

CIRCULAR

ON AMENDMENTS TO SOME ARTICLES OF THE CIRCULAR NO. 01/2016/TT-BGTVT DATED FEBRUARY 01, 2016 ELABORATING THE AVIATION SECURITY PROGRAM AND QUALITY CONTROL OF VIETNAM AVIATION SECURITY

Pursuant to the Law on Vietnam Civil Aviation No. 66/2006/QH11 dated 29/6/2006; the Law No. 61/2014/QH13 dated 21/11/2014 on amendments to some articles of the Law on Vietnam Civil Aviation;

Pursuant to the Government's Decree No. 92/2015/ND-CP dated October 13, 2015 on aviation security;

Pursuant to the Government's Decree No. 12/2017/ND-CP dated February 10, 2017 defining functions, tasks, entitlements and organizational structure of the Ministry of Transport;

At the request of the Director General of Department of Transport and the Director of Civil Aviation Authority of Vietnam;

The Minister of Transport hereby adopts a Circular on amendments to some articles of the Circular No. 01/2016/TT-BGTVT dated February 01, 2016 elaborating the aviation security program and quality control of Vietnam Aviation Security.

Article 1. Amendments to some articles of the Circular No. 01/2016/TT-BGTVT dated February 01, 2016 elaborating the aviation security program and quality control of Vietnam aviation security:

1. Clause 34, Article 3 is amended as follows:

“34. Security tamper-evident bag is a specialized plastic bag used for containing liquid or thick substance or spraying solution bought at duty-free shops in the international sterile areas, on international flights. The bag is transparent with the specifications indicated in the Appendix XXV hereof, and the coupon put inside can be easily read without opening the bag.”

2. Clause 1, Article 12 is amended as follows:

“ 1. Civil Aviation Authority of Vietnam

Issue permanent airport/aerodrome security cards (hereinafter referred to as “airport security card”) at airports nationwide to staff of regulatory authorities, social-political organizations at central level and foreign organizations or people working at multiple airports.”

3. Clause 2, Article 12 is amended as follows:

“2. Airport authority

a) Issue the airport security card that is accepted at one or multiple airports or aerodromes under the management of the airport authority to the entities specified in Clauses 1 and 6, Article 16 of this Circular, except the case specified in Clause 3 of this Article;

b) Issue the airport security permit that is accepted at one airport/aerodrome under its management to all entities specified in Clauses 7 and 8, Article 16 of this Circular, except the case specified in Clause 3 of this Article.”

4. Clauses 2, 3 and 4, Article 13 are amended as follows:

“2. The Vietnamese airline shall issue the form of crew identification card; the enterprises in charge of restricted areas shall issue the form of internal security card or permit. These forms must not be identical with the form of airport security permit and must be notified to the

aviation authority and aviation security control forces where the airline and enterprises are operating to carry out inspection.

3. The foreign airline must notify the form of crew identification card to the aviation authority and aviation security control forces where the airline is operating to carry out inspection.

4. The permanent airport security card or permit shall be valid within 02 years from the issuance date.”

5. Clause 3, Article 14 is amended as follows:

“3. A temporary airport security card must contain basic information mentioned in Points a, b, c, g and h, Clause 1 of this Article and ID card number or passport number or permanent airport security card number and the holder's internal security card number.

The temporary internal security card must specify basic information mentioned in Points a, b, c, g and h, Clause 1 of this Article.”

6. Article 16 is amended as follows:

“Article 16. Entities, requirements, scope of issuance of airport security card or permit; card or permit for internal security in service of terminal/airport facilities construction

1. The following persons may obtain a permanent airport security card:

a) Staff of airlines and service providers in airport/aerodrome restricted areas that sign a definite-term employment contract or undefined-term employment contract in accordance with regulations of the Labor Code;

b) Staff of enterprises delivering cargo and mail by air;

c) Staff of enterprises carrying out survey, construction, repair and maintenance of works and equipment at the airport/aerodrome;

d) Staff of regulatory authorities, central government authorities and local government authorities of socio-political organizations;

dd) Staff of foreign diplomatic missions in Vietnam.

2. The Civil Aviation Authority of Vietnam shall decide to issue card to staff of foreign diplomatic missions in accordance with the requirements for aviation security control in the terminal/airport restricted areas.

3. The staff specified in Points a and b, Clause 1 of this Article shall be issued with a permanent card if he/she:

a) does not have criminal records in accordance with regulations of law; and

b) is assigned by the supervisory organization to regularly work in the terminal/airport restricted areas within over 06 consecutive months.

4. The staff specified in Point c, Clause 1 of this Article shall be issued with a permanent card as follows:

a) He/she does not have criminal records in accordance with regulations of law and assigned by the supervisory organization to regularly work in the terminal/airport restricted areas within at least 01 consecutive months; and

b) He/she is not involved in civil aviation activities in the areas where survey, construction, repair and maintenance are carried out.

c) The boundaries of construction area shall be separated by fences to ensure the separation between the construction area and other restricted areas, and have no effect on normal operations of the airport/aerodrome.

d) There must be a separate entrance from the public area to the construction, and doors and gates must be available. Aviation security control staff shall conduct security checks on persons, vehicles and cargoes entering and leaving the area. In case there is no separate entrance, thereby requiring entry to another restricted area, persons and vehicles entering

there must be escorted by aviation security control staff;

dd) There must be a plan for construction area security assurance that is appraised and approved by the airport authority. The plan for construction area security assurance is specified in the aviation security program.

