

Part 1

General Policies, Procedures & Definitions

Subpart A: General	5
1.001 Applicability of These Parts	5
1.003 Organization of Parts	5
1.005 Units of Measurement	6
1.007 Definitions	6
1.008 Acronyms & Abbreviations	8
Subpart B: Enforcement of These Regulations	8
1.010 Applicability	8
1.013 Individual Regulatory Compliance Required	8
1.015 Minimum Acceptable Standards Required	8
1.017 Enforcement Investigation & Recommendations	9
1.020 Administrative Handling Authorized	9
Subpart C: Authorised Persons	9
1.030 Applicability	9
1.033 Designate Technical Qualified Inspectors	9
1.035 Powers of Authorised Persons	9
1.037 Right of Access for Inspection	10
1.040 Provision of Documents for Inspections	10
1.043 Preservation of Reports, Documents & Records	10
Subpart D: General Administrative Rules	11
1.050 Applicability	11
1.053 Cost Recovery Fees	11
1.055 Change of Name	11
1.057 Change of Address	11
1.060 Replacement of a Lost or Destroyed Document	11
1.063 Falsification, Reproduction or Alteration of Required Documents	12
1.065 Surrender, Suspension or Revocation of Licence or Certificate	12
1.067 Re-Application After Revocation	12
1.070 Re-Application After Suspension	12
1.073 Voluntary Surrender or Exchange of Licence	12
Subpart E: General Testing Requirements	12
1.080 Applicability	12
1.083 Drug & Alcohol Testing & Reporting	13
Subpart F: Exemptions & Deviations	13
1.090 Applicability	13
1.093 Authority to Approve Exemptions & Deviations	13

1.095	Acting on Unacceptable Authorisations	13
1.097	Application: General Information	13
1.100	Application: Description of Proposal	14
1.103	Application: Justification of Proposal	14
1.105	Processing the Application	14
1.107	Technical Evaluation Results	14
1.110	Publication of Proposal: Technical Evaluation	15
1.113	Application for Party Status	15
1.115	Approval of the Alternative Method of Compliance	15
1.117	Disapproval of the Alternative Method of Compliance	15
1.120	Publication & Availability of Approved Alternative Method of Compliance	15
Subpart G: Validation of Official Documents		15
1.130	Applicability	15
1.133	Validation: General	15
1.135	Term of Validity	16
1.137	Holders of Validated Documents	16
1.140	Validation of Type Certificates & Supplemental Type Certificates	16
1.143	Validation of Certificates of Airworthiness	16
1.145	Validation of Medical Certificates	17
1.147	Validation of Licences & Ratings	17
1.150	Validation of Air Operator Certificates.	17
1.153	Validation of Approved Organizations	17
1.155	Validation of Approvals, Authorisations & Designations	17
Subpart H: Designated Representatives		18
1.160	Applicability	18
1.163	Formal Process	18
1.165	Selection	18
1.167	Certification	18
1.170	Duration of Certificates	18
1.173	Reports	19
1.175	Privileges	19
1.177	Inspection	19
Subpart I: Service Provider Safety Management Systems		19
1.180	Applicability	19
1.183	Safety Management System Implementation Required	19
1.185	Safety Management System Framework	20
Subpart J: Addition or Revision to these Requirements		20
1.190	Applicability	20
1.193	Authority to Develop & Approve Rule Making	20
1.195	Issuance of a Special Regulation	20
1.197	Responsibility for Currency of These Requirements	21
1.200	Public Submission of Proposed Requirement	21
1.203	Description of Rule Making Proposal	22
1.205	Distribution of the NPRM	22
1.207	Consideration of Comments of Regulated Entities	22

1.210 Publication of Proposal & Technical Evaluation	22
1.213 Publication & Availability of Requirements	23
Appendices	24
Appendix 1 to 1.007: Glossary of Definitions	24
Appendix 2 to 1.007: Classification of Aircraft	57
Appendix 1 to 1.008: Glossary of Acronyms and Abbreviations	58
Appendix 1 to 1.185: Framework of Safety Management System	61
Appendix 2 to 1.185: Safety Policy & Objectives	61
Appendix 3 to 1.185: Safety Risk Management	62
Appendix 4 to 1.185: Safety Assurance	62
Appendix 5 to 1.185: Safety Promotion	62
Attachments	64
Attachment 1 to Part 1: Summary of Amendments	64

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SUBPART A: GENERAL

1.001 APPLICABILITY OF THESE PARTS

- (a) This Part prescribes requirements of Vietnam that are applicable to the structure and processes of all Parts of the Vietnam civil aviation regulations (abbreviated as VARs).
- (b) Each Part of these Vietnam civil aviation regulations provides specific technical safety requirements prescribed by the appropriate authorities in support of the Civil Aviation Law and supporting legislation to ensure that individuals, organizations and other entities under the oversight of the CAAV are in compliance with the international standards for aviation safety.
- (c) Each Part shall, as indicated in the particular Part, apply to all persons or entities operating, maintaining or providing services related to the operations of:
 - (1) Aircraft registered in Vietnam.;
 - (2) Aircraft registered in another Contracting State that are operated by a person licenced by Vietnam, and which must be maintained in accordance with the standards of the aircraft State of Registry, wherever that maintenance is performed, except when there is another agreement in place;
 - (3) Aircraft of other ICAO Contracting States operating in Vietnam.
- (d) Where a particular requirement is applicable only to a particular segment of aviation operations, it will be identified by a reference to those particular operations, such as "for commercial air transport" or "for Class 1 medicals."
- (e) Where possible and for ease of use, specific Parts consolidate the international and domestic requirements that are applicable to specific aviation-related persons or entities for which the Government of Vietnam is obligated to provide oversight.

1.003 ORGANIZATION OF PARTS

- (a) These Parts are subdivided into five hierarchical categories:
 - (1) *Part* refers to the primary subject area.
 - (2) *Subpart* refers to any subdivision of a Part.
 - (3) *Subdivision* refers to a further breakdown of a Subpart necessary to designate a group of related Sections and designated by a bold Roman number.
 - (4) *Section* refers to the Arabic numbered and titled regulation,
 - (5) *Paragraph (or Subsection)* refers to the text describing the regulations. All paragraphs are outlined alpha-numerically in the following hierarchical order: (a), (1), (i), (A).
- (b) Numbering of these Parts will be as follows:
 - (1) The first regulations number of each Part will be .001
 - (2) Thereafter, the original numbering of the regulations will be sequenced in the format; -3, -5, -7, -10, leaving the numbers -1, -2, -4, -6, -8, and -9 for future expansion of the regulations to accommodate new ICAO standards or the growing safety complexity of world aviation
 - (3) The first Section of Subpart A of each regulation will begin with the number .001. All subsequent Subparts will begin with a Section number that is the next 10 (e.g. -10, -20, -30)
- (c) Definitions used throughout these regulations are consolidated for ease of use in Section 1.007 and Appendix 1 to 1.007 of this Part.
- (d) Acronyms and abbreviations used throughout these regulations are consolidated for ease of use in Appendix 1 to 1.008 of this Part.
- (e) Definitions and acronyms will not conform to the numbering requirements of Section 1.003(a)(5) following the practice used in the ICAO Annexes. Only a change bar will indicate a new definitions and acronyms.

- (f) Notes appear in Sections to provide exceptions, explanations, examples to individual requirements and references to specific supporting appendices.
- (g) Sections and notes may refer to Appendices, which provide detailed requirements that support the purpose of the Section, and where specifically referenced by the Section, gain the legal force and effect of the referring Section. Under the rules of construction, the term "Appendix" is applied to these supplementary requirements.
- (h) Throughout these regulations the following word usage applies:
 - (1) **Shall** indicates a mandatory requirement.
 - (2) The words "**no person may...**" or "**a person may not...**" mean that no person is required, authorized, or permitted to do an act described in a regulation.
 - (3) **May** when used without the word "no" or "not" indicates that discretion can be used when performing an act described in a regulation.
 - (4) **Includes** means "includes but is not limited to."
 - (5) **Will** indicates an action incumbent upon the CAAV.
 - (6) **Should** indicates a recommended practice.

1.005 UNITS OF MEASUREMENT

- (a) ICAO Annex 5 contains specifications for the use of a standardized system of units of measurement in international civil aviation air and ground operations. This standardized system of units of measurement is based on the International System of Units (SI) and certain non-SI units considered necessary to meet the specialized requirements of international civil aviation.
- (b) The Standards and Recommended Practices contained in Annex 5 shall be applicable to all aspects of international civil aviation air and ground operations occurring within the jurisdiction areas of Vietnam.
- (c) Except as provided in paragraph (d) of this Section, the units of measurement used for aeronautical purposes in Vietnam are those specified in the International System of Units as adopted in Annex 5 to the ICAO Convention.

(d) Non-International System of Units adopted by Annex 5 are used in Vietnam in accordance with the adjacent table.

Value	Unit of Measurement
Distance	Nautical mile
Altitudes, Elevations and Heights	Foot
Visibility	Statute mile
Speed, including wind speed	Knot
Vertical Speed	Foot per minute

- (e) Coordinated Universal Time (UTC) is used with the day beginning at 0000 hours and ending at 2400 hours:
 - (1) The Vietnam Standard Time (VST) is Greenwich Mean Time (GMT) -1.
 - (2) Vietnam does observe Daylight Savings Time.

(f) Date and time in civil aviation operations is expressed as a six figure group of UTC day, hours and minutes, except that in NOTAM and pre-flight information bulletins a ten figure group of year, UTC month, day, hours, minutes in used.

(g) The geographical coordinates indicating latitude and longitude are expressed in terms of the World Geodetic System 1984 (WGS84). WGS84 positions based on source data that do not meet the survey accuracies recommended in ICAO Annex 14 are marked with an asterisk (*).

1.007 DEFINITIONS

- (a) The definitions provided in Appendix 1 to 1.007 of this Part apply to all requirements included in the civil aviation regulations.

(b) Where found in these regulations, the term "**the Authority**" indicates the Civil Aviation Administration of Vietnam (CAAV). The CAAV employs technical personnel qualified and authorised to conduct evaluations, inspections and investigations on behalf of the State and make recommendations regarding the licencing and certification of individual and entities and corrections of safety Issues.

(c) The following words and phrases, where found in these regulations, outline the authority delegated to this organization:

Acceptable to the Authority. Where used in these Parts, identifies documents, portions of documents, formal procedures, facilities, equipment, or personnel that must be found satisfactory by a technical review of the CAAV prior to use in aviation.

Approval. A formal document issued by the CAAV based on a prior technical evaluation that authorizes the use of documents, portions of documents, or formal procedures in aviation.

Approved by the Authority. As used in these Parts, this phrase identifies a document, person, facility, policy or procedure for which there must be an formal document issued prior to their use in aviation. The separate use of the word "approved" in these regulations shall be assumed to be "approved by the Authority"

Authorized by the Authority. This phrase identifies a requirement that involves a technical evaluation and the issuance of a formal document of authorisation.

Authorisation. A formal document issued by a civil aviation authority based on a technical evaluation that officially conveys to the holder certain privileges in aviation under the civil aviation law, regulations and Parts.

Certificate. A formal document issued by a civil aviation authority that authorizes the holder to perform the aviation activities identified on the document.

Designation. A formal document issued by the CAAV, based on a technical evaluation process, that authorizes the holder to act on behalf of the CAAV in the performance of the functions identified in the document.

Designated by the Authority. This phrase identifies a requirement that requires a technical evaluation process and a formal document issued by the CAAV before a person may be authorized to perform a specific function or functions on behalf of the CAAV.

Deviation. An official exception from a requirement of these regulations issued to a grouping of persons, aircraft or type of operations when the CAAV determines that the requirement is not consistent with relevant aviation standards for that grouping and it would be in the public interest to issue the exception.

Exemption. An official exception from a requirement of these regulations issued to an individual, aircraft or organization by the CAAV where the applicant can show that it is in the public interest, an equivalent level of safety can be maintained and such an except will not be inconsistent with relevant aviation standards.

Licence. A formal document issued by a civil aviation authority that authorizes the holder to perform the functions identified on the document, subject to the applicable privileges and limitations.

Notice of Proposed Rule Making. An public notice containing the text and background of an addition, revision or repeal of requirements to the civil aviation regulations.

Prescribed by the Authority. This phrase denotes a requirement where the CAAV may, through appropriate guidance materials, outline the steps and standards necessary to meet the requirement.

Rating. An authorisation entered on or associated with a licence or certificate and forming part thereof, stating special conditions, privileges or limitations pertaining to such licence or certificate.

Special Regulation. An interim amendment or addition to existing regulation issued by the CAAV and effective on a priority basis in the public interest and/or to meet international safety obligations.

Validation. The acceptance of a certificate, licence, approval, designation, or authorisation issued by another ICAO Contracting State as the primary basis for the CAAV's issuance of a certificate, licence, approval, designation, or authorisation containing the same or more restrictive privileges.

- (i) **Rendering (a licence) valid.** The action taken by a Contracting State, as an alternative to issuing its own licence, in accepting a licence issued by any other Contracting State as the equivalent of its own licence.
- (ii) **Rendering (a Certificate of Airworthiness) valid.** The action taken by a Contracting State, as an alternative to issuing its own Certificate of Airworthiness, in accepting a Certificate of Airworthiness issued by any other Contracting State as the equivalent of its own Certificate of Airworthiness.

1.008 ACRONYMS & ABBREVIATIONS

- (a) The acronyms and abbreviations provided in Appendix 1 to 1.008 of this Part apply to all requirements included in these Parts.

SUBPART B: ENFORCEMENT OF THESE REGULATIONS

1.010 APPLICABILITY

- (a) This Subpart outlines the delegation of responsibility and authority to the CAAV ensure compliance with the civil aviation regulations.
- (b) This Subpart references possible enforcement actions. The actual enforcement processes and penalties that may be administered with respect to these regulations are located in an administrative enforcement decree.

1.013 INDIVIDUAL REGULATORY COMPLIANCE REQUIRED

- (a) A person who without reasonable excuse fails to comply with any requirement of these civil aviation regulations shall be subject to enforcement.
- (b) Such enforcement may result in, depending on the circumstances and mitigating factors:
 - (1) Revocation of a licence, certificate, authorization or privilege;
 - (2) Suspension of a licence, certificate, authorization or privilege;
 - (3) Monetary fines, in coordination with and separate from other penalties; or
 - (4) Issuance of a Prevent Flying Order to prevent an imminent safety of flight situation.

1.015 MINIMUM ACCEPTABLE STANDARDS REQUIRED

- (a) These civil aviation regulations specify minimum standards for the purpose of issuance of licences, certificates, authorizations, privilege.
- (b) A person, aircraft, component or organization that is the holder of a licence, certificate, authorization or privilege issued by the CAAV shall continue to meet the minimum standards required for original issuance.
- (c) If the holder of a licence, certificate, authorization or privilege is unable to meet the minimum standards for original issuance of that document, they shall surrender that document to the CAAV.
- (d) If the CAAV becomes aware that the holder of licence, certificate, authorization or privilege no longer meets the minimum standards to hold that document, it may seek, depending on the circumstances, mitigating factors and risk to air safety:
 - (1) An emergency suspension of the licence, certificate, authorization or privilege in the interest of public safety;
 - (2) A suspension of the licence, certificate, authorization or privilege;
 - (3) A revocation of the licence, certificate, authorization or privilege
 - (4) Monetary (civil) penalties;

- (5) Variance to an existing licence, certificate, authorization or privilege;
- (6) Re-examination of the basis for issuance of the licence, certificate, authorization or privilege; or
- (7) Issuance of a Prevent Flying Order to prevent an imminent safety of flight situation.

1.017 ENFORCEMENT INVESTIGATION & RECOMMENDATIONS

- (a) If the CAAV determines through inspection, incident, accident or any other method that a non-compliant situation described in Section 1.012 and 1.015 may exist, they shall complete an investigation.
- (b) A formal investigation record, complete with the recommendations for resolution of the matter, shall be forwarded to the Director-General for subsequent action to resolve the non-compliant situation.
- (c) The process for the subsequent action shall be subject to the civil law of Vietnam, including any appeals.

1.020 ADMINISTRATIVE HANDLING AUTHORIZED

- (a) In lieu of the requirement of Section 1.017, if the CAAV determines that it is possible to achieve immediate and lasting compliance with the requirements and minimum standards of the regulations through the administrative handling of a situation described in Sections 1.013 and 1.015, such handling is permissible provided that the handling involves a formal written record and that record of the resolution is retained.
- (b) Variance of a previously issued formal authorization or approval is permissible through administrative handling. This variance should be issued as a formal record and effective:
 - (1) Immediately and without appeal if determined to be necessary in the interest of public safety, or
 - (2) Following a 20 business-day period to allow an appeal of the basis to the CAAV,

SUBPART C: AUTHORISED PERSONS

1.030 APPLICABILITY

- (a) This Subpart outlines the delegation of responsibility and authority to the CAAV to ensure compliance with the civil aviation regulations.

1.033 DESIGNATE TECHNICAL QUALIFIED INSPECTORS

- (a) The CAAV may designate technically qualified persons to perform aviation oversight functions on their behalf. These qualified persons may be government employees or technical qualified aviation personnel from the aviation industry. Whether employed on a full or part time, these technically qualified persons shall have the status of an authorised person under these regulations and shall be assigned to the regulatory oversight organization(s) of CAAV.
- (b) If employed as an inspector, these persons shall be issued a unique credential for the performance of their functions. No person may possess or use these inspector credentials unless they are:
 - (1) Employed by the Government of Vietnam to perform specific oversight functions; and
 - (2) Using the credential in the performance of a specific function authorized by the CAAV.
- (c) For the purpose of exercising inspector responsibilities under these Regulations, the authorized person shall carry at all times the means of identification specified in paragraph (b).

1.035 POWERS OF AUTHORISED PERSONS

- (a) An authorised person has the power as delegated by the CAAV to:
 - (1) Carry out audits or surveillance activities;
 - (2) Enter and inspect any aerodrome, hanger or other place (at which an aircraft is located or stored), aircraft or any organization performing tasks and services related to aviation safety;
 - (3) Inspect any aircraft, aircraft equipment, components, materials, facilities, personnel or crew members for the purpose of ensuring compliance with the civil aviation regulations;
 - (4) Require any person to produce documents or any other article subject to the civil aviation regulations;

- (5) Inspect and copy any certificate, licence, logbook, document or record which he has the power pursuant to these Regulations and any directions issued thereunder to require to be produced to him;
 - (6) Detain the flying of an aircraft in the interest of public safety when an imminent safety of flight situation exists regarding the airworthiness of the aircraft and operational capability of its crew; and
 - (7) Cause such re-examinations, evaluations, inspections, investigations, tests, experiments, and flight trials to be made as deemed necessary to ensure compliance with the civil aviation regulations.
- (b) No person may intentionally obstruct or impede any authorized person acting in the exercise of his powers or the performance of his duties under these civil aviation regulations.
- (c) No person shall intentionally obstruct or impede any authorized person from accessing, inspecting or copying documents subject to the civil aviation regulations.

1.037 RIGHT OF ACCESS FOR INSPECTION

- (a) The CAAV (or any authorized person) may conduct inspections, investigations and observations at any time and place that aircraft operations, maintenance, training and other activities subject to these aviation regulations are in progress.
- (b) The CAAV (or any authorized person) shall be given free and uninterrupted right of access:
- (1) To any place, whether public or private, where an aircraft is located for the purpose of inspecting the aircraft or any document subject to the civil aviation regulations;
 - (2) To any aerodrome for the purpose of inspecting the aerodrome or any aircraft on the aerodrome or any document subject to the civil aviation regulations;
 - (3) To any aircraft and flight deck compartment, for the purpose of checking while in flight the:
 - (i) Performance of the aircraft or any of its equipment; and
 - (ii) The efficiency of flight crew members in the performance of their duties:
- (c) No person may intentionally obstruct or impede any authorized person from access to the locations specified in paragraph (b).

1.040 PROVISION OF DOCUMENTS FOR INSPECTIONS

- (a) Any documents and reports specified by relevant Parts of this set of aviation regulations shall be provided to an authorised person upon his request for such information.
- (b) Each person involved or participating in an aviation activity shall, within a reasonable time after being requested to do so by an authorized person, provide the licences, certificates and documents which he is required to have, carry, complete or preserve during the course of his activities.
- (c) For the purpose of this Section, a reasonable time is considered to be:
- (1) At the time of the request, for documents required to be:
 - (i) Carried on the person; or
 - (ii) On board the aircraft during flight.;
 - (2) During normal business hours, for documents required to be:
 - (i) Completed and retained at an aerodrome;
 - (ii) Completed and retained at the administrative facilities; or
 - (iii) Preserved.

1.043 PRESERVATION OF REPORTS, DOCUMENTS & RECORDS

- (a) Any reports or documents generated during activities subject to the civil aviation regulations shall be made within times, comply with the methods and shall contain such information as is specified by relevant Parts of this set of aviation regulations.

- (b) A person assigned under these regulations to preserve any document or record shall continue to preserve that document or record until such time as the responsibility may be transferred to another assigned person.

