



Independent Pricing and Regulatory Tribunal

# CityRail and Multi Modal tickets from January 2013

**Transport — Draft Determination**  
October 2012





Independent Pricing and Regulatory Tribunal

# **CityRail and Multi Modal tickets from January 2013**

Draft Determination No. 6, 2012

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The Tribunal members for this review are:

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# Preliminary

## 1 Background – IPART Act

- (a) Section 11 of the *Independent Pricing and Regulatory Tribunal Act 1992* (**IPART Act**) provides IPART with a standing reference to conduct investigations and make reports to the Minister on the determination of the pricing for a government monopoly service supplied by a government agency specified in Schedule 1 of the IPART Act.
- (b) Rail Corporation New South Wales (**RailCorp**) is listed as a government agency for the purposes of Schedule 1 of the IPART Act. The services of RailCorp declared as government monopoly services under the *Independent Pricing and Regulatory Tribunal (Passenger Transport Services) Order 1998* (**Order**) are the railway passenger services supplied under the name of “CityRail” by RailCorp excluding the services supplied in accordance with the ticket known as the “SydneyPass” (**Monopoly Train Services**). Accordingly, IPART may determine the maximum prices for the Monopoly Train Services.  
[Note: The Order applies to RailCorp by operation of clause 122, Schedule 7 of the *Transport Administration Act 1988*]
- (c) State Transit Authority (**STA**) (but excluding any bus services provided by STA under a service contract to which section 28J of the *Passenger Transport Act 1990* (**Passenger Transport Act**) applies) is listed as a government agency for the purposes of Schedule 1 of the IPART Act. The services of STA declared as government monopoly services under the Order are the regular passenger services (within the meaning of the Passenger Transport Act) supplied by the STA but excluding the following:
  - (1) services supplied in accordance with the ticket known as the “SydneyPass”;
  - (2) the bus service known as the “Airport Express”; and
  - (3) the bus service known as the “Sydney Explorer”, the bus service known as the “Bondi and Bay Explorer” and any other similar bus services operating in any other areas.
- (d) The government monopoly services of the STA under paragraph (c) above include the ferry services in Newcastle which are provided by the Newcastle Buses and Ferries division of STA (**Stockton Ferry Services**). Accordingly, IPART may determine the maximum prices for the Stockton Ferry Services.
- (e) In making this determination, IPART has had regard to a broad range of matters, including the matters set out in section 15(1) of the IPART Act.

- (f) In accordance with section 13A of the IPART Act, IPART has fixed a maximum price for the Monopoly Train Services (including those Monopoly Train Services and Stockton Ferry Services provided under Multi Modal Tickets), by fixing the maximum weighted average percentage increase across Fares.
- (g) On 6 April 2010, the Minister made the *Independent Pricing and Regulatory Tribunal (Passenger Transport Services) Amendment Order 2010 (Amendment Order)*, which excluded certain services from the scope of the Order for the term of the Amendment Order (**Excluded Services**). The Excluded Services are the transport passenger services supplied in accordance with:
  - (1) MyTrain 28-day RailPass (including concession);
  - (2) MyTrain 365-day RailPass (including concession);
  - (3) MyTrain Child Off-peak Return; and
  - (4) MyMulti Day Pass.
- (h) The clause of the Amendment Order which sets out the Excluded Services ceases to have effect:
  - (1) 12 months after the commencement of the clause; and
  - (2) on the date on which Schedule 1 of Determination No. 4, 2008 is replaced by a determination of IPART made under Part 3 of the IPART Act,whichever is later.

## 2 Background – Passenger Transport Act

- (a) Under section 16AE(2) of the Passenger Transport Act, IPART is to conduct investigations and make reports to the Minister on the determination of maximum fares for Regular Ferry Services supplied under a Ferry Service Contract (**Regulated Ferry Services**).
- (b) In making this determination, IPART has had regard to a broad range of matters, including the matters set out in section 16AE(5) of the Passenger Transport Act.
- (c) Under section 28J(2) of the Passenger Transport Act, IPART is to conduct investigations and make reports to the Minister on the determination of maximum fares for Regular Bus Services supplied under a Bus Service Contract (**Regulated Bus Services**).
- (d) In making this determination, IPART has had regard to a broad range of matters, including the matters set out in section 28J(5) of the Passenger Transport Act.