5. The staff specified in Point d, Clause 1 of this Article shall be issued with a permanent card if he/she does not have criminal records in accordance with regulations of law and satisfies one of the following requirements:

a) There must be headquarters or office, counter and areas where professional technical equipment is located at the airport/aerodrome;

b) He/she is assigned by the supervisory organization to regularly work in the terminal/airport restricted areas within over 03 consecutive months;

c) He/she directly performs security and national defense tasks related to civil aviation or transport of passengers by air;

d) He/she serves special flights in accordance with regulations of the law on special flights;

dd) He/she performs the task of welcoming and seeing off international guests of central government authorities of socio-political organizations and provincial authorities;

e) He/she is regularly in charge of seeing off and welcoming the members of the Politburo, the Secretary of the Central Committee Communist Party, the members of the Central Committee Communist Party, the Ministers and the equivalent or higher positions, Secretary and Deputy Secretary of provincial Party Committee, Secretary of Party Committee of central-affiliated city; President of People's Council, President of People's Committee of province and centrally-affiliated city; Deputy Minister of Transport; Deputy Minister of Public Security; Deputy Minister of National Defense; Deputy Chief of the General Staff, Director of Operations of General Staff, Chief and Deputy Chief of General Political Department of Vietnam People's Army; vehicle operators specified in Points b and c, Clause 7 of this Article.

6. The person who performs occasional tasks in the terminal/airport restricted areas may obtain a temporary airport security card. The person issued with the temporary card must be escorted when he/she enters or performs his/her tasks in the sterile area and must be instructed and supervised when he/she enters or performs his/her tasks in other restricted areas. The instructor or supervisor must regularly observe the person under his/her instruction and supervision. The instructor, supervisor or escort must have an appropriate permanent security card and must:

a) regularly work in the restricted areas of the authority applying for issuance of the temporary card;

b) be staff of the authority in charge of the restricted areas;

c) be staff of aviation security control forces or airport authority.

7. Vehicles issued with a permanent permit include:

a) The vehicles that regularly operate in the airport restricted areas;

b) The vehicles that are under the management of the Party and regulatory authorities and are used to serve special flights;

c) The vehicles that are under the management of the Party and regulatory authorities and are specially used for the members of the Politburo, the Secretary of the Central Committee Communist Party, the members of the Central Committee Communist Party, the Ministers and the equivalent or higher positions, Secretary and Deputy Secretary of provincial Party Committee, Secretary of Party Committee of central-affiliated city; President of People's Council, President of People's Committee of province and central-affiliated city; Deputy Minister of Transport; Deputy Minister of Public Security; Deputy Minister of National Defense; Deputy Chief of the General Staff, Director of Operations of General Staff, Chief

and Deputy Chief of General Political Department of Vietnam People's Army.

8. Vehicles issued with a temporary permit include:

- a) The vehicles that are used to transport international guests from the ministerial rank or higher;
- b) The vehicles that perform occasional tasks to serve the special flights, perform national defense and security tasks and serve activities of the airport/aerodrome in the restricted areas;
- c) Special cases where the head of the licensing authority considers, decides and takes responsibility for.

9. The vehicle entering and operating within the airport restricted areas must be instructed by the aviation security control staff or staff having the permit for ground vehicle operations or led by the vehicle of the airport/aerodrome operator in the following cases:

- a) The vehicle is issued with a permanent permit but its operator is only issued with a temporary security card;
- b) The vehicle is issued with a temporary permit;
- c) The vehicle does not regularly operate in the airfield.

10. Scope of issuance of card or permit is as follows:

- a) The person who works at each airport/aerodrome shall only be issued with a permanent airport security card that is only accepted at the airport where he/she is working;
- b) The person who works at multiple airports shall be issued with a permanent airport security card that is only accepted at the airport where he/she is working; the person who works in a restricted area shall be only issued with a card that is only accepted at such restricted area for the working period;
- c) The staff specified in Point dd, Clause 1 of this Article shall be only issued with a permanent card that is accepted at the international airport;
- d) The temporary card and permanent/temporary permit shall be only accepted at one airport/aerodrome.

11. In case the strengthened security measures or airport emergency measures are applied, the airport operator shall decide to limit the number of people and vehicles that have been issued with the security card or permit that is accepted at the restricted area and immediately inform the Civil Aviation Authority of Vietnam and relevant airport authority."

7. Article 17 is amended as follows:

"Article 17. Verifying criminal records

The head of the organization or unit where the applicant is working shall verify the applicant's criminal records at the Justice Agency before initiating the procedures for issuance of the card to the person requested to apply for the first card by the organization or card."

8. Article 19 is amended as follows:

"Article 19. Procedures for issuance of new permanent airport security card by the Civil Aviation Authority of Vietnam

1. The applicant shall submit 01 application, directly or by post or in other appropriate forms to the Civil Aviation Authority of Vietnam. The application consists of:

- a) The application form made according to the Form in Appendix V hereof;
- b) For the enterprises, there must be a certified copy of proof of their legal status, functions and duties, except the enterprises providing aviation or non-aviation services at the airport/aerodrome;
- c) A brief list provided in Appendix VI hereof;
- d) A personal declaration of the applicant for issuance of the card, which is made according to

the Appendix VII hereof and includes a 4x6 cm color photo (the photo taken in white background within the last 06 months from the date of submission) bearing a seal;

dd) 01 4x6 cm color photo, which is taken in white background within the last 06 months from the date of submission.

2. The Civil Aviation Authority of Vietnam shall appraise the application, issue or not issue the card as follows:

a) Within 7 working days from the date on which a satisfactory application is received, if the applicant is eligible, the Civil Aviation Authority of Vietnam shall issue the card;

a) Within 3 working days from the date on which a satisfactory application is received, if the applicant is ineligible, the Civil Aviation Authority of Vietnam shall send a notice of rejected application to the applicant and provide explanation.

c) Within 3 working days from the date on which the application is received, if the application is unsatisfactory or contains unclear issues, the Civil Aviation Authority of Vietnam shall send a written request for additional provision of information and documents or request a meeting in person about unclear issues.”9. Article 20 is amended as follows:

“Article 20. Procedures for reissuance of permanent airport security card by the Civil Aviation Authority of Vietnam

1. The applicant shall submit 01 application, directly or by post or in other appropriate forms to the Civil Aviation Authority of Vietnam. To be specific:

a) In case of reissuance due to change of design or card expiration, the application shall include the documents prescribed in Points a, c, d and dd, Article 19 of this Article;

b) In case of reissuance to replace an unexpired card that is blurred, torn, damaged or no longer bears the security symbol, the application shall include the documents prescribed in Points a and d, Clause 1, Article 19 of this Article and such card must be returned.

c) In case of reissuance due to loss, the application shall include the documents prescribed in Points a and d, Clause 1, Article 21 of this Article and a written confirmation of the head of authority/unit must be provided;

d) In case of reissuance due to the fact that the card is seized, the application shall include the documents prescribed in Points a and d, Clause 1, Article 19 of this Article, enclosed with a document about actions against violations taken by the authority where the cardholder is working.

dd) In case of reissuance due to change of position in another authority or unit, the application shall include the documents prescribed in Clause 1, Article 19 of this Circular; in case of change of position in the same authority or unit, the application shall consist of a written request made using the form in Appendix V and a brief list in Appendix IV hereof.