SUBPART D: GENERAL ADMINISTRATIVE RULES

1.050 APPLICABILITY

- (a) This Subpart provides the general administrative rules applicable to the documentation issued by the CAAV.

1.053 COST RECOVERY FEES

- (a) The CAAV will collect a prescribed fees for original issuance, renewal issuance and replacement of each licence, certificate or authorisation required by these regulations.
- (b) The CAAV will collect prescribed hourly and travel fees associated with the required technical evaluation and inspections of organizations, their personnel, equipment, facilities and records, including those necessary for:
- (1) Original certification;
 - (2) Added authorisations; and
 - (3) On-going validation and renewal of certificates;

1.055 CHANGE OF NAME

- (a) A holder of a licence or certificate issued under these regulations may apply to change the name on a licence or certificate. The holder shall include with any such request:
- (1) The current licence or certificate; and
 - (2) A copy of the marriage licence, court order, or other document verifying the name change; or
 - (3) A copy of the corporate papers or sale of company assets documentation.
- (b) The CAAV will return to the official holder, the documents specified in paragraph (a) of this Section.

1.057 CHANGE OF ADDRESS

- (a) The holder of an licence or certificate who has made a change in permanent mailing address may not, after 30 days from that date, exercise the privileges of the licence or certificate unless the holder has notified the CAAV in writing of the new permanent mailing address, or current residential address if the permanent mailing address includes a post office box number.

1.060 REPLACEMENT OF A LOST OR DESTROYED DOCUMENT

- (a) The official holder of licence, certificate or other CAAV documentation that has been lost or destroyed shall request a replacement in writing from the office designated by the CAAV.
- (b) The official holder shall state in the request letter:
- (1) Their name;
 - (2) Their permanent mailing address, or if the permanent mailing address includes a post office box number, the person's current residential address;
 - (3) Their national identification/passport number;
 - (4) Their date and place of birth; and
 - (5) Any available information regarding the grade, number, and date of issuance of the document, certificate, or licence, and the ratings, if applicable;
- (c) After receiving a facsimile from the CAAV confirming that the lost or destroyed document was issued, the official holder may carry or display, as appropriate, the facsimile in lieu of the lost or destroyed document for up to 7 days pending receipt of a duplicate document.

- (d) CAAV has the responsibility to reissue this document within 7 working days from the date receiving a completed application, or notifying refusal and reason.

1.063 FALSIFICATION, REPRODUCTION OR ALTERATION OF REQUIRED DOCUMENTS

- (a) No person may make or cause to be made concerning any licence, certificate, rating, qualification, or authorisation, application for or duplicate thereof, issued under these regulations:
- (1) Any fraudulent or intentionally false statement;
 - (2) Any fraudulent or intentionally false entry in any logbook, record, or report that these regulations require, or used to show compliance with any requirement of these regulations;
 - (3) Any reproduction for fraudulent purpose; or
 - (4) Any alteration.
- (b) Any person who commits any act prohibited under paragraph (a) of this Section may have his or her official licence, rating, certificate, qualification, or authorisation revoked or suspended.

1.065 SURRENDER, SUSPENSION OR REVOCATION OF LICENCE OR CERTIFICATE

- (a) Any licence, certificate or authorisation issued under these regulations ceases to be effective if it is surrendered, suspended, or revoked.
- (b) The official holder of any licence or certificate issued under these regulations that has been suspended or revoked shall return that licence or certificate to the CAAV when requested to do so by the CAAV..

1.067 RE-APPLICATION AFTER REVOCATION

- (a) Unless otherwise authorized by the CAAV, a person whose licence, certificate, rating, or authorisation has been revoked may not apply for any licence, certificate, rating, or authorisation for 1 year after the date of revocation.

1.070 RE-APPLICATION AFTER SUSPENSION

- (a) Unless otherwise authorized by the CAAV, a person whose licence, certificate or authorisation has been suspended may not apply for any licence, rating, or authorisation during the period of suspension.

1.073 VOLUNTARY SURRENDER OR EXCHANGE OF LICENCE

- (a) The official holder of a licence, certificate or authorisation issued under these regulations may voluntarily surrender it for:
- (1) Cancellation;
 - (2) Issuance of a lower grade licence; or
 - (3) Another licence with specific ratings deleted.
- (b) An applicant requesting voluntary surrender of a licence shall include the following signed statement or its equivalent: "This request is made for my own reasons, with full knowledge that my (insert name of licence or rating, as appropriate) may not be reissued to me unless I again pass the tests prescribed for its issuance."

SUBPART E: GENERAL TESTING REQUIREMENTS

1.080 APPLICABILITY

- (a) This Subpart provides the general testing requirements applicable to aviation personnel and organizations subject to these regulations.

1.083 DRUG & ALCOHOL TESTING & REPORTING

- (a) An employee who performs any function requiring a licence, rating, qualification, or authorisation prescribed by these regulations directly or by contract for the holder of a certificate issued by the CAAV may:
- (1) Be denied any licence, certificate, rating, qualification, or authorisation for a period of up to 1 year after the date of such refusal; and
 - (2) Have his or her licence, certificate, rating, qualification, or authorisation issued under these regulations suspended or revoked.
- (b) Any person subject to these regulations who is convicted for the violation of any local or national law in any country relating to the growing, processing, manufacture, sale, disposition, possession, transportation, or importation of narcotic drugs, marijuana, or depressant or stimulant drugs or substances, may:
- (1) Be denied any licence, certificate, rating, qualification, or authorisation issued under these regulations for a period of up to 1 year after the date of final conviction; or
 - (2) Have his or her licence, certificate, rating, qualification, or authorisation issued under these regulations suspended or revoked.
- (c) Any person subject to these regulations who refuses to submit to a test to indicate the percentage by weight of alcohol in the blood, when requested by a law enforcement officer, or refuses to furnish or to authorize the release of the test results requested by the CAAV may:
- (1) Be denied any licence, certificate, rating, qualification, or authorisation issued under these regulations for a period of up to 1 year after the date of that refusal; or
 - (2) Have his or her licence, certificate, rating, qualification, or authorisation issued under these regulations suspended or revoked.

SUBPART F: EXEMPTIONS & DEVIATIONS**1.090 APPLICABILITY**

- (a) This Subpart prescribes procedures for the issuance, modification and termination of exemptions or deviations from the requirements of the civil aviation regulations.

1.093 AUTHORITY TO APPROVE EXEMPTIONS & DEVIATIONS

- (a) The CAAV may, in accordance with the procedures contained in this Subpart, approve an exemption or deviation from these civil aviation regulations.
- (b) No person may authorize an exemption or deviation from the requirements of any Part to these civil aviation regulations except in accordance with these procedures.

1.095 ACTING ON UNACCEPTABLE AUTHORISATIONS

- (a) No person may take, or cause to be taken, an action that contravenes the requirements of any Part to these civil aviation regulations unless in personal possession of an exemption or deviation that was issued in accordance with the procedures contained in this Subpart.

1.097 APPLICATION: GENERAL INFORMATION

- (a) General. Each application must be written in Vietnamese or English and:
- (1) Be submitted in duplicate, directly or indirectly in timely consideration, with the application sent to: Flight Safety Standard Department - CAAV, 119, pho Nguyen Son, quan Long Bien, Hà Noi, Viet Nam;
 - (2) That request must contain, for the applicant:
 - (i) Name
 - (ii) Address,

- (iii) Telephone number,
- (iv) Fax number (optional)
- (v) Email address (optional), and
- (vi) Person designated an agent of the applicant for all purposes related to the application.

1.100 APPLICATION: DESCRIPTION OF PROPOSAL

- (a) The application must include the following information this is relevant to the proposal:
 - (1) A citation of the specific requirement from which the applicant seeks relief;
 - (2) Specification of the types of operations that are to be conducted with this relief;
 - (3) A detailed description of the proposed alternate requirement to meet an equivalent level of safety in the public interest;
 - (4) A specification of the proposed duration or schedule of events for which this relief will be needed;
 - (5) A statement outlining the applicant's basis for seeking relief from compliance with the specified requirements and, if the relief is requested for a fixed period, a description of how compliance will be achieved at the end of this period;
 - (6) If the applicant seeks emergency processing, as statement of the supporting facts and reasons that it is an emergency;

1.103 APPLICATION: JUSTIFICATION OF PROPOSAL

- (a) The application must demonstrate that the alternative proposal:
 - (1) Achieves a level of safety at least equal to that of the requirement of the cited Part, or
 - (2) If a required safety level does not exist, that it is consistent to with public interest.
- (b) At a minimum the application must provide the following:
 - (1) Information describing relevant incidents or accident experience of which the applicant is aware that relates to the application;
 - (2) A statement identifying any increased risk to safety or property that may result if the alternative proposal is granted and a description of the measures to be taken to address that risk; and
 - (3) Substantiation that the argument for public safety and equivalent level of safety is valid.

1.105 PROCESSING THE APPLICATION

- (a) The CAAV will:
 - (1) Process the application for completeness and accuracy of the information,
 - (2) Conduct a technical evaluation of the viability of the proposal;
 - (3) If the decision is favourable, publish the proposal, technical evaluation and recommended action to interested parties;
 - (4) Consider the comments of the interested parties;
 - (5) Make a final decision as to approval or disapproval of the proposal, and
 - (6) If the decision is for approval:
 - (i) Issue that decision and approval to the applicant, and
 - (ii) Publish that decision in final form to the interested parties.

1.107 TECHNICAL EVALUATION RESULTS

- (a) The CAAV shall conduct a technical evaluation of the proposed alternative method of compliance.
- (b) The person conducting the technical evaluation will author an internal report outlining their findings regarding the:
 - (1) Need for the relief from the requirement(s);
 - (2) Whether an equivalent level of safety is possible;

- (3) Whether the approval of the alternative method will be in the public interest; and
- (4) Recommendations for the final form of a decision.

1.110 PUBLICATION OF PROPOSAL: TECHNICAL EVALUATION

- (a) The CAAV shall publish any proposed favourable decision and disseminate this information to:
 - (1) Persons that have previously registered with the CAAV as being interested in any exemption or deviation to the requirements of the civil aviation regulations which may be approved,
 - (2) Persons or organizations that have a similar licence, certificate, operations specifications or other form of approval or authorisation that might be affected by the decision.
- (b) These persons or organizations shall have a period of 30 days to respond favourably or unfavourably to the proposed decision in order for their comments to be considered.

1.113 APPLICATION FOR PARTY STATUS

- (a) Other persons or organizations may apply for party status to the specific proposal or approved exemption or deviation at any time during or following the processing of the original proposal.
- (b) That application shall be made in accordance with the procedures of this Subpart as if the application is an original application.

1.115 APPROVAL OF THE ALTERNATIVE METHOD OF COMPLIANCE

- (a) The approval of the exemption or deviation request shall be granted by the CAAV by:
 - (1) Letter of decision, or
 - (2) Operations specifications,

1.117 DISAPPROVAL OF THE ALTERNATIVE METHOD OF COMPLIANCE

- (a) The disapproval of the exemption or deviation request shall be made by a letter of decision issued by the CAAV, including the reason for the decision.

1.120 PUBLICATION & AVAILABILITY OF APPROVED ALTERNATIVE METHOD OF COMPLIANCE

- (a) The CAAV shall publish any exemption or deviation granted through the updating and re-issuance of the Advisory Circular for Exemptions and Deviations to:
 - (1) Persons that have previously registered with the CAAV as being interested in any exemption or deviation to the requirements of the civil aviation regulations which has been granted,
 - (2) Persons or organizations that have a similar licence, certificate, operations specifications or other form of approval or authorisation; and
 - (3) New applicants for a licence, certificate, operations specifications or related form of approval or authorisation.
- (b) The CAAV shall publish any exemption or deviation granted that relates to general requirements for the aviation community through the method of the Aeronautical Information Publication of the Vietnam.

SUBPART G: VALIDATION OF OFFICIAL DOCUMENTS

1.130 APPLICABILITY

- (a) This Subpart prescribes the general requirements and administrative rules applicable to the use of licences, certificates, approvals, designations, or authorisation issued by another ICAO Contracting State as the basis for issuance of similar documents by the CAAV.

1.133 VALIDATION: GENERAL

- (a) The CAAV may, with prescribed restrictions and after a process of technical evaluation and confirmation, use a certificate, licence, approval, designation, or authorisation issued by another ICAO Contracting State

as the basis for the issuance of a certificate, licence, approval, designation or authorisation containing the same or more restrictive privileges.

- (b) The CAAV may not use the process of validation to abdicate its responsibility to ensure that the source documents used are valid and were issued in accordance with applicable ICAO Standards.
- (c) The CAAV may conduct any additional test or inspection deemed technically or administratively necessary to confirm the competency of the holder and the validity of the certificate, licence, approval, designation or authorisation.

1.135 TERM OF VALIDITY

- (a) Each certificate, licence, approval, designation or authorisation issued by the CAAV through a validation process is subject to the same procedures for modification, suspension, revocation or termination applicable to other documents issued by the CAAV.
- (b) Unless otherwise prescribed, each certificate, licence, approval, designation or authorisation issued by the CAAV through a validation process will become invalid when the document used as the basis of issuance becomes invalid, non-current, or expires or is suspended or revoked by the ICAO Contracting State that originally issued it.
- (c) The CAAV must notify the Authority of the other ICAO Contracting State If, through the processes of certification, inspection, observation or investigation, it determines that the holder of a certificate, licence, approval, designation or authorisation issued through the processes of validation is:
 - (1) No longer qualified or competent to hold that document;
 - (2) Not in conformance with the applicable ICAO Standards or national regulations applicable to that document; or
 - (3) Engaged in sub-standard practices with respect to the international safety practices relevant to that document.

1.137 HOLDERS OF VALIDATED DOCUMENTS

- (a) No act of validation by the CAAV relieves the holder of the certificate, licence, approval, designation or authorisation from conformance with these Parts or the applicable laws of the ICAO Contracting State that issued the original document.
- (b) No act of validation by the CAAV relieves the holder of the certificate, licence, approval, designation or authorisation from inspection and verification by the CAAV for continued competency and conformance with the original basis for issuance.
- (c) The holder of a certificate, licence, approval, designation, or authorisation issued through the process of validation shall submit to any additional test or inspection deemed technically or administratively by the CAAV to ensure the continued validity and competency of the holder of the certificate, licence, approval, designation or authorisation.

1.140 VALIDATION OF TYPE CERTIFICATES & SUPPLEMENTAL TYPE CERTIFICATES

- (a) With the exception of experimental or restricted certificates of airworthiness, all certificates of airworthiness issued by the CAAV will conform to the Type Certificate and Supplemental Type Certificates issued by the State of Design or Manufacture.

1.143 VALIDATION OF CERTIFICATES OF AIRWORTHINESS

- (a) Certificates of Airworthiness issued by the CAAV may use as the primary basis for original issuance another ICAO Contracting State's certificate, but the continued validity of the Vietnam certificate of airworthiness will not be linked to the other State's certificate.

1.145 VALIDATION OF MEDICAL CERTIFICATES

- (a) Medical certificates issued by the CAAV with validation of another ICAO Contracting State's certificate as the primary basis for issuance will be linked to the continued validity of the other State's certificate.

1.147 VALIDATION OF LICENCES & RATINGS

- (a) Licences, ratings and limitations issued by the CAAV to citizens of Vietnam with validation of another ICAO Contracting State's licence as the primary basis for issuance will not be linked to the continued validity of the other State's licence.
- (b) Licences, ratings and limitations issued to persons not citizens of the Vietnam with validation of another ICAO Contracting State's certificate as the primary basis for issuance will be linked to the continued validity of the other State's certificate.

1.150 VALIDATION OF AIR OPERATOR CERTIFICATES.

- (a) Validation will never be used by the CAAV as the primary basis for issuance of an Air Operator Certificate to an entity engaged in commercial air transport.

1.153 VALIDATION OF APPROVED ORGANIZATIONS

- (a) The holder of an Approved Maintenance Organization Certificate issued by another ICAO Contracting State may be authorized by the CAAV to perform maintenance and repair of aircraft registered in the Vietnam (or operated by the holder of AOC issued by Vietnam) using as the primary basis the certificate, privileges and limitations issued by the other State.
- (b) The holder of an Approved Training Organization Certificate issued by another ICAO Contracting State may be authorized by the CAAV to provide training facilities, equipment, simulators, instructors and examiners to airmen and operators of Vietnam, using as the primary basis the certificate, privileges, designation and limitations issued by the other State.
- (c) Other organizations approved by an ICAO Contracting State may be authorized by the CAAV to provide services to airmen and operators of Vietnam, using as the primary basis the certificate, privileges and limitations issued by the other State.
- (d) The authorisations issued to these Approved Organizations by the CAAV through the process of validation are linked to the continued validity of the certificates, privileges and limitations issued by the other State.

1.155 VALIDATION OF APPROVALS, AUTHORISATIONS & DESIGNATIONS

- (a) Documents, facilities, equipment, training devices, simulators separately approved by an ICAO Contracting State through a technical certification process, and subject to continued inspection or revalidation, may be separately approved by the CAAV for use of airmen and operators of Vietnam, using as the primary basis the approval, privileges and limitations issued by the other State.
- (b) Personnel holding an authorisation from an ICAO Contracting State to perform certain functions on behalf of the Authority of that State, based on acceptable technical requirements, qualification processes and subject to continued inspection, may be authorized by the CAAV for use of airmen and operators of Vietnam, using as the primary basis the authorisation, privileges and limitation issued by the other State.
- (c) Personnel holding a designation from an ICAO Contracting State to perform certain functions on behalf of the Authority of that State, based on acceptable technical requirements, qualification processes and subject to continued inspection, may be designated to perform those tasks on behalf of the CAAV for the airmen and operators of Vietnam, using as the primary basis the designation, privileges and limitations issued by the other State.
- (d) The approvals, authorisations and designations issued by the CAAV through the process of validation are linked to the continued validity of the approvals, authorisations and designations issued by the other State.

SUBPART H: DESIGNATED REPRESENTATIVES

1.160 APPLICABILITY

- (a) This Subpart prescribes the requirements the general requirements and administrative rules for designating private persons to act as representatives of the CAAV in evaluating, examining, inspecting, and testing persons, aircraft and organizations for the purpose of issuing licences, certificates or authorisations.
- (b) The requirements of this Subpart may also be used to designate a unit of an organization to perform certain functions on behalf of the CAAV.

1.163 FORMAL PROCESS

- (a) All actions in the nomination, selection, designation, supervision and termination of designated representatives of the CAAV shall conform to a formal process of policies and procedures.

1.165 SELECTION

- (a) The CAAV may select designated representatives from persons with appropriate technical qualifications to perform in the required function(s).
- (b) The selected person must submit an application in a form and manner prescribed by the CAAV.
- (c) The CAAV will assess the experience, training and commitment of these persons before issuing a designation to perform on behalf of the CAAV. This assessment shall determine if the nominated designee:
 - (1) Has sufficient facilities, resources, and personnel, to perform the functions for which authorisation is requested;
 - (2) Has sufficient experience with CAAV requirements, processes, and procedures to perform the functions for which authorisation is requested; and
 - (3) Has sufficient, relevant experience to perform the functions for which authorisation is requested.

1.167 CERTIFICATION

- (a) A "Certificate of Authority" shall be issued to each designee specifying the kinds of designation for which the person concerned is qualified and stating an expiration date.
- (b) Each designee shall also be provided a "Certificate of Designation" for display purposes, designating the holder as an authorised person and specifying the kind of designation for which he is qualified.

1.170 DURATION OF CERTIFICATES

- (a) Unless sooner terminated, the designation is effective until the expiration date listed on the designation document.
- (b) No designation will give an expiration date exceeding 24 calendar months after the date it is issued.
- (c) The designation may be renewed for additional periods at the CAAV discretion. A renewal is effected by a letter and issuance of a new document specifying the renewal period.
- (d) A designation made under this Subpart terminates:
 - (1) Upon the written request of the representative;
 - (2) Upon the written request of the employer in any case in which the recommendation of the employer is required for the designation;
 - (3) Upon the representative being separated from the employment of the employer who recommended him for certification;
 - (4) Upon a finding by the CAAV that the representative has not properly performed his duties under the designation;
 - (5) Upon the assistance of the representative being no longer needed by the CAAV; or
 - (6) For any other reason the CAAV considers appropriate.

1.173 REPORTS

- (a) The designated representative shall make such reports as are prescribed by the CAAV.
- (b) The designated representative shall retain a copy of all documentation issued in the performance of his designation in a location suitable to the CAAV.

1.175 PRIVILEGES

- (a) A designated representative may, within limits prescribed by, and under the general supervision of the CAAV as appropriate to and within the limits of his designation:
 - (1) Perform authorized functions at any authorized location;
 - (2) Accept applications;
 - (3) Conduct evaluations, examinations, tests and/or inspections;
 - (4) Issue or deny licences or authorisations;
 - (5) Approve technical documents.
 - (6) Charge a fee for his or her services;

1.177 INSPECTION

- (a) The CAAV, at any time and for any reason, may inspect an a designated representative in the performance of his authorised functions and his records.
- (b) The designated representative shall allow the CAAV unrestricted access to his location, personnel, records and function in support of the requirement of paragraph (a).
- (c) To facilitate inspections, the designated representative shall provide the CAAV with timely prior notification of the time and location where the performance of an authorised function is planned.

