
Rail Safety Regulator Funding Review Consultation

CONSULTATION SUBMISSION FORM

About the Rail Safety Regulator Funding Review

The NZ Transport Agency (the Transport Agency), as rail safety regulator (the regulator), is responsible for the implementation of the Railways Act 2005. The regulator provides independent assurance to government and the public that those who provide rail services in New Zealand effectively manage any safety risks to staff, other rail operators, and the general public.

The rail safety regulatory function is funded by third-party fees and levies set in the Railways Regulations 2008. The fees and levies set in 2008 were set below the revenue required for the regulator to break even and have remained at this rate. The current income from fees and levies approximates \$1.2 million per annum. This is insufficient to cover the costs of providing the rail function and the rail function is in deficit. In July 2017, the Board of the Transport Agency wrote off the deficit of \$5 million accrued since 2008.

The Transport Agency is seeking input into how we can resolve the funding constraint. We estimate that an annual income of \$4.15 million is needed to ensure we become a more effective rail safety regulator, and cover our costs (including recovery of the current deficit). The funding model used is proposed to apply through to 2023/24 and is designed to achieve break even over this period. This consultation proposes an option to meet these costs by amending the current fee and introducing a new variable safety levy for rail safety regulatory activity.

There are additional documents which will tell you all the information you need to know about the proposed options

Formal consultation on changes to the rail regulator funding model is required under the Rail Regulations 2008.

This is your opportunity to have your say before a final decision is made by the Transport Agency about rail safety regulator funding.

How to have your say

You can complete the form below in writing and either:

- scan and email it to us at fundingconsult@nzta.govt.nz, or
- post it to:

Rail Safety Regulator Funding Review
New Zealand Transport Agency
Private Bag 6995
WELLINGTON 6141

Your submission will become publicly available information, so please indicate clearly if your comments are commercially sensitive or if there is some other reason they should not be disclosed. Any request for non-disclosure will be considered in terms of the Official Information Act 1982.

Consultation closes 5.00pm, Wednesday 21 November 2018.

Rail Safety Regulator Funding Review Consultation Submission Form

NAME:	TITLE (IF APPLICABLE):	ORGANISATION (IF APPLICABLE):
POSTAL ADDRESS:	EMAIL:	PHONE:
<p>PLEASE STATE IF YOU ARE PROVIDING A SUBMISSION ON BEHALF OF AN ORGANISATION OR YOURSELF AS AN INDIVIDUAL:</p>		

Consultation questions

SECTION HEADING	SUBSECTION HEADING	CONSULTATION QUESTION	SUBMITTERS ANSWER
Funding – building and sustaining an effective regulator	Income versus costs – catch-up	1. Do you agree with the overall goal of this review (to fund a proactive, intelligence-led, risk-based rail regulator)? Why or why not?	
		2. Can you identify any risks if the proposed resourcing for the rail regulator does not go ahead?	

Where will this income come from?	3. Do you agree with the proposed sources of funding (levies, fees and funding from the National Land Transport Programme)?	
	4. How would you like the rail activity data to be collected and the annual levy process managed?	

		<p>4a. Is there an advantage or disadvantage, to you, of collecting passenger train journeys and/or network rail activity quarterly instead of yearly and being charged on these actuals?</p>	
	Funding options	<p>5. Do you agree with the Transport Agency's preferred option of a licence-class levy? Why or why not?</p>	<p>Yes or No?</p> <p>Why or why not?</p>

		<p>6. Are there any aspects missing from this option that you were expecting? Explain your view.</p>	
	<p>The Transport Agency's preferred option</p>	<p>7. Do you agree with the following elements of the Transport Agency's preferred funding option:</p> <ul style="list-style-type: none"> a. hourly rate and expenses for fee-based work b. fixed safety levy c. variable safety levy d. exemption from variable levies for charities and volunteer participants. <p>If not, explain your views including your recommendation. Include the outcomes on the rail sector or individual rail participants from your recommendation.</p>	<p>Tick next to the options you agree with:</p> <p>A: B: C: D:</p> <p>If none, explain why.</p>

		8. Do you agree that the regulator should charge for contributing to major rail projects?	Yes or no?
		9. How would you expect that your organisation would manage the financial changes proposed in this review?	

		<p>10. For the purposes of calculating the proposed levy, have we got the definition of a single service and a train right?</p>	
		<p>11. Is the passenger train, freight train and/or work train distance recorded in your FY17/18 Safety Performance Report indicative of your forecast activity for the next 5 years?</p>	<p>Yes or no? If not, what is the difference?</p>

Investment value for money	Regulators performance	12. How do you think the regulator could improve its performance?	
		13. What would you need to see demonstrated in the performance of the regulator that will assure you that rail safety objectives are achieved and value for money is being delivered?	

<p>Other Comments</p>	<p>Comment</p>	<p>14. Is there anything else you would like to comment on or tell us?</p>	
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Please inform us if any information you have supplied is commercially sensitive or if there is some other reason they should not be disclosed. Any request for non-disclosure will be considered in terms of the Official Information Act 1982.

Thank you. The Transport Agency looks forward to receiving your submission for the Rail Safety Regulator Funding Review Consultation.