

Transport and Main Roads

# Memorandum of Understanding

## Safety in the rail industry

July 2012

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## **Part 1 - Introduction**

### **Purpose**

The purpose of this Memorandum of Understanding (MOU) is to:

- establish collaborative arrangements between relevant Queensland Government agencies with responsibility for safety in the rail industry
- communicate the collaborative arrangements to the Queensland rail industry and the Queensland community to ensure understanding of the whole of Queensland Government approach to safety in the rail industry.

### **Legislative scope**

This MOU applies to all rail operations covered by the:

- *Transport (Rail Safety) Act 2010*
- *Transport (Rail Safety) Regulation 2010*
- *Transport Infrastructure (Dangerous Goods by Rail) Regulation 2008*
- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulation 2011*
- *Electrical Safety Act 2002*
- *Electrical Safety Regulation 2002.*

### **Definitions**

Certain terms used in this MOU are defined in Schedule 1. However, if a term in Schedule 1 is defined by legislation, the definition in the relevant legislation, as amended from time to time, prevails over the definition in Schedule 1.

## Part 2 – Responsible Departments and agencies for this Memorandum of Understanding

At the commencement of this MOU, the Queensland departments and agencies that have responsibility for safety in the rail industry are:

- Department of Transport and Main Roads, through the Rail Safety and Transport Security Division
- Department of Justice and Attorney-General, through the agencies of Workplace Health and Safety Queensland, and the Electrical Safety Office.

### **Rail Safety and Transport Security Division, Department of Transport and Main Roads**

Rail safety in Queensland is regulated by the Department of Transport and Main Roads. All rail transport operators within Queensland are required to be accredited in accordance with the *Transport (Rail Safety) Act 2010*.

The Department of Transport and Main Roads' role in rail safety is to:

- regulate rail safety under a co-regulatory model
- assess applications for accreditation, variation to accreditation and notification of changes to accredited safety systems from rail transport operators
- monitor the activities and safety outcomes of individual rail organisations
- coordinate and undertake a risk based audit program and safety inspections
- develop, implement and maintain rail safety policy and legislation to enhance rail safety
- participate in the development of national policies, strategies and initiatives to support national rail safety legislative reforms
- undertake human factors research and education programs
- collect and analyse rail safety incident data for risk based audits and to assist rail safety policy development
- undertake rail safety compliance and enforcement roles including investigations conducted under s183 of the *Transport (Rail Safety) Act 2010* and other functions such as enforcement and prosecution
- review rail transport operators' investigation reports
- develop state and national policies, strategies and initiatives to improve rail level crossing safety
- administer authority for dangerous goods carried by rail.

Rail related activities to which the Department of Transport and Main Roads does not have regulatory responsibility, as per section 5 of the *Transport (Rail Safety) Act 2010*, include:

- a railway that–
  - (i) is part of, and used solely for, a mining operations; and
  - (ii) is not connected to a railway used to transport passengers or freight;
- a slipway;
- a railway used only to guide a crane;
- an aerial cable operated system;
- a railway that–
  - (i) is operated solely within an amusement or theme park; and
  - (ii) is an amusement device required to be registered under the *Work Health and Safety Act* for its use; and
  - (iii) does not operate on or across a road;
- a monorail;
- a cane railway;
- a railway, or a class of railway, prescribed under a temporary regulation to be a railway to which this Act does not apply.

## **Workplace Health and Safety Queensland, Department of Justice and Attorney-General**

Workplace Health and Safety Queensland's goal is to foster safe and healthy work environments for all workers in Queensland. The key outcome is a reduction in work-related death, injury and disease in Queensland. Workplace Health and Safety Queensland works with all stakeholders to improve work health and safety performance by:

- continued implementation of the *Queensland Workplace Health and Safety Strategy 2004-2012* and implementation of Industry Action Plans 2008–10;
- working cooperatively with other States and the Australian government to improve national consistency in work health and safety and workers' compensation arrangements;
- delivering information and education activities to improve the ability of workplace participants to identify and manage risks pertaining to work health and safety;
- implementing targeted compliance programs at State and local levels and participating in national compliance activities; and
- continued implementation of enforcement activities with an emphasis on investigations and complaints.

