

## DEPARTMENT OF TRANSPORT

NO. 578

12 APRIL 2019

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

I, Bonginkosi Emmanuel Nzimande, Minister of Transport, in terms of section 23(2)(a) of the National Railway Safety Regulator Act, 2002 (Act No. 16 of 2002) as amended, hereby determine as indicated in the Schedule, fees that the Railway Safety Regulator must charge for safety permits, with effect from 1 April 2019 to 31 March 2020.

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



**DR B.E. NZIMANDE, MP**  
**MINISTER OF TRANSPORT**

DATE: 30/03/2019

## SCHEDULE

### PERMIT FEES PAYABLE TO THE RAILWAY SAFETY REGULATOR

#### DEFINITIONS

1. **For the purpose of calculating fees:**

**“Activity”** means the activities undertaken by SADC operators on a railway network (i.e. kms operated into South Africa x Relevant Risk Based Fee Rate [3583.24]);

**“annual passengers”** means the total number of passengers transported aboard railway operator’s passenger or commuter rolling stock between two points (i.e. a station of boarding and of disembarkation) with the exception of a train operator’s personnel, over the period of an operator’s most recently completed financial year;

**“annual tons”** The total sum of the mass of dangerous or general goods loaded onto a locomotive by a train operator in the preceding financial year, and transported along the portion of a rail network for which the train operator has a permit to traverse;

**“cape gauge”** A type of railway track where the distance between the two rails of the track is 1,067 millimetres in length;

**“general freight or passenger operators”** means network, train or station operators (or a combination thereof) whose operations include the transportation of passengers and freight that excludes dangerous and/or mining goods;

**“mine operations”** means the operations undertaken above surface by train, network, and station operators to support mining activities;

**“non-rail related revenue”** means revenue generated by Train Operators, Network Operators or Station Operators whose railway operation is incidental to its main business;

**“passengers”** means people transported by a train between two points (i.e. a station of boarding and of disembarkation) with the exception of a train operator’s personnel;

**“rail-related revenue”** means the gross inflow of cash arising from all rail operating activities of an operator;

“**relevant risk based fee rate**” means the rand value equivalent of the risks attributable to rail activities. The units of measurement include R/Kilometres (for network operations), R/number of stations (for station operator), R/passenger kilometres (for passenger operations), and R/ton kilometre (for freight operations);

“**standard gauge**” railway track where the distance between the two rails of the railway track is 1,435 millimetres in length; and

“**tourist passengers**” means passengers transported aboard railway operator's rolling stock between two points (i.e. a station of boarding and of disembarkation) for recreational purposes, with the exception of a train operator's personnel and commuter passengers.

### **APPLICATION FEES**

2. A non-refundable application fee must accompany an application for a safety permit. The fees specified in the categories **OPERATOR CATEGORY AND AMOUNT** column of the Schedule shall be payable in respect of the corresponding **APPLICATION FEES FOR GENERAL SAFETY PERMIT** that is applied for as specified in the first column of the Schedule indicated as follows:-

<b>APPLICATION FEES FOR GENERAL SAFETY PERMIT</b>	<b>OPERATOR CATEGORY AND AMOUNT (RANDS)</b>		
	Transportation of Mining Goods	Transportation of Dangerous Goods	Transportation of passengers or General Freight
<b>Group A: Train, Network and Station operators Application Fee</b>	R 56 333.00	R 56 333.00	R 56 333.00
<b>Group B: Train, Network and Station Operators Application Fee</b>	R 18 459.00	R 18 459.00	R 3 335.00
<b>Group C: Train, Network and Station Operators Application Fee</b>	R 7 741.00	R 7 741.00	R 3 335.00

**OTHER SAFETY PERMIT FEES FOR RAILWAY OPERATIONS**

3. The fees specified in the categories OPERATOR CATEGORY AND AMOUNT column of the Schedule shall be payable in respect of the corresponding APPLICATION FEES FOR OTHER SAFETY PERMIT being applied for as specified in the first column of the Schedule indicated as follows:-

