

RB302

GOVERNMENT RAILWAYS ACT 1904

BY-LAW 54 AMENDMENT (No. 3) 1990

Made by the Western Australian Government Railways Commission and approved by His Excellency the Governor in Executive Council.

Citation

1. These by-laws may be cited as *By-law 54 Amendment (No. 3) 1990*.

Principal by-law

2. In these by-laws, by-law 54 of the *Railway By-laws** is referred to as the principal by-law.

[*Published in the Gazette of 14 May 1940 at p. 789. For amendments to 27 August 1990 see pp. 249 and 250 of 1989 Index to Legislation of Western Australia.]

Rule 1 amended

3. Rule 1 of the principal by-law is amended by inserting, in the appropriate alphabetical positions, the following definitions—

“station” means a place at which apparatus is provided to control the movement of trains, and may be attended or unattended as the case may be, and is a place for setting down or picking up of passengers; ”;

“stopping place” means a place at which there is no apparatus provided to control the movement of trains, and is a place for the setting down and picking up of passengers; ”.

Rule 253 amended

4. Rule 253 of the principal by-law is amended in subrule (1) by inserting after “the Driver’s Assistant” the following—

“or, in the case of a suburban electric train, the Driver ”.

Rule 254 amended

5. Rule 254 of the principal by-law is amended by repealing subrule (1) and substituting the following subrule—

“(1) The Signaller at a station requiring a proceed order for a train to pass a departure signal at Stop, or, in the case of an unattended station, the Guard of the train, or, if the train is operated by a two man crew or is a suburban electric train, the Driver of the train, must make a request to the Area Manager on Form “A” (Form SW18) for the authority to be issued. ”

Rule 264 amended

6. Rule 264 of the principal by-law is amended—

(a) in subrule (2) (b) (i) by inserting after “two man crew” the following—

“or is a suburban electric train ”;

(b) in subrule (3) (b) by inserting after “two man crew” the following—

“or a suburban electric train ”;

and

(c) in subrule (4) (a) (i)—

(i) by inserting after “two man crew” the following—

“or is a suburban electric train ”;

and

(ii) by inserting after “train is to enter and” the following—

“ , in the case of a Guard, ”.

Rule 269 amended

7. Rule 269 of the principal by-law is amended in paragraph (c) by inserting after “two man crew” the following—

“or is a suburban electric train ”.

Rule 271 amended

8. Rule 271 of the principal by-law is amended—

(a) in subrule (2) (b) by inserting after “two man crew” the following—

“or is a suburban electric train ”;

(b) in subrule (3) (a) (ii) by inserting after “two man crew” the following—

“or is a suburban electric train ”;

and

(c) in subrule (4) (b) by inserting after “two man crew” the following—

“or is a suburban electric train ”.

Rule 336 amended

9. Rule 336 of the principal by-law is amended in subrule (2)—
- (a) by deleting "and" at the end of paragraph (d) (b) by deleting the full stop at the end of paragraph (e) and substituting the following—
" ; and ";
and
 - (c) by inserting after paragraph (e) the following paragraph—
" (f) in the case of a suburban electric train an employee other than the Driver must proceed to obtain assistance for the train and must protect the train in the direction he proceeds in accordance with Rule 341, and the Driver must protect the train in the opposite direction, and the Driver must immediately inform the Train Controller of the obstruction situation. "

Rule 340 amended

10. Rule 340 of the principal by-law is amended in subrule (2) (b) by inserting after "two man crew" the following—
" or is a suburban electric train ".

Rule 341 amended

11. Rule 341 of the principal by-law is amended in subrule (6) by inserting after "the Guard" the following—
" or, if the train is a suburban electric train, the Driver ".

