

Railway Safety Levy

DETERMINATIONS

in respect of the financial year beginning on 1 April 2008

The Office of Rail Regulation, in the exercise of powers conferred on it by regulation 3 of The Railway Safety Levy Regulations 2006 “the Regulations”, makes the following determinations in respect of the financial year beginning on 1 April 2008:

Total amount of the railway safety levy

1. The total amount of the railway safety levy imposed for the financial year beginning 1 April 2008 is determined as £18,227,608.

Apportionment of railway safety levy between railway service providers

2.1 *Railway service providers whose relevant turnover for the financial year beginning on 1 April 2007 is less than £1,000,000 have no liability to pay railway safety levy.*

2.2 Railway service providers whose relevant turnover for the financial year beginning on 1 April 2007 is £1,000,000 or more, but less than £5,000,000, are liable to pay railway safety levy of £1,000.

a. 2.3 Railway service providers whose relevant turnover for the financial year beginning on 1 April 2007 is £5,000,000 or more are liable to pay the amount of railway safety levy determined in accordance with paragraph 3.

3. The total amount of the railway safety levy determined in paragraph 1 is to be apportioned between those railway service providers identified in sub-paragraphs 2.3 in accordance with the following criteria:

3.1 the amount of railway safety levy payable for the financial year beginning on 1 April 2008 by each Category A Railway Service Provider is £1,000; and

3.2 the amount of railway safety levy payable for the financial year beginning on 1 April 2008 by each Category B Railway Service Provider shall be determined in accordance with the following formula:

$$W = (Y - V) * \frac{X}{Z}$$

Where:

ANNEX A

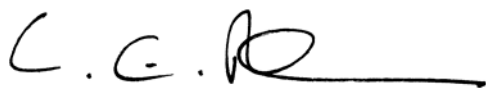
- V is the proportion of the railway safety levy payable by the Category A Railway Service Providers pursuant to paragraph 3.1 for the financial year beginning on 1 April 2008 being £12,000;
- W is the proportion of the railway safety levy payable by the relevant Category B Railway Service Provider;
- X is the relevant turnover of the relevant Category B Railway Service Provider for the financial year beginning on 1 April 2007;
- Y is the railway safety levy determined in paragraph 1; and
- Z is the total relevant turnover of the Category B Railway Service Providers for the financial year beginning on 1 April 2007 being £17,440,330,671.

Date of Payment (Regulation 3(1)(d))

4 Category A Railway Service Providers and Category B Railway Service Providers shall pay the proportion of the railway safety levy determined in accordance with sub-paragraph 3.1 or 3.2 (as applicable) to the Office of Rail Regulation within 30 days of the date of the invoice.

Interpretation and definitions

5 Terms defined and construed in The Railway Safety Levy Regulations 2006 shall, unless the context otherwise requires, have the same meaning and construction in this determination.



Lynda Rollason
Director of Corporate Services

on behalf of the Office of Rail Regulation.

Date: 7 August 2008