## **Electrical Safety Office, Department of Justice and Attorney-General**

The Electrical Safety Office (ESO) plays an important role in improving electrical safety in both workplaces and homes. As Queensland's electrical safety regulator, the ESO undertakes a range of activities to support electrical safety, with the key outcome being to reduce electricity-related deaths and injuries in Queensland. The ESO's goal is "electrically safe homes, workplaces and other environments".

The functions of the ESO cover the provision of advice to the Minister and statutory bodies, including the Electrical Safety Board and its three committees, the development of legislation and standards, and the management of the registration, licensing and electrical equipment approval regimes established under the *Electrical Safety Act 2002*. The ESO also prepares and implements education and awareness activities to better inform industry and the community and undertakes state-wide compliance and enforcement activities through a state-wide inspectorate. The Department of Justice and Attorney-General is committed to working closely with the Electrical Safety Board to achieve its five-year goal of "the elimination of all preventable electrical deaths in Queensland".

Over the past five years there has been a high level of cooperation, not only between ESO and the Electrical Safety Board, but also with employers, unions and other stakeholders. This collective effort towards improving electrical safety has been pivotal in making significant progress and it is this approach that is also reflected in the *Electrical Safety Plan for Queensland 2009-2014*. This plan is significant in establishing the future electrical safety strategic direction by setting out strategies and objectives aimed at improving electrical safety in Queensland workplaces and in Queensland homes over the next five years.

It should be noted that as some of Queensland's accredited railways are also prescribed electrical entities under the *Electrical Safety Act 2002*, there is jurisdictional overlap between the agencies to which this MOU applies.

## **Part 3 – Co-operation between Departments**

The agencies agree to observe and comply with this MOU.

### **Advice and assistance**

The agencies will provide advice and assistance to each other as required, for example, where advice to stakeholders is required, the responsible agencies agree to share technical capabilities and collectively develop such advice and guidance where appropriate.

### **Policy development**

The agencies acknowledge that issues concerning safety in the rail industry require specific policy development for effective management, and therefore:

- agree to consult and collaborate, where appropriate, in relation to state based rail safety policy that may affect work health and safety and electrical safety
- agree to share regulatory performance measurement information, such as key performance indicator data regarding rail safety issues
- agree to share relevant rail safety research
- agree to share information resources or interventions supporting rail safety policy
- agree that, so far as is practicable, standards, industry liaison bodies and consultative arrangements should be made as consistent and harmonious as is possible with respect to safety issues in the rail industry
- undertake to evaluate proposed legislative and/or policy changes to determine whether they will affect the operation and/or implementation of the MOU
- undertake to inform each other of all policy and legislative changes which may impact on the operation or implementation of the MOU
- undertake, where practicable and appropriate, to ensure that their respective policies are consistent with and supportive of this MOU
- agree that where proposed legislative and/or policy changes have the potential to affect the operation of the MOU, the agencies will work together to resolve these issues.

### **Incident notification**

The Rail Safety and Transport Security Division will notify Workplace Health and Safety Queensland and the Electrical Safety Office of 'Category A notifiable occurrences' or an incident involving dangerous goods by rail in a timely manner via the following email address: [whsq.aaa@justice.qld.gov.au](mailto:whsq.aaa@justice.qld.gov.au).

The agencies will advise each other in writing and in a timely manner if an investigation is to be conducted in response to these incidents.

## Lead Agent

'Railway operations' also include the construction of a railway, railway tracks and associated track structures. The following table identifies the lead agent in the event of an incident during the construction and operations phases (refer to Attachment 1 for diagram of the below). It should be noted that every rail incident is assessed according to the particular details of the incident.

<b>Pre operations Phase</b>	
<b>Incident Type</b>	<b>Lead Agent</b>
<b>Infrastructure construction</b> - worker injury - reportable occurrence - usual WH&S occurrence	Office of Fair and Safe Work Queensland
<b>Constructed infrastructure</b> that impact on or could potentially impact on a train or railway operations in the future (operations) phase <i>ie legacy of the construction phase.</i>	Rail Safety and Transport Security Division

<b>Operations Phase</b> (includes work trains during pre operations phase)	
<b>Incident Type</b>	<b>Lead Agent</b>
<b>Off track construction</b> An impact from construction that infringes on the safety of a train or rail operations <i>ie something falls onto a train or train strikes equipment</i>	Office of Fair and Safe Work Queensland and Rail Safety and Transport Security Division
<b>On train</b> Any worker injury <i>eg slip, trip or fall</i>  <b>On track</b> Worker injury, not from railway operations <i>eg injury from power tool while conducting track work</i>	Office of Fair and Safe Work Queensland
<b>On train operations</b> Any worker on a train <i>eg as a result of railway operations</i>  <b>On track</b> Worker injury on track, associated with a train <i>eg shunting</i>	Rail Safety and Transport Security Division

