



**TRANSPORT SERVICES LICENSING AMENDMENT
REGULATIONS (NO. 2) 1997**

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 15th day of December 1997

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 66 of the Transport Services Licensing Act 1989, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Transport Services Licensing Amendment Regulations (No. 2) 1997, and are part of the Transport Services Licensing Regulations 1989* (“the principal regulations”).

(2) These regulations come into force on 15 January 1998.

2. New regulations inserted—The principal regulations are amended by revoking regulation 7A (as inserted by regulation 3 of the Transport Services Licensing Amendment Regulations 1997), and substituting the following regulations:

“**7A. Annual licence monitoring fees**—(1) Each holder of a rail service licence must pay to the Director the appropriate annual licence monitoring fee set out in Schedule 2.

*S.R. 1989/313

Amendment No. 1: S.R. 1993/151

Amendment No. 2: S.R. 1995/67

Amendment 1997: S.R. 1997/120

“(2) For the purposes of Schedule 2, the “route kilometres” in relation to a railway network is the total length in kilometres of the railway lines that comprise the network, measured from terminus to terminus, including branch lines, but not including passing loops or sidings.

“(3) The annual licence monitoring fees prescribed by this regulation are due and payable on 31 March each year in respect of the following 12-month period.

“7B. **Fees inclusive of goods and services tax**—The fees prescribed by these regulations are inclusive of goods and services tax.”

3. New schedules substituted—The principal regulations are amended by revoking the Schedule, and substituting the schedules set out in the Schedule of these regulations.

4. Consequential revocation—Regulation 3 of the Transport Services Licensing Amendment Regulations 1997 is consequentially revoked.

SCHEDULE

Reg. 3

NEW SCHEDULES SUBSTITUTED

“SCHEDULE 1

Reg. 6

“FEES

Relevant Section of Act	Matter in Respect of Which Fee Payable	Fee \$	Person by Whom Fee Payable
6	1. For every application for a transport service licence (other than a rail service licence)— (a) Processing fee ... (b) Vetting fee payable for each person specified in application as person to have control of service ...	30 80	Applicant
6	2. For every application for a rail service licence ...	117	Applicant
6D	3. For approval of a safety system	117 per hour, up to a maximum of 10,000	Applicant
6E	4. For consideration of application for variation of approved safety system where consideration takes 3 hours or longer ...	117 per hour for every hour spent, up to a maximum of 10,000	Applicant
21	5. For every application for approval of a taxi organisation— (a) Processing fee ... (b) Vetting fee payable for each person specified in application as a responsible officer or person to have control of the organisation	30 80	Applicant
22, 30	6. For every notified change in persons having control of a transport service, or in responsible officers of an approved taxi organisation— (a) Processing fee ... (b) Vetting fee payable for each new person notified ...	6 80	Licence holder, or taxi organisation
39G (1)	7. For every application for appointment as a rail safety auditor ...	468	Auditor
39G (3)	8. For every proposal for appointment of a rail safety auditor specified by an operator ...	468	Operator

SCHEDULE—*continued*

NEW SCHEDULES SUBSTITUTED—*continued*

Reg. 7A

“SCHEDULE 2

“ANNUAL LICENCE MONITORING FEES FOR RAIL SERVICE LICENCES

Rail service operated under rail service licence	Annual Licence Monitoring Fee \$
1. Carrying 30 001 or more passengers per annum using motorised power on a railway network of less than 40 route kilometres	2,269
2. Carrying at least 10 001 but not more than 30 000 passengers per annum using motorised power on a railway network of less than 40 route kilometres	1,119
3. Carrying at least 1 but not more than 10 000 passengers per annum using motorised power on a railway network of less than 40 route kilometres	596
4. Carrying passengers using motorised power on a railway network of 40 route kilometres or more where the licensee's approved safety system relates only to the rail service vehicles operated	1,119
5. Carrying passengers using un-motorised power	233
6. Operating a rail service vehicle or vehicles carrying no passengers (except an operation referred to in item 7, 8, 9, 10, or 11) ...	233
7. Operating a rail service vehicle or vehicles from 3 or more industrial sites	2,269
8. Operating a rail service vehicle or vehicles from 2 industrial sites	1,119
9. Operating a rail service vehicle or vehicles from 1 industrial site	596
10. Operating a rail service vehicle exceeding 500 hp at an industrial site	2,269
11. Operating a rail service or rail services on a railway network of 40 route kilometres or more where the licensee's approved safety system relates to the rail service vehicles operated and the operation of a network of railway lines ...	57.50 per route kilometre, up to a maximum of 300,000”

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 15 January 1998, amend the Transport Services Licensing Regulations 1989 by introducing new fees in relation to rail services.

Regulation 2 revokes regulation 7A of the principal regulations, and substitutes new regulations 7A and 7B.

New regulation 7A provides that the holder of a rail service licence must pay to the Director the appropriate annual licence monitoring fee. These fees are set out in Schedule 2. The annual licence monitoring fees are due and payable on 31 March each year in respect of the following 12-month period.

New regulation 7B replaces the regulation 7A revoked by these regulations and provides that the fees prescribed by these regulations are inclusive of goods and services tax.

Regulation 3 revokes the Schedule of fees in the principal regulations, and substitutes new schedules.

New Schedule 1 contains the fees in the revoked schedule of fees as well as several new fees relating to rail services.

These are—

- (a) A fee of \$117 for every application for a rail service licence:
- (b) A fee of \$117 per hour, up to a maximum of \$10,000, for the approval of a rail safety system:
- (c) A fee of \$117 per hour, up to a maximum of \$10,000, for consideration of an application for variation of an approved safety system where the consideration takes 3 hours or longer:
- (d) A fee of \$468 for application for appointment as a rail safety auditor:
- (e) A fee of \$468 (payable by the operator) for every proposal for the appointment of a rail safety auditor specified by an operator.

Issued under the authority of the Acts and Regulations Publication Act 1989.

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These regulations are administered in the Ministry of Transport.