

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
INFRASTRUCTURE AND TRANSPORT  
SENIOR OFFICIALS' COMMITTEE  
AND  
THE RAIL INDUSTRY SAFETY AND  
STANDARDS BOARD**

## 1 Preamble

- 1.1 The Infrastructure and Transport Senior Officials' Committee (ITSOC) is an inter-jurisdictional body accountable to the Infrastructure and Transport Ministers Meeting (ITMM), which reports to National Cabinet on its priorities. ITSOC supports ITMM in achieving its priorities.
- 1.2 The National Transport Commission (NTC) is an independent advisory body that leads major strategic national land transport reform in support of all Australian governments to improve safety, productivity and environmental outcomes. The NTC is funded by all Australian governments and is accountable to ITMM.
- 1.3 Improving the interoperability of rail in Australia to deliver safety, productivity and sustainability outcomes is a National Cabinet and ITMM priority. As directed by ITMM, as part of the National Rail Action Plan (NRAP) the NTC is leading the delivery of a four-year National Rail Interoperability Work Program that is focused on harmonising critical rail standards, rules and protocols; aligning critical train control, communication and signalling technologies; and meeting current and future rail skills and workforce requirements
- 1.4 The Rail Industry Safety and Standards Board (RISSB) was formed by the Australasian Railway Association (ARA) to improve operational efficiency, safety and interoperability for rail owners, operators and suppliers (the rail industry) through the development, publication and maintenance of national standards, codes of practice, rules and guidelines. In 2015 RISSB became a stand-alone, limited by guarantee not for profit organisation, owned by its members.
- 1.5 The standards, codes of practice, rules and guidelines published by RISSB form the Australian Code of Practice (the Code). Together with associated documents, the Code complements the safety management systems that are recognised by the Office of the National Rail Safety Regulator (ONRSR) in the accreditation of rail operators and provide guidance to achieve uniformity and national consistency in rail operations.
- 1.6 RISSB has developed the Australian Rail Risk Model (ARRM) which is used by rail organisations to assess and manage risk. RISSB also supports the Australian Level Crossing Assessment Model (ALCAM) on behalf of the National ALCAM Committee and provides a range of technical training and support services. Standards.
- 1.7 Australia has accredited RISSB to be the sole provider of Australian Standards for the rail industry and audits them annually to ensure compliance with their requirements. These same processes are used to develop RISSB codes, rules and guidelines.
- 1.8 Funding of \$1.795.200 million (GST inclusive) per annum in aggregate is provided to RISSB by the Commonwealth, New South Wales, Victoria, Queensland, South Australia, Western Australia, Tasmania, the Australian Capital Territory and the Northern Territory (the Governments), represented through ITSOC. Governments also provide significant 'in kind' contributions to RISSB to support the development of RISSB products.

1.9 The rail industry provides cash funding (which is adjusted annually by the Consumer Price Index). The value of the rail industry's 'in kind' contributions is estimated by RISSB to be at least equal to that of the combined cash contributions of both Governments and the rail industry.

1.10 A review of the RISSB MoU was conducted by Governments in 2023-2024 and the findings informed this MoU. This MoU covers a period of 2 years, from 1 July 2024 until 30 June 2026.

## **2 Parties to the Memorandum of Understanding (MoU)**

2.1 The Parties to this MoU are:

2.1.1 the Governments of the Commonwealth, New South Wales, Victoria, Queensland, Western Australia, South Australia, Tasmania, the Northern Territory and the Australian Capital Territory represented by the Infrastructure and Transport Senior Officials' Committee; and

2.1.2 the Rail Industry Safety and Standards Board.

## **3 Purpose of the Memorandum of Understanding (MoU)**

3.1 The primary purpose of this MoU is to:

3.1.1 provide a basis for a cooperative framework for Governments and the rail industry to progress rail operational and safety reform;

3.1.2 promote and assists with harmonisation and interoperability of rail standards;

3.1.3. inform and promote the uptake of standards and safety operations by the rail industry;

3.1.4 encourage RISSB to undertake activities beyond code development that may include:

- a. information and education to the rail industry,
- b. investigating and utilising new technologies for product development and increased uptake of products,
- c. cooperation with governments in the NRAP and other government priorities, including environmental goals, and
- d. increased relationships with international agencies to foster efficiencies and contemporary best practice activities.

