# National Assembly Question No: 2690

**Mr C H H Hunsinger (DA) to ask the Minister of Transport:**

Whether, whilst our train services are in the lowest state ever and the bank balance of the Railway Safety Regulator is at its highest ever, it is his and/or his department’s position that the current Fine-Driving system adequately contributes to rail safety; if not, why not; if so, what are the relevant details?

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# REPLY

Penalties fees are charged in terms of section 45A of the National Railway Safety Regulator Act NO.16 of 2002 as amended and the penalty fee model developed in terms of the Penalty Fee Regulation of 2011.The penalty fees are approved by the Minister of Transport and published in the Government Gazette. The purpose of imposing such penalties is to: (i) Promote, improve and achieve sustained compliance with the National Railway Safety Regulator so that incidents where penalties are reduced over a period of time; and to (ii) promote safe railway operations.

The RSR uses various tools to regulate the rail industry which includes; issuing of safety permits, issuing penalties (fines) in accordance with the Act, conducting safety awareness and training of operators, developing standards, conducting audits, investigations and inspections to monitor compliance with the RSR regulatory tools, with the main aim of improving safe railway operations. As indicated issuing of penalties (fines) is only one of the instruments used by the RSR and it is intended to serve as a deterrent from contravening the Act. The issuance of penalties is not intended to be a revenue generating tool. It should be noted that the RSR does not budget for penalties. Penalty revenue for 2019/20 and 2020/21 amounted to R770 000 and R800 000 respectively.

The significant bank balance that the RSR has, is as a result of the entities implementation of its 2018 financial recovery plan and 2021 financial sustainability plan.