## Dangerous Goods

The following table outlines the role of each agency in relation to rail related activities involving dangerous goods:

Lead Agent	Role
Rail Safety and Transport Security Division	<ul style="list-style-type: none"><li>- Authority for the safe transport of dangerous goods by rail in Queensland</li><li>- Administer Dangerous Goods by Rail legislation</li></ul>
Workplace Health and Safety Queensland	<ul style="list-style-type: none"><li>- Lead agency role for all hazardous materials</li><li>- Administer provisions relating to hazardous chemicals, including dangerous goods</li><li>- Regulate safety of major hazard facilities</li><li>- Regulation of the storage and handling of hazardous chemicals, including dangerous goods and combustible liquids</li></ul>

## Information sharing/Disclosure of information

The agencies acknowledge that general information sharing, where it is considered practical and appropriate, will minimise duplication of government resources.

The agencies agree that, subject to legislative provisions, information available to one agency which is relevant to the responsibilities of another agency will be shared as requested. Each agency will provide relevant information to the other agencies on a 'best endeavours' basis. This will be subject to any relevant legal and operational considerations and any conditions which the provider of the information might place upon the use or disclosure of the information including compliance with the *Right to Information Act 2009* and *Information Privacy Act 2009*.

Schedule 2 of the MOU contains further details regarding information sharing.



## Part 4 – Investigation management

Investigations may be conducted in response to those railway related incidents which are determined to be:

- a 'category A notifiable occurrence'
- a 'dangerous electrical event'
- a 'serious electrical incident'
- a 'notifiable incident'.

These terms are defined in Schedule 1 which has been replicated from the following Queensland legislation:

- *Transport (Rail Safety) Regulation 2010*
- *Work Health and Safety Act 2011*
- *Electrical Safety Act 2002.*

### Investigations

Investigations are undertaken in order to determine:

- causes
- compliance with the legislation
- whether action has been taken or needs to be taken to prevent a recurrence of the incident
- to secure compliance with the legislation
- lessons to be learnt and to influence the legislation and policy
- what response is appropriate to an alleged breach of the legislation.

To maintain a proportionate response, most resources available for investigation of incidents will be devoted to the more severe incidents. It is neither possible nor necessary to investigate all issues of non-compliance with the law which are uncovered in the course of preventive inspection, or in the investigation of reported events.

The agencies will generally carry out an investigation of a reportable death (excluding suicides) unless there are specific reasons for not doing so, in which case those reasons will be recorded, such as when the incident is outside the authority's jurisdiction. Depending on the nature of the incident, the agencies may discuss establishing a 'lead agency' for investigations if considered appropriate.

Where an investigation reveals non-compliance the agencies will consider whether or not a prosecution should be commenced, another sanction applied, or other appropriate action taken.

The Rail Safety and Transport Security Division may also undertake 'no blame' investigations. The purpose of this type of investigation is to enhance rail safety by establishing the sequence of events which led to the incident by determining why those events occurred and to identify any potential deficiencies that may have adversely affected rail safety. 'No blame' investigations do not apportion blame or liability. Recommendations are made to enhance rail safety in Queensland by seeking to reduce the likelihood of a reoccurrence.

Rail safety investigations conducted under Part 7, Division 7 of the *Transport (Rail Safety) Act 2010* provide certain obligations and protections to individuals who provide any answers to questions relevant to the incident or documents or other things relevant to the incident including, but not limited to, the results of an alcohol test, drug test, or medical examination.

Any evidence or information gathered during the course of the investigation and the resultant investigation reports prepared under Part 7, Division 7 of the *Transport (Rail Safety) Act 2010* are not admissible as evidence in any civil or criminal proceedings. However, this information must be provided to the Coroner upon request.

If the Rail Safety and Transport Security Division determines that it will be conducting an investigation under Part 7, Division 7 of the *Transport (Rail Safety) Act 2010*, it will not be in a position to participate in any joint investigation with any other agency. This is as a result of the obligations and protections afforded under this provision.

