

## Queensland Rail's 2025 Draft Access Undertaking

13 November 2023

### Notice of investigation and time periods

On 10 November 2023, the Queensland Competition Authority (QCA) received a draft access undertaking from Queensland Rail for the regulatory period beginning 1 July 2025 (the 2025 DAU).

In accordance with section 146 of the *Queensland Competition Authority Act 1997* (QCA Act), this notice:

- informs stakeholders, including Queensland Rail, of the QCA's intention to conduct an investigation to decide whether to approve, or refuse to approve, the 2025 DAU
- invites stakeholders to make written submissions to the QCA on the 2025 DAU.

### Submissions

Section 138(3) of the QCA Act provides that the QCA may only approve a DAU if, among other things, it has published the DAU, invited submissions on it, and considered any submissions received within the time provided.

We have published the 2025 DAU on our website ([www.qca.org.au](http://www.qca.org.au)) and invite submissions from all interested parties, at [www.qca.org.au/submissions/](http://www.qca.org.au/submissions/) by 2 February 2024. Further details on making submissions are provided on a separate page below.

### Period for approving the DAU

In accordance with section 147A of the QCA Act, the QCA must use its best endeavours to decide whether to approve, or refuse to approve, a DAU within six months from the last day of the time for making submissions stated in the investigation notice. However, the six-month period does not include any of the following :

- a day in the period given by the QCA for making submissions in relation to a DAU or a related document
- a day in the period where a person has been required to give information or produce a document in response to a notice given by the QCA under section 185 of the QCA Act
- day(s) agreed to, by the owner or operator of the service or the responsible person, as not being included in the six-month period.

The six-month period for assessing the 2025 DAU will therefore begin on 2 February 2024 and is scheduled to expire on 2 August 2024. However, this date will be changed to account for any future periods of time that are excluded from the statutory timeframe in accordance with section 147A of

the QCA Act. The expiry date for the six-month timeframe will be updated on our website as matters develop.

# Submissions

**Closing date for submissions: 2 February 2024**

Public involvement is an important element of our decision-making processes. Therefore, we invite submissions from interested parties on the 2025 DAU. We will take account of all submissions received within the stated timeframes. Submissions, comments or inquiries regarding this notice should be directed to:

**Queensland Competition Authority**

GPO Box 2257, Brisbane QLD 4001

Tel (07) 3222 0555

[www.qca.org.au/submissions/](http://www.qca.org.au/submissions/)

## Confidentiality

In the interests of transparency, and to promote informed consultation, we intend to make all submissions publicly available. However, if a person making a submission believes that information in it is confidential, they should claim confidentiality over the relevant information (and state the basis for that claim). We will assess confidentiality claims in accordance with the QCA Act. Among other things, we will assess if disclosure of the relevant information is likely to damage a person's commercial activities, and we will consider the public interest.

Claims for confidentiality should be clearly noted on the front page of a submission, and relevant sections of the submission marked as confidential. The submission should also be provided in both redacted and unredacted versions. In the redacted version, all information claimed as confidential should be removed or hidden. In the unredacted version, all information should be exposed and visible. These measures will make it easier for us to make the remainder of the document publicly available. A confidentiality claim template is available at [www.qca.org.au/submission-policy/](http://www.qca.org.au/submission-policy/)

The template gives guidance on the type of information that may help us to assess a confidentiality claim. We encourage stakeholders to use this template when making confidentiality claims.

## Public access to submissions

Subject to any confidentiality constraints, submissions will be available for public inspection at our Brisbane office or on our website at [www.qca.org.au/](http://www.qca.org.au/). If you experience any difficulty gaining access to documents, please contact us on **(07) 3222 0555**.