SUBPART I: SERVICE PROVIDER SAFETY MANAGEMENT SYSTEMS**1.180 APPLICABILITY**

- (a) This Subpart is applicable to organizations which are certificated by the CAAV or otherwise under the safety oversight of the CAAV.

1.183 SAFETY MANAGEMENT SYSTEM IMPLEMENTATION REQUIRED

- (a) The following organizations shall implement a Safety Management System (SMS) in support of the State Safety Program of Vietnam:
 - (1) Approved training organizations certificated in accordance with Part 9 of these regulations that are exposed to safety risks related to aircraft operations during the provision of their services;
 - (2) Operators of aeroplanes or helicopters certificated in accordance with Part 12 of these regulations, to conduct international commercial air transport, including any maintenance activities not conducted by an approved maintenance organization;
 - (3) Approved maintenance organizations certificated in accordance with Part 6 of these regulations and providing services to operators of aeroplanes or helicopters engaged in international commercial air transport;
 - (4) Air traffic services providers, including the related services that come under the authority of the ATS provider or those aspects of the services with direct operational implications;
 - (5) International general aviation operators of large or turbojet aeroplanes based in Vietnam;
 - (6) Operators of certificated aerodromes in Vietnam.
 - (7) Any other organization identified by the CAAV as having sufficient complexity and risk to warrant an SMS.

1.185 SAFETY MANAGEMENT SYSTEM FRAMEWORK

- (a) The SMS of a service provider shall:
 - (1) Be established in accordance with the framework elements outlined in Appendix 1 through 5 of 1.185; and
 - (2) Be commensurate with the size of the service provider and the complexity of its aviation products or services.
- (b) The CAAV may approve a waiver of some requirements of this framework appropriate to the size and complexity of the organization, but all SMS shall, as a minimum, include:
 - (1) A process to identify actual and potential safety hazards and assess the associated risks;
 - (2) A process to develop and implement remedial action necessary to maintain an acceptable level of safety; and
 - (3) Provision for continuous monitoring and regular assessment of the appropriateness and effectiveness of safety management activities.

SUBPART J: ADDITION OR REVISION TO THESE REQUIREMENTS**1.190 APPLICABILITY**

- (a) This Subpart prescribes procedures for the addition, amendment or deletion of requirements to these regulations to:
 - (1) Maintain conformance to the applicable ICAO Annex Standards;
 - (2) Incorporate the applicable ICAO Annex Recommended Practices;
 - (3) Incorporate published and relevant international safety practices critical to aviation safety;
 - (4) Incorporate requirements specific to the Vietnam aviation environment identified as necessary to the public interest and safety; and
 - (5) Replace or delete requirements that are no longer applicable.
- (b) Interested parties of the Vietnam aviation community are invited to submit proposed regulatory requirements for inclusion in the rule making process.

1.193 AUTHORITY TO DEVELOP & APPROVE RULE MAKING

- (a) The CAAV may, in accordance with the procedures contained in this Subpart, develop the technical text and supporting documentation necessary to the proposed addition, revision or deletion of requirements.
- (b) The Director-General shall publish a Notice of Proposed Rule Making (NPRM) to the aviation community and the general public and process the public comments.
- (c) The Director-General may, as an interim measure and in the interest of public safety or to meet Vietnam international aviation obligations, publish a Special Regulation to place a requirement in force pending completion of the NPRM process.
- (d) The Minister with the portfolio for aviation safety oversight may, upon determination that the proposed requirement conforms to one or more of the objectives of Section 1.190, sign the measure into force.

1.195 ISSUANCE OF A SPECIAL REGULATION

- (a) A special regulation may be issued by the Director-General when:
 - (1) An emergency in the public interest has been identified; or
 - (2) A new ICAO Standard has become effective and the time period for notification of any possible differences has been initiated.
- (b) The text of the special regulation shall contain:
 - (1) The Special Regulation number and title;

- (2) A descriptive paragraph summarizing the requirements;
 - (3) Identification of the objective(s) of Section 1.190 that are the basis for initiation of the NPRM;
 - (4) The background resulting in the issuance;
 - (5) The text of the requirements;
 - (6) The effective date of the requirements; and
 - (7) The transition period for conformance with the requirements.
- (c) The requirements of a special regulation shall cease to be effective:
- (1) When the requirements have been incorporated into Vietnam law through the rule making process described in this Subpart;
 - (2) Upon repeal by the CAAV; or
 - (3) After 12 months, whichever occurs first.

1.197 RESPONSIBILITY FOR CURRENCY OF THESE REQUIREMENTS

- (a) The CAAV is responsible for the assessing the need for an addition, revision or deletion of the aviation regulatory requirements to meet the objectives of Section 1.190 through continuing review of the:
- (1) ICAO Annexes;
 - (2) Relevant requirements of mature safety oversight organizations; and
 - (3) Published and relevant international aviation safety practices.
- (b) The CAAV shall ensure that the Vietnam aviation requirements continue to be in conformance with the applicable ICAO Annex Standards and Recommended Practices and that all notification requirements that are associated with the content and differences of the Vietnam requirements are completed within the prescribed time periods.
- (c) The CAAV shall ensure that, with regard to international aviation safety practices, the Vietnam aviation requirements are maintained in a status that will allow the holder of an Vietnam license, certificate or authorization to be accepted in other States.
- (d) The CAAV shall develop and publish an NPRM for all rule making projects that add or upgrade requirements to the civil aviation regulations.
- (e) The CAAV may, when the criteria for issuance exist, issue a Special Regulation that is effective before or during the issuance of an NPRM and the rule making comment period.

1.200 PUBLIC SUBMISSION OF PROPOSED REQUIREMENT

- (a) A regulated entity may submit a proposed requirement for inclusion in the NPRM process.
- (b) The submission must be written in English and submitted in duplicate to the Director-General detailing:
- (1) The proposed text of the requirement;
 - (2) The supporting background and basis for the request; and
 - (3) Why the requirement would be in the public interest.
- (c) That request must contain, for the applicant, their:
- (1) Name
 - (2) Street address,
 - (3) Mailing address,
 - (4) Telephone number,
 - (5) Fax number (optional); and
 - (6) Email address (optional);
- (d) The sponsor of this proposed requirement must be a citizen or legal resident of Vietnam.
- (e) The CAAV shall conduct an evaluation of the proposed requirement and take the following action(s):

- (1) Notify the sponsor of the results of the evaluation; and
- (2) If the proposal meets one or more of the objectives of Section 1.190, publish an NPRM.

1.203 DESCRIPTION OF RULE MAKING PROPOSAL

- (a) The NPRM must include the following information this is relevant to the proposed rule making:
 - (1) The Control Number issued by the CAAV for tracking of NPRM and comments;
 - (2) A descriptive paragraph summarizing the proposed requirements;
 - (3) Identification of the objective(s) of Section 1.190 that are the basis for initiation of the NPRM;
 - (4) The background for initiating development of the proposed text;
 - (5) The proposed number and header of the requirement(s);
 - (6) The proposed text of the requirement;
 - (7) The address to which comments may be submitted;
 - (8) The time periods and deadlines for submission of comments; and
 - (9) How the comments will be summarized and provided to the public.

1.205 DISTRIBUTION OF THE NPRM

- (a) The CAAV shall distribute a copy of the NPRM to all interested parties.
- (b) License and certificate holders regulated by the CAAV shall be provided a copy of the the NPRM and invited to provide formal written comments regarding the proposed regulatory requirements.

1.207 CONSIDERATION OF COMMENTS OF REGULATED ENTITIES

- (a) After the comment period has expired, the CAAV shall conduct a technical evaluation of the comments that considers, with regard to the objectives of Section 1.190, if:
 - (1) The original basis for issuance met one or more of those objectives;
 - (2) The original text of the proposed requirement exceeds those objectives;
 - (3) Any other recommended alternative course of action would also meet those objectives; or
 - (4) The recommendations would fail to meet one or more of those objectives.
- (b) If the commentors provide alternative recommendations that would also meet the objectives of Section 1.190, each of these recommendations will be compared to the NPRM requirement proposed by the CAAV.
- (c) Each comment that meets the objectives of Section 1.190 shall be assessed separately to determine if that recommended revision to the original text would:
 - (1) Improve or clarify the requirement; and
 - (2) Result in a similar level of safety and cost effectiveness;
 - (3) Result in a significant difference with ICAO Standards and Recommended Practises;
 - (4) Be in conflict with a published and relevant international safety practice; or
 - (5) Exceed the original NPRM requirements in complexity or costs;
- (d) Before completing this evaluation process, the CAAV may also elect to:
 - (1) Hold public meetings of regulated entities to discuss and obtain more comments;
 - (2) Publish a revised NPRM to include revisions resulting from consideration of the comments and recommendations; or
 - (3) Withdraw the NPRM.
- (e) Before the proposed regulatory requirement becomes effective, the CAAV shall publish a report of this evaluation and provided to the each commentor to the original NPRM.

1.210 PUBLICATION OF PROPOSAL & TECHNICAL EVALUATION

- (a) The new or revised regulation shall contain:

- (1) The regulation number and title;
 - (2) The text of the requirements;
 - (3) The effective date of the requirements; and
 - (4) The transition period for conformance with the requirements.
- (b) Where possible, these requirements shall also be incorporated into the regulations in their proper numerical location and the revisions shall be identified by change bars on the left margin of the text.
- (c) The proposed new or revised regulation shall be provided to the Attorney-General for processing and publication through the Government Printing Office.

1.213 PUBLICATION & AVAILABILITY OF REQUIREMENTS

- (a) The CAAV shall ensure that any regulatory requirement that becomes legally effective is provided in digital or hard copy form to:
- (1) Persons that have previously registered with the CAAV as being interested in being advised when aviation requirements have been promulgated, amended or repealed;
 - (2) Persons or organizations that have a similar licence, certificate, operations specifications or other form of approval or authorisation; and
 - (3) New applicants for a licence, certificate, operations specifications or related form of approval or authorisation.
- (b) The CAAV shall publish any regulation amendment that relates to general requirements for the aviation community through the method of the Aeronautical Information Publication of Vietnam.
- (c) The CAAV shall provide notification to ICAO of any regulation amendment that contains a significant difference to an ICAO Standard or Recommended Practice.

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APPENDICES

APPENDIX 1 TO 1.007: GLOSSARY OF DEFINITIONS

- (a) The definitions of Section 1.007 and those provided in this Appendix apply to all requirements included in the civil aviation regulations.

Accelerate-stop distance available (ASDA). The length of the take-off run available plus the length of stopway, if provided.

Acceptance checklist. A document used to assist in carrying out a check on the external appearance of packages of dangerous goods and their associated documents to determine that all appropriate requirements have been met.

Accident. An occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, in which:

- (i) A person is fatally or seriously injured as a result of:
 - (A) Being in the aircraft;
 - (B) Direct contact with any part of the aircraft, including parts which have become detached from the aircraft; or
 - (C) Direct exposure to jet blast, except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew.
- (ii) The aircraft sustains damage or structural failure which adversely affects the structural strength, performance or flight characteristics of the aircraft, and would normally require major repair or replacement of the affected component, except for engine failure or damage, when the damage is limited to a single engine, (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windscreens, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or
- (iii) The aircraft is missing or is completely inaccessible.

Accident investigation authority. The authority designated by a State as responsible for aircraft accident and incident investigations within the context of ICAO Annex 13.

Accountable manager. The manager who has corporate authority for ensuring that all safety-related functions of the organization can be financed and carried out to the standard required by the CAAV.

Accredited medical conclusion. The conclusion reached by one or more medical experts acceptable to the CAAV for the purposes of the case concerned, in consultation with flight operations or other experts as necessary.

Accredited representative. As relating to an aircraft accident, a person designated by a State, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another party. Where the State has established an accident investigation authority, the designated accredited representative would normally be from that authority.

Acrobatic flight. Manoeuvres intentionally performed by an aircraft involving an abrupt change in its attitude, an abnormal attitude, or an abnormal variation in speed.

Acts of unlawful interference. These are acts or attempted acts such as to jeopardize the safety of civil aviation and air transport, i.e.:

- (i) Unlawful seizure of aircraft in flight,
- (ii) Unlawful seizure of aircraft on the ground,

- (iii) Hostage-taking on board an aircraft or on aerodromes,
- (iv) Forcible intrusion on board an aircraft, at an airport or on the premises of an aeronautical facility,
- (v) Introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes,
- (vi) Communication of false information as to jeopardize the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility.

ADS-C agreement. A reporting plan that establishes the conditions of ADS-C data reporting (i.e. data required by the air traffic services or control unit and frequency of ADS-C reports that have to be agreed to prior to the provision of the ADS-C services).

ADS agreement. An ADS reporting plan which establishes the conditions of ADS data reporting (i.e. data required by the air traffic services unit and frequency of ADS reports which have to be agreed to prior to the provision of the ADS services).

ADS contract. A means by which the terms of an ADS agreement will be exchanged between the ground system and the aircraft, specifying under what conditions ADS reports would be initiated, and what data would be contained in the reports.

Advisor. As relating to an aircraft accident, a person appointed by a State on the basis of his or her qualifications, for the purpose of assisting its accredited representative in an investigation.

Advisory airspace. An airspace of defined dimensions, or designated route, within which air traffic advisory service is available.

Advisory route. A designated route along which air traffic advisory service is available.

Aerial work. An aircraft operation in which an aircraft is used for specialized services such as agriculture, construction, photography, surveying, observation and patrol, search and rescue, aerial advertisement, etc.

Aerodrome/Airport/Heliport. A defined area on land or water intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft.

Aerodrome control service. Air traffic control service for aerodrome traffic.

Aerodrome control tower. A unit established to provide air traffic control service to aerodrome traffic.

Aerodrome operating minima. The limits of usability of an aerodrome for:

- (i) Take-off, expressed in terms of runway visual range and/or visibility and, if necessary, cloud conditions;
- (ii) Landing in 2D instrument approach operations, expressed in terms of visibility and/or runway visual range and minimum descent altitude/height (MDA/H) and, if necessary, cloud conditions; and
- (iii) Landing in 3D instrument approach operations, expressed in terms of visibility and/or runway visual range and decision altitude/height (DA/H); and as appropriate to the type and/or category of the operation.

Aerodrome traffic. All traffic on the manoeuvring area of an aerodrome and all aircraft flying in the vicinity of an aerodrome. An aircraft is in the vicinity of an aerodrome when it is in, entering or leaving an aerodrome traffic circuit.

Aerodrome traffic zone. An airspace of defined dimensions established around an aerodrome for the protection of aerodrome traffic.

Aeronautical experience. Pilot time obtained in an aircraft, approved flight simulator, or approved flight-training device for meeting the training and flight time requirements of these regulations.

Aeronautical Information Publication (AIP). A publication issued by or with the authority of a State and containing aeronautical information of a lasting character essential to air navigation.

- Aeronautical station (RR S1.81).** A land station in the aeronautical mobile service. In certain instances, an aeronautical station may be located, for example, on board ship or on a platform at sea.
- Aeronautical product.** Any aircraft, aircraft engine, propeller, or subassembly, appliance, material, part, or component to be installed thereon.
- Aeroplane.** A power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.
- Aeroplane flight manual.** A manual, associated with the certificate of airworthiness, containing limitations within which the aeroplane is to be considered airworthy, and instructions and information necessary to the flight crew members of the safe operation of the aeroplane.
- Agricultural aircraft operation.** The operation of an aircraft for the purpose of:
- (i) Dispensing any economic poison;
 - (ii) Dispensing any other substance intended for plant nourishment, soil treatment, propagation of plant life, or pest control; or
 - (iii) Engaging in dispensing activities directly affecting agriculture, horticulture, or forest preservation, but not including the dispensing of live insects.
- Airborne collision avoidance system (ACAS).** An aircraft system based on secondary surveillance radar (SSR) transponder signals which operates independently of ground-based equipment to provide advice to the pilot on potential conflicting aircraft that are equipped with SSR transponders.
- Aircraft.** Aircraft is any machine that can derive support in the atmosphere from the reactions of the air, which includes airplane, helicopter, glider, balloon, and/or other flying apparatus, other than from the reactions of the air against the earth's surface. (Refer to Appendix 2 to 1007 for the classification of aircraft.)
- Aircraft avionics.** A term designating any electronic device – including its electrical part – for use in an aircraft, including radio, automatic flight control and instrument systems.
- Aircraft – category of.** Classification of aircraft according to specified basic characteristics.
- Aircraft certificated for single-pilot operation.** A type of aircraft which the State of Registry has determined, during the certification process, can be operated safely with a minimum crew of one pilot.
- Aircraft certificated for multi-pilot operation.** A type of aircraft which the State of Registry has determined, during the certification process, can be operated safely with a minimum crew of two pilots.
- Aircraft incident.** An aircraft incident means an occurrence, other than an aircraft accident, associated with the operation of an aircraft, which affects or could affect the safety of flight operations.
- Aircraft component.** Any component part of an aircraft up to and including a complete powerplant and/or any operational/emergency equipment.
- Aircraft maintenance system (AMS).** The aircraft maintenance program prepared by the aircraft operator based on the aircraft maintenance program issued by the manufacturer and in accordance with applicable aircraft configuration, operation conditions and governmental requirement of the country where the aircraft is registered and approved by the aviation authorities of the country of registration of aircraft.
- Aircraft operating manual.** A manual, acceptable to the State of the Operator, containing normal, abnormal and emergency procedures, checklists, limitations, performance information, details of the aircraft systems and other material relevant to the operation of the aircraft.
- Aircraft operator.** The aircraft operator means an organization, individual engaged in the aircraft operation
- Aircraft operation.** Where found in these regulations, this phrase indicates that different requirements will be applicable to the operation of the aircraft.

- Aircraft piracy.** Any actual or attempted seizure or exercise of control, by force or violence, or by any other form of intimidation, with wrongful intent, of an aircraft within the jurisdiction of the Vietnam.
- Aircraft required to be operated with a co-pilot.** A type of aircraft that is required to be operated with a co-pilot, as specified in the flight manual or by the air operator certificate.
- Aircraft technical log.** Documentation for an aircraft that includes the maintenance record for the aircraft and a record for each flight made by the aircraft. The aircraft technical log is comprised of a journey records section and a maintenance section.
- Aircraft – type of.** All aircraft of the same basic design, including all modifications thereto except those modifications which result in a change in handling or flight characteristics.
- Airframe.** The fuselage, booms, nacelles, cowlings, fairings, airfoil surfaces (including rotors but excluding propellers and rotating airfoils of a powerplant), and landing gear of an aircraft and their accessories and controls.
- Air-ground control radio station.** An aeronautical telecommunication station having primary responsibility for handling communications pertaining to the operation and control of aircraft in a given area.
- Airman.** This term refers to:
- (i) Any individual who engages, as the person in command or as pilot, mechanic, or member of the crew, or who navigates an aircraft while the aircraft is underway;
 - (ii) Any individual in charge of the inspection, maintenance, overhauling, or repair of aircraft, and any individual in charge of the inspection, maintenance, overhauling, or repair of aircraft, aircraft engines, propellers, or appliances; or
 - (iii) Any individual who serves in the capacity of flight dispatcher.
- Airmanship.** The consistent use of good judgment and well-developed knowledge, skills and attitudes to accomplish flight objectives.
- Air navigation facility.** Any facility used in, available for use in, or designed for use in aid of air navigation, including airports, landing areas, lights, any apparatus or equipment for disseminating weather information, for signalling, for radio directional finding, or for radio or other electromagnetic communication, and any other structure or mechanism having a similar purpose for guiding or controlling flight in the air or the landing and takeoff of aircraft.
- Air operator.** Any organisation which undertakes to engage in domestic commercial air transport or international commercial air transport, whether directly or indirectly or by a lease or any other arrangement.
- Air operator certificate (AOC).** A certificate authorizing an operator to carry out specified commercial air transport operations.
- Airport.** [See Aerodrome].
- Airship.** A power-driven lighter-than-air aircraft.
- Air-taxiing.** Movement of a helicopter/VTOL above the surface of an aerodrome, normally in ground effect and at a ground speed normally less than 37 km/h (20 kt).
- Air traffic.** All aircraft in flight or operating on the manoeuvring area of an aerodrome.
- Air traffic advisory service.** A service provided within advisory airspace to ensure separation, in so far as practical, between aircraft which are operating on IFR flight plans.
- Air traffic control clearance.** authorisation for an aircraft to proceed under conditions specified by an air traffic control unit. The term “air traffic control clearance” is frequently abbreviated to “clearance” when used in appropriate contexts.
- Air traffic control (ATC) facility.** A building holding the persons and equipment responsible for providing ATC services (e.g., airport tower, approach control, centre). May also be called air traffic control unit.
- Air traffic control service.** A service provided for the purpose of:

- (i) Preventing collisions:
- (ii) Between aircraft, and
- (iii) On the manoeuvring area between aircraft and obstructions, and
- (iv) Expediting and maintaining an orderly flow of air traffic.

