
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF TRANSPORT

NO. 7763

31 July 2026

RAILWAY SAFETY ACT, 2024 (ACT NO. 30 OF 2024)

RAILWAY SAFETY STANDARDS DEVELOPMENT REGULATIONS, 2026

The Minister of Transport in terms of section 36 of the Railway Safety Act, 2024 (Act No. 30 of 2024) intends to make the regulations as indicated in the Schedule.

Interested persons are invited to submit written comments to the Director-General, Department of Transport, within 30 days after the date of publication of this notice, for the attention of:

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SCHEDULE

Definitions

1. In these Regulations, any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context otherwise indicates-

“**accept**” means to recognise an existing standard, or part of a standard, as suitable for application to safe railway operations or for proposal under section 36 of the Act;

“**adapt**” means to modify an existing standard, or parts thereof, for application to the railway environment or to specific technical, operational, interface, intraface, route or local conditions while retaining its safety objective;

“**adopt**” means to accept an existing standard, without substantive amendment, for use in safe railway operations or for proposal under section 36 of the Act;

“**develop**” means to prepare a new standard, or a substantive amendment to an existing standard, through a documented technical and consultative process in terms of these Regulations and section 36 of the Act;

“**Industry association**” means a railway industry association contemplated in section 7(2)(a) of the Act;

“**interface**” means an area, point or location, either physical or organizational, where two or more operators’ activities meet and where the activities have the potential to affect one another;

“**intraface**” means an area, point or location, either physical or organizational, where the activities or assets of two or more functional disciplines within a railway operator meet, and where the activities or assets interact or have potential to affect one another;

“**local standard**” means a standard developed, adopted or accepted by the

relevant operator in accordance with these Regulations to meet specific local, geographical route, operational, and interface or interface requirements;

“**local standards committee**” means the relevant operators committee established in terms of regulation 7(2) of these Regulations;

“**national standard**” means a South African National Standard approved and issued by the South African Bureau of Standards in terms of the Standards Act, 2008 (Act No. 8 of 2008);

“**review**” means the systematic evaluation of a standard to determine its continued suitability, adequacy, effectiveness, applicability to the railway environment, consistency with prescribed railway safety standards and other legislation, and whether it should be retained, amended, adapted, replaced or withdrawn;

“**regulator standard**” means a standard developed, adopted or accepted by the board in accordance with these Regulations to meet the general technical and operational safety requirements of operators;

“**railway safety standards**” means railway standards as defined in the Act;

“**standard**” means a document, compiled by a recognized body, that provides for common and repeated use, rules, guidelines or characteristics for activities or their results, aimed at the achievement of the optimum degree of order in a given context and includes vocabularies, methods, specifications, codes of practice, guides and recommendations;

“**technical committee**” means a committee established by the Regulator in terms of these Regulations to assist with the development, review, adoption or acceptance of standards for proposal to the Minister as railway safety standards under section 36 of the Act;

“**the Act**” means the Railway Safety Act, 2024 (Act No. 30 of 2024);

“**withdraw**” means to revoke the application of a railway safety standard, or part of a railway safety standard, prescribed under section 36(1) of the Act,

by notice in the Gazette, and “withdrawal” has a corresponding meaning.

Application

2. These Regulations shall apply to the Regulator and operators involved in the development and review of standards for publication by the Minister.

Factors to be considered in development, adoption or acceptance of standards

3. (1) The Regulator, or operator in proposing any standard for safe railway operations to the Minister, must -
 - (a) consider and take into account the practicality of the standard’s application and its affordability.
 - (b) ensure that an assessment is conducted as to the suitability of existing international or other standards that may be adopted or accepted for the required purpose;
 - (c) take into account general technical and operational safety requirements of railway operators;
 - (d) take into account the objections of affected operators in order to harmonise operators at interfaces;
 - (e) take into account possible risks involved should a standard not be developed;
 - (f) ensure that the introduction of proposed new standards will be staggered and reasonably spaced in order to allow for the structured absorption of its content into safety management systems;
 - (g) ensure that the standard developed, adopted or accepted is based on consolidated results of science, technology, engineering and experience with the view to promote optimum safety; and
 - (h) in the case of the standard proposed by the operators, the operators are to consider whether the standard proposed will be a national or local standard.
- (2) Any standard published by the Minister may become effective upon publication in the Government Gazette thereof, subject to any

transitional or implementation requirements as may be contained therein.