### 3 Application of this determination

- (a) This determination sets out the formulae to be applied to determine maximum prices that:
  - (1) RailCorp may charge for Monopoly Train Service Tickets; and
  - (2) RailCorp, STA and each Contract Holder may charge for Multi Modal Tickets.
- (b) This determination commences on the later of:
  - (1) [2] January 2013; and
  - (2) the date that it is published in the NSW Government Gazette (**2013 Commencement Date**).
- (c) This determination applies from the 2013 Commencement Date until this determination is replaced (**Determination Period**).

### 4 Replacement of Determination No. 4, 2008

This determination replaces Determination No. 4, 2008 from the 2013 Commencement Date. The replacement does not affect anything done or omitted to be done, or rights or obligations accrued, under Determination No. 4, 2008 prior to its replacement.

### 5 Replacement of Determination No. 5, 2008

This determination replaces Determination No. 5, 2008 from the 2013 Commencement Date. The replacement does not affect anything done or omitted to be done, or rights or obligations accrued, under Determination No. 5, 2008 prior to its replacement.

### 6 Compliance with this determination

Under section 18(2) of the IPART Act:

- (a) RailCorp may not fix its Fares at a level below the maximum level permitted under clause 3 of schedule 1 of this determination; and
- (b) STA may not fix its Fares for Multi Modal Tickets at a level below the maximum price fixed in accordance with clause 3 of schedule 1 of this determination,

without the approval of the Treasurer.

## **7 Monitoring**

IPART may monitor the performance of RailCorp and STA for the purposes of:

- (a) establishing, and reporting annually on, the level of compliance by RailCorp and STA with this determination; and
- (b) preparing an annual review of pricing policies in respect of the government monopoly services the subject of this determination.

## **8 Schedules**

- (a) Schedule 1 and the Table in that schedule set out the formulae to be applied to determine maximum prices that:
  - (1) RailCorp may charge for Monopoly Train Service Tickets; and
  - (2) RailCorp, STA and each Contract Holder may charge for Multi Modal Tickets,by fixing the maximum weighted average percentage increase across Fares.

Schedule 2 sets out definitions and interpretation provisions used in this determination.

## Schedule 1 — Maximum prices

### 1 Application

- (a) This schedule 1 sets out the formulae to be applied to determine the maximum prices that:
- (1) RailCorp may charge for Monopoly Train Service Tickets; and
  - (2) RailCorp, STA and each Contract Holder may charge for Multi Modal Tickets,
- by fixing the maximum weighted average percentage increase in Fares.
- (b) If:
- (1) RailCorp introduces any new Fares; or
  - (2) STA or a Contract Holder introduces any new Fares for Multi Modal Tickets,
- during the Determination Period, this determination will apply to those Fares in accordance with this schedule 1.
- (c) If:
- (1) RailCorp discontinues any Fare; or
  - (2) STA or a Contract Holder discontinues any Fare for a Multi Modal Ticket,
- during the Determination Period, this determination will apply to remaining Fares in accordance with this schedule 1.

### 2 Ticket Types

- (a) Table 1 of this schedule 1 lists the Ticket Types made available for sale as at the date of this determination.
- (b) RailCorp also offers tickets comprising of travel partly by means of the Monopoly Train Services and partly by other means of transport that are not Monopoly Train Services (including by bus or by ferry) (**Link or Intermodal Destination Tickets**), that include but are not limited to:
- (1) Blue Mountains ExplorerLink Tickets;
  - (2) Moore Park Tickets;
  - (3) Bondi Beach Tickets;
  - (4) Tramlink – Zone 1 Tickets; and
  - (5) Tramlink – Zone 2 Tickets.

- (c) RailCorp must ensure that the price for the Monopoly Train Service component of Link or Intermodal Destination Tickets does not exceed the maximum price for the equivalent Full Fare for a Single Ticket or Full Fare for a Return Ticket (as the case may be) fixed in accordance with this determination.

### 3 Maximum prices for Monopoly Train Service Tickets and Multi Modal Tickets

RailCorp must ensure that its Fares comply with the formulae set out below.

STA and each Contract Holder must ensure that its Fares for Multi Modal Tickets are equal to the maximum price fixed by RailCorp for the relevant Fare in accordance with this determination.

- (a) **For the 2013 Period:**

$$(1 + 2.3\%^{\#}) \times \left( \sum_{i=1}^n P_{i2012} \times Q_{i2012} \right) \geq \left( \sum_{i=1}^n P_{i2013} \times Q_{i2012} \right)$$

[# 2.3% will be updated to include inflation prior to the release of the final determination.]