Air traffic control unit. A generic term meaning variously, area control centre, approach control unit or aerodrome control tower.

Air traffic service. A generic term meaning variously, flight information service, alerting service, air traffic advisory service, air traffic control service (area control service, approach control service or aerodrome control service).

Air traffic services airspaces. Airspaces of defined dimensions, alphabetically designated, within which specific types of flights may operate and for which air traffic services and rules of operation are specified.

Air traffic services reporting office. A unit established for the purpose of receiving reports concerning air traffic services and flight plans submitted before departure. An air traffic services reporting office may be established as a separate unit or combined with an existing unit, such as another air traffic services unit, or a unit of the aeronautical information service.

Air traffic services unit. A generic term meaning variously, air traffic control unit, flight information centre or air traffic services reporting office.

Airway. A control area or portion thereof established in the form of a corridor.

Airworthiness approval tag. A tag that may be attached to a part. The tag must include the part number, serial number, and current life status of the part. Each time the part is removed from a type certificated product, a new tag must be created or the existing tag must be updated with the current life status. The airworthiness approval tag has two distinct purposes:

- (i) As a certification of release to service of a part, component or assembly after maintenance, preventive maintenance, overhaul or rebuilding, and
- (ii) For shipping of a newly manufactured part.

Airworthiness data. Any information necessary to ensure that an aircraft or aircraft component can be maintained in a condition such that airworthiness of the aircraft, or serviceability of operational and emergency equipment, as appropriate, is assured.

Airworthiness directive. Continuing airworthiness information that applies to the following products: aircraft, aircraft engines, propellers, and appliances. An airworthiness directive is mandatory if issued by the State of Design.

Airworthy. The status of an aircraft, engine, propeller or part when it conforms to its approved design and is in a condition for safe operation.

Alerting service. A service provided to notify appropriate organisations regarding aircraft in need of search and rescue aid, and assist such organisations as required.

Alternate aerodrome/airport/heliport. An aerodrome to which an aircraft may proceed when it becomes either impossible or inadvisable to proceed to or land at the aerodrome of intended landing where the necessary services and facilities are available, where aircraft performance requirements can be met and which is operational at the expected time of use. Alternate aerodromes include the following:

- (i) *Takeoff alternate.* An alternate aerodrome at which an aircraft would be able to land should this become necessary shortly after takeoff and it is not possible to use the aerodrome of departure.
- (ii) *En-route alternate.* An alternate aerodrome at which an aircraft would be able to land in the event that a diversion becomes necessary en route.
- (iii) *ETDO en-route alternate.* A suitable and appropriate alternate aerodrome at which an aeroplane would be able to land after experiencing an engine shut-down or other abnormal or emergency condition while en route in an ETDO operation.

- (iv) *Destination alternate.* An alternate aerodrome at which an aircraft would be able to land should it become either impossible or inadvisable to land at the aerodrome of intended landing.

Note: The aerodrome from which a flight departs may also be an en-route or a destination alternate aerodrome for that flight.

Altimetry system error (ASE). The difference between the altitude indicated by the altimeter display, assuming a correct altimeter barometric setting, and the pressure altitude corresponding to the undisturbed ambient pressure

Altitude. The vertical distance of a level, a point or an object considered as a point, measured from mean sea level (MSL).

Annexes to the Chicago Convention. The documents issued by the International Civil Aviation Organisation (ICAO) containing the Standards and Recommended Practices applicable to civil aviation. (Law)

Anticipated operating conditions. Those conditions which are known from experience or which can be reasonably envisaged to occur during the operational life of the aircraft taking into account the operations for which the aircraft is made eligible, the conditions so considered being relative to the meteorological state of the atmosphere, to the configuration of terrain, to the functioning of the aircraft, to the efficiency of personnel and to all the factors affecting safety in flight. Anticipated operating conditions do not include:

- (i) Those extremes which can be effectively avoided by means of operating procedures; and
- (ii) Those extremes which occur so infrequently that to require the Standards to be met in such extremes would give a higher level of airworthiness than experience has shown to be necessary and practical.

Appliance. Any instrument, mechanism, equipment, part, apparatus, appurtenance, or accessory, including communications equipment, that is used or intended to be used in operating or controlling an aircraft in flight, is installed in or attached to the aircraft, and is not part of an airframe, powerplant, or propeller.

Approach control service. Air traffic control service for arriving or departing controlled flights.

Approach control unit. A unit established to provide air traffic control service to controlled flights arriving at, or departing from, one or more aerodromes.

Approach and landing operations using instrument approach procedures. [*Refer to Instrument Approach Operations – classifications of.*]

Approach and landing phase: helicopters. That part of the flight from 300 m (1 000 ft) above the elevation of the FATO, if the flight is planned to exceed this height, or from the commencement of the descent in the other cases, to landing or to the balked landing point.

Approach control service. Air traffic control service for arriving or departing controlled flights.

Approach control unit. A unit established to provide air traffic control service to controlled flights arriving at, or departing from, one or more aerodromes.

Appropriate airworthiness requirements. The comprehensive and detailed airworthiness codes established, adopted or accepted by a Contracting State for the class of aircraft, engine or propeller under consideration.

Appropriate ATS or ATC authority. The relevant authority responsible for providing air traffic services in the airspace concerned.

Appropriate authority.

- (i) *Regarding flight over the high seas:* The appropriate ATS authority for the region.
- (ii) *Regarding flight other than over the high seas:* The relevant authority of the State having sovereignty over the territory being overflown.
- (iii) *Regarding flight over Vietnam:* The Civil Aviation Administration of Vietnam, which, under the Civil Aviation Act, is responsible for the oversight of civil aviation in Vietnam.

Approval (as related to Dangerous goods). An authorization granted by an appropriate national authority for::

- (i) The transport of dangerous goods forbidden on passenger and/or cargo aircraft where the Technical Instructions state that such goods may be carried with an approval; or
- (ii) Other purposes as provided for in the Technical Instructions.

Approval for return to service. See maintenance release.

Approved continuous maintenance programme. A maintenance programme approved by the State of Registry.

Approved data. Technical information approved by the CAAV.

Approved maintenance organization. An organization approved by the CAAV, in accordance with the Annex (and Part 5 of these regulations), to perform maintenance of aircraft or parts thereof and operating under supervision approved by that State.

Approved standard. A manufacturing, design, maintenance, or quality standard approved by the CAAV.

Approved training. Training carried out under special curricula and supervision approved by the CAAV.

Approved training organization. An organization approved by the CAAV or another Contracting State in accordance with the requirements of Annex 1 (Part 9 for Vietnam organizations) to perform training for the licences and authorisations. The approved training organization operates under the supervision of the approving State.

Apron. A defined area, on a land aerodrome, intended to accommodate aircraft for purposes of loading or unloading passengers, mail or cargo, fuelling, parking or maintenance.

Area control centre. A unit established to provide air traffic control service to controlled flights in control areas under its jurisdiction.

Area control service. Air traffic control service for controlled flights in control areas.

Area navigation (RNAV). A method of navigation that permits aircraft operations on any desired flight path within the coverage of station-referenced navigation aids or within the limits of the capability of self-contained aids, or a combination of these. Area navigation includes performance-based navigation as well as other operations that do not meet the definition of performance-based navigation

Article. Any item, including but not limited to, an aircraft, airframe, aircraft engine, propeller, appliance, accessory, assembly, subassembly, system, subsystem, component, unit, product, or part.

ATS or ATC route. A specified route designed for channelling the flow of traffic as necessary for the provision of air traffic services. (The term "ATS route" is used to mean variously, airway, advisory route, controlled or uncontrolled route, arrival or departure route, etc.) An ATS route is defined by route specifications which include an ATS route designator, the track to or from significant points (way-points), distance between significant points, reporting requirements and, as determined by the appropriate ATS authority, the lowest safe altitude.

ATS surveillance service. A term used to indicate a service provided directly by means of an ATS surveillance system.

ATS surveillance system. A generic term meaning variously, ADS-B, PSR, SSR or any comparable ground-based system that enables the identification of aircraft.

Authorised instructor. A person who:

- (i) Holds a valid ground instructor certificate issued under Part 7 of these regulations when conducting ground training;
- (ii) Holds a current flight instructor certificate issued under Part 7 of these regulations when conducting ground training or flight training; or
- (iii) Is authorised by the CAAV to provide ground training or flight training under any Part of these regulations.

- Authorised person.** Persons with delegated authority under law with responsibility to perform aviation safety supervision tasks, including evaluations, inspections and investigations, on behalf of the State. These persons are employed or designated by the State and assigned to the CAAV. These persons may also evaluate, authorize and supervise other qualified persons from the aviation community to perform tasks as “authorised persons”.
- Automatic dependent surveillance – broadcast (ADS-B).** A means by which aircraft aerodrome vehicles and other objects can automatically transmit and/or receive data such as identification, position and additional data, as appropriate, in a broadcast mode via a data link.
- Automatic dependent surveillance – contract (ADS-C).** A means by which the terms of an ADS-C agreement will be exchanged between the ground system and the aircraft, via a data link, specifying under what conditions ADS-C reports would be initiated, and what data would be contained in the reports.
- Automatic deployable ELT (ELT(AD)).** An ELT which is rigidly attached to an aircraft and which is automatically deployed and activated by impact, and, in some cases, also by hydrostatic sensors. Manual deployment is also provided.
- Automatic fixed ELT (ELT(AF)).** An automatically activated ELT which is permanently attached to an aircraft.
- Automatic portable ELT (ELT(AP)).** An automatically activated ELT which is rigidly attached to an aircraft but readily removable from the aircraft.
- Aviation personnel.** Aviation personnel shall include persons whose duties are directly related to ensuring aviation safety and security, aircraft operation, air transport, and air navigation. They shall possess licenses and certificates which are issued or validated by the CAAV.
- Balloon.** A non-power-driven lighter-than-air aircraft.
- Banner.** An advertising medium supported by a temporary framework attached externally to the aircraft and towed behind the aircraft.
- Basic instrument flight trainer.** *See flight simulation training device.*
- Cabin crew member.** The cabin crew members shall be those who perform, in the interest of safety of passengers, duties assigned by the operator or the pilot-in-command of the aircraft, but who shall not act as a flight crew member.
- Calendar.** The use of this word is used in this set of civil aviation regulations describes a consecutive period of time.
- Calendar day.** The period of elapsed time, using Coordinated Universal Time or local time, that begins at midnight and ends 24 hours later in the next midnight.
- Calendar month.** A period of a month beginning and ending with the dates that are conventionally accepted as marking the beginning and end of a numbered month (as January 1 through January 31 in the Gregorian calendar).
- Calendar year.** A period of a year beginning and ending with the dates that are conventionally accepted as marking the beginning and end of a numbered year (as January 1 through December 31 in the Gregorian calendar).
- Calibration.** A set of operations, performed in accordance with a definite documented procedure that compares the measurement performed by a measurement device or working standard with a recognised bureau of standards for the purpose of detecting and reporting or eliminating adjustment errors in the measurement device, working standard, or aeronautical product tested.
- Cargo.** Any property carried on an aircraft other than mail and accompanied or mishandled baggage.
- Cargo aircraft.** Any aircraft carrying goods or property but not passengers. In this context the following are not considered to be passengers:
- (i) A crew member.

- (ii) An operator's employee permitted by, and carried in accordance with, the instructions contained in the Operations Manual.
- (iii) An authorised representative of an CAAV.
- (iv) A person with duties in respect of a particular shipment on board.

Carry-on baggage (cabin baggage). The carry-on baggage means baggage that is taken care of by passengers and is brought along with them into the aircraft cabin during the flight.

Category A. With respect to helicopters, means a multi-engine helicopter designed with engine and system isolation features specified in Part IVB and capable of operations using take-off and landing data scheduled under a critical engine failure concept which assures adequate designated surface area and adequate performance capability for continued safe flight or safe rejected take-off.

Category B. With respect to helicopters, means a single-engine or multi-engine helicopter which does not meet Category A standards. Category B helicopters have no guaranteed capability to continue safe flight in the event of an engine failure, and a forced landing is assumed.

Category of certificate. Certificate for an aircraft, including the design, the limitation of operation, type certificate data sheet, airworthiness standards and any conditions or restrictions apply to aircraft type such as Vietnam defined or recognized.

Catering stores. All items, other than catering supplies, associated with passenger in-flight services, that includes newspapers, magazines, headphones, audio and video tapes, pillows and blankets, amenity kits;

Catering supplies. Food, beverages, other dry stores and associated equipment used on board an aircraft.

***[Relocated - Approach categories now included in "approach and landing in instrument conditions.]*

Causes. As relating to an aircraft accident or incident, actions, omissions, events, conditions, or a combination thereof which led to the accident or incident.

Ceiling. The height above the ground or water of the base of the lowest layer of cloud below 6 000 metres (20 000 feet) covering more than half the sky.

Certify as airworthy. The required maintenance record entry completed by a properly authorised person after the modification, overhaul, repair, or the inspection of an aircraft, or aircraft component required by the CAAV.

Certifying staff. Those personnel who are authorised by the Approved Maintenance Organization in accordance with a procedure acceptable to the CAAV to certify aircraft or aircraft components for release to service.

Changeover point. The point at which an aircraft navigating on an ATC route segment defined by reference to very high frequency omnidirectional radio ranges is expected to transfer its primary navigational references from the facility behind the aircraft to the next facility ahead of the aircraft.

Check airman (aeroplane). A person who is qualified, and permitted, to conduct an evaluation in an aeroplane, in a flight simulation training device for a particular type aeroplane, for a particular AOC holder.

Check airman (simulator). A person who is qualified to conduct an evaluation, but only in a flight simulation training device for a particular type aircraft, for a particular AOC holder.

Checklist. The maintenance and / or repair list must be inspected by a person not on duty, not the person cause the error, improperly, dangerous to the safety operation of aircraft, not conduct the job properly or used parts or supplies not meet standards;

Chicago Convention. ("Convention") The Convention on International Civil Aviation concluded in Chicago, U.S.A., in 1944, entered into force in 1947. The Articles of the Chicago Convention govern the actions of the contracting States in matters of international civil aviation safety directly and through the Annexes to the Convention, which set forth ICAO Standards and Recommended Practices.

Citizen of Vietnam. This term refers to one of the following:

- (i) An individual who is a citizen of the Vietnam;
- (ii) A partnership of which each member is a citizen of the Vietnam; or
- (iii) A corporation or association created or organised and authorised under the laws of Vietnam.

Civil aircraft. Any aircraft other than a military aircraft.

Civil aviation. The operation of any civil aircraft for the purpose of general aviation operations, aerial work or commercial air transport operations.

Clearance limit. The point to which an aircraft is granted an air traffic control clearance.

Combined vision system (CVS). A system to display images from a combination of an enhanced vision system (EVS) and a synthetic vision system (SVS).

Command and control link (C2). The data link between the remotely piloted aircraft and the remote pilot station for the purposes of managing the flight.

COMAT. Operator material carried on an operator's aircraft for the operator's own purposes.

Commercial air transport. An aircraft operation involving the transport of passengers, cargo, or mail for remuneration or hire.

Common mark. A mark assigned by the International Civil Aviation Organization to the common mark registering authority registering aircraft of an international operating agency on other than a national basis.

Common mark registering authority. The authority maintaining the non-national register or, where appropriate, the part thereof, in which aircraft of an international operating agency are registered.

Competency. A combination of skills, knowledge and attitudes required to perform a task to the prescribed standard.

Competency element. An action that constitutes a task that has a triggering event and a terminating event that clearly defines its limits, and an observable outcome.

Competency in civil aviation. This phrase means that an individual shall have a technical qualification and management experience acceptable to the CAAV for the position served.

Competency unit. A discrete function consisting of a number of competency elements.

Complex aeroplane. An aeroplane that has retractable landing gear, flaps, and a controllable pitch propeller; or in the case of a seaplane, flaps and a controllable pitch propeller.

Composite. Structural materials made of substances, including, but not limited to, wood, metal, ceramic, plastic, fiber-reinforced materials, graphite, boron, or epoxy, with built-in strengthening agents that may be in the form of filaments, foils, powders, or flakes, of a different material

Computer system. Any electronic or automated system capable of receiving, storing, and processing external data, and transmitting and presenting such data in a usable form for the accomplishment of a specific function.

Configuration (as applied to the aeroplane). A particular combination of the positions of the moveable elements, such as wing flaps and landing gear, etc., that affect the aerodynamic characteristics of the aeroplane.

Configuration deviation list (CDL). A list established by the organization responsible for the type design with the approval of the State of Design which identifies any external parts of an aircraft type which may be missing at the commencement of a flight, and which contains, where necessary, any information on associated operating limitations and performance correction.

Congested area. A city, town or settlement, or open air assembly of people.

Congested hostile environment. A hostile environment within a congested area.

Consignment. One or more packages of dangerous goods accepted by an operator from one shipper at one time and at one address, receipted for in one lot and moving to one consignee at one destination address.

- Continuing airworthiness.** The set of processes by which an aircraft, engine, propeller or part complies with the applicable airworthiness requirements and remains in a condition for safe operation throughout its operating life.
- Contributing factors.** Actions, omissions, events, conditions, or a combination thereof, which, if eliminated, avoided or absent, would have reduced the probability of the accident or incident occurring, or mitigated the severity of the consequences of the accident or incident. The identification of contributing factors does not imply the assignment of fault or the determination of administrative, civil or criminal liability.
- Contracting States.** All States that are signatories to the Convention on International Civil Aviation (Chicago Convention).
- Control area.** A controlled airspace extending upwards from a specified limit above the earth.
- Control zone.** A controlled airspace extending upwards from the surface of the earth to a specified upper limit.
- Controlled aerodrome.** An aerodrome at which air traffic control service is provided to aerodrome traffic. The term "controlled aerodrome" indicates that air traffic control service is provided to aerodrome traffic but does not necessarily imply that a control zone exists.
- Controlled airspace.** An airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification. Controlled airspace is a generic term which covers ATS airspace Classes A, B, C, D and E.
- Controlled flight.** Any flight which is subject to an air traffic control clearance.
- Controlled flight into terrain.** Occurs when an airworthy aircraft is flown, under the control of a qualified pilot, into terrain (water or obstacles) with inadequate awareness on the part of the pilot of the impending collision.
- Controller-pilot data link communications (CPDLC).** A means of communication between controller and pilot, using data link for ATC communications.
- Conversion.** Conversion is the action taken by the CAAV in issuing its own licence on the basis of a licence issued by another Contracting State for use on aircraft registered in Vietnam.
- Co-pilot.** A licenced pilot serving in any piloting capacity other than as pilot-in-command but excluding a pilot who is on board the aircraft for the sole purpose of receiving flight instruction.
- Corporate aviation operation.** The non-commercial operation or use of aircraft by a company for the carriage of passengers or goods as an aid to the conduct of company business, flown by a professional pilot(s) employed to fly the aircraft.
- Course.** A programme of instruction to obtain an airman licence, rating, qualification, authorisation, or currency.
- Courseware.** Instructional material developed for each course or curriculum, including lesson plans, flight event descriptions, computer software programmes, audio-visual programmes, workbooks, and handouts.
- Credit.** Recognition of alternative means or prior qualifications.
- Crew member.** A person assigned by an operator to duty on an aircraft during a flight duty period. The crew members shall include those who are designated by the aircraft operator to perform their duties during a flight.
- Crew resource management.** A programme designed to improve the safety of flight operations by optimizing the safe, efficient, and effective use of human resources, hardware, and information through improved crew communication and co-ordination.
- Critical engine.** The engine whose failure would most adversely affect the performance or handling qualities of an aircraft.
- Critical phases of flight.** Those portions of operations involving taxiing, takeoff and landing, and all flight operations below 10,000 feet, except cruise flight.

