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**RAILWAYS**

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**RB301****GOVERNMENT RAILWAYS ACT 1904****GOVERNMENT RAILWAYS AMENDMENT BY-LAWS 1997**

Made by The Western Australian Government Railways Commission under section 23 of the Act and approved by the Governor in Executive Council.

**Citation**

1. These by-laws may be cited as the *Government Railways Amendment By-laws 1997*.

**Principal by-law**

2. In these by-laws by-law 54 of the *Government Railways By-laws\** is referred to as the principal by-law.

[\* *Published in Gazette 5 December 1994, p. 6393.*  
*For amendments to 28 July 1997 see 1996 Index to Legislation of*  
*Western Australia, Table 4, p. 117.]*

**Schedule amended**

3. (1) Rule 1 of the Schedule to the principal by-law is amended —

- (a) by deleting the definition of “Head of the Operations Branch”; and
- (b) by inserting in the appropriate alphabetical positions the following definitions —

“

Area Manager	The person having management responsibility for the safe and efficient operation of trains, stations and marshalling yards within specified district boundaries.
Construction Engineer	An engineer engaged to be in charge of a Westrail track or infrastructure work site, or section of line upgrading programme.
District Engineer	An engineer having management responsibility for the safety and maintenance of track and infrastructure within specified district boundaries.
Head of the Civil Maintenance Branch	The head of that part of the organisation, however designated, responsible for the safety and maintenance of track and infrastructure.
Head of the Operations Branch	The head of a part of the organisation, however designated, having responsibility for the safeworking of train operations.
Length Runner	A person having responsibility for regular permanent way inspections to ensure the safety of the line.
Westrail	Has the same meaning as “Commission” in the Act.

”

(2) Rule 30 (4) of the Schedule to the principal by-law is amended by deleting paragraph (a) and substituting the following —

- “ (a) Issue of a Proceed Order (Rule 110). ”

(3) Rule 39 of the Schedule to the principal by-law is amended by deleting subrule (7) and substituting the following subrule —

- “
- (7) The headlight of a locomotive or railcar must be on full beam at all times on running lines, except if —
- (a) the locomotive or railcar is standing at a station or crossing a second train; and

- (b) the locomotive or railcar is clear of the fouling points,

at which time the Driver must extinguish the headlight and exhibit the front white marker light on the side of the locomotive or railcar nearest the clear running line, and the front red light on the side furthest from the clear running line.

- (4) Rule 76 of the Schedule to the principal by-law is amended —

- (a) in subrule (29) by deleting “and the information repeated back.” and substituting the following —

“  
 , or by the Signal Operator at West Merredin for down trains or West Kalgoorlie for up trains, in cases where the opposing train has not at that time entered the West Merredin to West Kalgoorlie control area. The information must be repeated back to the Train Controller by the recipient.

and

- (b) by deleting subrules (32) and (33) and substituting the following subrules —

“  
 (32) The Train Controller must not issue Form S.W. 6 to the Driver whose crossing is to be advanced until the Train Controller is aware that the Driver of the opposing train or the Signal Operator at West Merredin or West Kalgoorlie has been issued with a Form S.W. 6 in accordance with Rule 76 (29) and the information repeated back.

(33) Where a form S.W. 6 is issued to the Signal Operator at West Merredin or West Kalgoorlie, in accordance with Rule 76 (29), the Signal Operator must not permit a train for which a Form S.W. 6 has been accepted, to depart from West Merredin or West Kalgoorlie until the Signal Operator has ensured that the Driver is in possession of the original of the Form S.W. 6, and that the Driver's signature, the time and the date have been endorsed on the bottom of a copy of the Form S.W. 6 (which is to be retained by the Signal Operator for record purposes). If a Signal Operator is relieved for any reason prior to the issue of any current Form S.W. 6 to the Driver, the incoming Signal Operator must initial, and record the time and date of transfer, on all current Forms S.W. 6 still to be issued.

(34) Form S.W. 6 remains in force only until fulfilled, or superseded by a further Form S.W. 6 and when the Form has been fulfilled, the person to whom it was issued must, at once, write the word “fulfilled” across the face of the form and attach it to the Train Journal.

- (5) Rule 89 of the Schedule to the principal by-law is amended —

- (a) by deleting “and when so directed the Driver shall report promptly from that station.” and substituting the following —

“  
 and, subject to Rule 89 (3), the Driver shall report promptly from those locations.

and

- (b) by deleting subrule (2) and substituting the following subrules —

“  
 (2) After the issue of a Train Order, the Train Controller may request a Driver to report at locations in addition to the report locations specified on the Train Order

issued, and , subject to rule 89 (3), the Driver shall report promptly from those locations.