Rule 349 amended

12. Rule 349 of the principal by-law is amended in subrule (2)—
- (a) by deleting "or" at the end of paragraph (b);
 - (b) by deleting the full stop at the end of paragraph (c) and substituting the following—
" ; or ";
and
 - (c) by inserting after paragraph (c) the following paragraph—
" (d) the train is a suburban electric train and the Driver surrenders the pilot key to another employee who is to obtain assistance, and in that assistance it shall be the duty of the employee who takes possession of the pilot key to protect the obstruction in the direction in which he proceeds and the Driver must protect his train in the opposite direction. "

Rule 352 amended

13. Rule 352 of the principal by-law is amended—
- (a) in subrule (3) by inserting after "the Driver's Assistant" the following—
" or, in the case of a suburban electric train, the Driver ";
and
 - (b) in subrule (4) (b)—
 - (i) by inserting after "the Driver's Assistant" the following—
" or other employee "; and
 - (ii) by inserting after "the Guard" the following—
" or Driver ".

Rule 355 amended

14. Rule 355 of the principal by-law is amended—
- (a) by inserting after the rule designation "355." the subrule designation "(1)";
and
 - (b) by inserting the following subrules—
" (2) where the train is a suburban electric train in an obstruction situation the Driver must immediately contact the Train Controller and inform him of the circumstances, and the Train Controller will make the necessary arrangements for obtaining relief and clearing the obstruction from the section, in accordance with these rules.

(3) Where the train in an obstruction situation is a suburban electric train, any reference in these rules relating to obtaining relief or clearing the obstruction to a Driver's Assistant shall be read as a reference to an employee other than the Driver and nominated by the Train Controller. ”.

Rule 359 amended

15. Rule 359 of the principal by-law is amended in subrule (3) by inserting after “lines,” the following—

“ unless otherwise authorized by the Head of the Operations Branch, ”.

Rule 362 amended

16. Rule 362 of the principal by-law is amended in subrule (2) by inserting after “two man crew” the following—

“ or in the case of a suburban electric train ”.

Rule 363 amended

17. Rule 363 of the principal by-law is amended in paragraph (d) by inserting after “the Driver's Assistant” the following—

“ or, in the case of a suburban electric train, the Driver ”.

Rule 366 amended

18. Rule 366 of the principal by-law is amended in subrule (2) by inserting after “Assistant” the following—

“ or, in the case of a suburban electric train, the Driver ”.

Rule 392 amended

19. Rule 392 of the principal by-law is amended in subrule (2) (c) by—

(a) deleting “nearest Signalman” and substituting the following—

“ Train Controller ”; and

(b) deleting “the Signalman” and substituting the following—

“ the Train Controller ”.

Rule 393 amended

20. Rule 393 of the principal by-law is amended in subrule (1) (g) (vi) by deleting “tunnel” wherever it occurs and substituting in each place the following—

“ cutting ”.

Rule 424 amended

21. Rule 424 of the principal by-law is amended in subrule (2) by inserting after “these rules” the following—

“ , or unless instructions to the contrary are issued by the Head of the Operations Branch ”.

Rule 439 amended

22. Rule 439 of the principal by-law is amended—

(a) in subrule (1)—

(i) by deleting the following—

“ or a mixed ”;

(ii) by inserting after “station” the following—

“ , or stopping place, ”; and

(iii) in paragraph (a) by inserting after “so” the following—

“ or, in the case of a suburban electric train, the Driver determines that it is safe to do so ”; and

(b) by repealing subrule (2) and substituting the following subrule—

“ (2) In the event of the whole of a train running past the platform or stopping place, the Driver must not set the train back, without the authority of the Signalman or Train Controller. ”.

Rule 448 amended

24. Rule 448 of the principal by-law is amended in subrule (1)—

(a) by deleting “and” at the end of paragraph (j);

(b) by deleting the full stop at the end of paragraph (k) and substituting the following—

“ ; and ”; and

(c) by inserting after paragraph (k) the following paragraph—

“ (1) where a passenger train over-runs the platform of a station, or stopping place, where a stop is required, and the Driver has to move his train back (under Rule 439 of these Rules). ”.

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

Dr J. GILL, Commissioner.

D. MUNYARD, Secretary.

Approved by His Excellency the Governor in Executive Council.

M. C. WAUCHOPE, Clerk of the Council.