- Cross country.** A flight between a point of departure and a point of arrival following a pre-planned route using standard navigation procedures.
- Cross-country time.** That time a pilot spends in flight in an aircraft which includes a landing at a point other than the point of departure and, for the purpose of meeting the cross-country time requirements for a private pilot licence (except with a rotorcraft rating), commercial pilot licence, or an instrument rating, includes a landing at an aerodrome which must be a straight-line distance of more than 50 nautical miles from the original point of departure.
- Cruise climb.** An aeroplane cruising technique resulting in a net increase in altitude as the aeroplane mass decreases.
- Cruise relief pilot.** A flight crew member who is assigned to perform pilot tasks during cruise flight, to allow the pilot-in-command or a co-pilot to obtain planned rest.
- Cruising level.** A level maintained during a significant portion of a flight.
- Current flight plan.** The flight plan, including changes, if any, brought about by subsequent clearances.
- Danger area.** An airspace of defined dimensions within which activities dangerous to the flight of aircraft may exist at specified times.
- Dangerous goods.** Articles or substances which are capable of posing a risk to health, safety, property or the environment when transported by air and which are classified according to the International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air.
- Dangerous goods accident.** An occurrence associated with and related to the transport of dangerous goods by air which results in fatal or serious injury to a person or major property damage or environmental damage.
- Dangerous goods incident.** An occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods by air, not necessarily occurring on board an aircraft, which results in injury to a person, property or environmental damage, fire, breakage, spillage, leakage of fluid or radiation or other evidence that the integrity of the packaging has not been maintained. Any occurrence relating to the transport of dangerous goods which seriously jeopardises an aircraft or its occupants is also deemed to constitute a dangerous goods incident.
- Dangerous goods transport document.** A document specified by the ICAO Technical Instructions for the Safe Transportation of Dangerous Goods by Air. It is completed by the person who offers dangerous goods for air transport and contains information about those dangerous goods. The document bears a signed declaration indicating that the dangerous goods are fully and accurately described by their proper shipping names and UN numbers (if assigned) and that they are correctly classified, packed, marked, labelled and in a proper condition for transport.
- Data link communications.** A form of communication intended for the exchange of messages via a data link.
- Data link recording system.** A device that records those messages whereby the flight path of the aircraft is authorised, controlled directly or indirectly, and which are relayed over a digital data-link rather than by voice communication.
- Decision altitude (DA) or decision height (DH).** A specified altitude or height in the precision approach or approach with vertical guidance at which a missed approach must be initiated if the required visual reference to continue the approach has not been established. Decision altitude (DA) is referenced to mean sea level and decision height (DH) is referenced to the threshold elevation. For convenience where both expressions are used they may be written in the form "decision altitude/height" and abbreviated "DA/H".
- Defined Point.**
- (i) **Defined point after take-off (DPATO).** The point, within the take-off and initial climb phase, before which the Performance Class 2 helicopter's ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required.

- (ii) **Defined point before landing (DPBL).** The point, within the approach and landing phase, after which the Performance Class 2 helicopter's ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required.

Design landing mass. The maximum mass of the aircraft at which, for structural design purposes, it is assumed that it will be planned to land.

Design take-off mass. The maximum mass at which the aircraft, for structural design purposes, is assumed to be planned to be at the start of the take-off run.

Design taxiing mass. The maximum mass of the aircraft at which structural provision is made for load liable to occur during use of the aircraft on the ground prior to the start of take-off.

***[Relocated "Destination Alternate" to "Alternate"].*

Detect and avoid. The capability to see, sense or detect conflicting traffic or other hazards and take the appropriate action.

Directly in Charge. As applied to an Maintenance Organisation, this phrase means an appropriately licensed person having the responsibility for the work of an approved maintenance organisation that performs maintenance, preventive maintenance, alterations, or other functions affecting aircraft airworthiness. A person directly in charge does not need to physically observe and direct each worker constantly but must be available for consultation on matters requiring Director instruction or decision from higher authority.

Discrete source damage. Structural damage of the aeroplane that is likely to result from: impact with a bird, uncontained fan blade failure, uncontained engine failure, uncontained high-energy rotating machinery failure or similar causes.

Ditching. The forced landing of an aircraft on water.

Dry lease. The lease of an aircraft without the crew.

Dual instruction time. Flight time during which a person is receiving flight instruction from a properly authorised pilot on board the aircraft.

Duty. Any task that flight or cabin crew members are required by the operator to perform, including, for example, flight duty, administrative work, training, positioning and standby when it is likely to induce fatigue.

Duty period. As related to an air operator, a period which starts when flight or cabin crew personnel are required by an operator to report for or to commence a duty and ends when that person is free from all duties.

Duty time. The total time from the moment a person identified in these regulations begins, immediately after a rest period, any work on behalf of the certificate holder until that person is free from all restraint associated with that work.

***[Relocated "ETOPS en-route alternate" to "ETDO en-route alternate."]*

EDTO critical fuel. The fuel quantity necessary to fly to an en-route alternate aerodrome considering, at the most critical point on the route, the most limiting system failure.

EDTO-significant system. An aeroplane system whose failure or degradation could adversely affect the safety particular to an EDTO flight, or whose continued functioning is specifically important to the safe flight and landing of an aeroplane during an EDTO diversion.

Economic poison. Any substance or mixture of substances intended for:

- (i) Preventing, destroying, repelling, or mitigating any insects, rodents, nematodes, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living human beings or other animals, which Vietnam may declare to be a pest, and
- (ii) Use as a plant regulator, defoliant or desiccant.

Effective length of the runway. The distance for landing from the point at which the obstruction clearance plane associated with the approach end of the runway intersects the centreline of the runway to the far end.

Electronic Flight Bag (EFB). An electronic information system for flight crew which allows for storing, updating, delivering, displaying and/or computing digital data to support flight operations or duties.

Elevated heliport. A heliport located on a raised structure on land.

Emergency Locator Transmitter (ELT). A generic term describing equipment which broadcast distinctive signals on designated frequencies and, depending on application, may be automatically activated by impact or be manually activated. An ELT may be any of the following:

- (i) **Automatic fixed ELT.** An automatically activated ELT which is permanently attached to an aircraft.
- (ii) **Automatic portable ELT.** An automatically activated ELT which is rigidly attached to an aircraft but readily removable from the aircraft.
- (iii) **Automatically deployable ELT.** An ELT which is rigidly attached to an aircraft and which is automatically deployed and activated by impact, and in some cases, also be hydrostatic sensors. Manual deployment is also provided.
- (iv) **Survival ELT.** An ELT which is removable from an aircraft, stowed so as to facilitate its ready use in an emergency, and manually activated by survivors.

***[Relocated "en-route alternate" to "alternate airport."]*

Engine. A unit used or intended to be used for aircraft propulsion. It consists of at least those components and equipment necessary for functioning and control, but excludes the propeller/rotors (if applicable).

Enhanced ground proximity warning. A forward looking warning system that uses the terrain data base for terrain avoidance.

Enhanced vision system. A system to display electronic real-time images of the external scene achieved through the use of image sensors. (EVS does not include night vision imaging systems (NVIS).)

En-route phase. That part of the flight from the end of the take-off and initial climb phase to the commencement of the approach and landing phase.

Equivalent system of maintenance. An AOC holder may conduct maintenance activities through an arrangement with an AMO or may conduct its own maintenance, preventive maintenance, or alterations, so long as the AOC holder's maintenance system is approved by the CAAV and is equivalent to that of an AMO, except that the approval for return to service of an aircraft/aeronautical product shall be made by an appropriately licenced aviation maintenance technician or aircraft repair specialists, as appropriate.

Error. An action or inaction by an operational person that leads to deviations from organizational or the operational person's intentions or expectations.

Error management. The process of detecting and responding to errors with countermeasures that reduce or eliminate the consequences of errors, and mitigate the probability of errors or undesired aircraft state.

Estimated off-block time. The estimated time at which the aircraft will commence movement associated with departure.

Estimated time of arrival. For IFR flights, the time at which it is estimated that the aircraft will arrive over that designated point, defined by reference to navigation aids, from which it is intended that an instrument approach procedure will be commenced, or, if no navigation aid is associated with the aerodrome, the time at which the aircraft will arrive over the aerodrome. For VFR flights, the time at which it is estimated that the aircraft will arrive over the aerodrome.

****[Relocated "ETOPS en-route alternate " to "ETDO en-route alternate."]*

Evaluator. A qualified person employed by the holder of an Aviation Training Organization (ATO) certificate who is authorised by the CAAV to administer checks and tests on behalf of the CAAV, authorisations, and proficiency checks that are authorised by the certificate holder's training specification, and who is authorised by the CAAV to administer such checks and tests.

Examiner. A qualified person designated by the CAAV to conduct a pilot proficiency test, a practical test for an airman licence or rating, or a knowledge test under these regulations.

Exception (as related to dangerous goods). a provision in Part 18 (and in ICAO Annex 18) which the CAAV may exclude a specific item of dangerous goods from the requirements normally applicable to that item.

Exemption (as related to dangerous goods). An authorization, other than an approval, issued by an appropriate national authority providing relief from the provisions of Part 18 (and ICAO Annex.18).

Expected approach time. The time at which ATC expects that an arriving aircraft, following a delay, will leave the holding point to complete its approach for a landing. The actual time of leaving the holding point will depend upon the approach clearance.

Extended diversion time operations (EDTO). Any operation by an aeroplane with two or more turbine engines where the diversion time to an en-route alternate aerodrome is greater than the threshold time established by the State of the Operator.

Extended overwater operation:

- (i) With respect to aircraft other than helicopters, an operation over water at a horizontal distance from the shoreline that is more than 30 minutes at cruising speed or 100 nautical miles; and
- (ii) With respect to helicopters, an operation over water at a horizontal distance of more than 50 nautical miles from the nearest shoreline and more than 50 nautical miles from an offshore heliport structure.

External load. A load that is carried, or extends outside of the aircraft fuselage.

Facility. As used in Part 6, a physical plant, including land, buildings, and equipment, which provide the means for the performance of maintenance, preventive maintenance, or alterations of any article.

Factor of overload. The ratio between the specific load weight and weight of the aircraft, expressed in terms of the aerodynamic forces, inertia or impact with the ground.

Factor of safety. A design factor used to provide for the possibility of loads greater than those assumed, and for uncertainties in design and fabrication.

Fatal injury. As relates to an aircraft accident, any injury which results in death within 30 days of the accident.

Filed flight plan. The flight plan as filed with an ATS unit by the pilot or a designated representative, without any subsequent changes.

Final approach and take-off area (FATO). A defined area over which the final phase of the approach manoeuvre to hover or landing is completed and from which the take-off manoeuvre is commenced. Where the FATO is to be used by performance Class 1 helicopters, the defined area includes the rejected take-off area available.

Fireproof material. A material capable of withstanding heat as well as or better than steel when the dimensions in both cases are appropriate for the specific purpose.

Fireproof:

- (i) With respect to materials and parts used to confine fire in a designated fire zone, means the capacity to withstand at least as well as steel in dimensions appropriate for the purpose for which they are used, the heat produced when there is a severe fire of extended duration in that zone; and
- (ii) With respect to other materials and parts, means the capacity to withstand the heat associated with fire at least as well as steel in dimensions appropriate for the purpose for which they are used.

Fire resistant--

- (i) With respect to sheet or structural members means the capacity to withstand the heat associated with fire at least as well as aluminium alloy in dimensions appropriate for the purpose for which they are used; and

- (ii) With respect to fluid-carrying lines, fluid system parts, wiring, air ducts, fittings, and powerplant controls, means the capacity to perform the intended functions under the heat and other conditions likely to occur when there is a fire at the place concerned.

Flame resistant. As used in this set of civil aviation regulations, means not susceptible to combustion to the point of propagating a flame, beyond safe limits, after the ignition source is removed.

Flammable, As used in this set of civil aviation regulations with respect to a fluid or gas, means susceptible to igniting readily or to exploding.

Flash resistant. As used in this set of civil aviation regulations means not susceptible to burning violently when ignited.

Flight(s). The period from takeoff to landing.

Flight crew member. A licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period

Flight data analysis. A process of analysing recorded flight data in order to improve the safety of flight operations.

Flight dispatcher. A person designated by the operator to engage in the control and supervision of flight operations, whether licensed or not, suitably qualified in accordance with Annex 1, who supports, briefs and/or assists the pilot-in-command in the safe conduct of the flight

Flight Duty Period. A period which commences when a flight or cabin crew member is required to report for duty that includes a flight or a series of flights and which finishes when the aeroplane finally comes to rest and the engines are shut down at the end of the last flight on which he/she is a crew member

Flight information region. An airspace of defined dimensions within which flight information service and alerting service are provided.

Flight information service. A service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights.

Flight level. A surface of constant atmospheric pressure which is related to a specific pressure datum, 1 013.2 hectopascals (hPa), and is separated from other such surfaces by specific pressure intervals. A pressure type altimeter calibrated in accordance with the Standard Atmosphere:

- (i) when set to a QNH altimeter setting, will indicate altitude;
- (ii) when set to a QFE altimeter setting, will indicate height above the QFE reference datum;
- (iii) when set to a pressure of 1 013.2 hPa, may be used to indicate flight levels.

Note : The terms "height" and "altitude" as used above, indicate altimetric rather than geometric heights and altitudes.

Flight manual. A manual, associated with the certificate of airworthiness, containing limitations within which the aircraft is to be considered airworthy, and instructions and information necessary to the flight crew members for the safe operation of the aircraft.

Flight plan. Specified information provided to air traffic services units, relative to an intended flight or portion of a flight of an aircraft.

Flight procedures training. *See flight simulation training device.*

Flight recorder. Any type of recorder installed in the aircraft for the purpose of complementing accident/incident investigation.

Flight review. A review of the knowledge and flight skills appropriate to the pilot licence and ratings conducted by a licensed instructor in a instructional atmosphere.

Flight safety documents system. A set of inter-related documentation established by the operator, compiling and organizing information necessary for flight and ground operations, and comprising, as a minimum, the operations manual and the operator's maintenance control manual.

Flight simulation training device. Any one of the following three types of apparatus in which flight conditions are simulated on the ground:

- (i) *A flight simulator*, which provides an accurate representation of the flight deck of a particular aircraft type to the extent that the mechanical, electrical, electronic, etc. aircraft systems control functions, the normal environment of flight crew members, and the performance and flight characteristics of that type of aircraft are realistically simulated
- (ii) *A flight procedures trainer*, which provides a realistic flight deck environment, and which simulates instrument responses, simple control functions of mechanical, electrical, electronic, etc. aircraft systems, and the performance and flight characteristics of aircraft of a particular class.
- (iii) *A basic instrument flight trainer*, which is equipped with appropriate instruments and which simulates the flight deck environment of an aircraft in flight in instrument flight conditions.

Flight simulator. See *flight simulation training device*.

Flight status. An indication of whether a given aircraft requires special handling by air traffic services units or not.

Flight time – aeroplanes. The total time from the moment an aeroplane first moves to taxi for the purpose of taking off until the moment it finally comes to rest at the end of the flight.

Flight time – cross-country. That time a pilot spends in flight in an aircraft which includes a landing at a point other than the point of departure and, for the purpose of meeting the cross-country time requirements for a private pilot licence (except with a rotorcraft rating), commercial pilot licence, or an instrument rating, includes a landing at an aerodrome which must be a straight-line distance of more than 50 nautical miles from the original point of departure.

Flight time – dual instruction. Flight time during which a person is receiving flight instruction from a properly authorised pilot on board the aircraft.

Flight time – gliders. The total time occupied in flight, whether being towed or not, from the moment the glider first moves for the purpose of taking off until the moment it comes to rest at the end of the flight.

Flight time – helicopters. The total time from the moment a helicopter's rotor blades start turning until the moment the helicopter finally comes to rest at the end of the flight, and the rotor blades are stopped.

Flight time – instrument. Time during which a pilot is piloting an aircraft solely by reference to instruments and without external reference points.

Flight time – solo. Flight time during which a student pilot is the sole occupant of an aircraft, or that flight time during which the student acts as a PIC of a gas balloon or an airship requiring more than one flight crew member.

Flight training. Training, other than ground training, received from an authorised instructor in flight in an aircraft.

Flight visibility. The visibility forward from the cockpit of an aircraft in flight.

Foreign air operator. Any operator, not being a Vietnam air operator, which undertakes, whether directly or indirectly or by lease or any other arrangement, to engage in commercial air transport operations within borders or airspace of Vietnam, whether on a scheduled or charter basis;

Foreign Authority. The civil aviation authority that issues and oversees the Air Operator Certificate of the foreign operator.

Freight container. See *unit load device*.

Freight container in the case of radioactive material transport. An article of transport equipment designed to facilitate the transport of packaged goods, by one or more modes of transport without intermediate reloading. It must be of a permanent enclosed character, rigid and strong enough for repeated use, and must be fitted with devices facilitating its handling, particularly in transfer between aircraft and from one mode of transport to another. A small freight container is that which has either an overall outer dimension less than 1.5 m, or an internal volume of not more than 3m³. Any other freight container is considered to be a large freight container.

General aviation. All aviation activity at an aerodrome associated with the arrival and departure of aircraft other than approved air operators by licence or permit.

General aviation operation. An aircraft operation other than a commercial air transport operation or an aerial work operation.

Glider. A non-power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.

Goods. Personal belongings, baggage, cargo, mail, article, thing or conveyance that may be taken or placed on board an aircraft or taken into a restricted area.

Ground handling. Services necessary for an aircraft's arrival at, and departure from, an airport, other than air traffic services.

Ground proximity warning system (GPWS). A warning system that uses radar altimeters to alert the pilots of hazardous flight conditions.

Ground visibility. The visibility at an aerodrome, as reported by an accredited observer.

Gyro plane. A heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors which rotate freely on substantially vertical axes.

Handling agent. A person, organization or enterprise engaged in or offering services to an air operator.

Hazard. A condition or an object with the potential to cause injuries to personnel, damage to equipment or structures, loss of material, or reduction of ability to perform a prescribed function.

Heading. The direction in which the longitudinal axis of an aircraft is pointed, usually expressed in degrees from North (true, magnetic, compass or grid).

Head-up display (HUD). A display system that presents flight information into the pilot's forward external field of view.

Heavier-than-air aircraft. Any aircraft deriving its lift in flight chiefly from aerodynamic forces.

Height. The vertical distance of a level, a point or an object considered as a point, measured from a specified datum.

Helicopter. A heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axes.

Helideck. A heliport located on a floating or fixed offshore structure.

Heliport. An aerodrome or defined area on a structure intended to be used wholly or in part for the arrival, departure, and surface movement of helicopters.

Heliport operating minima. The limits of usability of a heliport for:

- (i) Take-off, expressed in terms of runway visual range and/or visibility and, if necessary, cloud conditions;
- (ii) Landing in precision approach and landing operations, expressed in terms of visibility and/or runway visual range and decision altitude/height (DA/H) as appropriate to the category of the operation;
- (iii) Landing in approach and landing operations with vertical guidance, expressed in terms of visibility and/or runway visual range and decision altitude/height (DA/H); and
- (iv) Landing in non-precision approach and landing operations, expressed in terms of visibility and/or runway visual range, minimum descent altitude/height (MDA/H) and, if necessary, cloud conditions.

High speed aural warning. A speed warning that is required for turbine-engined aeroplanes and aeroplanes with a V_{MO}/M_{MO} greater than $0.80 V_{DF}/M_{DF}$ or V_D/M_D .

Holdover time. The estimated time de-icing/anti-icing fluid will prevent the formation of frost or ice and the accumulation of snow on the protected surfaces of an aircraft. Holdover time begins when the final application of de-icing or anti-icing fluid commences and expires when the de-icing or anti-icing fluid applied to the aircraft loses its effectiveness.

Housing. As it related to a maintenance organisation, this term describes the buildings, hangers, and other structures to accommodate the necessary equipment and materials of a maintenance organisation that:

- (i) Provide working space for the performance of maintenance, preventive maintenance, or alterations for which the maintenance organisation is approved and rated; and
- (ii) Provide structures for the proper protection of aircraft, airframes, aircraft engines, propellers, appliances, components, parts, and subassemblies thereof during disassembly, cleaning, inspection, repair, alteration, assembly, and testing; and
- (iii) Provide for the proper storage, segregation, and protection of materials, parts, and supplies.

Human factors principles. Principles which apply to aeronautical design, certification, training, components by proper consideration to human performance.

Human performance. Human capabilities and limitations which have an impact on the safety, security and efficiency of aeronautical operations.

ICAO. Where used in these Regulations, this is an abbreviation for the International Civil Aviation Organisation.

IFR. The symbol used to designate the instrument flight rules.

IFR flight. A flight conducted in accordance with the instrument flight rules.

IMC. The symbol used to designate instrument meteorological conditions.

Incident. An occurrence other than an accident, associated with the operation of an aircraft, which affects or could affect the safety of operations.

Incendiary device. An object, other than a match or pocket lighter, that is fabricated with combustible materials and when ignited may cause fire damage to property or inflict burn injuries on individuals.

Incompatible. Describing dangerous goods which, if mixed, would be liable to cause a dangerous evolution of heat or gas or produce a corrosive substance.

Industry codes of practice. Guidance material developed by an industry body, for a particular sector of the aviation industry to comply with the requirements of the International Civil Aviation Organization's Standards and Recommended Practices, other aviation safety requirements and the best practices deemed appropriate.

Inspection. The examination of an aircraft or aircraft component to establish conformity with a standard approved by the CAAV.

Instrument approach operations. An approach and landing using instruments for navigation guidance based on an instrument approach procedure. There are two methods for executing instrument approach operations:

- (i) A two-dimensional (2D) instrument approach operation, using lateral navigation guidance only; and
- (ii) A three-dimensional (3D) instrument approach operation, using both lateral and vertical navigation guidance.

Instrument approach operations - classifications of. Classifications of instrument approach operations based on the designed lowest operating minima below which an approach operation shall only be continued with the required visual reference as follows:

- (i) Type A: a minimum descent height or decision height at or above 75 m (250 ft); and
- (ii) Type B: a decision height below 75 m (250 ft). Type B instrument approach operations are categorized as:
 - (A) Category I (CAT I): a decision height not lower than 60 m (200 ft) and with either a visibility not less than 800 m or a runway visual range not less than 550 m;
 - (B) Category II (CAT II): a decision height lower than 60 m (200 ft), but not lower than 30 m (100 ft) and a runway visual range not less than 300 m;

- (C) Category IIIA (CAT IIIA): a decision height lower than 30 m (100 ft) or no decision height and a runway visual range not less than 175 m;
- (D) Category IIIB (CAT IIIB): a decision height lower than 15 m (50 ft), or no decision height and a runway visual range less than 175 m but not less than 50 m; and
- (E) Category IIIC (CAT IIIC): no decision height and no runway visual range limitations.