Further, in respect of investigations:

- each agency may provide, upon request from another, technical assistance where specialist skills and knowledge may be required
- the agencies agree to keep each other fully and freely informed on the progress of an investigation which may fall either wholly or partially within their respective jurisdictions, when requested
- if as a result of an investigation an agency issues a notice under an Act, or issues written directions and the notices or directions may be of interest to the other agency, a copy of that notice or written direction shall be forwarded to that agency, subject to legislative provisions.

## **Part 5 – Compliance and enforcement**

The compliance and enforcement practices of the parties to this MOU are to be consistent as far as practicable to the recommendations made in chapter 6 of the Ombudsman's 2007 publication *Tips and Traps for Regulators*.

As safety regulators, each agency has a wide selection of compliance strategies ranging from information, advice, cooperation, inspection, auditing, investigation, verification and compulsion through to deterrence activities available for its use. The primary emphasis is on assisting industry to comply with obligations through the provision of programs that build industry capability to properly manage risks.

The most effective and appropriate enforcement measures should be used to achieve compliance. The principles governing such sanctioning aim to:

- promote continuous improvement within the Queensland railway industry
- influence change in the behaviour of the accredited railway
- eliminate any financial incentive of non-compliance
- be proportionate to the nature of the offence and the harm caused
- reduce the harm caused by non-compliance
- deter future non-compliance
- be responsive and consider what is appropriate for the particular obligation holder.

## **Part 6 - Governance**

### **Ownership of the Memorandum of Understanding**

The agencies to which this MOU applies acknowledge that both the Department of Justice and Attorney-General and the Department of Transport and Main Roads are the owners of this MOU.

### **Term of Memorandum of Understanding**

The previous MOU was signed in November 2009. The MOU has subsequently been updated to reflect legislative changes including the commencement of the *Transport (Rail Safety) Act 2010* and the *Work Health and Safety Act 2011*. This MOU will commence from the date of signing and will continue in force until the commencement of the office of the National Rail Safety Regulator in January 2013 or if terminated by either department earlier.

This MOU supersedes and replaces any previous MOU regarding safety in the rail industry.

With the establishment of the National Rail Safety Regulator and the introduction of Rail Safety National Law proposed to be effective from 1 January 2013, the National Rail Safety Regulator will become the responsible rail safety agency from this time.

### **Maintenance, review and evaluation of Memorandum of Understanding**

This MOU may be varied or withdrawn at any time by an agreement in writing executed by the departments.

The agencies agree to review and evaluate the operation of the MOU as a result of implementation of new legislation or significant changes to existing legislation. As a result of the process outlined above, it is anticipated this MOU will need review to align with the proposed Rail Safety National Law to come into force from January 2013.

Following the evaluation, the agencies will:

- where appropriate or necessary, develop mechanisms to discuss, share learnings and improve the MOU and/or ways in which the agencies are operating under the MOU; and
- provide a report to the Health and Safety Regulators' Council on the effectiveness of the agencies working together under the MOU.

### **Availability of Memorandum of Understanding**

The departments agree to circulate the signed MOU to all affected officers in their respective agencies.

The departments agree to publish the signed MOU on their respective web sites.

### **Resolution of issues regarding the application of the Memorandum of Understanding**

If there is an issue between agencies in relation to the application of the MOU, the agencies will together act in good faith to resolve the issue in a timely manner.

### **What is not intended**

This MOU is not intended to:

- be legally binding, so that an alleged or real breach of any provision of this agreement is not intended to give rise to a legally enforceable cause of action
- entitle or require a person to disclose information that is the subject of legal professional privilege
- affect the law or practice relating to legal professional privilege
- restrict the statutory duties, directions and powers available to Queensland government agencies that are responsible for rail safety.

## Signatories



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Signed for and on behalf of the Department of Transport and Main Roads by:  
Dr Graham Fraine, Deputy Director-General (Transport Safety and Regulation)

Dated this 12<sup>TH</sup> day of JULY 2012



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Signed for and on behalf of the Department of Justice and Attorney-General, Office  
of Fair and Safe Work Queensland by:  
Dr Simon Blackwood, Acting Deputy Director-General

Dated this 29<sup>TH</sup> day of October 2012

## SCHEDULE 1

### Definitions

**'cane railway'**, under the *Transport (Rail Safety) Act 2010*, means a railway that—

- (a) is operated, entirely or partly, on an access right under the Sugar Industry Act 1999, chapter 2, part 4; and
- (b) is used, or proposed to be used, to transport sugar cane, sugar or sugar cane by-products; and
- (c) does not transport—
  - (i) passengers; or
  - (ii) freight other than sugar cane, sugar or sugar cane by-products.