2. The Civil Aviation Authority of Vietnam shall appraise the application, issue or not issue the card as follows:

a) Within 5 working days from the date on which a satisfactory application is received, if the applicant is eligible, the Civil Aviation Authority of Vietnam shall issue the card;

b) Within 3 working days from the date on which a satisfactory application is received, if the applicant is ineligible, the Civil Aviation Authority of Vietnam shall send a notice of rejected application to the applicant and provide explanation;

c) Within 3 working days from the date on which the application is received, if the application is unsatisfactory or contains unclear issues, the Civil Aviation Authority of Vietnam shall send a written request for additional provision of information and documents or request a meeting in person about unclear issues.”

10. Article 21 is amended as follows:

“Article 21. Procedures for issuance of new permanent airport security card by the airport authority

1. The applicant shall submit 01 application, directly or by post or in other appropriate forms to the airport authority. The application consists of:

- a) The application form made according to the Form in Appendix V hereof;
- b) For the enterprises, there must be a certified copy of proof of their legal status, functions and duties, except the enterprises providing aviation or non-aviation services at the airport/aerodrome;
- c) A brief list provided in Appendix VI hereof;
- d) A personal declaration of the applicant for issuance of the card (except police forces and customs directly working at the airport and airport authority), which is made according to the Appendix VII hereof and includes 4x6 cm color photo (the photo taken in white background within the last 06 months from the date of submission) bearing a seal;
- dd) 01 4x6 cm color photo, which is taken in white background within the last 06 months from the date of submission.

2. The airport authority shall appraise the application, issue or not issue the card as follows:

- a) Within 7 working days from the date on which a satisfactory application is received, if the applicant is eligible, the airport authority shall issue the card;
- b) Within 3 working days from the date on which a satisfactory application is received, if the applicant is ineligible, the airport authority shall send a notice of rejected application to the applicant and provide explanation;
- c) Within 3 working days from the date on which the application is received, if the application is unsatisfactory or contains unclear issues, the airport authority shall send a written request for additional provision of information and documents or request a meeting in person about unclear issues.”

11. Article 22 is amended as follows:

“Article 22. Procedures for reissuance of the permanent airport security card by the airport authority

1. The applicant shall submit 01 application, directly or by post or in other appropriate forms to the airport authority. To be specific:

- a) In case of reissuance due to change of design or card expiration, the application shall include the documents prescribed in Points a, c, d and dd, Article 21 of this Article;
- b) In case of reissuance to replace an unexpired card that is blurred, torn, damaged or no longer bears the security symbol, the application shall include the documents prescribed in Points a and d, Clause 1, Article 21 of this Article and such card must be returned;
- c) In case of reissuance due to loss, the application shall include the documents prescribed in Points a and d, Clause 1, Article 21 of this Article and a written confirmation of the head of authority/unit, which specifies cause of loss must be provided;
- d) In case of reissuance due to the fact that the card is seized, the application shall include the documents prescribed in Points a and d, Clause 1, Article 21 of this Article, enclosed with a document about actions against violations taken by the authority where the cardholder is working;
- dd) In case of reissuance due to change of position in another authority or unit, the application is prescribed in Clause 1, Article 21 of this Circular; in case of change of position in the same authority or unit, the application shall consist of a written request made using the form in Appendix V and a brief list in Appendix VI hereof.

2. The airport authority shall appraise the application, issue or not issue the card as follows:

- a) Within 7 working days from the date on which a satisfactory application is received, if the applicant is eligible, the airport authority shall issue the card;
- b) Within 3 working days from the date on which a satisfactory application is received, if the

applicant is ineligible, the airport authority shall send a notice of rejected application to the applicant and provide explanation;

c) Within 3 working days from the date on which the application is received, if the application is unsatisfactory or contains unclear issues, the airport authority shall send a written request for additional provision of information and documents or request a meeting in person about unclear issues.”

12. Clause 3 is added to Article 23 as follows:

“3. The airport authority shall retain the applicant’s presented documents specified in Clause 1 of this Article.”

13. Article 26 is amended as follows:

“Article 26. Procedures for issuance of new permanent airport security card by the airport authority and airport/aerodrome operators

1. The applicant for issuance of the permit to the vehicle specified in Clause 7 of Article 16 shall submit 01 application, directly or by post or in other appropriate forms to the airport authority and airport/aerodrome operators. The application consists of:

- a) A written request of the vehicle manager according to the Form in Appendix V hereof (except the airport/aerodrome operator issuing the permit to his/her vehicle)
- b) The list of vehicles issued with the permit according to the Form in Appendix VIII hereof;
- c) A copy of the valid certificate of inspection of technical and environmental safety issued by a competent authority.

2. The airport authority and airport/aerodrome operators shall appraise the application, issue or not issue the permit as follows:

- a) Within 7 working days from the date on which a satisfactory application is received, if the applicant is eligible, the licensing authority shall issue the permit;
- b) Within 3 working days from the date on which a satisfactory application is received, if the applicant is ineligible, the licensing authority shall send a notice of rejected application to the applicant and provide explanation;
- c) Within 3 working days from the date on which the application is received, if the application is unsatisfactory or contains unclear issues, the licensing authority shall send a written request for additional provision of information and documents or request a meeting in person about unclear issues.