(3) When a Driver has been directed to report from a location in accordance with rule 89 (1) or 89 (2) and —

- (a) on arrival at the location, the Driver is unable to report to Train Control due to failure of the communications equipment; and
- (b) the Driver is in possession of a Train Order to proceed beyond that location,

the Driver may allow the train to proceed in accordance with the Train Order issued and the Driver shall report to Train Control at the first location where operating communications equipment is available.

(4) Before reporting to the Train Controller, the Driver must determine that no unaccounted brake reduction has occurred or other sign on the brake gauges is evident which indicates the train is not complete, and so advise the Train Controller.

”.

(6) Rule 113 of the Schedule to the principal by-law is amended by deleting “required by Rule 110 (15) of these Rules.” and substituting the following —

“ required by Rule 110 (14). ”.

(7) Rule 131 of the Schedule to the principal by-law is amended by deleting subrule (14) and substituting the following subrules —

“

(14) Where the distance for the placing of detonators in accordance with this rule, other than Rule 131 (6), falls within 50 metres of any pedestrian or road crossing, or platform, then the person carrying out the protection shall extend the distance for placing the detonators to a distance of 50 metres beyond any pedestrian or road crossing, or platform.

(15) Any reference in these rules to a distance from a disabled train for the placing of detonators, exhibiting a hand signal, or meeting a relief train means —

- (a) in the case of in the rear of the train, the distance from the last vehicle; and
- (b) in the case of in advance of the train, the distance from the leading vehicle of the disabled train.

”.

(8) Rule 132 of the Schedule to the principal by-law is amended by deleting subrule (3) and substituting the following subrule —

“

(3) In automatic signalling territory (excluding the fully automatic signal section of line between Koolyanobbing East and West Kalgoorlie) and where —

- (a) no passenger train is involved;
- (b) communications are available between the Train Controller and the Driver of the failed train;
- (c) no other train or vehicle has entered the block section from the rear; and
- (d) the signal controlling the entrance to the block section from the rear has been placed to Stop, and blocking facilities have been applied to the signal,

the Train Controller may advise the Driver that protection in the rear in accordance with Rule 131 is not necessary, and the Train Controller must endorse the control diagram accordingly.

”.

(9) Rule 133 of the Schedule to the principal by-law is amended —

(a) in subrule (1) by deleting paragraph (b) and substituting the following —

“

(b) arrange for —

- (i) a qualified person to protect the rear of the failed train in accordance with Rule 131 (if the train is in the electrified urban rail system); or
- (ii) the Driver's Assistant to protect the rear of the train in accordance with Rule 131, unless otherwise authorised by the Head of Operations Branch (if the train is in territory other than the electrified urban rail system).

”;

(b) by inserting after subrule (1) the following subrule —

“

(1A) Where a person carrying out protection of a train in accordance with Rule 133 (1) arrives at a signal applicable to the line occupied by the failed train and that signal is displaying a Stop indication, then the person shall —

- (a) place 3 detonators on each line in such a position that any train entering the obstructed section must pass over the detonators; and
- (b) remain at the location until the arrival of a relief train and then accompany the relief train to the failed train.

”;

(c) in subrule (16) (b) by deleting “a following suburban electric train” and substituting the following —

“ subject to Rule 133 (17), a relief train ”;

(d) by inserting after subrule (16) the following subrule —

“

(17) In the urban electrified rail system where assistance is being provided to a failed train from the rear, if —

- (a) it is between sunrise and sunset;
- (b) the failed train is clearly visible from the signal controlling entry to the occupied track section; and
- (c) communications have been established between the Driver of the failed train and the Driver of the relief train,

Rules 133 (1) (b) and 133 (1A) do not apply.

”;

(e) by deleting the note at the end of the Rule and substituting the following note —

“

(NOTE: The failed electric train must be protected in the manner set out in Rules 133 (1) and 133 (1A) unless specifically exempted by another part of Rule 133.)

”.

(10) Rule 136 of the Schedule to the principal by-law is amended by deleting “Controller.” and substituting the following —

“

Controller, or in non-electrified territory, by the Driver after compliance with Rule 130.

”.

(11) Rule 173 of the Schedule to the principal by-law is amended by deleting paragraph (i) and substituting the following paragraph —

“  
 (i) ensure that the Driver's Assistant performs duties properly and, when working a “Driver-only” train, carry out the duties that would normally be carried out by the Driver's Assistant under these rules, unless otherwise directed by the Train Controller;  
 ”

(12) Rule 174 of the Schedule to the principal by-law is amended by deleting paragraph (a) and substituting the following paragraph —

“  
 (a) except when shunting, working a “Driver-only” train or where otherwise provided by these rules, not permit any locomotive to be in motion on any running line unless both are upon it;  
 ”

(13) Rule 236 (1) of the Schedule to the principal by-law is amended —

(a) in subrule (1) (a) at the end of subparagraph (iv) by deleting “and” and substituting the following —

