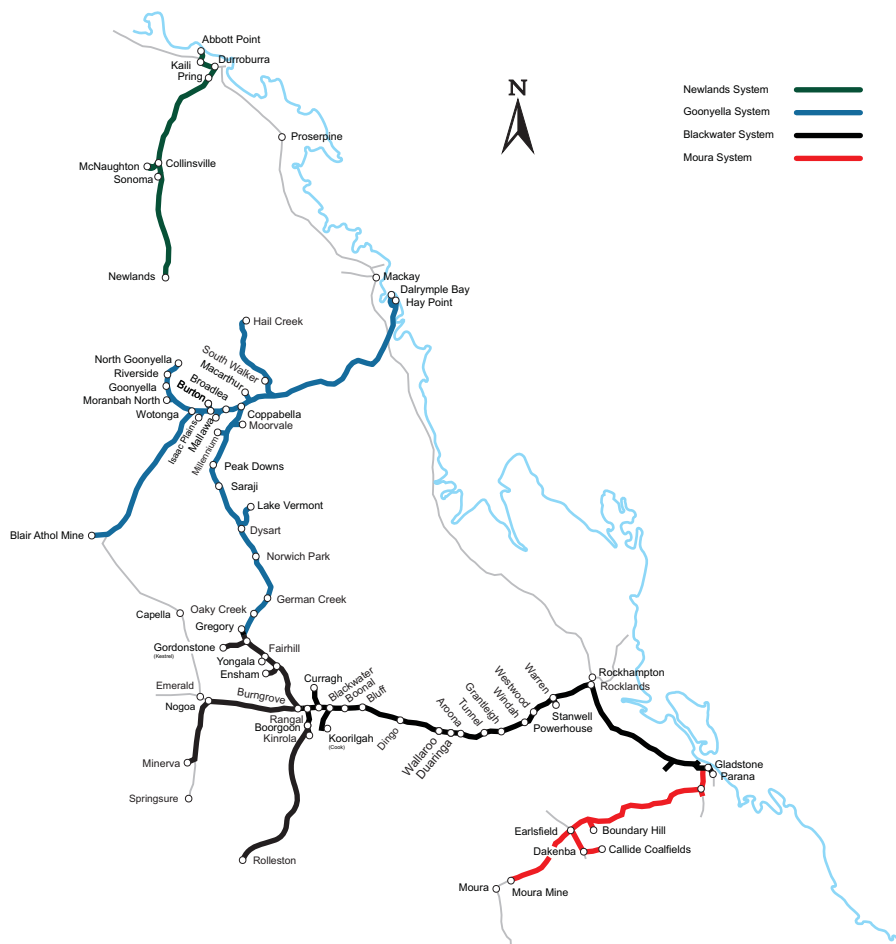
6 Insertion of new sch 1

After section 7—

insert—

'Schedule 1 Central Queensland coal network rail infrastructure

section 2B



[s 7]

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 29 July 2010.
- 2 Notified in the gazette on 30 July 2010.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Treasury Department.

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