APPLICATION FEES FOR OTHER SAFETY PERMIT	OPERATORS CATEGORY AND AMOUNT		
	GROUP A	GROUP B	GROUP C
Temporary Safety Permit	R 129 244.74	R 103 395.58	R 14 217.78
Construction Train Safety Permit	R 646 224.76	R 84 009.24	R 3 877.48
Test and Commissioning Safety Permit	R 1 292 449.52	R 129 244.74	R 51 698.32

**PERMIT FEE RATES FOR NON RAIL-RELATED REVENUE GENERATING TRAIN OPERATORS, NETWORK OPERATORS AND STATION OPERATORS**

- 4.1 The fees payable will be calculated as follows:

OPERATOR CATEGORY		Transportation of Mining Goods by rail	Transportation of Dangerous Goods by rail	Transportation of passengers and /or General Freight by rail
<b>NETWORK</b>		<b>Permit fee paid in 2018/19 FY + 6%</b>		
<b>TRAIN</b>	Private Siding Lines for General Freight/ Dangerous Goods	Flat Rate: <b>R 67 734.00</b>	Flat Rate: <b>R 451 560.00</b>	Flat Rate: <b>R 9 905.00</b>
	Private Siding Lines for Tourist /Passengers	<b>NOT APPLICABLE</b>		Flat Rate: <b>R 9 905.00</b>
<b>STATION</b>	On and off boarding sites/zones for passengers	<b>NOT APPLICABLE</b>		Flat Rate: <b>R 110 131.00</b>

**PERMIT FEE RATES FOR RAIL-RELATED REVENUE GENERATING TRAIN OPERATORS, NETWORK OPERATORS AND STATION OPERATORS**

5.1 The Operators have been grouped as follows:

**(a) Group A: Train Operators, Network Operators and Station Operators**

Railway Operators who transport 500 000 tons or more of general goods, 50 000 tons or more of dangerous goods, or passengers are liable to pay railway safety permit fees as determined in the table below.

**(b) Group B: Train Operators, Network Operators and Station Operators**

Railway Operators who transport between 200 000 tons and 500 000 tons of general goods, less than 50 000 tons of dangerous goods or tourists are liable to pay railway safety permit fees as determined in the table below.

**(c) Group C: Train Operators, Network Operators and Station Operators**

Railway Operators who transport less than 200 000 tons of general goods are liable to pay a flat fee of R 9 905.00

5.2 Table below is used as a basis to calculate railway Operators annual safety permit fee:

<b>OPERATOR GROUP</b>	<b>BAND</b>	<b>PERMIT FEE PAYABLE</b>
<b>GROUP A:</b> Train Station Network	Dangerous goods $\geq$ 50 000t General goods $\geq$ 500 000t All passengers	Permit fee paid in 2018/19 FY + 6%
<b>GROUP B</b> Train Station Network	Dangerous goods < 50 000t General goods $\geq$ 200 000t and < 500 000t All tourists	Permit fee paid in 2018/19 FY + 6%
<b>GROUP C</b> Train Station Network	General goods < 200 000t	Flat Rate: R9 905.00

### APPLICATION OF NOTICE

6.1 The permit fee rates determined for the 2019/20 financial year shall apply to the following entities:-

- |     |  |                         |
|-----|--|-------------------------|
| (a) | Transnet SOC Ltd   | <b>R 104 871 190.00</b> |
| (b) | Passenger Rail Agency of South Africa (PRASA)  | <b>R 31 260 950.00</b>  |
| (c) | Bombela Operating Company  | <b>R 2 650 000.00</b>   |
| (d) | Non-South African train operators operating in the Republic of South Africa will pay the <b>activity fee</b> i.e. kms operated into South Africa x Relevant Risk Based Fee Rate [3583.24]. |                         |

### SHORT TITLE AND COMMENCEMENT

7. This notice is called the Determination of Safety Permit Fees for the 2019/20 financial year, and will come into operation at a date to be determined by the Minister.