Where:

**n** is the number of Ticket Types.

**P<sub>i2012</sub>** is the Full Fare specified in Table 1 for Ticket Type i.

**P<sub>i2013</sub>** is the Full Fare RailCorp charges for Ticket Type i during the 2013 Period.

**Q<sub>i2012</sub>** is:

- (1) subject to paragraph (2) below:
  - (A) in the case of a Monopoly Train Service Ticket of Ticket Type i, the total number of Ticket Sales for that Ticket Type i during the most recent 12 month period (or for such other period as approved by IPART); and
  - (B) in the case of a Multi Modal Ticket of Ticket Type i, 50% of the total number of Ticket Sales for that Ticket Type i during the most recent 12 month period (or for such other period as approved by IPART); or

- (2) if, during the 2013 Period, any of the following events occur:
- (A) a new Ticket Type is introduced;
  - (B) an existing Ticket Type is discontinued;
  - (C) there is a Fare increase or Fare decrease of a Substitutable Ticket;
  - (D) there is a change in conditions of travel for an existing Ticket Type; or
  - (E) there is not yet 12 months of data on Ticket Sales available for a Ticket Type,

a value approved by IPART for each Ticket Type.

**[Note:** For the purposes of calculating Q under subparagraph (1) above, Ticket Sales of Link or Intermodal Destination Tickets are to be treated as set out in IPART's compliance spreadsheet (as published on its website and updated from time to time).]

(b) **For the 2014 Period:**

$$(1 + 2.3\%) \times (1 + \Delta CPI_1) \times \left( \left( \sum_{i=1}^n P_{i2013} \times Q_{i2013} \right) + CF_{2013} \right) \\ \geq \left( \sum_{i=1}^n P_{i2014} \times Q_{i2013} \right)$$

Where:

**n** is the number of Ticket Types.

**P<sub>i2013</sub>** is the Full Fare charged for Ticket Type i during the 2013 Period.

**P<sub>i2014</sub>** is the Full Fare RailCorp charges for Ticket Type i during the 2014 Period.

**Q<sub>i2013</sub>** is:

- (1) subject to paragraph (2) below:
  - (A) in the case of a Monopoly Train Service Ticket, the total number of Ticket Sales for that Ticket Type i during the most recent 12 month period (or for such other period as approved by IPART); and
  - (B) in the case of a Multi Modal Ticket, 50% of the total number of Ticket Sales for that Ticket Type i during the most recent 12 month period (or for such other period as approved by IPART); or

- (2) if, during the 2014 Period, any of the following events occur:
- (A) a new Ticket Type is introduced;
  - (B) an existing Ticket Type is discontinued;
  - (C) there is a Fare increase or Fare decrease of a Substitutable Ticket;
  - (D) there is a change in conditions of travel for an existing Ticket Type; or
  - (E) there is not yet 12 months of data on Ticket Sales available for a Ticket Type,
- a value approved by IPART for each Ticket Type.

**[Note:** For the purposes of calculating Q under subparagraph (1) above, Ticket Sales of Link or Intermodal Destination Tickets are to be treated as set out in IPART's compliance spreadsheet (as published on its website and updated from time to time).]

$\Delta CPI_1$  has the meaning given to that term in clause 1.2 of schedule 2 of this determination.

$CF_{2013}$  is the 2013 Catch-up Factor which:

- (1) is calculated as the Allowed Fare Revenue minus the Proposed Fare Revenue, where:

**Allowed Fare Revenue** is  $(1 + 2.3\%^{\#}) \times (\sum_{i=1}^n P_{i2012} \times Q_{i2012})$

**Proposed Fare Revenue** is  $(\sum_{i=1}^n P_{i2013} \times Q_{i2012})$

**n**, **P<sub>i2012</sub>**, and **Q<sub>i2012</sub>** have the meaning given to those terms in paragraph (a) above; and

- (2) must be equal to or greater than 0.

- (c) **For the 2015 Period:**

$$(1 + 2.3\%) \times (1 + \Delta CPI_2) \times \left( \left( \sum_{i=1}^n P_{i2014} \times Q_{i2014} \right) + CF_{2014} \right) \geq \left( \sum_{i=1}^n P_{i2015} \times Q_{i2014} \right)$$

Where:

**n** is the number of Ticket Types.

**P<sub>i2014</sub>** is the Full Fare charged for Ticket Type i during the 2014 Period.

**P<sub>i2015</sub>** is the Full Fare RailCorp charges for Ticket Type i during the 2015 Period.

$Q_{i2014}$  is:

- (1) subject to paragraph (2) below:
  - (A) in the case of a Monopoly Train Service Ticket, the total number of Ticket Sales for that Ticket Type  $i$  during the most recent 12 month period (or for such other period as approved by IPART); and
  - (B) in the case of a Multi Modal Ticket, 50% of the total number of Ticket Sales for that Ticket Type  $i$  during the most recent 12 month period (or for such other period as approved by IPART); or
- (2) if, during the 2015 Period, any of the following events occur:
  - (A) a new Ticket Type is introduced;
  - (B) an existing Ticket Type is discontinued;
  - (C) there is a Fare increase or Fare decrease of a Substitutable Ticket;
  - (D) there is a change in conditions of travel for an existing Ticket Type; or
  - (E) there is not yet 12 months of data on Ticket Sales available for a Ticket Type,

a value approved by IPART for each Ticket Type.

**Note:** For the purposes of calculating  $Q$  under subparagraph (1) above, Ticket Sales of Link or Intermodal Destination Tickets are to be treated as set out in IPART's compliance spreadsheet (as published on its website and updated from time to time).]

$\Delta CPI_2$  has the meaning given to that term in clause 1.2 of schedule 2 of this determination.

$CF_{2014}$  is the 2014 Catch-up Factor, which:

- (1) is calculated as the Allowed Fare Revenue minus the Proposed Fare Revenue, where:

**Allowed Fare Revenue** is  $(1 + 2.3\%) \times (1 + \Delta CPI_1) \times ((\sum_{i=1}^n P_{i2013} \times Q_{i2013}) + CF_{2013})$

**Proposed Fare Revenue** is  $(\sum_{i=1}^n P_{i2014} \times Q_{i2013})$

$\Delta CPI_1$ ,  $n$ ,  $P_{i2013}$ ,  $Q_{i2013}$ , and  $CF_{2013}$  have the meaning given to those terms in paragraph (b) above; and

- (2) must be equal to or greater than 0.

## 4 RailCorp required to submit pricing proposal

- (a) If RailCorp proposes to, or Transport for NSW requires RailCorp to:
- (1) increase an existing Fare;
  - (2) change the conditions of travel for an existing Ticket Type;
  - (3) introduce one or more new Ticket Types; or
  - (4) discontinue one or more existing Ticket Types,
- (each a **Proposed Fare Change Event**), RailCorp must submit to IPART, in accordance with this clause 4, a pricing proposal at least 20 Business Days before the Proposed Fare Change Event takes place (or by such later date as agreed by IPART).
- (b) RailCorp is not required to submit a pricing proposal if RailCorp is proposing only to reduce an existing Fare.
- (c) Each pricing proposal submitted by RailCorp must contain the following information:
- (1) all proposed Fares and Ticket Types;
  - (2) details of the Ticket Sales for the most recent 12 month period (or such other period approved by IPART) for each Ticket Type;
  - (3) the information required in IPART's compliance spreadsheet (as published on its website and updated from time to time);
  - (4) if a new Ticket Type is to be introduced:
    - (A) details of that proposed new Ticket Type and Fare, including:
      - (i) if the Fare is distance-based, zone-based, or time-based;
      - (ii) the number of journeys included (or, if a time-based Fare, the estimated average number of journeys likely to be taken by passengers on that Fare, and the period for which it is valid); and
      - (iii) any other conditions of travel;
    - (B) how the change is expected to impact on other Ticket Types; and
    - (C) the expected revenue impact of the change;
  - (5) if a Ticket Type is to be discontinued:
    - (A) details of the Ticket Type to be discontinued;
    - (B) how the change is expected to impact other Ticket Types; and
    - (C) the expected revenue impact of the change; and
  - (6) any other information IPART requires to satisfy itself that RailCorp's proposed fares comply with this determination.
- (d) IPART may publish a pricing proposal submitted under this clause 4 on its website.



## 5 IPART assessment of pricing proposal

- (a) IPART will notify RailCorp and Transport for NSW if it forms the view that the pricing proposal submitted by RailCorp under clause 4 would, if implemented, result in RailCorp charging passengers Fares that exceed the maximum prices that may be charged under this determination.
- (b) IPART may publish this notice on its website.

## 6 Worked example

Assume for the purposes of this worked example only that:

- ▼ RailCorp has 3 Fares; and
- ▼ the allowed Fare increase between 2012 and 2013 is 4.4%<sup>1</sup>.