3. After 05 working days from the issuance date, the authorized airport/aerodrome operator must send a list of vehicles issued with the permit according to the Form in Appendix VIII hereof to the relevant airport authority.”

14. Article 27 is amended as follows:

“Article 27. Procedures for reissuance of the permanent airport security permit by the airport authority and airport/aerodrome operators

1. The applicant for issuance of the permit shall submit 01 application, directly or by post or in other appropriate forms to the airport authority and airport/aerodrome operators. To be specific:

- a) In case of reissuance due to change of design or permit expiration, the application shall include the documents prescribed in Clause 1, Article 26 of this Circular;
- b) In case of reissuance to replace an unexpired permit that is blurred, torn, damaged or no longer bears the security symbol, the application shall include the documents prescribed in Points a and b, Clause 1, Article 26 of this Article and the applicant for issuance of the card must return such permit;
- c) In case of reissuance due to loss, the application shall include the documents prescribed in

Points a and b, Clause 1, Article 26 of this Article and the applicant must provide a written confirmation of the head of authority/unit, which specifies time, location and cause of loss of the permit.

2. The airport authority and airport/aerodrome operators shall appraise the application, issue or not issue the card as follows:

- a) Within 5 working days from the date on which a satisfactory application is received, if the applicant is eligible, the issuing authority shall issue the card;
- b) Within 3 working days from the date on which a satisfactory application is received, if the applicant is ineligible, the issuing authority shall send a notice of rejected application to the applicant and provide explanation;
- c) Within 3 working days from the date on which the application is received, if the application is unsatisfactory or contains unclear issues, the issuing authority shall send a written request for additional provision of information and documents or request a meeting in person about unclear issues.

3. After 05 working days from the issuance date, the authorized airport/aerodrome operator must send a list of vehicles issued with the permit according to the Form in Appendix VIII hereof to the relevant airport authority.”

15. Points n and o, Clause 1, Article 34 is amended as follows:

- “n) The area from the baggage screening area to the terminal;
- o) The area from the baggage and mail screening area to the terminal and warehouse.”

16. Clause 5, Article 34 is amended as follows:

“5. The establishment of restricted areas and application of aviation security inspection measures to each restricted area must serve the purpose of aviation security assurance without obstructing people and vehicles entering and leaving or normal activities in the restricted areas. The authority or unit establishing the restricted area must put up the “KHU VỰC HẠN CHẾ” (“RESTRICTED AREA” sign) at an appropriate and visible location adjacent to the restricted area and public area.”

17. Clause 4, Article 35 is amended as follows:

“4. People and vehicles using their temporary airport security card or permit must comply with Clauses 6 and 9, Article 16 of this Circular when working in restricted areas.”

18. Clause 2, Article 39 is amended as follows:

“4. People, people and items carried into the restricted areas except the entity specified in Clause 10 of this Article must undergo security check, including:

- a) Aviation security card or permit;
- b) People and items carried along;
- c) Vehicle and object on such vehicle;
- d) Dangerous items.”

19. Clause 3 of Article 39 is annulled.

20. Clause 8 of Article 39 is amended as follows:

“8. Regulations on checking of items carried into and out of a restricted area:

- a) At the aviation security checkpoint, the declaration prepared using the form in Appendix XXVI hereof must be retained. The aviation security control forces shall check the items carried into and out of the restricted area at the aviation security checkpoint and carry out random or spot check if suspicious signs are found.

- b) In case there are staff regularly entering and leaving the airport/aerodrome restricted area, the authority or enterprise in charge shall provide the list of staff and items carried along for

the airport/aerodrome operator for comparison and inspection;

c) When going through the aviation security checkpoint, the person that is not on the list specified in Point b of this Clause or the person that is on the list specified in Point b of this Clause but carries items that is not in the register or exceeds the registered amount must declare the items carried into and out of the restricted area according to the Form in Appendix XXVI hereof and enter and leave the same gate. At the aviation security checkpoint, the aviation security control staff must collect and use the declaration for checking the items carried into and out of the restricted area and record the change in quantity of such items if used in the restricted area;

d) The airport/aerodrome operator shall promulgate specific regulations on the list and procedures for registering and checking items carried into and out of the airport restricted area;

dd) Documents about checking items carried into and out of the restricted area must be managed and archived in accordance with regulations on archiving.”

21. Clauses 10 and 11 are added to Article 39 as follows:

“10. When going through the aviation security checkpoint, the border gate police performing their duties at the airport/aerodrome do not need to take off coats, hats, shoes, sandals and belts. When going through the magnetic gate, people, documents and professional equipment do not need to be visually checked. The followings shall be checked:

a) Aviation security card or permit;

b) Items carried along, except military uniform, documents and professional equipment;

c) Vehicles and items on such vehicles;

d) Dangerous items.

11. The Department of Border Gate Security and police authority of provinces and central-affiliated cities shall ensure that their officers and soldiers do not carry dangerous items against the law into the airport/aerodrome restricted area. The aviation security control staff shall refuse to let the border gate police authority's officers and soldiers that show suspicious signs enter the restricted area and immediately inform the leader of the border gate police authority at the airport/aerodrome. The aviation security control staff shall let the border gate police authority's officers and soldiers that show suspicious signs enter the restricted area if the approval of the leader of the border gate police authority is obtained.

22. Clause 1, Article 40 is amended as follows:

“1. The airport/aerodrome operator shall take charge and cooperate with the aviation security control forces, aviation service providers and police and traffic authorities in separating traffic flows and putting up signs and signboards on internal public roads and in parking lots, passenger pickup areas and other public areas under the management of the airport/aerodrome operators.”

