

TABLING NOTE FOR SUBORDINATE LEGISLATION

**RAIL SAFETY NATIONAL LAW NATIONAL REGULATIONS (FEES) VARIATION
REGULATIONS 2016 No 361****RAIL SAFETY NATIONAL LAW NATIONAL REGULATIONS VARIATION
REGULATIONS 2016 No 360****Purpose**

The purpose of tabling the *Rail Safety National Law National Regulations (Fees) Variation Regulations 2016* and the *Rail Safety National Law National Regulations Variation Regulations*, is to ensure amendments to the *National Rail Safety National Law National Regulations 2012* apply in the Northern Territory.

Summary of key provisions

- The *Rail Safety National Law National Regulations (Fees) Variation Regulations 2016*, provide the rail industry with the rate per kilometre to be charged for the infrastructure managers and the rate per kilometre travelled for rolling stock operators, as part of the annual fee payable by an accredited person in respect of the 2016/17 financial year.
- The *Rail Safety National Law National Regulations Variation Regulations 2016* allows the National Rail Safety Regulator to extend the time beyond 72 hours for operators to provide written reports on notifiable occurrences, such as derailments etc. This makes allowances for weekends and public holidays which may occur around the time of any occurrence. An oral report continues to be required immediately after an operator becoming aware of the incident.

These amendments have been approved by all jurisdictions.

Legislative Authority

Section 8(1) of the *Rail Safety (National Uniform Legislation) Act*.

South Australia

Rail Safety National Law National Regulations (Fees) Variation Regulations 2016

under the *Rail Safety National Law (South Australia) Act 2012*

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Part 2—Variation of *Rail Safety National Law National Regulations 2012*

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-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Rail Safety National Law National Regulations (Fees) Variation Regulations 2016*.

2—Commencement

These regulations will come into operation on 1 July 2016.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of Rail Safety National Law National Regulations 2012

4—Variation of Schedule 3—Fees

Schedule 3, Part 2, clause 1(1), table—delete the table in clause 1(1) and substitute:

	ACT	NSW	NT	SA	TAS	VIC	WA
Rate per kilometre of track managed by a rail infrastructure manager (\$/km) (R_r)	180.15	180.15	45.53	129.73	67.41	107.37	96.86
Rate per kilometre travelled by trains of a rolling stock operator (\$/km) (R_t)	0.066	0.066	0.151	0.103	0.167	0.035	0.052

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

on the unanimous recommendation of the responsible Ministers and with the advice and consent of the Executive Council
on 23 June 2016

South Australia

Rail Safety National Law National Regulations Variation Regulations 2016

under the *Rail Safety National Law (South Australia) Act 2012*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
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Part 2—Variation of *Rail Safety National Law National Regulations 2012*

- 4 Variation of regulation 57—Reporting of notifiable occurrences
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Rail Safety National Law National Regulations Variation Regulations 2016*.

2—Commencement

These regulations will come into operation on 1 July 2016.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Rail Safety National Law National Regulations 2012*

4—Variation of regulation 57—Reporting of notifiable occurrences

- (1) Regulation 57(2)(b)—after "72 hours" insert:
 - (or such longer period as may be allowed by the Regulator)
- (2) Regulation 57(3)—after "72 hours" insert:
 - (or such longer period as may be allowed by the Regulator)

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

on the unanimous recommendation of the responsible Ministers and with the advice and
consent of the Executive Council
on 31 March 2016