Instrument approach procedure. A series of predetermined manoeuvres by reference to flight instruments with specified protection from obstacles from the initial approach fix, or where applicable, from the beginning of a defined arrival route to a point from which a landing can be completed and thereafter, if a landing is not completed, to a position at which holding or en-route obstacle clearance criteria apply.

- (i) **Non-precision approach (NPA) procedure.** Non precision approach (NPA) procedure. An instrument approach procedure designed for 2D instrument approach operations Type A.
- (ii) **Approach procedure with vertical guidance (APV).** A performance based navigation (PBN) instrument approach procedure designed for 3D instrument approach operations Type A..
- (iii) **Precision approach (PA) procedure.** An instrument approach procedure based on navigation systems (ILS, MLS, GLS and SBAS Cat I) designed for 3D instrument approach operations Type A or B.

Note: Lateral and vertical guidance refers to the guidance provided either by (a) ground-based navigation aid; or (b) computer-generated navigation data.

Instrument flight time. Time during which a pilot is piloting an aircraft solely by reference to instruments and without external reference points.

Instrument ground time. Time during which a pilot is practising, on the ground, simulated instrument flight in a flight simulation training device approved by the CAAV.

Instrument meteorological conditions. Meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, less than the minima specified for visual meteorological conditions.

Instrument training. Training which is received from an authorised instructor under actual or simulated instrument meteorological conditions.

Integrated survival suit. A survival suit which meets the combined requirements of the survival suit and life jacket

Interchange agreement. A leasing agreement which permits an air carrier to dry lease and take or relinquish operational control of an aircraft at an airport.

International commercial air transport. The carriage by aircraft of persons or property for remuneration or hire or the carriage of mail between any two or more countries.

International operating agency. An agency of the kind contemplated in Article 77 of the Convention.

Investigation. As relates to an aircraft accident or incident, a process conducted for the purpose of accident prevention which includes the gathering and analysis of information, the drawing of conclusions, including the determination of causes and, when appropriate, the making of safety recommendations.

Investigator-in-charge. As relates to an aircraft accident or indent, a person charged, on the basis of his or her qualifications, with the responsibility for the organisation, conduct and control of an investigation.

Isolated aerodrome. A destination aerodrome for which there is no destination alternate aerodrome suitable for a given aeroplane type.

Journey log. A form signed by the PIC of each flight that records the aeroplane's registration, crew member names and duty assignments, the type of flight, and the date, place, and time of arrival and departure.

Knowledge test. A test on the aeronautical knowledge areas required for an airman licence or rating that can be administered in written form or by a computer.

- Landing area.** That part of a movement area intended for the landing or take-off of aircraft.
- Landing distance available (LDA).** The length of runway which is declared available and suitable for the ground run of an aeroplane landing.
- Landing decision point (LDP).** The point used in determining landing performance from which, a power-unit failure occurring at this point, the landing may be safely continued or a bailed landing initiated. LDP applies to performance Class 1 helicopters.
- Landing surface.** That part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft landing in a particular direction.
- Large aircraft.** Where this term is used in this set of civil aviation regulations, it refers to both large aeroplanes and large helicopters.
- Large aeroplane.** An aeroplane having a maximum certified takeoff mass of over 5,700 kg. (12,500 lbs)
- Large helicopter.** A helicopter with a maximum certificated take-off mass of over 2730 kg.
- Licensing Authority.** The Authority designated by a Contracting State as responsible for the licensing of personnel.
- Level.** A generic term relating to the vertical position of an aircraft in flight and meaning variously, height, altitude or flight level.
- Life-limited part.** Any part for which a mandatory replacement limit is specified in the type design, the Instructions for Continued Airworthiness, or the maintenance manual.
- Lighter-than-air aircraft.** Any aircraft supported chiefly by its buoyancy in the air.
- Likely.** In the context of the medical provisions in Part 8, *likely* means with a probability of occurring that is unacceptable to the medical assessor.
- Limit loads.** The maximum loads assumed to occur in the anticipated operating conditions.
- Line maintenance.** Any unscheduled maintenance resulting from unforeseen events, or scheduled checks that contain servicing and/or inspections that do not require specialised training, equipment or facilities.
- Line operating flight time.** Flight time recorded by the PIC or Co-Pilot while in revenue service for an AOC holder.
- Load factor.** The ratio of a specified load to the weight of the aircraft, the former being expressed in terms of aerodynamic forces, inertia forces, or ground reactions.
- Long range overwater flights.** Routes on which an aeroplane may be over water and at more than a distance corresponding to 120 minutes at cruising speed or 740 nm (400 NM), whichever is the lesser, away from land suitable for making an emergency landing.
- Low altitude wind shear warning and guidance system.** A system that will issue a warning of low altitude wind shear and in some cases provide the pilot with guidance information of the escape manoeuvre.
- Mach number indicator.** An indicator that shows airspeed as a function of the Mach number.
- **[Relocated "medical assessment" to correct alphabetical order.]*
- Maintenance.** The performance of tasks required to ensure the continuing airworthiness of an aircraft, including any one or combination of overhaul, inspection, replacement, defect rectification, and the embodiment of a modification or repair.
- Maintenance Certificate.** A document confirming that the maintenance work, depending on the completed level as expected, based on the approved data and the procedures described in the Maintenance organisation's Manual procedures equivalent system.
- Maintenance control manual.** A document that describes the operator's procedures necessary to ensure that all scheduled and unscheduled maintenance is performed on the operator's aircraft on time and in a controlled and satisfactory manner.
- Maintenance organization's procedures manual.** A document endorsed by the head of the maintenance organization which details the maintenance organization's structure and management

responsibilities, scope of work, description of facilities, maintenance procedures and quality assurance or inspection systems.

Maintenance programme. A document which describes the specific scheduled maintenance tasks and their frequency of completion and related procedures, such as a reliability programme, necessary for the safe operation of those aircraft to which it applies.

Maintenance release. A document which contains a certification confirming that the maintenance work to which it relates has been completed in a satisfactory manner, either in accordance with the approved data and the procedures described in the maintenance organization's procedures manual or under an equivalent system.

Major modification. Major modification means an modification not listed in the aircraft, aircraft engine, or propeller specifications that:

- (i) Might appreciably affect weight, balance, structural strength, performance, powerplant, operations, flight characteristics, or other qualities affecting airworthiness; or
- (ii) Cannot be done by elementary operations.

Major repair. Major repair means a repair that:

- (i) If improperly done might appreciably affect weight, balance, structural strength, performance, powerplant, operations, flight characteristics, or other qualities affecting airworthiness; or
- (ii) Is not done according to accepted practices or cannot be done by elementary operations.

Management agency of general registration. National register agency of non-[international] or the part of the register, the registration of aircraft of international operators.

Manoeuvring area. That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, excluding aprons.

Master minimum equipment list (MMEL). A list established for a particular aircraft type by the organization responsible for the type design with the approval of the State of Design containing items, one or more of which is permitted to be unserviceable at the commencement of a flight. The MMEL may be associated with special operating conditions, limitations or procedures.

Materially altered aircraft. Aircraft having engines installed other than those for which it is certified or alterations to the aircraft or its components.

Maximum diversion time. Maximum allowable range, expressed in time, from a point on a route to an en-route alternate aerodrome.

Maximum mass. Maximum certificated take-off mass.

Medical assessment. The evidence issued by a Contracting State that the licence holder meets specific requirements of medical fitness. It is issued following an evaluation by the CAAV of the report submitted by the designated medical examiner who conducted the examination of the applicant for the licence.

Medical assessor. A physician, appointed by the CAAV, qualified and experienced in the practice of aviation medicine and competent in evaluation and assessing medical conditions of flight safety significance.

Medical examiner. A physician with training in aviation medicine and practical knowledge and experience of the aviation environment, who is designated by the CAAV to conduct medical examinations of fitness of applicants for licences or ratings for which medical requirements are prescribed.

Medical certificate. The evidence issued by the CAAV that the licence holder meets specific requirements of medical fitness. It is issued following an evaluation by the CAAV of the report submitted by the designated medical examiner who conducted the assessment (examination) of the applicant for the licence.

Meteorological information. Meteorological report, analysis, forecast, and any other statement relating to existing or expected meteorological conditions.

Minimum descent altitude (MDA) or minimum descent height (MDH). A specified altitude or height in a 2D approach operation or circling approach operation below which descent must not be made without the required visual reference.

Note 1.: Minimum descent altitude (MDA) is referenced to mean sea level and minimum descent height (MDH) is referenced to the aerodrome elevation or to the threshold elevation if that is more than 2 m (7 ft) below the aerodrome elevation. A minimum descent height for a circling approach is referenced to the aerodrome elevation.

Note 2.: The required visual reference means that section of the visual aids or of the approach area which should have been in view for sufficient time for the pilot to have made an assessment of the aircraft position and rate of change of position, in relation to the desired flight path. In the case of a circling approach the required visual reference is the runway environment.

Note 3.: For convenience when both expressions are used they may be written in the form "minimum descent altitude/height" and abbreviated "MDA/H".

Minimum equipment list (MEL). A list which provides for the operation of aircraft, subject to specified conditions, with particular equipment inoperative, prepared by an operator in conformity with, or more restrictive than, the MMEL established for the aircraft type.

Minister. The Minister responsible for aviation oversight.

Minor modification. A modification other than a major modification

Modification. The modification of an aircraft/aeronautical product in conformity with an approved standard.

Movement area. That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, consisting of the manoeuvring area and the apron(s).

Navigable airspace. The airspace above the minimum altitudes of flight prescribed in the civil aviation regulations and includes airspace needed to insure safety in the takeoff and landing of aircraft.

Navigation of aircraft. A function which includes the piloting of aircraft.

Navigation specification. A set of aircraft and flight crew requirements needed to support performance-based navigation operations within a defined airspace. There are two kinds of navigation specifications:

- (i) *RNP specification.* A navigation specification based on area navigation that includes the requirement for performance monitoring and alerting, designated by the prefix RNP, e.g. RNP 4, RNP APCH.
- (ii) *RNAV specification.* A navigation specification based on area navigation that does not include the requirement for performance monitoring and alerting, designated by the prefix RNAV, e.g. RNAV 5, RNAV 1.

Night. The hours between the end of evening civil twilight and the beginning of morning civil twilight or such other period between sunset and sunrise. A variation of this definition may be prescribed by the appropriate authority of State overflown.

Non-congested hostile environment. A hostile environment outside a congested area.

Non-hostile environment. An environment in which:

- (i) A safe forced landing can be accomplished because the surface and surrounding environment are adequate;
- (ii) The helicopter occupants can be adequately protected from the elements;
- (iii) Search and rescue response/capability is provided consistent with anticipated exposure; and
- (iv) The assessed risk of endangering persons or property on the ground is acceptable.

Obstacle clearance altitude (OCA) or obstacle clearance height (OCH). The lowest altitude or the lowest height above the elevation of the relevant runway threshold or the aerodrome elevation as applicable, used in establishing compliance with appropriate obstacle clearance criteria.

- (i) Obstacle clearance altitude is referenced to mean sea level and obstacle clearance height is referenced to the threshold elevation or in the case of non-precision approaches to the aerodrome elevation or the threshold elevation if that is more than 2 m (7 ft) below the aerodrome elevation.
- (ii) An obstacle clearance height for a circling approach is referenced to the aerodrome elevation.
- (iii) For convenience when both expressions are used they may be written in the form "obstacle clearance altitude/height" and abbreviated "OCA/H".

Occurrence. In relation to an aircraft, this means any incident which:

- (i) Endangers or which, if not corrected, would endanger an aircraft, its occupants or any other person; or
- (ii) Resulted in an accident.

Offshore operations. Operations which routinely have a substantial proportion of the flight conducted over sea areas to or from offshore locations. Such operations include, but are not limited to, support of offshore oil, gas and mineral exploitation and sea-pilot transfer.

Operating base. The location from which operational control is exercised.

Operation. An activity or group of activities which are subject to the same or similar hazards and which require a set of equipment to be specified, or the achievement and maintenance of a set of pilot competencies, to eliminate or mitigate the risk of such hazards.

Operational control. The exercise of authority over the initiation, continuation, diversion or termination of a flight in the interest of the safety of the aircraft and the regularity and efficiency of the flight.

Operational flight plan. The operator's plan for the safe conduct of the flight based on considerations of aeroplane performance, other operating limitations and relevant expected conditions on the route to be followed and at the aerodromes concerned.

Operational personnel. Personnel involved in aviation activities who are in a position to report safety information.

Operation Directive (OD): the method, the documentation required by aircraft operator to ensure safe flight operation by the country of registration or national aircraft operator issued or recognized similar requirements by the national aviation authorities of the design, manufacturer issued;

Operations in performance Class 1. Operations with performance such that, in the event of a critical power-unit failure, performance is available to enable the helicopter to safely continue the flight to an appropriate landing area, unless the failure occurs prior to reaching the take-off decision point (TDP) or after passing the landing decision point (LDP), in which cases the helicopter must be able to land within the rejected take-off or landing area.

Operations in performance Class 2. Operations with performance such that, in the event of critical power-unit failure, performance is available to enable the helicopter to safely continue the flight to an appropriate landing area, except when the failure occurs early during the take-off manoeuvre or late in the landing manoeuvre, in which cases a forced landing may be required.

Operations in performance Class 3. Operations with performance such that, in the event of a power-unit failure at any time during the flight, a forced landing will be required.

Operations manual. A manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties.

Operations Specifications. Formal documents issued by the CAAV as a part of an approved organization's certificate to define the authorisations and limitations conveyed by the certificate.

Operator. A person, organisation or enterprise engaged in or offering to engage in an aircraft operation, including any person who causes or authorises the operation of an aircraft, such as the owner, lessee, or bailee of an aircraft.

- Operator's maintenance control manual.** A document which describes the operator's procedures necessary to ensure that all scheduled and unscheduled maintenance is performed on the operator's aircraft on time and in a controlled and satisfactory manner.
- Ornithopter.** A heavier-than-air aircraft supported in flight chiefly by the reactions of the air on planes to which a flapping motion is imparted.
- Overhaul.** The restoration of an aircraft/aircraft component using methods, techniques, and practices acceptable to the CAAV, including disassembly, cleaning, and inspection as permitted, repair as necessary, and reassembly; and tested in accordance with approved standards and technical data, or in accordance with current standards and technical data acceptable to the CAAV, which have been developed and documented by the State of Design, holder of the type certificate, supplemental type certificate, or a material, part, process, or appliance approval under Parts Manufacturing Authorisation (PMA) or Technical Standard Order (TSO).
- Overpack.** An enclosure used by a single shipper to contain one or more packages and to form one handling unit for convenience of handling and stowage. (A unit load device is not included in this definition.)
- Package.** The complete product of the packing operation consisting of the packaging and its contents prepared for transport.
- Packaging.** Receptacles and any other components or materials necessary for the receptacle to perform its containment function.
- Passenger aircraft.** An aircraft that carries any person other than a crew member, an operator's employee in an official capacity, an authorised representative of an appropriate national authority or a person accompanying a consignment or other cargo.
- Passenger exit seats.** Those seats having direct access to an exit, and those seats in a row of seats through which passengers would have to pass to gain access to an exit, from the first seat inboard of the exit to the first aisle inboard of the exit. A passenger seat having "direct access" means a seat from which a passenger can proceed directly to the exit without entering an aisle or passing around an obstruction.
- Performance-based navigation (PBN).** Area navigation based on performance requirements for aircraft operating along an ATS route, on an instrument approach procedure or in a designated airspace. Performance requirements are expressed in navigation specifications (RNAV specification, RNP specification) in terms of accuracy, integrity, continuity, availability and functionality needed for the proposed operation in the context of a particular airspace concept.
- Relocated "Performance Class-Helicopters" to "operations in performance class..."
- Performance criteria.** A simple, evaluative statement on the required outcome of the competency element and a description of the criteria used to judge if the required level of performance has been achieved.
- Person.** Any individual, firm, partnership, corporation, company, association, joint-stock association, or body politic, and includes any trustee, receiver, assignee, or other similar representative of these entities.
- Pilot in command.** The pilot responsible for the operation and safety of the aircraft during flight time, including the pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of the flight.
- Pilot-in-command under supervision.** Co-pilot performing, under the supervision of the pilot-in-command, the duties and functions of a pilot-in-command, in accordance with a method of supervision acceptable to the CAAV
- Pilot time.** That time a person:
- (i) Serves as a required pilot;

- (ii) Receives training from an authorised instructor in an aircraft, or an approved flight simulation training device; or
- (iii) Gives training as an authorised instructor in an aircraft, or an approved flight simulation training device.

Pilot (to). To manipulate the flight controls of an aircraft during flight time.

Point of no return. The last possible geographic point at which an aeroplane can proceed to the destination aerodrome as well as to an available en route alternate aerodrome for a given flight.

Powered-lift. A heavier-than-air aircraft capable of vertical takeoff, vertical landing, and low speed flight that depends principally on engine-driven lift devices or engine thrust for lift during these flight regimes and on non-rotating airfoil(s) for lift during horizontal flight.

Powerplant. An engine that is used or intended to be used for propelling aircraft. It includes turbo-superchargers, appurtenances, and accessories necessary for its functioning, but does not include propellers.

Power-unit. A system of one or more engines and ancillary parts which are together necessary to provide thrust, independently of the continued operation of any other power unit(s), but not including short period thrust-producing devices.

Primary Standard. A standard defined and maintained by a State Authority and used to calibrate secondary standards.

Practical test. See skill test.

Pre-flight inspection. The inspection carried out before flight to insure that the aircraft is fit for the intended flight.

Preliminary Report. The communication used for the prompt dissemination of data obtained during the early stages of the investigation.

Pressure-altitude. An atmospheric pressure expressed in terms of altitude which corresponds to that pressure in the Standard Atmosphere.*

Pressurized aircraft. For airman licensing purposes, means an aircraft that has a service ceiling or maximum operating altitude, whichever is lower, above 25,000 feet MSL.

Preventive maintenance. Simple or minor preservation operations and the replacement of small standard parts not involving complex assembly operations.

Problematic use of substances. The use of one or more psychoactive substances by aviation personnel in a way that constitutes a direct hazard to the user or endangers the lives, health or welfare of others; and/or causes or worsens an occupational, social, mental or physical problem or disorder.

Prohibited area. An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is prohibited.

Propeller. A device for propelling an aircraft that has blades on a powerplant driven shaft and that, when rotated, produces by its action on the air, a thrust approximately perpendicular to its plane of rotation. It includes control components normally supplied by its manufacturer, but does not include main and auxiliary rotors or rotating airfoils of powerplants.

Propeller-driven aeroplane. A piston or turbine-powered aeroplane that derives its primary thrust from propellers.

Proper shipping name. The name to be used to describe a particular article or substance in all shipping documents and notifications and, where appropriate, on packaging.

Psychoactive substances. Alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psycho stimulants, hallucinogens, and volatile solvents, whereas coffee and tobacco are excluded.

Quality. The totality of features and characteristics of a product or service that bear on its ability to satisfy stated or implied needs.

Quality assurance. Quality assurance, as distinguished from quality control, involves activities in the business, systems, and technical audit areas. A set of predetermined, systematic actions which are required to provide adequate confidence that a product or service satisfies quality requirements.

Quality control. The regulatory inspection process through which actual performance is compared with standards, such as the maintenance of standards of manufactured aeronautical products, and any difference is acted upon.

Quality system. Documented organizational procedures and policies; internal audit of those policies and procedures; management review and recommendation for quality improvement.

Radiotelephony. A form of radio-communication primarily intended for the exchange of information in the form of speech.

Rated air traffic controller. An air traffic controller holding a licence and valid ratings appropriate to the privileges to be exercised.

Rating. An authorisation entered on or associated with a licence and forming part thereof, stating special conditions, privileges or limitations pertaining to such licence.

RCP type. A label (e.g. RCP 240) that represents the values assigned to RCP parameters for communication transaction time, continuity, availability and integrity.

Rebuild. The restoration of an aircraft/aircraft component by using methods, techniques, and practices acceptable to the CAAV, when it has been disassembled, cleaned, inspected as permitted, repaired as necessary, reassembled, and tested to the same tolerances and limits as a new item, using either new parts or used parts that conform to new part tolerances and limits. This work will be performed by only the manufacturer or an organization approved by the manufacturer, and authorised by the State of Registry.

Record. Any writing, drawing, map, tape, film, photograph, or other means by which information is preserved.

Reference Standard. A standard that is used to maintain working standards.