23. Clause 3, Article 41 is amended as follows:

“3. The airport/aerodrome operators, airport security control forces and relevant authorities, units and enterprises at the airport shall cooperate in separating traffic flows, passenger pickup areas, service providers' services areas at the airport public area, establishing aviation security checkpoints, carrying out aviation security patrol and control in public areas to keep order, limit and regulate the number of people and vehicles entering and working in the car parking area, internal traffic flow, check-in area and other public areas at the airport/aerodrome. Responsibilities of the authorities and units are specified in the airport security program.”

24. Clause 1, Article 43 is amended as follows:

“1. Lost baggage, derelict baggage, catering carts or bags, containers and bags of aircraft stores and supplies, except the items used for aircraft maintenance and repair and the cases

specified in Clause 5, Article 56 of this Circular must be sealed after having undergone security screening. For the vehicle used to fill the aircraft, its inlet and outlet must be sealed after receiving fuel. The doors of the aircraft not in operation must be affixed with security seals.”

25. Clause 1 of Article 53 is amended as follows:

“1. At each cargo and mail security checkpoint, there must be sufficient aviation security control staff to perform the following tasks in a sufficient and effective manner:

a) Check documents (declaration of cargo sender, completion of customs procedures for the consigned cargo of international flights) and document each checked shipment; conduct visual check and aviation security search;

b) Monitor the screen of X-ray scanner. This task is continuously performed for no more than 30 minutes and is only performed at least 30 minutes later; use the explosive detector to check the cargo;

c) Affix security seal;

d) The shift leader shall direct, steer and monitor all activities at the aviation security checkpoint.”

26. Clause 6 of Article 53 is amended as follows:

“6. Transit/transfer cargo and mail must be subject to aviation security screening and supervision in the same manner as departure ones, except cases in which the transit/transfer cargo and mail have yet to leave the airport/aerodrome restricted area or are continuously escorted and supervised by the aviation security control staff.”

27. Clause 3 of Article 62 is amended as follows:

“3. When the aircraft is in flight, the pilot-in-command shall adopt appropriate remedial measures within his/her power, decide to land for safety reasons, inform the airline or aviation authority (if the airline representative is not available) of the landing place according to the nature and degree of the case. The pilot-in-command shall make records on administrative violations or report the case in accordance with regulations of the law on penalties for administrative violations against regulations on civil aviation or make records in accordance with regulations of the home country and transfer the case to the aviation authority of the place where the aircraft lands.”

28. Clause 5, Article 62 is amended as follows:

“5. When informed, the relevant airport authority shall be immediately present at the scene and decide to adopt solutions within its power; supervise the entire process of solving the case, even on board the aircraft; take charge and cooperate with the aviation security control forces at the airport or aerodrome and airline in assessing the case and decide to take necessary security measures; request transfer of case file; terminate or card the continuation of the flight; make a record and impose penalties for administrative violation; transfer the case beyond its power to the competent authorities.”

29. Clause 3 of Article 66 is annulled.

30. Article 73 is amended as follows:

“Article 73. Procedures for receiving, managing, transporting and transferring weapons or combat gears

1. The person carrying arms or combat gears, except the case specified in Clause 3 of this Article must complete the check-in process at the check-in counter as follows:

a) Present arms, combat gears and relevant permits to the aviation officers to check while completing the check-in process;

b) In case of carrying pistol on board the aircraft, complete the declaration prepared using the form in the Appendix XV hereof. In case of consignment of pistol or ammunition, complete the declaration prepared according to the form in the Appendix XVI hereof.

2. The airline's check-in clerk shall inform the aviation security control staff in order for them to check permits concerning arms and combat gears. In case of pistol and ammunition, the aviation security control staff shall check the declaration contents and sign the declaration.

3. The passenger that is an officer or guard soldier accompanying the guarded subject must complete the declaration using the form in the Appendix XV hereof and deliver it to the check-in clerk before boarding the aircraft and take responsibility for safety of pistol, ammunition and combat gears carried along.

4. Procedures for receiving and transporting arms or combat gears:

a) The pistol owner must disassemble the magazine from the pistol; disassemble or disconnect the power source of combat gears; make sure the arms and combat gears are in a safe state;

b) The ammunition must be packaged and stored in accordance with regulations on transport of dangerous cargo. The airline representative shall sign the declaration prepared using the form in the Appendix XVI hereof;

c) The ground officer that transports the pistol and ammunition from the check-in counter must be escorted and supervised by the aviation security officer;

d) The arms and combat gears must be stored in the place where the passengers cannot approach during the flight.

5. The pilot-in-command must be informed of the number of arms and ammunition transported on the flight.

6. At the arrival airport/aerodrome, the procedures for transferring arms and combat gears are as follows:

a) The airline must inform its representative at the airport/aerodrome in an appropriate form in order for him/her to receive, supervise and provide the information concerning the flight carrying consigned arms and combat gears (such as flight number, landing time, landing place) for the aviation security control forces at the airport.

b) The ground officer shall transport arms and combat gears from the aircraft to the baggage claim area; compare identity documents and boarding pass with the baggage tag; transfer arms, ammunition and combat gears for passengers at the baggage claim area;

c) The aviation security control forces shall monitor the transport, transfer and registration, and monitor the passengers' carriage of arms and combat gears out of airport/aerodrome restricted areas.

7. Procedures for receiving, managing, transporting and transferring arms and combat gears must be elaborated in the civil aviation security program of the airline and the airport/aerodrome operator."

31. Clause 3, Article 85 is amended as follows:

"3. For the aircraft in operation or in flight, the procedures for taking actions against regulations are specified in Clauses 2, 3, 4 and 5, Article 62 of this Circular. In-flight security officers shall act secretly and not engage in taking actions against violations of aviation security."

32. Article 94 is amended as follows:

"Article 94. Civil aviation security control forces and standards to be satisfied by the aviation security control staff

1. The aviation security control forces are the forces which are in charge of assuring aviation security, providing counseling and carrying out management and monitoring, and directly taking measures for controlling aviation security, preventing illegal interference and taking actions against violations of aviation security according to regulations.