“  
 (v) where the distance for the placing of detonators in accordance with this sub-rule falls within 50 metres of any pedestrian or road crossing, or platform, then the person carrying out the protection shall extend the distance for placing the detonators to a distance of 50 metres beyond any pedestrian or road crossing, or platform; and  
 ”

and

(b) by inserting after subrule (7) the following subrule —

“  
 (8) Track Closed Warning Devices may be used for protection of obstructions and trackwork, instead of Flag Attendants and detonators, on double line automatic signalled lines as set out in Rule 237.  
 ”

(14) After rule 236 of the Schedule to the principal by-law the following rule is inserted —

“  
**237. UTILISATION OF TRACK CLOSED WARNING DEVICES ON DOUBLE LINE AUTOMATIC SIGNALLED SECTIONS INSTEAD OF FLAG ATTENDANTS AND DETONATORS**

(1) The use of Track Closed Warning Devices is permitted instead of Flag Attendants and detonators (*see Rule 236 (8)*) on double line automatic signalled sections.

(2) A Track Closed Warning Device shall —

(a) be made of metal construction with a tripod support arrangement that facilitates the locking of the legs into different gauge tracks;

(b) include a headboard which shall —

(i) be a minimum of 30 cm high by 90 cm wide;

(ii) have a red reflectorised face board equipped with two red lights; and

(iii) be between 1.6 and 2 metres above the head of the rail when fixed to any track,

and

(c) be insulated so as not to activate signals, or pedestrian or road crossing warning devices.

[See diagram 237A]

(3) A person shall not use a Track Closed Warning Device for the protection of obstructions or track works unless the section has been closed to traffic by the District Engineer responsible for the section of line.

(4) Where an obstruction or track work within double line automatic signalled territory obstructs more than one line, then all obstructed lines shall be protected in accordance with the rules.

(5) Track Closed Warning Devices may be used to protect obstructions or track works on double line automatic signalled territory within a closed section in accordance with the conditions and procedures set out in Rule 237 (6) [Installation] and Rule 237 (7) [Removal].

(6) The following conditions and procedures for installing a Track Closed Warning Device are to be carried out before any work commences on a closed section of track —

- (a) the Track Supervisor shall confirm with the Train Controller that the District Engineer responsible for the section has closed the track;
- (b) the Track Supervisor shall apply to the Train Controller, using Form S.W. 24 Part A, for approval to install one or more Track Closed Warning Devices for the protection of the specified closed section of line;
- (c) the Train Controller shall place the signal or signals controlling entry to the closed section at Stop and maintain the Stop indication, with blocking facilities until the resumption of normal working has been approved in accordance with Rule 237 (7);
- (d) if the Train Controller approves the application to install the Track Closed Warning Devices, the Train Controller shall complete Form S.W. 24 Part B and transmit the contents of Part B of that Form to the Track Supervisor;
- (e) on receiving the transmission of Form S.W. 24 Part B, the Track Supervisor shall repeat the details of the transmission back to the Train Controller;
- (f) the Track Supervisor shall carry out a physical examination of the signals controlling the entry to the closed section of track, and confirm that a Stop indication is being displayed;
- (g) the Track Supervisor shall ensure that the Track Closed Warning Devices are installed and locked into position between the obstruction or track works and the signal(s) controlling the entry to the closed section, at a distance of 30 metres from those signals.