Regular passenger flights: supplying of air transport services from a particular terminal specifies a period of notice of flight schedule or flight plan published in newspapers, magazines or other means of advertising

Regulated agent. An agent, freight forwarder or any other entity who conducts business with an air operator and provides security controls that are accepted or authorised by the CAAV in respect of cargo, courier and express parcels or mail;

Regulated entity. An individual or organization An organization that is certificated, licensed or authorized by the CAAV to conduct activities in aviation

Re-issue of a licence, rating, authorisation or certificate. The administrative action taken after a licence, rating, authorisation or certificate has lapsed that re-issues the privileges of the licence, rating, authorisation or certificate for a further specified period consequent upon the fulfilment of specified requirements.

Remote pilot. A person charged by the operator with duties essential to the operation of a remotely piloted aircraft and who manipulates the flight controls, as appropriate, during flight time.

Remotely piloted aircraft (RPA). An unmanned aircraft which is piloted from a remote pilot station.

Remotely piloted aircraft system (RPAS). A remotely piloted aircraft, its associated remote pilot station(s), the required command and control links and any other components as specified in the type design.

Remote pilot station. The component of the remotely piloted aircraft system containing the equipment used to pilot the remotely piloted aircraft.

Repair. The restoration of an aircraft/aircraft component to a serviceable condition in conformity with an approved standard. The restoration of an aircraft component to an airworthy condition to ensure that the aircraft continues to comply with the design aspects of the appropriate air-worthiness

requirements used for the issuance of the Type Certificate for the respective aircraft type, after it has been damaged or subjected to wear.

Rendering (a licence) valid. The action taken by a Contracting State, as an alternative to issuing its own licence, in accepting a licence issued by any other Contracting State as the equivalent of its own licence.

Renewal – of licence, rating, authorisation or certificate. The administrative action taken within the period of validity of a licence, rating, authorisation or certificate that allows the holder to continue to exercise the privileges of a licence, rating, authorisation or certificate for a further specified period consequent upon the fulfilment of specified requirements.

Repetitive flight plan (RPL). A flight plan related to a series of frequently recurring, regularly operated individual flights with identical basic features, submitted by an operator for retention and repetitive use by ATS units.

Reporting point. A specified geographical location in relation to which the position of an aircraft can be reported.

Required inspection items. Maintenance items and/or modifications that must be inspected by a person other than the one performing the work, and include at least those that could result in a failure, malfunction, or defect endangering the safe operation of the aircraft, if not properly performed or if improper parts or materials are used.

Required communication performance (RCP). A statement of the performance requirements for operational communications in support of specific ATM functions.

Required communication performance type (RCP type). A label (e.g. RCP 240) that represents the values assigned to RCP parameters for communication transaction time, continuity, availability and integrity.

Required navigation performance (RNP). A statement of the navigation performance necessary for operation within a defined airspace.

Required visual reference – for instrument approaches. That section of the visual aids or of the approach area which should have been in view for sufficient time for the pilot to have made an assessment of the aircraft position and rate of change of position, in relation to the desired flight path. In Category III operations with a decision height the required visual reference is that specified for the particular procedure and operation.

Rescue. An operation to retrieve persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety.

Rest period. A continuous and defined period of time, subsequent to and/or prior to duty, during which flight or cabin crew members, maintenance personnel and flight dispatchers are free of all duties.

Restricted area (aerodrome). Any area of an aerodrome that is identified as an area to which access is restricted to authorised persons and includes any aircraft or vehicle on that aerodrome.

Restricted area (airspace). An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is restricted in accordance with certain specified conditions.

Restricted area pass. A document issued by the designated pass issuing authority, that entitles the holder to have access to a specific restricted area of an aerodrome during a specified period.

RNP type. A containment value expressed as a distance in nautical miles from the intended position within which flights would be for at least 95 per cent of the total flying time.

Rotorcraft. A power-driven heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors.

Rotorcraft flight manual. A manual, associated with the certificate of airworthiness, containing limitations within which the rotorcraft is to be considered airworthy, and instructions and information necessary to the flight crew members of the safe operation of the rotorcraft.

Rotorcraft load combinations. Configurations for external loads carried by rotorcraft:

- (i) *Class A*—external load fixed to the rotorcraft, cannot be jettisoned, and does not extend below the landing gear, used to transport cargo.
- (ii) *Class B*—external load suspended from the rotorcraft, which can be jettisoned, and is transported free of land or water during rotorcraft operations.
- (iii) *Class C*—external load suspended from the rotorcraft, which can be jettisoned, but remains in contact with land or water during rotorcraft operation.
- (iv) *Class D*—external load suspended from the rotorcraft for the carriage of persons.

Route sector. A flight comprising take off, departure, cruise of not less than 15 minutes, arrival, approach and landing phases.

RPA observer. A trained and competent person designated by the operator who, by visual observation of the remotely piloted aircraft, assists the remote pilot in the safe conduct of the flight.

Runway. A defined rectangular area on a land aerodrome prepared for the landing and take-off of aircraft.

Runway-holding position. A designated position intended to protect a runway, an obstacle limitation surface, or an ILS/MLS critical/sensitive area at which taxiing aircraft and vehicles shall stop and hold, unless otherwise authorised by the aerodrome control tower.

Runway visual range (RVR). The range over which the pilot of an aircraft on the centre line of a runway can see the runway surface markings or the lights delineating the runway or identifying its centre line.

Safe forced landing. Unavoidable landing or ditching with a reasonable expectation of no injuries to person in the aircraft or on the surface.

Safety. The state in which risks associated with aviation activities are reduced and controlled to an acceptable level.

Safety management system. A systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures.

Safety performance. A State or a service provider's safety achievement as defined by its safety performance targets and safety performance indicators

Safety performance indicator. A data-based safety parameter used for monitoring and assessing performance.

Safety performance target. The planned or intended objective for safety performance indicator(s) over a given period.

Safety programme. An integrated set of regulations and activities aimed at improving safety.

Safety recommendation. A proposal of the accident investigation authority of the State conducting the investigation, based on information derived from the investigation made with the intention of preventing accidents or incidents and which in no case has the purpose of creating a presumption of blame or liability for an accident or incident. In addition to safety recommendations arising from accident and incident investigations, safety recommendations may result from diverse sources, including safety studies.

Safety risk. The predicted likelihood and severity of the consequences or outcomes of a hazard.

Safety-sensitive personnel. Persons who might endanger aviation safety if they perform their duties and functions improperly including, but not limited to, crew members, aircraft maintenance personnel and air traffic controllers.

Satisfactory evidence. A set of documents or activities that a Contracting State accepts as sufficient to show compliance with an airworthiness requirement.

Scheduled passenger operations. The provision of an air transportation service for passengers from identified air terminals at a set time announced by timetable or schedule published in a newspaper, magazine or other advertising medium.

Secondary Standards. A standard maintained by comparison with a primary standard.

Second in command. A licenced pilot serving in a piloting capacity other than as pilot-in-command, who is designated as second in command and who meets second in command requirements of Part 10 of these regulations.

Security. A combination of measures and human and material resources intended to safeguard civil aviation against acts of unlawful interference.

Security programme. Measures adopted to safeguard international and domestic civil aviation against acts of unlawful interference;

Security officer or security screening officer. A duly trained and appointed aviation security guard

Series of flights. Series of flights are consecutive flights that:

- (i) Begin and end within a period of 24 hours; and
- (ii) Are all conducted by the same pilot-in-command.

Serious incident. An incident involving circumstances indicating that there was a high probability of an accident and associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down. An incident involving circumstances indicating that an accident nearly occurred, the difference being only in the outcome.

Serious injury. An injury which is sustained by a person in an accident and which:

- (i) Requires hospitalization for more than 48 hours, commencing within seven days from the date the injury was received;
- (ii) Results in a fracture of any bone (except simple fractures of fingers, toes or nose); or
- (iii) Involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage; or
- (iv) Involves injury to any internal organ; or
- (v) Involves second or third degree burns, or any burns affecting more than 5% of the body surface; or
- (vi) Involves verified exposure to infectious substances or injurious radiation.

Signal area. An area on an aerodrome used for the display of ground signals.

Signature. An individual's unique identification used as a means of authenticating a record entry or record. A signature may be hand-written, electronic, or any other form acceptable to the CAAV.

Sign a maintenance release (to). To certify that maintenance work has been completed satisfactorily in accordance with the applicable Standards of airworthiness, by issuing the maintenance release required by NTA Part 5.

Significant. In the context of the medical provisions in Part 8 of these regulations, "*significant*" means to a degree or of a nature that is likely to jeopardize flight safety.

Skill test. A competency test on the areas of operations for a licence, certificate, rating, or authorisation that is conducted by having the applicant respond to questions and demonstrate manoeuvres in flight, or in an approved flight simulation training device, or in a combination of these.

Small aircraft. When this term is used, it refers to both small aeroplanes and helicopters.

Small aeroplane. An aeroplane having a maximum certified take-off mass of less than 5,700 kg. (12,500 lbs.).

Small helicopter. A helicopter have a maximum certified take-off mass of less than 2730 kg.

Solo flight time. Flight time during which a student pilot is the sole occupant of the aircraft.

Spare parts. Any parts, appurtenances, and accessories of aircraft (other than aircraft engines and propellers), of aircraft engines (other than propellers), of propellers, and of appliances, maintained for installation or use in an aircraft, aircraft engine, propeller, or appliance, but which at the time are not installed therein or attached thereto.

Special aircraft jurisdiction of Vietnam. This includes:

- (i) Civil aircraft of Vietnam; and
- (ii) Any other aircraft within the jurisdiction of Vietnam, while the aircraft is in flight, which is from the moment when all external doors are closed following embarkation until the moment when one such door is opened for disembarkation or, in case of a forced landing, until the competent authorities take over the responsibility of the aircraft and the persons and property aboard.

Special VFR flight. A VFR flight cleared by air traffic control to operate within a control zone in meteorological conditions below VMC.

Specialised maintenance. Any maintenance not normally performed by an AMO (e.g., tire retreating, plating, etc.)

Specific operating provisions. the Specific Operating Provisions describe the ratings (Class and/or Limited) in detail and will contain or reference material and process specifications used in performing repair work, along with any limitations applied to the maintenance organisation. The accountable manager and the CAAV sign this document.

Standard. An object, artifact, tool, test equipment, system, or experiment that stores, embodies, or otherwise provides a physical quantity, which serves as the basis for measurement of the quantity. It also includes a document describing the operations and process that must be performed in order for a particular end to be achieved.

State(s). Where found in these regulations, this term indicates a country, whether Vietnam or a foreign country, that has obligations regarding international and domestic aviation. The following terms or phrases are used in ICAO Standards to assign those obligations:

State of the Aerodrome. The State in whose territory the aerodrome is located.

State of Design. The State having jurisdiction over the organization responsible for the type design.

State of Destination. The State in the territory of which the consignment is finally to be unloaded from an aircraft.

State of Manufacture. The State having jurisdiction over the organization responsible for the final assembly of the aircraft.

State of Occurrence. The State in the territory of which an accident or incident occurs.

State of the Operator. The State in which the operator's principal place of business is located or, if there is no such place of business, the operator's permanent residence.

State of Origin. The State in the territory of which the cargo is first to be loaded on an aircraft.

State of Registry. The State on whose register the aircraft is entered.

State Safety Program (SSP). An integrated set of regulations and activities established by a State aimed at improving safety.

Substance dependence. A condition in which a person is dependent on a substance, other than tobacco or ordinary xanthine-containing (e.g., caffeine) beverages, as evidenced by increased tolerance; manifestation of withdrawal symptoms; impaired control of use; or continued use despite damage to physical health or impairment of social, personal, or occupational functioning.

Substantial damage. Damage or failure which adversely affects the structural strength, performance, or flight characteristics of the aircraft, and which would normally require major repair or replacement of the affected component. Engine failure or damage limited to an engine if only one engine fails or is damaged, bent fairings or cowling, dented skin, small punctured holes in the skin or fabric, ground damage to rotor or propeller blades, and damage to landing gear, wheels, tires, flaps, engine accessories, brakes, or wingtips are not considered "substantial damage" for the purpose of this substantial damage relating to an aircraft accident.

Survival ELT (ELT(S)). An ELT which is removable from an aircraft, stowed so as to facilitate its ready use in an emergency, and manually activated by survivors.

Take-off alternate. An alternate aerodrome at which an aircraft can land should this become necessary shortly after take-off and it is not possible to use the aerodrome of departure.

- Take-off and initial climb phase.** That part of the flight from the start of take-off to 300 m (1 000 ft) above the elevation of the FATO, if the flight is planned to exceed this height, or to the end of the climb in the other cases.
- Takeoff decision point.** The point used in determining takeoff performance of a Class 1 helicopter from which, an engine failure occurring at this point, either a rejected takeoff may be made or a takeoff safely continued.
- Take-off surface.** That part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft taking off in a particular direction.
- Target level of safety (TLS).** A generic term representing the level of risk which is considered acceptable in particular circumstances.
- Taxiing.** Movement of an aircraft on the surface of an aerodrome under its own power, excluding take-off and landing.
- Taxiway.** A defined path on a land aerodrome established for the taxiing of aircraft and intended to provide a link between one part of the aerodrome and another, including:
- (i) *Aircraft stand taxiway.* A portion of an apron designated as a taxiway and intended to provide access to aircraft stands only.
 - (ii) *Apron taxiway.* A portion of a taxiway system located on an apron and intended to provide a through taxi route across the apron.
 - (iii) *Rapid exit taxiway.* A taxiway connected to a runway at an acute angle and designed to allow landing aeroplanes to turn off at higher speeds than are achieved on other exit taxiways thereby minimizing runway occupancy times.
- Technical instructions.** The latest effective edition of the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc. 9284-AN/905), including the supplement and any addendum, approved and published by decision of the Council of the ICAO. The abbreviated term "Technical Instructions" is used in these civil aviation regulations.
- Technical log.** A document carried on an aircraft that contains information to meet ICAO requirements; a technical log contains two independent sections: a journey record section and an aircraft maintenance record section.
- Terminal control area.** A control area normally established at the confluence of ATS routes in the vicinity of one or more major aerodromes.
- Terrain Awareness Warning System.** A system that provides the flight crew with sufficient information and alerting to detect a potentially hazardous terrain situation and so the flight crew may take effective action to prevent a controlled flight into terrain (CFIT) event.
- Threat.** As relating to flight, events or errors that occur beyond the influence of an operational person, increase operational complexity and which must be managed to maintain the margin of safety. (ICAO Annex 1)
- Threat management.** The process of detecting and responding to the threats with countermeasures that reduce or eliminate the consequences of threats, and mitigate the probability of errors or undesired aircraft. (ICAO Annex 1)
- Threshold time.** The range, expressed in time, established by the State of the Operator to an en-route alternate aerodrome, whereby any time beyond requires an EDTO approval from the State of the Operator.
- Total estimated elapsed time.** For IFR flights, the estimated time required from take-off to arrive over that designated point, defined by reference to navigation aids, from which it is intended that an instrument approach procedure will be commenced, or, if no navigation aid is associated with the destination aerodrome, to arrive over the destination aerodrome. For VFR flights, the estimated time required from take-off to arrive over the destination aerodrome.

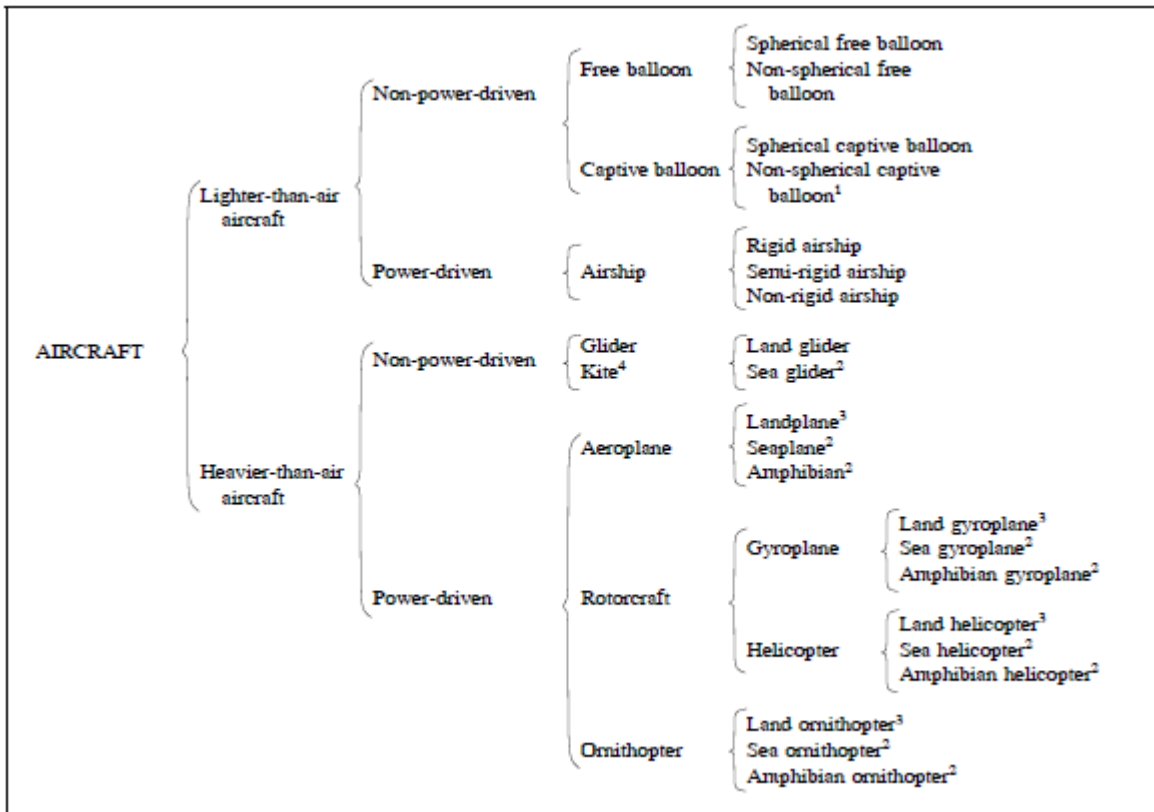
- Total vertical error (TVE).** The vertical geometric difference between the actual pressure altitude flown by an aircraft and its assigned pressure altitude (flight level).
- Traceability.** A characteristic of a calibration, analogous to a pedigree. A traceable calibration is achieved when each Measurement Device and Working Standard, in a hierarchy stretching back to the National Standard, was itself properly calibrated, and the results properly documented. The documentation provides the information needed to show that all calibrations in the chain of calibrations were properly performed.
- Track.** The projection on the earth's surface of the path of an aircraft, the direction of which path at any point is usually expressed in degrees from North (true, magnetic or grid).
- Traffic avoidance advice.** Advice provided by an air traffic services unit specifying manoeuvres to assist a pilot to avoid a collision.
- Traffic information.** Information issued by an air traffic services unit to alert a pilot to other known or observed air traffic which may be in proximity to the position or intended route of flight and to help the pilot avoid a collision.
- Training manual.** A manual containing the training goals, objectives, standards syllabi, and curriculum for each phase of the approved training course.
- Training procedures manual.** A manual containing procedures, instructions and guidance for use by personnel of an Approved Training Organisation in the execution of their duties in meeting the requirements of the certificate.
- Training programme.** programme that consists of courses, course ware, facilities, flight training equipment, and personnel necessary to accomplish a specific training objective. It may include a core curriculum and a speciality curriculum.
- Training specifications.** A document issued to an Aviation Training Organisation certificate holder by the CAAV that specifies training programme requirements and authorises the conduct of training, checking, and testing with any limitations thereof.
- Training time.** The time spent receiving from an authorised instructor flight training, ground training, or simulated flight training in an approved flight simulator or approved flight-training device.
- Training to proficiency.** The process of the check airman administering each prescribed manoeuvre and procedure to a pilot as necessary until it is performed successfully during the training period.
- Transfer Standard.** Any standard that is used to compare a measurement process, system, or device at one location or level with another measurement process, system or device at another location or level.
- Transition altitude.** The altitude at or below which the vertical position of an aircraft is controlled by reference to altitudes.
- Turbo-jet aeroplane.** An turbine-powered aeroplane that does not have propellers.
- Type Certificate.** A document issued by a Contracting State to define the design of an aircraft type and to certify that this design meets the appropriate airworthiness requirements of that State.
- Type certificate data sheet.** As part of the certificate specify the conditions and limits necessary to meet the requirements of the airworthiness standards applicable for that type of aircraft; provides precise definition of the product configuration of the aircraft was that type approved in certificate; include the following required information: type of engine (name of the manufacturer, engine type certificate, the number of engines installed on aircraft); fuels can be used; propellers and propeller limits; rotation speed (for helicopters); actuator torque limits (for with helicopter); flying speed limit; limits the focus range of the aircraft; limited focus range aircraft with empty load; reference points, the means used to check and balance of the aircraft; loads maximum; minimum flight crew; seat number; maximum cargo load; maximum fuel; maximum lubricants; elevation of the maximum activity; movement of the steering wheel controls; exported data; the basis for approval and manufacture of aircraft products;

- Undesired aircraft state.** Occurs when the flight crew places the aircraft in a situation of unnecessary risk. (ICAO Annex 1).
- Ultimate load.** The limit load multiplied by the appropriate factor of safety.
- Unaided night flight.** For a flight in which a pilot uses night vision goggles, the portion of the flight in which the pilot does not use night vision goggles to maintain visual surface reference.
- Undesired aircraft state.** Occurs when the flight crew places the aircraft in a situation of unnecessary risk.
- Unforeseen factors.** Factors which could have an influence on the fuel consumption to the destination aerodrome, such as deviations of an individual aeroplane from the expected fuel consumption data, deviations from forecast meteorological conditions, extended delays taxi times before take-off, and deviations from planned routings and/or cruising levels.
- UN number.** The four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals to identify an article or substance or a particular group of articles or substances.
- Unit load device.** Any type of freight container, aircraft container, aircraft pallet with a net, or aircraft pallet with a net over an igloo. (An overpack is not included in this definition.)
- Unmanned Aircraft.** A further classification of an aircraft which is intended to be operated with no pilot on board. Unmanned aircraft shall include unmanned free balloons and remotely piloted aircraft.
- Unmanned free balloon.** A non-power-driven, unmanned, lighter-than-air aircraft in free flight.
- Validation.** The acceptance of a certificate, licence, approval, designation, or authorisation issued by another ICAO Contracting State as the primary basis for the CAAV's issuance of a certificate, licence, approval, designation, or authorisation containing the same or more restrictive privileges.
- (i) **Rendering (a licence) valid.** The action taken by a Contracting State, as an alternative to issuing its own licence, in accepting a licence issued by any other Contracting State as the equivalent of its own licence.
 - (ii) **Rendering (a Certificate of Airworthiness) valid.** The action taken by a Contracting State, as an alternative to issuing its own Certificate of Airworthiness, in accepting a Certificate of Airworthiness issued by any other Contracting State as the equivalent of its own Certificate of Airworthiness.
- VFR flight.** A flight conducted in accordance with the visual flight rules.
- Visibility.** Visibility for aeronautical purposes is the greater of:
- (i) The greatest distance at which a black object of suitable dimensions, situated near the ground, can be seen and recognized when observed against a bright background;
 - (ii) The greatest distance at which lights in the vicinity of 1 000 candelas can be seen and identified against an unlit background.
- Visual line-of-sight (VLOS) operation.** An operation in which the remote pilot or RPA observer maintains direct unaided visual contact with the remotely piloted aircraft
- Visual meteorological conditions.** Meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, equal to or better than specified minima.
- V_{Toss}** The minimum speed at which climb shall be achieved with the critical engine inoperative, the remaining engines operating within approved operating limits.
- Weapon.** Any thing designed, used or capable of inflicting harm and includes a firearm.
- Wet Lease.** The lease of an aircraft with crew and other back-up.