(a) Full Fares for 2012 and 2013 are as follow:

Ticket Type	2012	2013
	Full Fare ( $P_{2012}$ )	Full Fare ( $P_{2013}$ )
MyTrain1 Single	\$4.00	\$4.20
MyTrain 2 Return	\$8.00	\$8.40
MyTrain1 Weekly	\$32.00	\$33.00

(b) number of Ticket Sales are as follows:

Ticket Type	Number of Ticket Sales
	1 July 2011 -30 June 2012 ( $Q_{2012}$ )
MyTrain1 Single	300
MyTrain 2 Return	140
MyTrain1 Weekly	80

To determine whether the Fares for the 2013 Period comply with clause 3(a), schedule 1 of the determination, the following must be calculated:

(i) Allowed Fare Revenue

Ticket Type	Full Fare ( $P_{2012}$ )	Number of Ticket Sales ( $Q_{2012}$ )	Revenue
	a	b	a * b
MyTrain1 Single	\$4.00	300	\$4*300 = \$1200
MyTrain 2 Return	\$8.00	140	\$8*140 = \$1120
MyTrain1 Weekly	\$32.00	80	\$32*80 = \$2560
<b>Total revenue</b>			<b>\$4880</b>

<sup>1</sup> 2.3% real increase + inflation. The level of inflation may vary in each year of the determination period.

For a weighted average increase in the 2013 Period of 4.4%, the Allowed Fare Revenue in the 2013 Period will be  $\$4880 \times (1+4.4\%) = \$5095$ .

(ii) Proposed Fare Revenue

<b>Ticket Type</b>	<b>Full Fare (P<sub>2013</sub>)</b>	<b>Number of Ticket Sales (Q<sub>2012</sub>)</b>	<b>Revenue</b>
	<b>a</b>	<b>b</b>	<b>a* b</b>
MyTrain1 Single	\$4.20	300	$\$4.20 \times 300 = \$1260$
MyTrain 2 Return	\$8.40	140	$\$8.40 \times 140 = \$1176$
MyTrain1 Weekly	\$33	80	$\$33 \times 80 = \$2640$
<b>Total revenue</b>			<b>\$5076</b>

The Fares for the 2013 Period comply with clause 3(a), schedule 1 of the determination. The proposed fares for the 2013 Period in the table above would comply with the maximum weighted average fare increase because the Proposed Fare Revenue is less than the Allowed Fare Revenue - \$5076 is less than \$5095.

## Table 1

**Table 1 2012 Full Fares ( $P_{i2012}$ )**

<b>Ticket Type</b>	<b>2012 Full Fare (<math>P_{i2012}</math>)</b>
MyTrain1 Single	\$3.40
MyTrain2 Single	\$4.20
MyTrain3 Single	\$4.80
MyTrain4 Single	\$6.40
MyTrain5 Single	\$8.40
MyTrain1 Return	\$6.80
MyTrain2 Return	\$8.40
MyTrain3 Return	\$9.60
MyTrain4 Return	\$12.80
MyTrain5 Return	\$16.40
MyTrain1 Off Peak Return	\$4.60
MyTrain2 Off Peak Return	\$5.80
MyTrain3 Off Peak Return	\$6.60
MyTrain4 Off Peak Return	\$8.80
MyTrain5 Off Peak Return	\$11.40
MyTrain1 Weekly	\$26.00
MyTrain2 Weekly	\$33.00
MyTrain3 Weekly	\$39.00
MyTrain4 Weekly	\$50.00
MyTrain5 Weekly	\$59.00
MyTrain1 Fortnightly	\$52.00
MyTrain2 Fortnightly	\$66.00
MyTrain3 Fortnightly	\$78.00
MyTrain4 Fortnightly	\$100.00
MyTrain5 Fortnightly	\$118.00
MyTrain1 Monthly	\$95.00
MyTrain2 Monthly	\$120.00
MyTrain3 Monthly	\$142.00
MyTrain4 Monthly	\$182.00
MyTrain5 Monthly	\$215.00
MyTrain1 Quarterly	\$260.00
MyTrain2 Quarterly	\$330.00
MyTrain3 Quarterly	\$390.00
MyTrain4 Quarterly	\$500.00
MyTrain5 Quarterly	\$590.00
MyTrain1 Yearly	\$1040.00
MyTrain2 Yearly	\$1320.00
MyTrain3 Yearly	\$1560.00