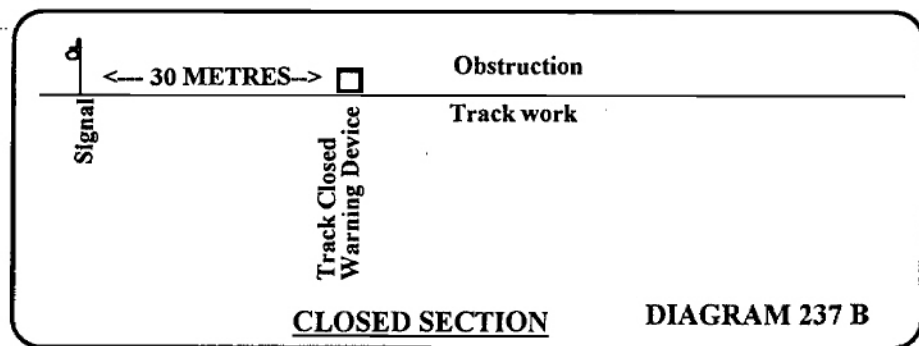
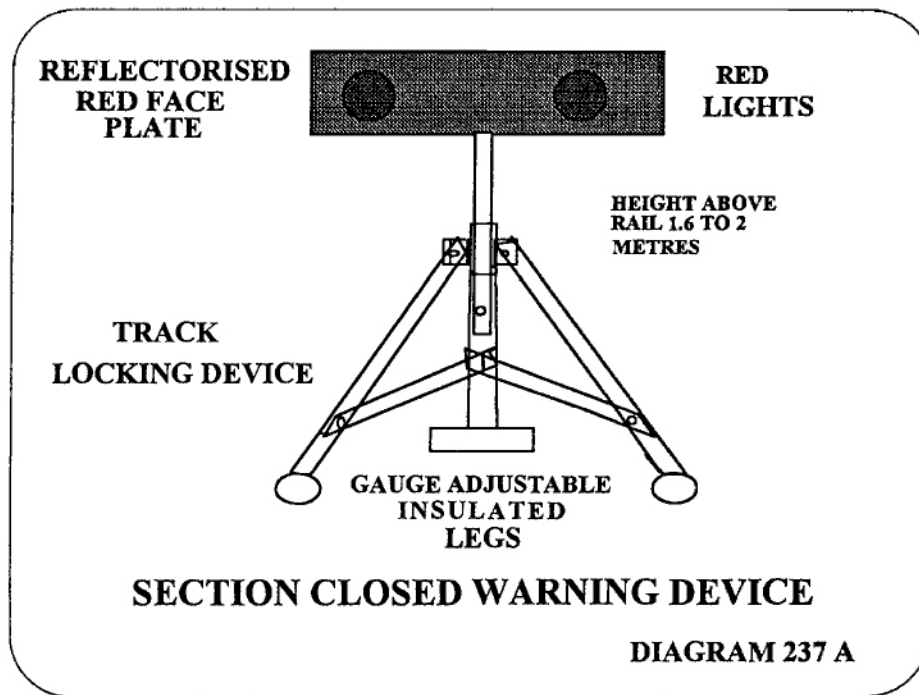
*[See diagram 237B]*

(7) The following conditions and procedures for removing a Track Closed Warning Device are to be carried out before any closed section of track that is protected by a device is opened to normal traffic —

- (a) the Track Supervisor shall verify that all work within the closed section has ceased and the section is safe for normal traffic;
- (b) the track Supervisor shall arrange for, and verify that, all Track Closed Warning Device(s) have been removed from the closed section;
- (c) the Track Supervisor shall certify that the all Track Closed Warning Devices have been removed from the closed section and that the track is safe for normal traffic, by completing Form 24 Part C and transmitting the contents of the form to the Train Controller;
- (d) both the Train Controller and the Track Supervisor shall record the time and date that the authority was cancelled in the area provided on Form S.W. 24 Part C;

- (e) the Train Controller shall remove the signal blocking facilities;
- (f) the District Engineer shall open the section to normal traffic.

(15) After Rule 237 of the Schedule to the principal by-law the following diagrams are inserted —



(16) Rule 238 (1) of the Schedule to the principal by-law is amended at the end of paragraph (b) by deleting "speed." and substituting the following —

speed,

but, where the distance for the placing of detonators in accordance with paragraph (a) falls within 50 metres of any road crossing, pedestrian crossing or platform, then the person carrying out the protection shall extend the distance for placing the detonators to a distance of 50 metres beyond any road crossing, pedestrian crossing or platform.

(17) Section "D", Part 2, of the Schedule to the principal by-law (headed "Safeworking Forms" is amended by inserting after form S.W. 23 the following form —

"

**S.W. 24**  
**APPLICATION FOR AUTHORITY TO INSTALL A CLOSED SECTION WARNING DEVICE ON TRACK**

**PART A**

To Train Controller at ..... Date ..... Time .....

Authority to install a Closed Section Warning Device(s) is requested for the section of line between ..... and ..... on the following running lines: .....

in accordance with Rules 236 and 237.

..... Track Supervisor	..... Accreditation Category	..... Track Access Permit Number
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**Part B**

From Train Controller ..... Authority Number .....

To Track Supervisor .....

The section of line between ..... and ..... has been closed to traffic by the District Engineer ..... at ..... hours on the .... /... / ... and authority to install a Section Closed Warning Device on the above specified lines is approved at ..... hours on the .... /... / ... .

Signal number(s) ..... controlling access to above specified lines have been secured in the STOP indication by a locking device and will be maintained in that condition until this authority has been cancelled.

.....  
Train Controller

**Part C**

Track Supervisor ..... To Train Controller .....

Section Closed Warning Devices installed at the following locations:  
.....  
.....  
.....  
have been removed from the track and the track is now safe for normal operations.

Track Supervisor ..... Time ..... Date .....

Authority Number ..... cancelled at ..... hours on .... /... / ...

Train Controller .....

"

The Common Seal of the Western Australian Government Railways Commission was hereunto affixed in the presence of—

[L.S.]

R. D. COLLISTER, A/Commissioner.  
H. G. D. CLARKE, Secretary.

Approved by the Governor in Executive Council.

M. C. WAUCHOPE, Clerk of the Executive Council.