

Prescribed Incidents: Regulation Amendment from 1 July 2019

New drug and alcohol testing requirements and associated reporting requirements will come into effect on 1 July 2019. At that stage, rail transport operators will be required to:

- immediately report prescribed incidents (as per the table below)
- conduct drug and alcohol testing following these incidents, unless ONRSR or Police have tested.

The table below lists the prescribed incidents and identifies changes to current reporting effective from 1 July 2019.

Immediately reportable incidents (current)	Occurrences & Reporting
Reg 28(7)(a)(i) – A running line collision between rolling stock	Currently reported Category A - as a running line collision between rolling stock No change to reporting
Reg 28(7)(a)(ii) – A collision at a road or pedestrian level crossing between rolling stock and either a road vehicle or a person	Currently reported Category A – as a collision at a road or pedestrian level crossing between rolling stock and either a road vehicle or a person No change to reporting
Reg 28(7)(a)(iii) – The derailment of rolling stock (other than a road-rail vehicle) on a running line	Currently reported Category A – as a running line derailment No change to reporting
Reg 28(7)(a)(iv) – A fatality other than a fatality as a result, or reasonably suspected of being as a result, of suicide	Currently reported Category A – as an accident or incident that has caused death, serious injury or significant property damage No change to reporting
Reg 28(7)(a)(v) – A serious injury to a person other than as a result of a slip, trip or fall	Currently reported Category A – as an accident or incident that has caused death, serious injury or significant property damage No change to reporting
New immediately reportable incidents	
Reg 28(7)(a)(vi) – An incident resulting in, or in relation to which there was a reasonable possibility of, an impact between – (A) Rolling stock and persons conducting track work, or (B) Rolling stock and equipment associated with, or being used for, track work, or (C) Moveable plant, machinery or equipment and persons within an area in which track work is being conducted.	Currently reported Category B Change to reporting: now immediately reportable 3.10.5 - Track Work Procedure/Rule Breach
Reg 28(7)(a)(vii) – An incident where a train or part of a train exceeds the limits of an authorised movement and there was sufficient time for a rail safety worker driving the train to comply with the authorisation	Currently reported Category B Change to reporting: now immediately reportable SPAD A1 LRTAE A1 / LRTAE A2 / LRTAE A4
Reg 28(7)(a)(viii) – An incident where a train exceeds the limits of an authorised movement due to a proceed authority being incorrectly given to the rail safety worker driving the train	Currently reported Category B Change to reporting: now immediately reportable SPAD A3 LRTAE A5
Reg 28(7)(a)(ix) – A rolling stock run-away that exceeds the limits of an authorised movement for the rolling stock	Currently reported Category B Change to reporting: now immediately reportable SPAD B4 LRTAE B4

Note:

- these new prescribed incident requirements do not apply in Western Australia
- New South Wales current prescribed incident requirements are unchanged
- Category A notifiable occurrence reporting requirements are unchanged.

Examples of a track work incident	Notifiable
<p>While there are many different types of incidents categorised in the Track Work Procedure/Rule Breach (3.10.5), the new prescribed incidents in relation to serious breaches focus on track worker safety. To help in determining what should be reported under the new regulation 28(7)(a)(vi), below are a few examples to assist (note - the list of examples is not limited and should not be viewed as a complete list).</p>	
<p>Track work authority is issued to conduct track work on the down line, however the protection officer & track workers set up the work site on the up line (live track).</p>	<p>This is a prescribed incident and is immediately reportable as a 3.10.5 – Track work procedure/rule breach.</p>
<p>A tamping machine, operating on a running line within an authorised track work site, reverses back without checking the track is clear and collides with a work trolley being pushed by two track workers.</p>	<p>This is a prescribed incident and is immediately reportable as a 3.10.5 – Track work procedure/rule breach.</p>
<p>A train enters a work site under a proceed authority and strikes a piece of track equipment left on the track by workers.</p>	<p>This is a prescribed incident and is immediately reportable as a 3.10.5 – Track work procedure/rule breach.</p>
<p>A network controller cancels a track occupancy protection, without contacting the TPO at the worksite to determine whether the track is clear.</p>	<p>This is a prescribed incident and is immediately reportable as a 3.10.5 – Track work procedure/rule breach.</p>
<p>A train has run over two track work signals. Network control had contacted the TPO and suspended the track occupancy authority (TOA) to allow the train to proceed. Network control allowed the train to enter the work section prior to the TPO contacting track workers to clear the track (including removal of the signs) and inform network control all worker and equipment were clear of track.</p>	<p>This is a prescribed incident and is immediately reportable as a 3.10.5 - Track work procedure/rule breach.</p>