Table 1

<b>Ticket Type</b>	<b>2012 Full Fare (P<sub>i2012</sub>)</b>
MyTrain4 Yearly	\$2000.00
MyTrain5 Yearly	\$2360.00
MyMulti Day Pass	\$21.00
MyMulti1 Weekly	\$43.00
MyMulti2 Weekly	\$51.00
MyMulti3 Weekly	\$60.00
MyMulti1 Monthly	\$164.00
MyMulti2 Monthly	\$194.00
MyMulti3 Monthly	\$232.00
MyMulti1 Quarterly	\$452.00
MyMulti2 Quarterly	\$533.00
MyMulti3 Quarterly	\$638.00
MyMulti1 Yearly	\$1632.00
MyMulti2 Yearly	\$1928.00
MyMulti3 Yearly	\$2311.00
Newcastle Green TravelPass Weekly	\$51.00
Newcastle Green TravelPass Quarterly	\$531.00
Newcastle Green TravelPass Yearly	\$1920.00

## Schedule 2 — Definitions and interpretation

### 1 Definitions

#### 1.1 General definitions

**2013 Commencement Date** means the 2013 Commencement Date as defined in clause 3(b) of the Preliminary section of this determination.

**2014 Commencement Date** means [2] January 2014 or such other date as specified by IPART.

**2015 Commencement Date** means [2] January 2015 or such other date as specified by IPART.

**2013 Period** means the period commencing on the 2013 Commencement Date and ending on the date immediately before the 2014 Commencement Date.

**2014 Period** means the period commencing on the 2014 Commencement Date and ending on the date immediately before the 2015 Commencement Date.

**2015 Period** means the period commencing on the 2015 Commencement Date and ending on the date immediately before the date that this determination is replaced.

**Adult** means a person who is aged 16 years or over, and is not entitled to a concession fare.

**Bus Service Contract** means a contract:

- (a) between a Contract Holder and Transport for NSW under Division 3 of Part 3 of the Passenger Transport Act for the provision of a Regular Bus Service; and
- (b) which authorises or otherwise permits the Contract Holder to charge passengers of the Regular Bus Service a fare for the use of the Regular Bus Service.

**Business Day** means a day other than a Saturday, a Sunday or a public holiday or bank holiday in all of New South Wales.

**Contract Holder** means:

- (a) a party to a Ferry Service Contract under which that party provides Regulated Ferry Services; or
- (b) a party to a Bus Service Contract under which that party provides Regulated Bus Services.

**Determination No. 4, 2008** means IPART's Determination No. 4, 2008 entitled 'CityRail'.

**Determination No. 5, 2008** means IPART's Determination No. 5, 2008 entitled 'TravelPass and DayTripper'.

**Determination Period** means the Determination Period defined in clause 3(c) of the Preliminary section of this determination.

**Fare** means a fare payable by any passenger (Adult or concession) for a Monopoly Train Service Ticket or a Multi Modal Ticket, but does not include the fares payable for:

- (a) Trial Fares;
- (b) the tickets known as "Pensioner Excursion Ticket" and "Family Funday Sunday"; and
- (c) Link or Intermodal Destination Tickets.

**Ferry Service Contract** means a contract:

- (a) between a Contract Holder and Transport for NSW under Division 1A of Part 3 of the Passenger Transport Act for the provision of a Regular Ferry Service; and
- (b) which authorises or otherwise provides for the fares charged by the Contract Holder to be determined in accordance with section 16AE of the Passenger Transport Act.

**Fortnightly** means a ticket that permits unlimited journeys between the stations indicated on the ticket for a period of 14 days (or 15 days if the ticket is purchased after 3pm).

**Full Fare** means a fare payable by an Adult for a Monopoly Train Service Ticket or a Multi Modal Ticket, but does not include the fares payable for:

- (a) Trial Fares;
- (b) the tickets known as "Pensioner Excursion Ticket" and "Family Funday Sunday"; and
- (c) Link or Intermodal Destination Tickets.

**GST** has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

**IPART** means the Independent Pricing and Regulatory Tribunal of New South Wales established under the IPART Act.

**IPART Act** means the *Independent Pricing and Regulatory Tribunal Act 1992*.

**Link or Intermodal Destination Tickets** means the Link or Intermodal Destination Tickets as defined in clause 2(b) of schedule 1 of this determination.

**Monopoly Train Services** means the Monopoly Train Services as defined in clause 1(b) of the Preliminary section of this determination.

**Monopoly Train Service Ticket** means a ticket made available for sale, which entitles a customer to travel on a particular Monopoly Train Service.

**Monthly** means a ticket that permits unlimited journeys between the stations indicated on the ticket for a period of 28 days.