2. The aviation security control forces include staff of the airport/aerodrome operators' aviation security organizations; Vietnamese airlines, air traffic service providers; enterprises manufacturing, maintaining and repairing aircraft and aircraft equipment and general aviation

enterprises which are specified in Clauses 4, 5 and 6, Article 93 of this Circular.

3. The airport/aerodrome operator shall organize aviation security control forces to take aviation security assurance measures and provide aviation security assurance services at the airport/aerodrome and restricted areas of the aircraft cargo and mail handling facilities.

4. The aviation security control forces must be provided with professional training suitable for their title and assigned duties according to regulations on aviation security training of the Minister of Transport.

5. Standards to be satisfied by the aviation security control staff:

a) He/she is a Vietnamese citizen aged 18 or older, has a conformable profile, full health and obtains a high school diploma or higher;

b) He/she does not have previous conviction or previous offence according to regulations of law; is not a drug addict (using drug or having positive result to the drugs or banned stimulants).”

33. Clause 2, Article 96 is amended as follows:

“2. The aviation security control staff permit is valid for 07 years. The professional capacity certificate of the scanning officer is valid for 12 months and of the mobile officer and control staff is valid for 24 months. In case of not performing tasks specified in the professional capacity certificate for 06 consecutive months, the issued professional capacity certificate shall be invalidated and an examination for re-issuance of the professional capacity certificate must be passed.”

34. Points b, Clause 2, Article 100 is amended as follows:

“b) The X-ray scanning system must have a combined test piece suitable for the scanner’s specifications. The magnetic door, portable metal detector or explosive detector must have the combined test piece of the manufacturer or the operator;”

35. Clause 2, Article 101 is amended as follows:

“2. The image data from the X-ray scanner and surveillance cameras must be kept for at least 45 days.”

36. Article 107a is added as follows:

“Article 107a. Aviation reporting and statistics

1. The Civil Aviation Authority of Vietnam shall establish and provide guidance on the aviation security reporting and statistic system for aviation authorities and units.

2. The following organizations shall submit reports to the Civil Aviation Authority of Vietnam:

a) Airport authorities;

b) Airlines;

c) Airport/aerodrome operators;

d) Air traffic service providers; aircraft and aircraft equipment repair service providers;

dd) Aviation service providers.

3. When serious and sensitive violations of aviation security regulations are committed and potentially threaten security safety or badly affect social order and safety, the organizations specified in Points a, b and d, Clause 2 of this Article must report such violations to the Civil Aviation Authority of Vietnam as follows: immediately report such violations by telephone, by fax or other media and report in writing within 24 hours using the form in the Appendix XXIV hereof. The organizations specified in Points c and d, Clause 2 of this Article shall report at the request of the Civil Aviation Authority of Vietnam.

4. For emergency cases and solutions for illegal interference, organizations shall report as prescribed in Article 90 of this Circular.

5. The report is made through the aviation security database system, over telephone, by fax or post.”

37. Clause 12, Article 113 is amended as follows:

“12. Issue and manage airport security card or permit according to regulations. Provide aviation security information and data for competent authorities upon request.”

38. Clause 6, Article 114 is amended as follows:

“6. Be subject to the security inspection, monitoring, testing, survey and investigation by the Civil Aviation Authority of Vietnam and airport Authorities in accordance with regulations of law and this Circular. Provide aviation security information and data for competent authorities upon request.”

39. Clause 3, Article 115 is amended as follows:

"3. Cooperate with the airport authority, airport/aerodrome operators and relevant authorities and units in taking actions against violations of aviation security regulations and other violations related to aircraft while the aircraft is in operation and not in operation. Provide aviation security information and data at the request of the Civil Aviation Authority of Vietnam and airport authority in charge of the airport involved in activities of the airline and aircraft operator.”

40. Point d is added to Clause 1, Article 116 as follows:

“dd) Regarding the enterprises that sell products containing liquid, thick substance or spraying solution, the airline must provide security tamper-evident bags used for containing liquid, thick substance or spraying solution (enclosed with coupons) for customers at shops in the international sterile areas and on international flights. The coupon must specific date of purchase (date/month/year); international code of the selling place (country, airport, airline); flight number, passenger name (if any); quantity and list of cargo contained in the bag.”

41. Point 3.2.1, Section 3 of the Appendix XI is amended as follows:

“3.2.1. The body is a building wall. The concrete pile is at least 20 cm wide and the fence is at least 2.15 m high. The top which is at least 0.30 m high is the single barbed wire or barbed wire coils inclined 45 degrees outward.”

42. Section II of the Appendix XII is amended as follows:

“II. Information on security seals

1. Security stamps

a) The symbol of the stamp user;

b) Name of the user;

c) Security check symbol

- For the aircraft: there must be the English text “AIRCRAFT SECURITY CHECKED” and Vietnamese text “Đã kiểm tra an ninh hàng không tàu bay”;

- For cargo: there must be the English text “SECURITY CHECKED” and Vietnamese text “Đã kiểm tra an ninh hàng không”;

- For catering: there must be the English text “CATERING SECURITY CHECKED” and Vietnamese text “Đã kiểm tra an ninh hàng không suất ăn”;

d) Symbol code specified on the stamp

2. Wire seals

a) The user’s symbol;

b) Name of the user;

c) Symbol code specified on the wire seal.”

43. Point 6, Section IV of the Appendix XII is amended as follows:

“6. At the end of each duty shift or shift handover, the staff assigned to seal at the working positions must transfer all remaining aviation security sealing stamps and cords to the on-duty officer on the next shift or superior, sign the book, specify the reasons for return, the number of security stamps and wire seals used and remaining number, the number of damaged ones, the serial number on the used sealing stamps and cords must match the serial number on the remaining ones which are yet to be used and must match the issued initial number.”

44. Point 7 is added to Section IV of the Appendix XII as follows:

“7. Authorities and units must affix security seals to items in an appropriate manner.”