3.2 This MoU outlines the arrangements for the provision of government funding and RISSB's obligations to ITSOC and Government, as a recipient of government funding in relation to the prioritisation, delivery and promotion of the Code and other products and services published and undertaken by RISSB.

3.3 This MoU replaces the MoU between the Australian and State Governments, as represented by ITSOC and RISSB dated November 2018.

## **4 Purpose of Standards**

4.1 The purpose of developing a set of nationally consistent operational and management standards for the Australian rail industry is to:

4.1.1 improve the management of risk;

4.1.2 assist rail operators to address risks to safety so far as is reasonably practicable (SFAIRP);

- 4.1.3 enable the rail industry to implement best practice;
- 4.1.4 enable rail interoperability and harmonisation to deliver improved safety, productivity, efficiency and decarbonisation outcomes; and
- 4.1.5 support ambitious Government targets and commitments that contribute to the 'decarbonisation' of transport and local manufacturing.

4.2 In the preparation of new or revised standards, RISSB will have regard to the following general principles, standards should:

- 4.2.1 have clearly identifiable outcomes and aim to produce measurable improvements in safety and affordability;
- 4.2.2 drive greater interoperability and harmonisation;
- 4.2.3 prioritisation of strategies and actions that would facilitate greater uptake of standards by industry;
- 4.2.4 be revised and maintained on a regular basis;
- 4.2.5 reflect industry and Government priorities;
- 4.2.6 move the rail industry towards government goals of carbon neutrality;
- 4.2.7 standards should consider the priorities/directives of the ONRSR; and
- 4.2.8 encourage the Australian rail industry toward international best practice with regard to overseas products and experiences.

**Note:**

For the purposes of this MoU, the meaning of 'SFAIRP' should be taken from the ONRSR Guideline "Meaning of duty to ensure safety so far as is reasonably practicable" published on the ONRSR website.

## **5 RISSB Strategic Plan 2024-2030**

5.1 RISSB will implement its Strategic Plan. To achieve its Mission and Vision and meet its objectives in its Constitution over the next two years, RISSB will build on the three core execution objectives; Product Leadership, Operational Excellence, Productive Partnerships outlined in the Strategic Plan.

5.2 RISSB will actively consult with all Governments including through ITSOC in the development and delivery of its Strategic Plan, and any strategy execution plans.

5.3 RISSB will deliver its Strategic Plan to all Governments through ITSOC.

## **6 Work Plan**

6.1 RISSB will publish a work plan on its website by 30 June each year, for the forthcoming financial year. The work plan will set out which projects RISSB is proposing to undertake over the course of the next 12 months.

6.2 Each item on the work plan must include brief supporting information which outlines:

- 6.2.1 the issue that the product seeks to address and the outcomes the product is intended to achieve;
- 6.2.2 the level of interoperability and harmonisation that is likely to be achieved by the item;
- 6.2.3 where applicable, how the product will support the delivery of national priorities, including ITMM, NRAP, ONRSR, Australian Transport Safety Bureau (ATSB) priorities;

- 6.2.4 information regarding predicted, and where possible retroactive, uptake of standards;
- 6.2.5 any additional requirements and efforts that have been made that support standards uptake, such as technology, training requirements or promotion; and
- 6.2.6 methods for evaluating the benefits and outcomes of the product.

6.3 In order to ensure priorities for standards development are evidence based, and represent the priorities of industry and all Governments, RISSB agrees to document its priority setting process.

6.4 RISSB will actively consult and engage with representatives from industry, all Governments (including through ITSOC), the ONRSR, The National Transport Commission and the Australian Transport Safety Bureau in the development of its work plan.