Procedure for development, review, adoption or acceptance of standards or existing standards as regulatory Standards

4. (1) The procedure to be followed by the Regulator for:

- (a) the proposal to the Minister for the development of regulator standards;
- (b) the proposal to the Minister for acceptance of existing standards as railway safety standards; and
- (c) the amendment or review of existing regulator standards;

is as set out in subregulation (2)

(2) (a) The Regulator must establish a technical committee which will assist in the development, review, adoption or acceptance of regulatory standards.

(b) The technical committee contemplated in paragraph (a) may comprise representatives of relevant parties, such as the representatives of the Regulator, organs of state, industry associations, Academia, commuter organisations, non-governmental organisations, organised labour—and operators.

(c) The Regulator may, where deemed necessary, appoint working groups comprising of experts in the field relevant to the standards for the purpose of developing or reviewing the standard under consideration.

(d) The technical committee must conduct a review of the proposed standard and make recommendations to the Regulator.

Procedure for adoption or acceptance of national standards

5. (1) The procedure to be followed by the Regulator for the proposal for the adoption or acceptance of national standards is as set out in subregulation (2).

(2) (a) A technical committee, as contemplated in regulation 4(2)(a) and

(b), must review and consider the relevant national standard for adoption or acceptance by the Minister.

(b) The technical committee must after consideration of the national standard, submit its recommendations on the national standard to the Regulator, to undertake the processes contemplated in section 36 (3) of the Act.

(c) The accepted and adopted national standards must be published in the Government Gazette in order to enable compliance with section 36 (1) of the Act.

Procedure for withdrawal of railway safety standards

6 .(1) The Regulator or an operator may propose to the Minister, the withdrawal in whole or in part, of a railway safety standard prescribed in terms of section 36(1) of the Act.

(2) A proposal for the withdrawal contemplated in subregulation (1) must include:

(a) a full description of the railway safety standard concerned, including the title, Gazette reference and the date of publication;

(b) the reasons for the proposed withdrawal, including whether the railway safety standard:

(i) has become obsolete;

(ii) has been superseded;

(iii) is no longer suitable for the railway environment;

(iv) conflicts with another prescribed railway safety standard or legislation;

(v) creates an unintended safety risk; or

(vi) is no longer reasonably practicable;

- (c) a technical motivation and safety risk assessment dealing with the effect of the proposed withdrawal on safe railway operations;
 - (d) an assessment of the effect of the proposed withdrawal on interoperability, interfaces, intrafaces, safety management systems, safety permit conditions, exemptions, deviations and existing compliance obligations;
 - (e) whether a replacement railway safety standard, amendment, adaptation, transitional measure or interim requirement is required;
 - (f) the proposed effective date of withdrawal and any proposed transitional arrangements.
- (3) Prior to proposing the withdrawal of any railway safety standards, the Regulator must:
- (a) by notice in the Gazette, cause the proposal contemplated in subregulation 2, to be published for public comment, together with an explanatory memorandum in respect thereof;
 - (b) consult with the Department, the Minister responsible for trade and industry, any relevant organ of state and other key stakeholders directly affected by the proposed withdrawal; and
 - (c) consider any submissions received.

Repeal of Regulations

8. The Railway Safety Standards Development Regulations, 2022, are hereby repealed.

Short title

9. These Regulations are called the Railway Safety Standards Development Regulations, 2026 and published for comments.