**Multi Modal Tickets** means:

- (a) MyMulti Tickets;
- (b) Newcastle Green TravelPass Tickets; and
- (c) any new ticket which:
  - (1) is introduced during the Determination Period; and
  - (2) entitles a customer to travel partly by means of the Monopoly Trains Services and partly by means of transport that are not Monopoly Train Services (including by bus or ferry); and
  - (3) is determined by IPART to be a Multi Modal Ticket,

but does not include Link or Intermodal Destination Tickets.

**MyMulti Ticket** means any of the following tickets:

- (a) a My Multi Day Pass;
- (b) a MyMulti1 Weekly ticket;
- (c) a MyMulti2 Weekly ticket;
- (d) a MyMulti3 Weekly ticket;
- (e) a MyMulti1 Monthly ticket;
- (f) a MyMulti2 Monthly ticket;
- (g) a MyMulti3 Monthly ticket;
- (h) a MyMulti1 Quarterly ticket;
- (i) a MyMulti2 Quarterly ticket;
- (j) a MyMulti3 Quarterly ticket;

(k) a MyMulti1 Yearly ticket;

(l) a MyMulti2 Yearly ticket; and

(m) a MyMulti3 Yearly ticket,

as described at <http://www.131500.com.au/tickets/buy/terms-and-conditions> (as updated from time to time).

**MyTrain1** is a distance band of up to 10 kilometres.

**MyTrain2** is a distance band of 10 kilometres to up to 20 kilometres.

**MyTrain3** is a distance band of 20 kilometres to up to 35 kilometres.

**MyTrain4** is a distance band of 35 kilometres to 65 kilometres.

**MyTrain5** is a distance band of greater than 65 kilometres.

**Newcastle Green TravelPass** means a ticket permitting unlimited travel for the period specified on the ticket on:

- (a) Monopoly Train Services within the area bounded by CityRail's Telarah, Newcastle, Toronto and Awaba stations;
- (b) STA's bus services (other than sporting bus services) within the Newcastle Suburban Area; and
- (c) the Stockton Ferry Services.

**Newcastle Suburban Area** means the area bounded by CityRail's Newcastle, Gosford, Dungog, Muswellbrook, Karuah stations and the road coach route between Fassifern and Toronto.

**Off Peak Return** means a Return Ticket where the first journey must be commenced after 9am Monday to Friday or at any time on weekends and public holidays.

**Passenger Transport Act** means the *Passenger Transport Act 1990*.

**Quarterly** means a ticket that permits unlimited journeys between the stations indicated on the ticket for a period of 90 days.

**RailCorp** means the Rail Corporation New South Wales defined in clause 1(b) of the Preliminary section of this determination, constituted under the *Transport Administration Act 1988*.

**Regular Bus Service** has the meaning given to that term in the Passenger Transport Act.

**Regular Ferry Service** has the meaning given to that term in the Passenger Transport Act.



**Regulated Bus Services** means the Regulated Bus Services defined in clause 2(c) of the Preliminary section of this determination.

**Regulated Ferry Services** means the Regulated Ferry Services defined in clause 2(a) of the Preliminary section of this determination.

**Return or Return Ticket** means a ticket permitting one journey from one CityRail station of origin to a CityRail destination station, and one journey returning to the CityRail station of origin. Both journeys must be completed on the day that the ticket is purchased or up to 4.00am on the following day.

**Single or Single Ticket** means a ticket that permits one journey from one CityRail station to another CityRail station. The journey must be completed on the day that the ticket is purchased or up to 4.00am on the following day.

**STA** means the State Transit Authority defined in clause 1(c) of the Preliminary section of this determination, constituted under the *Transport Administration Act 1988*.

**Stockton Ferry Services** means the Stockton Ferry Services defined in clause 1(d) of the Preliminary section of this determination.

**Substitutable Ticket** means:

- (a) a ticket for a Monopoly Train Service for which there is an alternative ticket for that same service; or
- (b) a Multi Modal Ticket for which there is an alternative ticket for the same services covered by that ticket.

**Ticket Type** means each Monopoly Train Service Ticket and Multi Modal Ticket (including a ticket using smart card or magnetic strip technology) made available for sale to Adult and concession passengers. For the avoidance of doubt, a Monopoly Train Service Ticket or a Multi Modal Ticket that is made available to both Adult and concession passengers will be taken to be one Ticket Type.

**Ticket Sale** means:

- (a) in the case of a paper ticket, the sale of a Monopoly Train Service Ticket or a Multi Modal Ticket through any vendor; and
- (b) in the case of an e-ticket, the use of an e-ticket for a Fare.