**'category A notifiable occurrence'**, under the *Transport (Rail Safety) Regulation 2010* is a notifiable occurrence that is 1 or more of the following types is a category A notifiable occurrence—

- (a) an accident or incident that has caused significant property damage, serious injury or death;
- (b) a running line derailment;
- (c) a running line collision between rolling stock;
- (d) a collision at a rail or road crossing between rolling stock and either a road vehicle or a person;
- (e) a fire or explosion on or in rail infrastructure or rolling stock that affects the safe carrying out of the railway operations or has endangered 1 or more persons;
- (f) a terrorist attack or an act or event suspected to be a terrorist attack;
- (g) an accident or incident involving an inadequacy in the safety management system for the railway operations that could have caused significant property damage, serious injury or death;
- (h) another accident or incident that is likely to generate intense public interest or concern.

**'complaint'**, for the purpose of this MOU, means a health and safety matter raised by a worker or a member of the public.

**'dangerous electrical event'**, under the *Electrical Safety Act 2002*, is any of the following—

- (a) the coming into existence of circumstances in which a person is not electrically safe, if—
  - (i) the circumstances involve high voltage electrical equipment; and
  - (ii) despite the coming into existence of the circumstances, the person does not receive a shock or injury;
- (b) the coming into existence of both of the following circumstances—
  - (i) if a person had been at a particular place at a particular time, the person would not have been electrically safe;
  - (ii) the person would not have been electrically safe because of circumstances involving high voltage electrical equipment;
- (c) an event that involves electrical equipment and in which significant property damage is caused directly by electricity or originates from electricity;
- (d) the performance of electrical work by a person not authorised under an electrical work licence to perform the work;

- (e) the performance of electrical work by a person if, as a result of the performance of the work, a person or property is not electrically safe;  
*Examples for paragraph (e)—*
  - the connection of electrical equipment to a source of supply involving incorrect polarity or other incorrect connection
  - the performance of electrical work as a result of which an exposed wire is left in circumstances in which it can be energised by the operation of a switch or circuit breaker or the insertion of a fuse
- (f) the discovery by a licensed electrical worker of electrical equipment that has not been marked as required under this Act.

**'dangerous incident'**, under the *Work Health and Safety Act 2011*, means an incident in relation to a workplace that exposes a worker or any other person to a serious risk to a person's health or safety emanating from an immediate or imminent exposure to—

- (a) an uncontrolled escape, spillage or leakage of a substance; or
  - (b) an uncontrolled implosion, explosion or fire; or
  - (c) an uncontrolled escape of gas or steam; or
  - (d) an uncontrolled escape of a pressurised substance; or
  - (e) electric shock; or
  - (f) the fall or release from a height of any plant, substance or thing; or
  - (g) the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use under a regulation; or
  - (h) the collapse or partial collapse of a structure; or
  - (i) the collapse or failure of an excavation or of any shoring supporting an excavation; or
  - (j) the inrush of water, mud or gas in workings, in an underground excavation or tunnel; or
  - (k) the interruption of the main system of ventilation in an underground excavation or tunnel; or
  - (l) any other event prescribed under a regulation;
- but does not include an incident of a prescribed kind.

**'dangerous goods'**, under the *Transport Infrastructure (Dangerous Goods by Rail) Regulation 2008* means—

- (1) Goods are dangerous goods if—
  - (a) the chief executive has made a determination that the goods are dangerous goods; or
  - (b) the goods satisfy the criteria stated, or referred to, in part 2 of the ADG Code.
- (2) However, goods that satisfy the criteria stated, or referred to, in part 2 of the ADG Code are not dangerous goods if—
  - (a) the chief executive has made a determination that the goods are not dangerous goods; or
  - (b) the goods are described as not subject to the ADG Code in a special provision in chapter 3.3 of the ADG Code that is applied to the goods by column 6 of the dangerous goods list.

**ADG Code** means the Australian Code for the Transport of Dangerous Goods by Road and Rail approved by the Australian Transport Council, as in force from time to time.

**'incident'**, for the purpose of this MOU, means either a category A notifiable occurrence, dangerous electrical event, serious electrical incident or a notifiable incident.