6.5 RISSB will present its Work Plan to ITSOC prior to publication.

6.6 The work plan should be 'forward looking' and innovative by;

- 6.6.1 the establishment of IT-based risk and data tools by RISSB to support the products and services that it now provides;
- 6.6.2 consideration of the climate targets being legislated by the Australian and various State governments that create requirement for high-level coordination in the consideration and application of the various technologies within the rail transport industry, and the 'decarbonisation' of the transport sector;
- 6.6.3 consideration of Government targets and commitments that contribute to local manufacturing and procurement of rail in Australia; and
- 6.6.4 understanding of international developments, by establishing relationships with international agencies working in safety standards and related areas, and aligning Australian standards with international standards where beneficial.

6.7 The RISSB Board will have the final say in determining the work plan.

## **7 Standards Justification Process**

7.1 RISSB agrees that as part of the standards development process it will provide a justification at the beginning of each standard which:

- 7.1.1 outlines what hazards or available quantum of risk the standard is aimed at addressing;
- 7.1.2 outlines what is acceptable good practice;
- 7.1.3 identifies the safety benefit and costs associated with the adoption of the standard;
- 7.1.4 identifies the contribution the standard will make to reduce environmental impacts and increase sustainability
- 7.1.5 explains how the standard achieves greater interoperability and harmonisation, including with international practices and
- 7.1.5 information on how the standard will influence greater productivity.

## **8 Evaluating benefits and outcomes from RISSB products**

8.1 In order to gauge the take up of, and benefits realised from RISSB products in the longer term, RISSB will conduct industry surveys to seek feedback from operators regarding their uptake by:

- 8.1.1 conducting an annual survey;

- 8.1.2 gathering data on the uptake of RISSB products by RISSB and non-RISSB members; and
- 8.1.3 gathering information on non-uptake of the products.

8.2 RISSB agrees to provide the results of the implementation surveys and its evaluation to all Governments and the ONRSR as part of its bi-annual performance reporting requirements.

**NOTE:**

Clauses 7 and 8 are intended to link standards development and implementation with measurable improvements in safety.

Measuring take-up is difficult as not all standards are applicable to all operators and industry bodies. RISSB will introduce a normalised measure to ensure that relevant weighting is given to small operators as opposed to larger operators. This is an important step towards obtaining meaningful data from these industry surveys.

## **9 RISSB and Government Co-operation**

9.1 RISSB agree that, in order to foster greater communication and understanding between all Governments and RISSB, two (2) representatives nominated by ITSOC will be appointed members of the RISSB Board (RISSB acknowledge that this will require amendments to the RISSB constitution, which RISSB agree to pursue at the earliest opportunity so the appointments may be made as soon as practicable).

9.2 Governments will primarily work through ITSOC to manage the relationship with RISSB under the MoU. Governments and RISSB may also work through existing national rail intergovernmental forums and processes, such as National Rail Action Plan (NRAP) forums.

These bodies may consider, amongst other things: RISSB funding, including ensuring that Government funding is being appropriately allocated to deliver products that deliver priorities; and the development of the RISSB Strategic Plan, Work Plan and products.

9.3 RISSB will contribute to the national rail reform process with Governments and industry and may join working groups to implement reform.

9.4 In addition to the above, Governments will influence the development of RISSB products through;

- 9.4.1 the annual RISSB Priority Planning Forum;
- 9.4.2 Government stakeholder attendance at the RISSB Strategic Development planning process that occurs every two years; and
- 9.4.3 regular meetings between Governments and RISSB.

## **10 The National Rail Action Plan (NRAP)**

10.1 RISSB will work with the National Transport Commission and, where appropriate, actively contribute to the NRAP by:

- 10.1.1 active participation in the ongoing development and implementation (as appropriate) of, and actions under the NRAP;
- 10.1.2 providing technical input and industry perspective into any future discussion on formalising standards or legislative change;

10.1.3 developing performance indicators and benchmarks that reflect RISSB's role as a promoter and "champion" of harmonisation and interoperability; and  
10.1.4 keeping up to date with international developments in rail technology and other innovations in safety and productivity to inform its product development and Strategic Plan.

## **11 Commitments by Governments**

11.1 In signing this MOU, Governments:

11.1.1 commit to support the development of nationally consistent operational and management standards to improve safety outcomes and enhance efficiency on the Australian rail network;

11.1.2 encourage RISSB to increase the take up of RISSB standards by the rail industry; and

11.1.3 agree to provide reasonable in-kind assistance to RISSB where possible and where appropriate.