**Transport for NSW** means Transport for NSW as constituted under the *Transport Administration Act 1988*.

**Trial Fare** means a Fare:

- (a) that is forecast by Transport for NSW or RailCorp to contribute less than:
  - (1) 0.1% of Ticket Sales by CityRail (**Ticket Sale Threshold**); and
  - (2) 0.1% of fare revenue (**Revenue Threshold**) for RailCorp’s CityRail operations, over any calendar month, and
- (b) for which there is an existing Fare for the same services covered by the Trial Fare.

A Fare will cease to be a Trial Fare if:

- (a) in any calendar month:
  - (1) the Ticket Sales for that Fare exceed the Ticket Sale Threshold; or
  - (2) the fare revenue attributable to that Fare exceeds the Revenue Threshold; or
- (b) the Fare is offered for a period of more than 12 months.

**Weekly** means a ticket that permits unlimited journeys between the stations indicated on the ticket for a period of 7 days (or 8 days if the ticket is purchased after 3pm).

**Yearly** means a ticket that permits unlimited journeys between the stations indicated on the ticket for a period of 365 days

## 1.2 Consumer Price Index

$$\Delta CPI_1 = \left( \frac{AdjustedCPI_{Sept2013}}{AdjustedCPI_{Sept2012}} \right) - 1$$

$$\Delta CPI_2 = \left( \frac{AdjustedCPI_{Sept2014}}{AdjustedCPI_{Sept2012}} \right) - 1$$

each as calculated and notified by IPART, where:

- (1) AdjustedCPI means CPI less Carbon Price Impact;
- (2) CPI means the consumer price index All Groups index number for Sydney as published by the Australian Bureau of Statistics, or if the Australian Bureau of Statistics does not or ceases to publish the index, then CPI will mean an index determined by IPART;
- (3) Carbon Price Impact means:
  - (A) the impact of the Carbon Price on the CPI as estimated and published by the Australian Bureau of Statistics; or
  - (B) if the Australian Bureau of Statistics does not publish an estimate of the impact of the Carbon Price on the CPI, the impact of the Carbon Price on the CPI as estimated and published by the Reserve Bank of Australia; or

- (C) if neither the Australian Bureau of Statistics nor the Reserve Bank of Australia publishes an estimate of the impact of the Carbon Price on the CPI, the impact of the Carbon Price on the CPI as published by the Commonwealth Treasury in *Strong growth, low pollution: modelling a carbon price - update (2011)*, Commonwealth Treasury, as updated from time to time; and
- (4) Carbon Price means the carbon pricing scheme implemented under the *Clean Energy Act 2011* (Cth) and associated legislation (including the related amendments to the *Fuel Tax Act 2006* (Cth), *Excise Tariff Act 1921* (Cth) and *Customs Tariff Act 1995* (Cth).
- (b) The subtext (for example <sub>Sept2013</sub>) when used in relation to the AdjustedCPI in paragraph (a) above refers to the CPI and Carbon Price Impact for the quarter and year indicated (in the example, the September quarter for 2013).

## 2 Interpretation

### 2.1 General provisions

In this determination:

- (a) headings are for convenience only and do not affect the interpretation of this determination;
- (b) a reference to a schedule, annexure, clause or table is a reference to a schedule, annexure, clause or table to this determination unless otherwise indicated;
- (c) words importing the singular include the plural and vice versa;
- (d) a reference to a law or statute includes regulations, rules, codes and other instruments under it and consolidations, amendments, re-enactments or replacements of them;
- (e) where a word is defined, other grammatical forms of that word have a corresponding meaning;
- (f) a reference to a day is to a calendar day;
- (g) a reference to a person includes a reference to the person's executors, administrators, successors, substitutes (including, but not limited to, persons taking by novation), replacements and assigns;
- (h) a reference to an officer includes a reference to the officer which replaces it or which substantially succeeds to its powers or functions;
- (i) a reference to a body, whether statutory or not:
  - (1) which ceases to exist; or
  - (2) whose powers or functions are transferred to another body,

is a reference to the body which replaces it or which substantially succeeds to its powers or functions.

## **2.2 Explanatory notes, simplified outline, worked examples and clarification notice**

- (a) Explanatory notes, simplified outlines and worked examples do not form part of this determination, but in the case of uncertainty may be relied on for interpretation purposes.
- (b) IPART may publish a clarification notice in the NSW Government Gazette to correct any manifest error in or to clarify any part of this determination. Such a clarification notice is taken to form part of this determination.

## **2.3 Prices inclusive of GST**

Prices or charges specified in this determination include GST.