

Questions taken on notice and further information agreed to be supplied at the hearings

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| Portfolio: | Minister for Public Transport |
| Witness: | Hon. Melissa Horne MP |
| Committee member: | Ms Bridget Vallence MP |
| Page/s of transcript: | 4 |

Relevant text:

Have you met your statutory requirements with regard to Transport Safety Regulation as listed in the budget paper? That is a performance requirement in there. What do the audits involve—the frequency, compliance inspections and the frequency of those?

Answer:

All rail safety audits and inspections conducted by TSV comply with the relevant legislation.

The primary legislation includes:

- Rail Safety (Local Operations) Act 2006 (Vic)
- Rail Safety (Local Operations) Regulations
- Rail Safety National Law
- Rail Safety National Law National Regulations
- Other Accreditation and application legislation

Audits are undertaken for the purpose of examining the content and application of a rail operator's safety management system (SMS) to:

- confirm the SMS is compliant with the requirements of the relevant legislation;
- confirm the SMS is implemented correctly; and
- review whether the SMS is effective in addressing the safety risks associated with the operator's railway operations.

An audit may be initiated as a proactive action, however is typically scheduled as part of the work program, or reactively in response to an identified safety issue.

Inspections are used to observe and inquire into the management and conduct of railway operations to:

- confirm whether the practices implemented are compliant with the operator's SMS; and
- review whether practices are effective in addressing risk.

Inspections can occur as a proactive activity, a response to a safety issue or incident, or follow up on an accreditation submission.

The frequency of audits and inspections is determined via the risk based regulatory approach of the Office of the National Rail Safety Regulator (ONRSR) and applied to each individual operator. This ensures the regulatory approach is commensurate with the risk presented by the rail transport operator.

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Relevant text:

Why has there been almost 50 per cent less audits and compliance inspections done in the 2018–19 period and why is this drop in tracking audits and compliance activity continuing in the 2019–20 period?

Answer:

In 2017-18, TSV exceeded its target of 100 by 42 for the measure *Transport safety regulation – rail safety audits/compliance inspections conducted in accordance with legislative requirements*. The 2017-18 actual result reflects an increase in regulatory activity due to a focus on tram operations that occurred during that reporting year.

While TSV exceeded its target of 100 in 2017-18, the target for the 2018-19 and 2019-20 years remains at 100. TSV expects to meet the 2018-19 target.

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Relevant text:

With regard to budget paper 3, page 339, and more specifically the eighth performance measure listed on that page, 'Transport safety regulation—rail safety audits/compliance inspections conducted in accordance with legislative requirements'. Now, we can all agree that public safety and integrity are of paramount importance, so, Minister, can you please confirm that you have met the statutory requirements. What do the audits involve and their frequency, and for the requisite compliance inspections, have they been completed and at what frequency?

Answer:

All rail safety audits and inspections conducted by TSV comply with the relevant legislation.

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