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GENERAL NOTICE

NOTICE 374 OF 2015

DEPARTMENT OF TRANSPORT

NATIONAL RAILWAY SAFETY REGULATOR ACT, 2002 (ACT NO.16 OF 2002) DETERMINATION OF FEES TO BE PAID FOR SERVICES RENDERED IN TERMS OF SECTION 17 (1) (bB) OF THE NATIONAL RAILWAY SAFETY REGULATOR ACT, 2002

The Minister of Transport in consultation with the Minister of Finance, hereby in terms of section 17(1)(bB) of the National Railway Safety Regulator Act, 2002 (Act No.16 of 2002) publishes for comments the Notice for determination of the fees that the Railway Safety Regulator must charge for services rendered as indicated in the Schedule.

Interested persons are invited to submit written comments to the Director-General, Department of Transport, within 30 days after the date of publication of this notice, for the attention of:

Sello Mokubyané
Department of Transport
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PRETORIA
0001

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SCHEDULE

Definitions

1. For purpose of calculating fees:

“**new works**” means a new railway operation, including new train, network or station operations; or the introduction of new technology including rolling stock, train authorisation systems, traction power supplies, or components thereof; or an extension to an existing operation that has the potential to increase the risk profile of the operator; or during testing and commissioning;

“**technology**” means a created capability and capacity relating to systems, processes, equipment and procedures applicable to rolling stock, railway infrastructure elements and stations;

“**the RSR**” means the Railway Safety Regulator established in terms of section 4 of the National Railway Safety Regulator Act ,2002 (Act No.16 of 2002) .

Fees

2(1) When interpreting a calculation or table on section A of this notice, the following steps must be followed to determine the exact fee payable according to table schedule matrix –Table 3:

- (a) Depending on the nature and scope of the project, determine the significance level using Table 2: Description of Significance Levels.
- (b) Determine the project complexity variable by using the sum of number of disciplines, the number of life cycle phases and the duration. Table 4 must be used to determine the applicable life cycle phases and railway disciplines.
- (c) Use the complexity variable and applicable significance level determined in (a) and (b) above respectively to determine the applicable fee using Table 2 – Schedule matrix.

-
- 2(2) All fees charged by the RSR for services rendered are payable before implementation of the intended life cycle changes for new works and technology.
- 2(3) Section B is only applicable to non-railway operators (non-Railway Safety Permit Holders) who intend to undertake activities that could impact on railway safety and includes consultants, contractors, municipalities, human settlement developers and other entities requiring the services of the RSR on any matter incidental thereto.
- 2(4) Section B is also applicable to Safety Permit holders seeking advice and or feasibility assessments on activities (new works and technology developments) that may have an impact on railway safety.
- 2(5) Section B is not intended for the purpose of recovering costs for services rendered to non-operators intending on undertaking activities (new works and technology developments that have an impact on rail safety) or seeking services or advice on rail safety matters with an ultimate intent of acquiring an operating Safety Permit; Table 2 should be applied in those instances.
- 2(6) The rates in Section B are based on expected active time and cost recovery principles. The application thereof, inclusive of the scope and expertise level, must be agreed upon with the RSR before commencement of services. Any consequential material purchase and travel costs are not included in the rates listed in Table 5.

Section A: FEE RATES FOR NEW WORKS AND TECHNOLOGY DEVELOPMENTS

Application

3(1) This notice applies to any person who undertakes new works or significant changes on railway operations.

3(2) The Railway Safety Regulator shall levy fees per project in accordance with the following criteria:

- | | |
|---------------------------------|------------|
| 1. New Works Application Fee | R 8000. 00 |
| 2. Significance Level 1 project | R 8000. 00 |

3(3) The following criteria are applicable for minimum and maximum fees:

Table 1: Criteria for Payable Fees between Minimum & Maximum

Criteria For Fee between Minimum & Maximum						
Significance Level	Project value [m R]	Project duration (D) [years]	Life cycle phases involved	No of disciplines Involved	Fee Allocation	
					Minimum	Maximum
1	FLAT FEE RATE = R8000.00					
2	≤ 5	Less than 2	< 2	1-2	8 000	21 000
3	>5 AND ≤10	1 - 2	3 -4	3	58 300	119 900
4	>10 AND ≤100	2 - 3	>4-5	4-6	408 100	1 005 400
5	>100	More than 3	All	All	2 884 200	8 488 700

- 3(4) The following matrix must be applied to determine the exact fees payable for the project.

Table 2: Schedule matrix

		Significance Level				
		1	2	3	4	5
Complexity variable = duration (number of yrs) + number of life cycle phases + number of disciplines	3	8 000	8 000	58 300	408 100	2 884 200
	4	8 000	14500	58 300	408 100	2 884 200
	5	8 000	21 000	58 300	408 100	2 884 200
	6	8 000	21 000	73 700	408 100	2 884 200
	7	8 000	21 000	89 100	408 100	3 584 763
	8	8 000	21 000	104 500	408 100	4 285 325
	9	8 000	21 000	119 900	408 100	4 985 888
	10	8 000	21 000	119 900	408 100	5 686 450
	11	8 000	21 000	119 900	557 425	6 387 013
	12	8 000	21 000	119 900	706 750	7 087 575
	13	8 000	21 000	119 900	1 005 400	7 788 138
	14	8 000	21 000	119 900	1 005 400	8 488 700

3(5) The significance level is explained in the following table:

Table 3: Description of Significance Levels

Significance Level	Scope and Impact of new technology and/or changes	Description/Content
1	Minor	Special trains and projects,
2	Low	Basic tests, process or procedural changes such as train configuration change tests, extension of sidings, maintenance facility changes. Duration ≤ 1 year
3	Moderate	Design and establishment, test and commissioning of singular disciplinary or moderately complex systems such as , mining railway systems. Timing: $1 < \text{duration} \leq 2$ years
4	High	Design and establishment, test and commissioning of multidisciplinary disciplinary systems or systems of significant complexity such as, rolling stock or infrastructure fleet renewal. Timing: $2 < \text{duration} \leq 3$ years
5	Major	Large new works projects, capacity expansion. Timing: duration > 3 years

3(6) The life cycle phases are defined in the table below:

Table 4: Applicable Life Cycle Phases and Railway Disciplines

ID	Life Cycle Phases
1	Concept
2	Design
3	Manufacture
4	Testing and Commissioning
5	Operations and Maintenance
6	Modification
7	Disposal
ID	DISCIPLINES
1	Rolling Stock
2	Infrastructure
3	Train Control - Signalling
4	Train Movement control
5	Overhead Traction Equipment
6	Human factors

NON- RAILWAY SAFETY PERMIT HOLDERS**SECTION B: Hourly Rates payable for services rendered to Non-Railway Safety permit holder**

4. Section B is based only on the expected active time cost recovery principles and the application thereof must be contracted to with the RSR before commencement of services in order to agree on the scope and expertise levels required. Any consequential material purchase and travel costs are not included in the published hourly rates.

Table 5: Hourly Rates payable for services rendered to Non-Railway Safety Permit holders

Category	Position	Amount
A. Inspectors	1. Principal Inspector	R 1291. 00
	2. Senior Inspector	R 938. 00
	3. Inspector	R 811. 00
	4. Junior Inspector	R 540. 00
B. Engineers	5. Principal Engineer	R 1291.00
	6. Senior Engineer	R 938.00
	7. Engineer	R 811.00

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