45. Clause 2, Section I of the Appendix XIII is amended as follows:

“2. The passenger aged 14 or older must present the following documents upon completion of aviation procedures for domestic flights:

a) For the passenger holding foreign nationality: foreign passport or laissez-passer, loose-leaf visa, permanent resident card, temporary residence card issued by Vietnam. In case that passenger loses his/her passport, there must be a diplomatic note of the diplomatic missions and consular offices of the passenger’s country of nationality or official dispatch of the local police authority of the area where his/her passport is lost on certification of his/her personal identification and loss of passport, the official dispatch must include a photo and joint-page seal. The diplomatic note and official dispatch is valid for 30 days from the date of certification;

b) For the passenger holding Vietnamese nationality, he/she must present one of the following papers: passport or laissez-passer, loose-leaf visa, permanent residence card, temporary residence card, ID card; certificate of the armed forces; card of National Assembly delegate; card issued by the Security Committee of the National Civil Aviation; certificate of personal identification, including full name, date of birth, permanent address and present address certified by the police authority of the commune where he/she has a permanent residence or temporary residence, the certificate must include a photo and bear a seal, and is valid for 30 days from the date of certification; a competent authority's certificate confirming the passenger has executed the judgment, the certificate must include a photo and bear a seal, and is valid for 30 days from the date of certification.”

46. Point c is added to Clause 5, Section I of the Appendix XIII as follows:

“c. The documents specified in Clauses 1, 2, 3 and 4 of this Appendix may be rejected if they do not include a photo or inappropriate photo, except birth certificate, notice of birth and competent authority’s proof of escorting.”

47. The Appendix XIV is annulled.

48. Notes of the Appendix XV are amended as follows:

“Ground service officer: attach the original to the boarding pass, a copy to the flight documents and issue a copy to the passenger. In case a passenger is an officer or guard soldier accompanying with the guarded subject to the aircraft, the ground service officer shall attach the original to the boarding pass; the aviation security control staff shall not check arms and combat gears, and shall not sign the declaration.

Flight attendant: Collect the original and secretly inform the pilot-in-command of the seat of the passenger who have the right to carry arms on board the aircraft.”

49. An English version is added to the Appendix XV as follows:

“Phụ lục XV

Appendix XV

TỜ KHAI MANG SÚNG THEO NGƯỜI LÊN TÀU BAY

DECLARATION FOR CARRYING PISTOL ON BOARD AIRCRAFT

(Ban hành kèm theo Thông tư số...../20.../TT-BGTVT ngày .../.../20... của Bộ trưởng Bộ Giao

thông vận tải)

(Attached to Circular No./20.../TT-BGTVT dated.../.../20...issued by the Minister of Transport)

Họ và tên hành khách: Số ghế:
(Passenger's full name) (Seat No.)

Chuyến bay: Từ: Đến:
(Flight No.) (From) (To)

Giấy phép trang bị súng số: Nơi cấp:
(Pistol Permit number) (Issued by)

Giấy phép mang vũ khí theo người số:
(Permit to carry arms number)

Hành khách thuộc đối tượng được phép mang súng theo người lên tàu bay theo quy định của Chương trình an ninh hàng không Việt Nam là:

(According to provisions of the National civil aviation security Programme of Vietnam, the following passengers are authorized to carry pistol on board the aircraft)

Cán bộ, chiến sĩ cảnh vệ của Việt Nam thực hiện nhiệm vụ tiếp cận, bảo vệ lãnh đạo Đảng, Nhà nước, khách quốc tế trên các chuyến bay của Việt Nam;

(Officers of the High Command of Guard who are on duty to protect leaders of Communist Party of Vietnam and leaders of the State, international visitors of the State on board Vietnam's flights)

Nhân viên an ninh trên không thực hiện nhiệm vụ bảo đảm an ninh trên chuyến bay.

(In-flight security officers performing inflight security tasks.)

TÔI CAM KẾT THỰC HIỆN TRONG QUÁ TRÌNH CHỜ LÊN TÀU BAY VÀ TRONG SUỐT THỜI GIAN BAY:

BEFORE BOARDING AND DURING THE FLIGHT, I AM COMMITTED:

1. Không để lộ súng cho người khác biết.

Not to disclose the pistol to other people;

2. Không yêu cầu phục vụ đồ uống có cồn trong suốt chuyến bay.

Not to require alcoholic beverages during the flight;

3. Tuân thủ yêu cầu của người chỉ huy tàu bay khi ở trên tàu bay.

To comply with the instructions of the pilot-in-command while on board.

TÔI ĐÃ XUẤT TRÌNH GIẤY TỜ CHỨNG MINH ĐƯỢC PHÉP MANG VŨ KHÍ VÀ ĐANG THỰC HIỆN NHIỆM VỤ CHO CƠ QUAN CHỨC NĂNG.

I HAVE PRESENTED THE PERMISSION TO CARRY ARMS AND I AM ON DUTY FOR THE ABOVE COMPETENT AUTHORITIES

Chữ ký xác nhận của hành khách

Passenger's signature and full name

NGƯỜI KIỂM TRA:

(PISTOL INSPECTOR)

Tôi tên là:

My name is:

Đơn vị:

Department:

Tôi đã kiểm tra giấy phép sử dụng vũ khí và giấy tờ của Ông (bà):

..... chứng minh việc được phép mang vũ khí theo người lên tàu bay tuân thủ đúng các quy định của pháp luật

I have checked the Arms Permit and documents presented by Mr/Mrs: to certify that he/she has been authorized to carry arms on board the aircraft in accordance with the applicable laws and regulations.

Ngày tháng năm

Date month year

Ký tên

(Pistol inspector's signature and full name)

“Ground service officer: attach the original to the boarding pass, a copy to the flight documents and issue a copy to the passenger. In case a passenger is an officer or guard soldier accompanying with the guarded subject to the aircraft, the ground service officer shall attach the original to the boarding pass; the aviation security control staff shall not check arms and combat gears, and shall not sign the declaration.

Flight attendant: Collect the original and secretly inform the pilot-in-command of the seat of the passenger who have the right to carry arms onboard the aircraft.”