## **12 Funding Support**

12.1 The Governments represented by ITSOC agree to support RISSB in the prioritisation, delivery and promotion of standards aimed to improve interoperability and harmonisation in the Australian rail industry.

12.2 RISSB shall receive funding support from the Governments of at least \$1.795.200 (GST inclusive) million per annum (financial year) subject to cash contributions from the rail industry to RISSB at least to the value of this amount.

12.3 RISSB will invoice Governments for their annual contributions as stated in Clause 12.4 in June each year. The invoice will be in arrears and will be for RISSB services and products delivered for the current financial year.

12.4 The share of Government annual contributions to RISSB funding is as follows (in accordance with the agreed NTC/ITMM funding formula):

Jurisdiction	%	Ex GST	Inc. GST
Commonwealth	35.00%	\$571,200.00	\$628,320.00
New South Wales	22.03%	\$359,529.60	\$395,482.56
Victoria	16.10%	\$262,752.00	\$289,027.20
Queensland	12.17%	\$198,614.40	\$218,475.84
Western Australia	6.36%	\$103,795.20	\$114,174.72
South Australia	5.04%	\$82,252.80	\$90,478.08
Tasmania	1.57%	\$25,622.40	\$28,184.64
Northern Territory	1.07%	\$17,462.40	\$19,208.64
ACT	0.66%	\$10,771.20	\$11,848.32
Total	100.00%	\$1,632,000.00	\$1,795,200.00

### 13 Performance Reporting

13.1 RISSB agrees to provide Governments with bi-annual reports in October and April each year. The reports will outline the six months ending in September and March. The report will outline the progress of RISSB delivering on its work plan. The reports will be distributed and presented to all ITSOC members.

13.2 The bi-annual reports will address the following:

- 12.2.1 RISSB's Progress against the work plan;
- 12.2.2 budget by work category;
- 12.2.3 industry and Government cash and in-kind contributions received;
- 12.2.4 engagement with industry on the development, promotion and implementation of Standards;
- 12.2.4 the results and analysis of implementation surveys, and
- 12.2.5 any issues (or points of interest) relevant to this MoU or Governments.

13.3 Governments agree to pay within 30 days of receipt of a compliant invoice. Payments shall be inclusive of GST.

### 14 Annual Reporting

14.1 RISSB agrees to provide a copy of its Annual Report, which contains its audited financial statements, to Governments as soon as possible after the end of each financial year.



## 15 Review of MOU

15.1 Governments, in consultation with RISSB, will undertake a review of this MoU at least six (6) months before it's expiry.

15.2 The Review will take into account the effectiveness of this MoU in delivering on the objectives outlined at clause 4.

15.3 The review will take into account agreed ITMM directions for rail.

15.4 The outcome of the review will be provided to ITSOC for consideration of the merits of continuing under this MOU.

## 16 Amendments

16.1 This MoU may be amended or renewed with the agreement in writing by both parties.

## 17 Commencement, Duration and Termination

17.1 This MoU shall operate from the date of its execution and covers the period of funding for two (2) financial years 2024/25– 2025/26 inclusive.

17.2 Either of the Parties may seek to terminate this MoU with at least 30 days written notice specifying the reasons for termination. However, neither of the Parties will issue a written notice to terminate until there has been consultation between the Parties concerning reasons for termination.

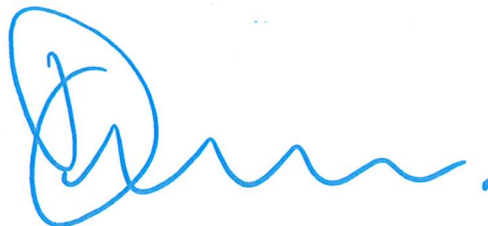
Signed on 31/5/24.....2024

By: Mr Jim Betts  
Chair



Infrastructure and Transport Senior  
Officials' Committee

Mr Damien White  
Chief Executive Officer



Rail Industry Safety and  
Standards Board