APPENDIX 2 TO 1.007: CLASSIFICATION OF AIRCRAFT

- (a) The definitions involving specific classification of aircraft and sub-groupings of aircraft shall be in accordance with the following table.

- (d) An aircraft which is intended to be operated with no pilot on board shall be further classified as unmanned.
- (e) Unmanned aircraft shall include unmanned free balloons and remotely piloted aircraft.



- 1. Generally designated "kite-balloon".
- 2. "Float" or "boat" may be added as appropriate.
- 3. Includes aircraft equipped with ski-type landing gear (substitute "ski" for "land").
- 4. For the purpose of completeness only.

APPENDIX 1 TO 1.008: GLOSSARY OF ACRONYMS AND ABBREVIATIONS

(a) The acronyms provided in this Section apply to all requirements included in the civil aviation regulations.

- ACAS = Airborne collision avoidance system
- ADS = Automatic dependent surveillance
- AIP = Aeronautical Information Publication
- AMO = Approved Maintenance Organization
- AOC = Air Operator Certificate
- ASE = Altimetry system error
- ATS = Air Traffic Services
- CAT I = Category I operation
- CAT II = Category II operation
- CAT IIIA = Category IIIA operation
- CAT IIIB = Category IIIB operation
- CAT IIIC = Category IIIC operation
- CDL = Configuration deviation list

CFIT = Controlled Flight into the Terrain
C.G. = Center of Gravity
COMAT = Operator (company) material
CPDLC = Controller-pilot data link communications
CVS = Combined Vision System
DA = Decision altitude
DH = Decision height
EFB = Electronic Flight Bag
EGPWS = Enhanced ground proximity warning
ELT = Emergency locator transmitter
ELT(AD) = Automatic deployable ELT
ELT(AF) = Automatic fixed ELT
ELT(AP) = Automatic portable ELT
ELT(S) = Survival ELT
ETDO = Extended Time Diversion Operations
EUROCAE = European Organisation for Civil Aviation Equipment
EVS = Enhanced Visual Systems
FATO = Final approach and take-of area
FMC = Flight Management Computer
FRMS = Fatigue Risk Management System
GPWS = Ground Proximity Warning System
HUD = Head-Up Display
IFR = Instrument flight rules
IMC = Instrument meteorological conditions
JRCC = Joint rescue coordination centre
LED = Light Emitting Diode
LDP = Landing decision point
MDA = Minimum descent altitude
MDH = Minimum descent height
MEL = Minimum equipment list
MMEL = Master minimum equipment list
MNPS = Minimum Navigation Performance Specifications
NM = Nautical mile
NPRM = Notice of Proposed Rule Making
NVIS = Night Vision Imaging Systems
OCA = Obstacle clearance altitude
OCH = Obstacle clearance height
PBN = Performance Based Navigation
RCC = Rescue coordination centre
RCP = Required Communications Performance
RNP = Required navigation performance
RPA = Remotely piloted aircraft
RPAS = Remotely piloted aircraft system
RPL = Repetitive flight plan
RSC = Rescue subcentre
RTCA = Radio Technical Commission for Aeronautics

RVR = Runway visual range
RVSM = Reduced Vertical Separation Minimums
SMS = Safety Management System
SRR = Search and rescue region
SSP = State Safety Program
SVS = Synthetic Vision System
TLS = Target level of safety
TVE = Total vertical error
VFR = Visual flight rules
VLOS = Visual line-of-sight (VLOS) operation

(b) The abbreviations provided in this Section apply to requirements included in the civil aviation regulations.

Ampere (**A**)
Becquerel (**Bq**)
Candela (**cd**)
Celsius temperature (**t°C**)
Coulomb (**C**)
Degree Celsius (**°C**)
Farad (**F**)
Foot (**ft**)
Gray (**Gy**)
Henry (**H**)
Hertz (**Hz**)
Joule (**J**)
Kelvin (**K**)
Kilogram (**kg**)
Knot (**kt**)
Litre (**L**)
Lumen (**lm**)
Lux (**lx**)
Metre (**m**)
Mole (**mol**)
Newton (**N**)
Ohm (**Ω**)
Pascal (**Pa**)
Radian (**rad**)
Second (**s**)
Siemens (**S**)
Sievert (**Sv**)
Steradian (**sr**)
Testa (**T**)
Tonne (**t**)
Volt (**V**)
Watt (**W**)
Weber (**Wb**)

APPENDIX 1 TO 1.185: FRAMEWORK OF SAFETY MANAGEMENT SYSTEM

- (a) This Appendix specifies the framework for the implementation and maintenance of an SMS.
- (b) The framework comprises four components and twelve elements as the minimum requirements for SMS implementation:
 - (1) Safety policy and objectives
 - (i) Management commitment and responsibility
 - (ii) Safety accountabilities
 - (iii) Appointment of key safety personnel
 - (iv) Coordination of emergency response planning
 - (v) SMS documentation
 - (2) Safety risk management
 - (i) Hazard identification
 - (ii) Safety risk assessment and mitigation
 - (3) Safety assurance
 - (i) Safety performance monitoring and measurement
 - (ii) The management of change
 - (iii) Continuous improvement of the SMS
 - (4) Safety promotion
 - (i) Training and education
 - (ii) Safety communication

APPENDIX 2 TO 1.185: SAFETY POLICY & OBJECTIVES

- (a) **Management commitment and responsibility.** The service provider shall define its safety policy in accordance with international and national requirements. The safety policy shall:
 - (1) Reflect organisational commitment regarding safety;
 - (2) Include a clear statement about the provision of the necessary resources for the implementation of the safety policy;
 - (3) Include safety reporting procedures;
 - (4) Clearly indicate which types of behaviours are unacceptable related to the service provider's aviation activities and include the circumstances under which disciplinary action would not apply;
 - (5) Be signed by the accountable executive of the organization;
 - (6) Be communicated, with visible endorsement, throughout the organization; and
 - (7) Be periodically reviewed to ensure it remains relevant and appropriate to the service provider.
- (b) **Safety accountabilities.** The service provider shall:
 - (1) Identify the accountable executive who, irrespective of other functions, has ultimate responsibility and accountability, on behalf of the organization, for the implementation and maintenance of the SMS;
 - (2) Clearly define lines of safety accountability throughout the organization, including a direct accountability for safety on the part of senior management;
 - (3) Identify the accountabilities of all members of management, irrespective of other functions, as well as of employees, with respect to the safety performance of the SMS;
 - (4) Document and communicate safety responsibilities, accountabilities and authorities throughout the organization; and
 - (5) Define the levels of management with authority to make decisions regarding safety risk tolerability.
- (c) **Appointment of key safety personnel.** The service provider shall appoint a safety manager who is responsible for the implementation and maintenance of an effective SMS.

- (d) **Coordination of emergency response planning.** The service provider shall ensure that an emergency response plan is properly coordinated with the emergency response plans of those organizations it must interface with during the provision of its products and services
- (e) **SMS documentation:**
 - (1) The service provider shall develop an SMS implementation plan, formally endorsed by the organization that defines the organization's approach to the management of safety in a manner that meets the organization's safety objectives.
 - (2) The service provider shall develop and maintain SMS documentation that describes:
 - (i) Safety policy and objectives;
 - (ii) SMS requirements;
 - (iii) SMS processes and procedures;
 - (iv) Accountabilities, responsibilities and authorities for SMS processes and procedures; and e) SMS outputs.
 - (3) The service provider shall develop and maintain an SMS manual as part of its SMS documentation.

APPENDIX 3 TO 1.185: SAFETY RISK MANAGEMENT

- (a) **Hazard identification:**
 - (1) The service provider shall develop and maintain a process that ensures that hazards associated with its aviation products or services are identified.
 - (2) Hazard identification shall be based on a combination of reactive, proactive and predictive methods of safety data collection.
- (b) **Safety risk assessment and mitigation.** The service provider shall develop and maintain a process that ensures analysis, assessment, and control of the safety risks associated with identified hazards.

APPENDIX 4 TO 1.185: SAFETY ASSURANCE

- (a) **Safety performance monitoring and measurement:**
 - (1) The service provider shall develop and maintain the means to verify the safety performance of the organization and to validate the effectiveness of safety risk controls.
 - (2) The service provider's safety performance shall be verified in reference to the safety performance indicators and safety performance targets of the SMS
- (b) **The management of change.** The service provider shall develop and maintain a process to identify changes which may affect the level of safety risk associated with its aviation products or services and to identify and manage the safety risks that may arise from those changes
- (c) **Continuous improvement of the SMS.** The Service provider shall monitor and assess the effectiveness of their SMS processes to enable continuous improvement of the overall performance of the SMS

APPENDIX 5 TO 1.185: SAFETY PROMOTION

- (a) **Training and education:**
 - (1) The service provider shall develop and maintain a safety training programme that ensures that personnel are trained and competent to perform their SMS duties.
 - (2) The scope of the safety training programme shall be appropriate to each individual's involvement in the SMS
- (b) **Safety communication.** The service provider shall develop and maintain a formal means for safety communication that:
 - (1) Ensures personnel are aware of the SMS to a degree commensurate with their positions;
 - (2) Conveys safety-critical information,

- (3) Explains why particular safety actions are taken; and
- (4) Explains why safety procedures are introduced or changed

ATTACHMENTS

ATTACHMENT 1 TO PART 1: SUMMARY OF AMENDMENTS

This attachment contains a summary of all amendments that have been made to the original version of this Part:

Location	Revision	Description of Amendment
1.001(a)	[1]2014	Replaced original text to delete limiting text regarding air and aircraft operation regarding the purpose and title of these regulations. <i>Began global update replacing "aviation safety" (regulations) with "civil aviation" (regulations).</i>
1.001(b)	[1]2014	Replaced original text that listed the Parts with a summarization that includes all technical requirements.
1.001(c)	[1]2014	Deleted original (c) text that referred to advisory information in regulatory text..
1.001(c)	[1]2014	Reformatted (d) as (c) and reworded the original text to expand the applicability of the Parts to all person and entities providing services related to aircraft operated in Vietnam.
1.001(d)	[1]2014	Inserted new paragraph to clarify that, within a specific Section, the regulations may further identify the applicability.
1.001(e)	[1]2014	Inserted new paragraph to clarify that the requirement related to a specific entity are, where possible, consolidated in a specific Part.
1.003(a)(3)	[1]2014	Reworded the original text to change the relationship of "Subdivision" and "Section."
1.003(a)(4)	[1]2014	Reworded original text to change "subsection" to "Section" to standardize the usage of both terms within the body of regulations. <i>Began global update replacing "subsection" with "Section" where this meaning needed standardization.</i>
1.003(a)(5)	[1]2014	Reworded original text to allow the comingled usage of the terms paragraph or subsection within the body of regulations.
1.003(b)(3)	[1]2014	Changed the term "subsection" to "Section."
1.003(c)	[1]2014	Reworded to indicate that all definitions are consolidated in Part 1 (Section 1.007 and Appendix 1 to 1.007) and will no longer also appear in specific Parts
1.003(d)	[1]2014	Reworded to indicate that all acronyms and abbreviations are consolidated in Part 1 (Appendix 1 to 1.008) and will no longer also appear in specific Parts
1.003(e)	[1]2014	Inserted new paragraph presenting a change the formatting of definitions and acronyms to follow ICAO formatting of definitions.
1.003(f)	[1]2014	Reformatted paragraph (e) to (f) and changed the term "subsection" to "Section."
1.003(g)	[1]2014	Reformatted paragraph (f) to (g) and changed the term "subsection" to "Section."
1.003(h)	[1]2014	Reformatted paragraph (g) to (h)
1.003(h)(5-6)	[1]2014	Inserted two additional words for global word usage to accommodate certain ICAO recommended practices.
1.005(a-g)	[1]2014	Inserted new Section to incorporate units of measurement.
1007(a)	[1]2014	Edited paragraph for extraneous words and global revision.
1007(b)	[1]2014	Replaced out-of-place reference to acronyms with a definition of "the Authority."

1007(c)	[1]2014	Reformatted the definitions contained in (c) to incorporate the ICAO SARP definition formatting and edited for standardization of terms and meaning.
1.008	[1]2014	Inserted new Section to accommodate the consolidation of the expanded acronyms and abbreviations in Part 1.
1.010(a)	[1]2014	Revised "aviation safety" to "civil aviation."
1.011	[1]2014	Deleted this original Section and included the information in the CAAV's Organization Manual.
1.013(a)	[1]2014	Deleted paragraph (a). These requirements appear in more detail in other locations within the regulations.
1.013(a)	[1]2014	Reformatted paragraph (b) to (a).
1.013(b)	[1]2014	Reformatted paragraph (c) to (b) and revised "aviation safety" to "civil aviation."
1.015(a)	[1]2014	Revised "aviation safety" to "civil aviation."
Subpart C Title	[1]2014	Revised original title to include the possibility of other specialties of "inspectors."
1.030(a)	[1]2014	Revised "aviation safety" to "civil aviation."
1.033 Title	[1]2014	Revised original title to include the possibility of other specialties of "inspectors."
1.033 Title	[1]2014	Replaced term "Aviation Safety" (Inspectors) with "Technically Qualified"
1.033(a)	[1]2014	Revised and expanded the original text to include all technically qualified personnel designated by the CAAV.
1.033(b)	[1]2014	Deleted original (b).
1.033(b)	[1]2014	Reformatted paragraph (c) to (d) and revised the original text to ensure that credentials are provided and used by the CAAV inspectors.
1.033(c)	[1]2014	Reformatted paragraph (d) to (c) and revised the wording to have it apply to inspectors in a generic sense.
1.035	[1]2014	Edited Section title to replace "Aviation Safety" (Inspectors) with "CAAV"
1.035(a)(2)	[1]2014	Replace "aviation safety" (regulations) with 'civil aviation" (global update).
1.035(a)(3)	[1]2014	Replace "aviation safety" (regulations) with 'civil aviation" (global update).
1.035(a)(4)	[1]2014	Replace "aviation safety" (regulations) with 'civil aviation" (global update).
1.035(a)(8)	[1]2014	Replace "aviation safety" (regulations) with 'civil aviation" (global update).
1.035(b)	[1]2014	Replace "aviation safety" (regulations) with 'civil aviation" (global update).
1.035(c)	[1]2014	Replace "aviation safety" (regulations) with 'civil aviation" (global update).
1.037(a)	[1]2014	Revised to clarify that CAAV inspectors shall be permitted to conduct their activities."
1.037(b)(1)	[1]2014	Replace "aviation safety" (regulations) with 'civil aviation" (global update).
1.037(b)(2)	[1]2014	Replace "aviation safety" (regulations) with 'civil aviation" (global update).
1.040(a)	[1]2014	Revised to clarify that CAAV inspectors shall be provided documents
1.040(a)	[1]2014	Replaced the word "subsection" with "Section" (global update).s
1.043(a)	[1]2014	Replace "aviation safety" (regulations) with 'civil aviation" (global update).
1.055(b)	[1]2014	Replaced the word "subsection" with "Section" (global update).s
1.090(b)	[1]2014	Deleted (b) and relocated this text to the airworthiness inspector manual.

1.093(a)	[1]2014	Deleted reference to “waiver” and replace “aviation safety” (regulations) with ‘civil aviation” (global update).
1.093(b)	[1]2014	Deleted reference to “waiver” and replace “aviation safety” (regulations) with ‘civil aviation” (global update).
1.097	[1]2014	Deleted the words “for Concessions” from the Section Title.
1.100	[1]2014	Deleted the word “Concessions” from the Section Title.
1.103	[1]2014	Deleted the word “Concessions” from the Section Title.
1.103(c-f)	[1]2014	Deleted these paragraphs. Content regarding concessions was relocated to the airworthiness inspector manual.
1.105(a)	[1]2014	Replaced original (a) and (b) with new (a) to provide specific CAAV processing of an exemption or deviation. Relocated original (a) and (b) content regarding processing of concessions to the airworthiness inspector manual.
1.107(b)(1)	[1]2014	Replaced the word “concession” with the word “relief.”
1.113(a-b)	[1]2014	Inserted new text providing regulations for applying precedent.
1.115	[1]2014	Inserted new Section specifying the method of approval of an exemption or deviation.
1.117(a)	[1]2014	Revised to require the disapproval to be issued as a Letter of Decision.
1.117(a)(1-3)	[1]2014	Deleted these sub-paragraphs. Content was relocated to the airworthiness inspector manual
1.117(b)	[1]2014	Deleted this paragraph. Content was relocated to the airworthiness inspector manual
1.130(a)	[1]2014	Replaced “ICAO member” with “ICAO Contracting State.”
1.133(a)	[1]2014	Deleted all text following the word “privileges.”
1.165(b-d)	[1]2014	Deleted these paragraphs. Content was relocated to the Designated Representatives Manual.
Subpart I	[1]2014	Inserted new Subpart to incorporate the ICAO SARPS of Annex 19.
Subpart J	[1]2014	Inserted new Subpart to provide a process for process amendments to existing regulation.
Appendix 1 to 1.007	[1]2014	Reformatted this appendix to incorporate the un-numbered ICAO definitions format, consolidate all definitions for the body of regulations and update those definitions to current SARP amendments.
Appendix 2 to 1.007	[1]2014	Inserted this appendix to incorporate the classification of aircraft table from ICAO Annex 7.
Appendix 1 to 1.008	[1]2014	Reformatted this appendix from Appendix 2 to 1.007 to Appendix 1 to 1.008, incorporate the un-numbered ICAO definitions format and update the acronyms to current SARP amendments.
Appendix 1 to 1.033	[1]2014	Deleted this appendix. The text of this appendix has been incorporated in the Aviation Standards Organization manual.
Appendix 1 to 1.185	[1]2014	Inserted this appendix to incorporate the Annex 19 specifications for SMS framework.
Appendix 2 to 1.185	[1]2014	Inserted this appendix to incorporate the Annex 19 specifications for SMS safety policies and objectives.
Appendix 3 to 1.185	[1]2014	Inserted this appendix to incorporate the Annex 19 specifications for SMS safety risk management.

Appendix 4 to 1. 185	[1]2014	Inserted this appendix to incorporate the Annex 19 specifications for SMS safety assurance.
Appendix 5 to 1. 185	[1]2014	Inserted this appendix to incorporate the Annex 19 specifications for SMS safety promotion.
Attachment 1 to Part 1	[1]2014	Inserted new attachment to summarize the revisions to the regulation text since the original publication of this regulation.

End of Part 1

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