**'mining operations'**, under the *Transport (Rail Safety) Act 2010*, means—

- (a) coal mining operations within the meaning of the *Coal Mining Safety and Health Act 1999*, schedule 3; or
- (b) operations within the meaning of the *Mining and Quarrying Safety and Health Act 1999*, section 10.

'MOU' means this Memorandum of Understanding document, including protocols and schedules incorporated in this document.

'notifiable incident', means the following under the *Work Health and Safety Act 2011*—

- (a) the death of a person; or
- (b) a serious injury or illness of a person; or
- (c) a dangerous incident.

'Office of Fair and Safe Work', for the purpose of this MoU means Workplace Health and Safety Queensland and the Electrical Safety Office.

'serious injury or illness', under the *Work Health and Safety Act 2011*, means an injury or illness requiring the person to have—

- (a) immediate treatment as an in-patient in a hospital; or
  - (b) immediate treatment for—
    - (i) the amputation of any part of his or her body; or
    - (ii) a serious head injury; or
    - (iii) a serious eye injury; or
    - (iv) a serious burn; or
    - (v) the separation of his or her skin from an underlying tissue (for example, degloving or scalping); or
    - (vi) a spinal injury;
    - (vii) the loss of a bodily function; or
    - (viii) serious lacerations; or
  - (c) medical treatment within 48 hours of exposure to a substance;
- and includes any other injury or illness prescribed under a regulation but does not include an illness or injury of a prescribed kind.

'serious electrical incident', under the *Electrical Safety Act 2002*, means an incident involving electrical equipment if, in the incident—

- (a) a person is killed by electricity; or
- (b) a person receives a shock or injury from electricity, and is treated for the shock or injury by or under the supervision of a doctor; or
- (c) a person receives a shock or injury from electricity at high voltage, whether or not the person is treated for the shock or injury by or under the supervision of a doctor.



## **SCHEDULE 2**

### **Information sharing**

When sharing information, the agencies acknowledge the confidentiality requirements of the legislation applicable to each, for example, information collected and reports prepared for 'no blame' investigations conducted under Part 7, Division 7 of the *Transport (Rail Safety) Act 2010*. The agency providing the information has the right to specify the level of confidentiality attached to the information being provided in order to protect that information from unauthorised use or disclosure. The agency receiving the information will take all reasonable steps to ensure the information is used or disclosed for the purpose for which it was obtained.

The *Right to Information Act 2009* provides members of the public with a legally enforceable right to access documents held by Queensland government agencies. The *Right to Information Act 2009* requires that documents be disclosed upon request, unless the documents are exempt or on balance, disclosure is contrary to the public interest.

The departments are also required to comply with the *Information Privacy Act 2009* (the IP Act). The IP Act places obligations on agencies to handle, collect, store, secure, use and disclose personal information in accordance with the information privacy principles. For example, Information Privacy Principle 11 (IPP11) of the IP Act limits disclosure of an individual's personal information to particular circumstances. The departments acknowledge that personal information may only be disclosed to another party consistent with the information privacy principles.

Examples of information that may be shared by agencies, subject to legislative provisions and consideration on a case by case basis are:–

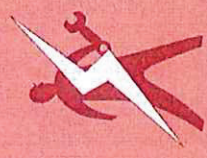
- information regarding the investigation of incidents such as final incident reports and notification of the commencement of an investigation
- research or data on injuries, illnesses, fatalities or incidents.

**ATTACHMENT 1**  
**Pre-Operations and Operations Phases**

# PRE OPERATIONS PHASE

**Infrastructure construction**

- worker injury
- reportable occurrence
- usual OH&S occurrence



**Constructed infrastructure**  
That leads to an impact on a train or railway operations in the future (Operations) phase  
*ie legacy of the construction phase*



**Off track construction**  
An impact from construction that infinges on the safety of a train or rail operations  
*ie something falls onto a train or train strikes equipment*



# OPERATIONS PHASE

(Includes work trains during pre operations phase)

**On train operations**  
Any worker on a train  
*eg as a result of operations*



**On train**  
any worker injury  
*eg slip, trip or fall*



**Lead Agent** (opposite party to also be advised)

- Occupational Health & Safety responsibility
- Rail Safety Regulation responsibility

**On track**  
Worker injury not from operations  
*eg track work*



**On track**  
Worker injury on track, associated with a train  
*eg shunting*



