

**2002**  
**THE LEGISLATIVE ASSEMBLY**  
**FOR AUSTRALIAN CAPITAL TERRITORY**

**INDEPENDENT PRICING AND REGULATORY**  
**COMMISSION ACT 1997**

**INDEPENDENT PRICING AND REGULATORY COMMISSION**  
**REFERENCE FOR INVESTIGATION 2002 (No 2)**  
**DISALLOWABLE INSTRUMENT: DI2002 – 185**

**SPECIFIED REQUIREMENTS IN RELATION TO INVESTIGATION UNDER**  
**SECTION 16**

**EXPLANATORY STATEMENT**

Circulated by the authority of

Bill Wood MLA  
Minister for Urban Services

# AUSTRALIAN CAPITAL TERRITORY

## INDEPENDENT PRICING AND REGULATORY COMMISSION ACT 1997

### SPECIFIED REQUIREMENTS IN RELATION TO INVESTIGATION UNDER SECTION 16

#### DISALLOWABLE INSTRUMENT: DI2002 – 185

#### EXPLANATORY STATEMENT

##### *Legislative Background*

The Independent Pricing and Regulatory Commission Act 1997 provides for, among other things, the provision of price directions for “regulated industries”. The latter term is defined by the ACT to include an industry which has been declared by instrument, to be a regulated industry under subsection 4(1) of the Act. ACTION was declared a regulated industry on 23 December 1998.

Section 15 allows a referring authority (the relevant Minister in this case) to provide a reference in relation to prices for regulated services. This is a notifiable instrument and has been dealt with separately

Section 16 allows the Minister, by instrument, to specify the requirements in relation to the conduct of an investigation or a report on an investigation by the Commission. Such an instrument is a disallowable instrument.

This explanatory statement covers the matters set out in this section.

The document sets out a number of matters that are to be considered by the Commission when conducting its investigation.

The requirements are laid out in the terms of reference and include issues which need to be considered in addition to those matters specifically mentioned in subsection 20(2) of the Act. The investigation will consider current and projected patronage trends and any other noticeable trends flowing from the previous fare increase and introduction of single zone flat fares.

The terms of reference are consistent with the requirements of Section 18 of the Act, requiring the Commission to provide a draft report which will be the basis for public consultation. The final report will cover prices for the period 1 July 2003 to 30 June 2006 and is due on 16 May 2003