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**GOVERNMENT NOTICE**

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**DEPARTMENT OF TRANSPORT**

No. R. 470

5 July 2013

**NATIONAL RAILWAY SAFETY REGULATOR ACT, 2002 (ACT NO. 16 OF 2002)****DETERMINATION OF SAFETY PERMITS FEES UNDER SECTION 23(2) (a) OF  
THE NATIONAL RAILWAY SAFETY REGULATOR ACT, 2002**

I, Dikobe Ben Martins, Minister of Transport, in terms of section 23(2) (a) of the National Railway Safety Regulator Act, 2002 (Act No. 16 of 2002) , hereby determine as indicated in the Schedule, fees that the Railway Safety Regulator must charge for safety permits, with effect 1 April 2013 to 31 March 2014.

The Safety Permit Fees are published for compliance and general information.

**Dikobe Ben Martins, MP****Minister of Transport****Date:** 28.06.2013.

**SCHEDULE****PERMIT FEES PAYABLE TO THE RAILWAY SAFETY REGULATOR****SCHEDULE OF FEES APPLICABLE FROM 1 APRIL 2013 TO 31 MARCH 2014**

1. Application Fee	R1 500,00
2. Temporary Safety Permit Fee	R4 000,00
3. Construction Train Safety Permit Fee	R12 000,00
4. Test and Commissioning Safety Permit Fee	R12 000,00
5. Heritage/tourism rail operators (Annual rail cost up to R14.66 million)	R6 600,00
6. Class B Safety Permit Fee	R6 600,00
7. Class A Safety Permit Fee	See relevant Cost Band below

FEE BANDS	OPERATOR RAIL COST BAND	PERMIT FEE PAYABLE
A	0 to R20 000	6 600
B	R20 001 to R1 890 000	7 000
C	R1 890 001 to R6 980 000	8 500
D	R6 980 001 to R20 810 000	14 800
E	R20 810 001 to R58 420 000	46 500
F	R58 420 001 to R160 640 000	200 000
G	R160 640 001 to R438 520 000	934 000
H	R438 520 001 to R1 193 870 000	4 500 000
I	R1 193 870 001 to R3 247 120 000	21 500 000
J	R3 247 120 001 upwards	23 360 000

**GUIDANCE ON THE INTERPRETATION OF THE SCHEDULE**

1. The schedule reflects the safety permit fees applicable to different types of permit as provided for in S.28(a) of Act 16. Safety Permit Fees are exempted from VAT as the Regulator is a Schedule 3A entity in terms of the Public Finance Management Act.
2. Application fees (*Point 1 in Notice*) are payable when any type of safety permit is applied for. This is charged only on application, not on an annual basis.
3. Temporary Safety Permit fees (*Point 2 in Notice*) are payable when an operator is about to be issued with a temporary safety permit, valid for 6 months. These fees are only charged when the permit is issued, not on an annual basis.

4. All operators conducting or commencing normal rail operations are issued with either a Class A or Class B safety permit. Class A and Class B safety permit fees are charged prior to issuing of the safety permit when applied for as well as on an annual basis during each year for which the permit is valid. Annual permit fee payments are required in order to ensure the continued validity of the permit for the following period of 12 months.

#### 4.1 Class B Safety Permits

4.1.1 Operators i) receiving/dispatching 50 000 net tons or less of dangerous goods per annum by rail and ii) receiving/dispatching 500 000 net tons or less of general freight per annum by rail apply for Class B Safety Permits. Class B Safety Permits issued are valid for 6 years.

4.1.2 These operators are charged Class B Safety Permit Fees (*Point 6 in Notice*). The same flat fee is applicable to all Class B Safety Permits. Class B Safety Permit Fees are payable on an annual basis.

#### 4.2 Class A Safety Permits

4.2.1 Operators i) involved with passenger/commuter/tourism transport, and/or ii) exceeding annual received/dispatched rail volumes of 50 000 net tons of dangerous goods and/or iii) exceeding annual received/dispatched rail volumes exceeding 500 000 net tons of general freight, apply for Class A Safety Permits. Class A Safety Permits issued are valid for 5 years.

4.2.2 These operators are charged Class A Safety Permit Fees (*Point 7 and table of Fee Bands in Notice*). Different levels of permit fees are charged for Class A Safety Permits, depending on the cost of their rail operations. Class A Safety Permit Fees are payable on an annual basis.

4.2.3 Class A operators are required to submit the following annual rail cost figures to the Railway Safety Regulator as part of an Annual Safety Improvement Plan:

- A. Maintenance of the network, rolling stock and stations including-
  - (i) labour costs
  - (ii) material and consumable costs
  - (iii) contract payments
  - (iv) depreciation and other finance costs and
  - (v) energy costs
- B. Operation of the network, rolling stock and stations, including-
  - (i) labour costs
  - (ii) material and consumable costs
  - (iii) contract payments
  - (iv) depreciation and other costs
  - (v) energy costs and
  - (vi) haulage costs
- C. The total rail cost figure when A and B are added. This total rail cost figure is used to determine the Class A safety permit fee applicable to individual operators.

4.2.4 Using the total rail cost amount reflected in C above, Class A operators need to identify the applicable Operator Rail Cost Band in the table provided in the Schedule. The safety permit fee reflected against the applicable operator rail cost band will be payable by the Class A operator. (For example: If total rail costs is R15 million, Fee Band D applies and permit fee is R14 800,00. If total rail costs is R250 million Fee Band G applies and permit fee is R934 000.)





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