

# Impact Analysis Statement

## Details

<b>Lead department</b>	Department of Transport and Main Roads
<b>Name of the proposal</b>	Office of the National Rail Safety Regulator – National fee update
<b>Submission type</b>	Summary IAS
<b>Title of related legislative or regulatory instrument</b>	<i>Rail Safety National Law National Regulations (Fees) Amendment Regulations 2024</i> <b>Tabling of Rail Safety National Law National Regulations as required by section 14 of the <i>Rail Safety National Law (Queensland) Act 2017</i></b>
<b>Date of issue</b>	23 August 2024
<b>Proposal type</b>	<b>Details</b>
<b>Minor and machinery in nature</b>	<p>This proposal is minor and machinery in nature and does not result in a substantive change to regulatory policy or new impacts on business, government or the community.</p> <p>The <i>Rail Safety National Law (Queensland) Act 2017</i> commenced on 1 July 2017. The primary purpose of the Act is to adopt national rail safety regulation and investigation reforms by applying the Rail Safety National Law (RSNL) as a law of Queensland and thereby establishing the Office of the National Rail Safety Regulator (ONRSR) as the rail safety regulator in Queensland.</p> <p>The RSNL is set out in the schedule to the <i>Rail Safety National Law (South Australia) Act 2012 (SA)</i>. Amendments to the RSNL are made by the Parliament of South Australia and are automatically applied as part of the law in Queensland. The RSNL as it applies in Queensland is referred to as the Rail Safety National Law (Queensland). Section 264 (National regulations) of the Rail Safety National Law (Queensland) allows the Governor of the State of South Australia to make national regulations.</p> <p>On 7 June 2024 the <i>Rail Safety National Law National Regulations (Fees) Amendment Regulations 2024</i> (the Amendment Regulation) was approved by Ministers at the Infrastructure and Transport Ministers' Meeting.</p> <p>Consistent with section 265 (Publication of national regulations) of the Rail Safety National Law (Queensland), the Amendment Regulation was published on the NSW legislation website on 28 June 2024. The Amendment Regulation commenced 1 July 2024.</p> <p>The Amendment Regulation relates to updating the ONRSR 2024-25 annual fees. The annual fee update is based on the 2016 nationally agreed ONRSR cost recovery model with some modification.</p> <p>In Queensland, the cost of rail safety regulation by ONRSR is fully recovered from rail transport operators, excluding the annual accreditation fees of tourist and heritage operators. As such, these fee adjustments will result in a minimal additional financial implication for government.</p> <p>ONRSR engaged with operators in the lead up to introducing the new fee regulation. Information is available on the ONRSR website concerning both the cost of recovery model and fees policy. This includes the following fact sheets: <a href="#">About the Cost Recovery Model Fact Sheet</a>; <a href="#">Fees Policy</a> and <a href="#">Major Project Fees Fact Sheet</a>.</p> <p>Section 14 (Parliamentary scrutiny of national regulations) of the <i>Rail Safety National Law (Queensland) Act 2017</i> requires national regulations to be tabled, with explanatory notes, in Queensland's Legislative Assembly within 14 sitting days of publication, or they will cease to have effect in Queensland.</p>

### Signed/Approved



**Andrew Mahon**  
A/Director-General  
Department of Transport and Main Roads

16/09/2024



**Bart Mellish MP**  
Minister for Transport and Main Roads  
Minister for Digital Services

23/9 /2024