50. Points 1, 2, 3 and 4, Part I of the Appendix XVIII is amended as follows:

“1. Each type of X-ray scanner used at each airport/aerodrome must have at least one combined test piece of the manufacturer, fabricator or provider to check the X-ray scanner.

2. The combined test piece consists of inorganic and organic materials and objects to check the resolution and penetration of X-ray scanner.

3. Once a day and upon power failure, the combined test piece shall be used to test 1a (resolution) and 1b (useful penetration) before the machine is used to scan the baggage and cargo. The shift leader or staff shall check and record the result in the logbook. If the test meets the requirements, the machine shall be used to scan the baggage and cargo and shall be checked in case of failure to meet the requirements.

4. Once a week, the combined test piece shall be used to test 1a (resolution) and 1b (useful penetration), 2 (material distinction), 3 (single penetration), 4 (spatial resolution), 5 (thin metal imaging) to define all features of the X-ray scanner. The shift leader or staff shall check and record the result in the log sheet. Through the testing, if there some or all samples are in error, the technical division shall be required to carry out repair and record the incident.”

51. Section III of the Appendix XVIII is amended as follows:

“III. Log sheet

(Testing results: satisfactory: ; unsatisfactory:)

Number of tests	Notes
1	
2	
3	

Signature:

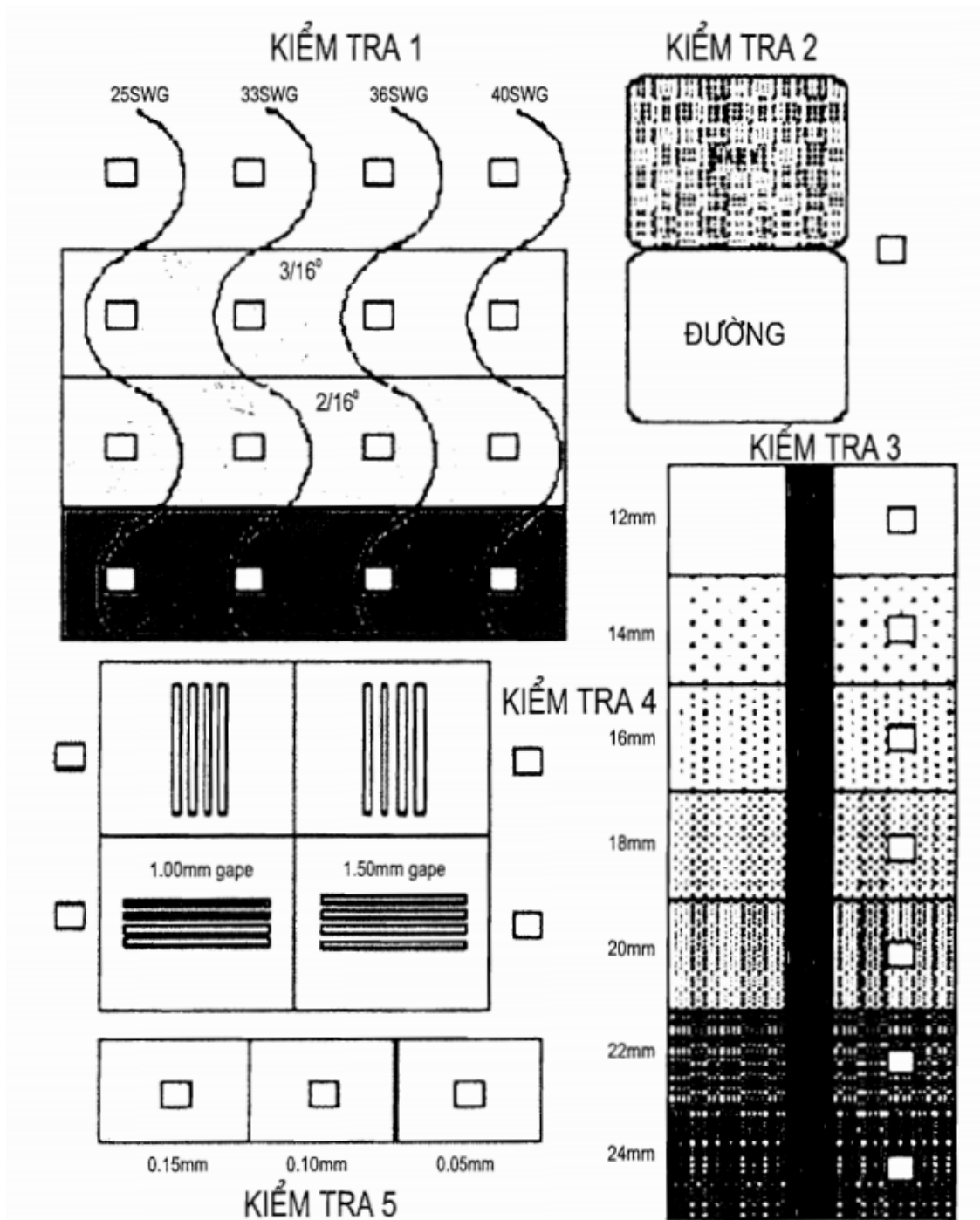
Testing time:hour minute..... date..... month..... year.....

Type of machine:

Machine number:

Machine position:

Record testing result in the log sheet corresponding to the parameter of the used sample. Refer to the table below:



Tester's full name:.....”

52. Point 2 of the Appendix XX is amended as follows:

“2. The aviation security control staff shall test the portable metal detector and specify the testing result in the log sheet. The log sheet shall be kept for at least 01 year.”

53. The text “tình trạng sức khỏe” (“health status”) specified in Section C of the Appendix XXIV is amended as follows:

“- Biểu hiện tình trạng sức khỏe (“Health status signs”):”

Article 2. Implementation

1. This Circular comes into force from January 15, 2018.

2. Chief of the Ministry Office, Chief of Ministry Inspectorate, General Directors, General

Director of Civil Aviation Authority of Vietnam, heads of relevant organizations and individuals are responsible for implementation of this Circular./.

THE MINISTER

Nguyen Van The