

2015 Review of the National Transport Commission (under Section 51 of the *National Transport Commission Act 2003*).

Terms of Referenceⁱ

Evaluation of the National Transport Commission's ('the Commission') operational effectiveness

The Review will assess the effectiveness of:

- the Commission in delivering regulatory and operational road, rail and intermodal transport reform in accordance with:
 - the *National Transport Commission Act 2003* ('the Act');
 - the Intergovernmental Agreement for Regulatory and Operational Reform in Road, Rail and Intermodal Transport;
 - the Statement of Expectations (November 2013);
- the Commission's reform maintenance process that supports the delivery of regulatory and operational reform; and
- the Commission's governance arrangements in facilitating the delivery of tasks and whether any changes should be considered.

Evolution of the transport reform environment—consideration of NTC's future role and relationships

The Review will:

- make recommendations on whether the NTC should continue in operation;
- examine the relationship between the Commission, the National Heavy Vehicle Regulator and the Office of the National Rail Safety Regulator—including consideration of the clarity of regulatory, policy advising and operational roles; and
- consider the strategic drivers impacting on the future role of the NTC and the advice that will be required by jurisdictions noting the policy environment and challenges that governments will face in coming years.

Future work priorities and governance arrangements (if the NTC is to continue)

If the Review recommends the continuation of the Commission, it will also make recommendations on:

- the NTC's future role and work priorities;
- the role of the Commission in relation to Commonwealth, state, territory and local governments and other government agencies;
- the appropriate level of resourcing for the future body; and
- any necessary amendments to the NTC Act and or the IGA to implement these changes.

Conduct of the Review

The Review will be undertaken by an Expert Panel with Secretariat support to be provided by the Commonwealth. The Expert Panel report will be prepared in a manner that will facilitate the Council meeting the requirements of section 51 of the Act.

The Expert Panel will provide an interim report to the Council (through TISOC) by 15 April 2015, to facilitate a discussion by the Council in May 2015. The final report will be lodged with the Council (through TISOC) by 1 August 2015.

The Panel will consult with jurisdictions and industry in line with this Terms of Reference.

ⁱ Agreed to by the Transport and Infrastructure Council on 7 November 2014