

THE GOVERNMENT

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THE SOCIALIST REPUBLIC OF VIETNAM

Independence - Freedom - Happiness

Hanoi, August 18th 2015

DECREE

ON REGISTRATION OF NATIONALITY AND RIGHTS TOWARDS AIRCRAFT

Pursuant to the Law on Government organization dated December 25, 2001;

Pursuant to Vietnam's Law on Civil aviation dated June 29th 2006 and Law on amendments to Vietnam's the Law on Civil aviation dated November 21st 2014;

At the request of the Minister of Transport,

The Government promulgates Decree on registration of nationality and right towards aircraft.

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

1. This Decree provides for the registration of nationality and rights towards aircraft in Vietnam, including registration/deregistration of nationality of aircrafts; registration and deregistration of rights towards aircraft; issuance of code number for registration/deregistration of international right towards aircraft with Vietnamese nationality; registration/deregistration of authorization for deregistration or export of aircrafts
2. This Decree does not provide for the registration of nationality and rights in public-duty aircrafts, including military aircrafts, specialized aircrafts of customs forces, police forces and other aircrafts used for public duties, unless public-duty aircrafts are used for civil-duty purposes.
3. The registration for mortgaging/pawning aircrafts is carried out according to the legislation on registration of secured transactions.

Article 2. Regulated entities

This Decree applies to agencies, organizations and individuals relating to the registration of nationality and right towards aircraft in Vietnam.

Article 3. Interpretation of terms

1. Registration of nationality of aircrafts includes the registration of Vietnamese nationality of aircrafts, registration of temporary Vietnamese nationality of aircraft.
2. Right towards aircraft:
 - a) Right to ownership towards the aircraft;
 - b) Right of possession towards the aircraft through the lease-purchase or lease of aircraft for 6 months or longer;
 - c) Right to mortgage/pawn aircrafts or other secured transactions according to legislation on civil;

- d) Right of priority in payment for rescue/preservation of aircrafts;
 - dd) Other rights according to provisions of the international agreements to which the Socialist Republic of Vietnam is a signatory.
3. The Cape Town Convention and Protocol (hereinafter referred to as the Cape Town Convention) is a Convention about international interests of mobile equipment and a Protocol about specific issues of aircrafts.
 4. International interests of aircrafts are interests of the obligees (under secured transaction), aircraft lessors, aircraft sellers who are authorized in the Cape Town Convention.
 5. International right to registration are international right towards aircraft to be registered at an International Registry according to regulations in the Cape Town Convention.
 6. Authority Entry Point Code (AEP Code) means code that is issued according to provisions of the Cape Town Convention serving the registration or deregistration of international interests of aircrafts.
 7. The IDERA (Irrevocable De-registration and Export Request Authorisation) means document issued according to the regulations in the Cape Town Convention, where the person competent in requesting the deregistration or export of aircrafts is specified.
 8. Order of priority in payment means the order of debts that are prioritized in payment according to law provisions.

Chapter II

REGISTRATION, DEREGISTRATION OF NATIONALITY OF AIRCRAFTS; EXPORT OF AIRCRAFTS

Section 1. REGISTRATION OF NATIONALITY OF AIRCRAFTS

Article 4. Requirements and conditions for registration of nationality of aircrafts

1. Requirements for registration of nationality of aircrafts
 - a) Any aircrafts under the ownership of a Vietnamese organization/individual, any aircrafts that are lease-purchased or leased without a flight crew for 24 months or more for use in Vietnam must be registered for Vietnamese nationality as prescribed in this Decree.
 - b) Within six (06) months from the day on which it is imported into Vietnam, the aircraft must be registered for Vietnamese nationality.
2. Conditions for registration of Vietnamese nationality
 - a) The aircraft did not take any nationality or have nationality de-registered;
 - b) There are legal documents proving the right to ownership towards the aircraft or the right of possession towards the aircraft (in case of lease-purchase or lease of aircrafts);
 - c) Aircrafts that have been used before shall satisfy requirements on service life of aircrafts according to law provisions.
 - d) The aircraft satisfy conditions/requirements on national defense and security, aviation safety, aviation security and environment protection according to law provisions.
3. Conditions for registration of temporary Vietnamese nationality

An aircraft is eligible for registration of temporary Vietnamese nationality if it is being produced, assembled or trialed in Vietnam and satisfies the conditions specified in Points a, b and d Clause 2 of this Article.

4. People entitled to apply for registration of nationality of an aircraft:

- a) The aircraft's owner;
- b) People performing the lease-purchase or lease of the aircraft (hereinafter referred to as the aircraft's lessee).

Article 5. Procedures for registration of Vietnamese nationality of aircraft

1. Any person wishing to register for Vietnamese nationality of an aircraft shall submit the application directly or by post or other means to the Civil Aviation Authority of Vietnam and shall be responsible for the accuracy and honesty of information in the application.

2. An application for registration of Vietnamese nationality of an aircraft shall include:

- a) An application form according to Form No. 01 in Appendix enclosed with this Decree;
- b) Certified true copies (or copies enclosed with the original copies for comparison) of documents proving the legal status of the applicant;
- c) Certified true copies (or copies enclosed with the original copies for comparison) of legal documents proving the ownership towards the aircraft;
- d) A certified true copy (or a copy enclosed with the original copy for comparison) of the Certificate of non-registration issued by manufacturer country or the Certificate of deregistration issued by the country in which the aircraft is granted registration;
- dd) Certified true copies (or copies enclosed with the original copies for comparison) of documents about technical conditions of the aircraft, including: the unexpired Certificate of eligibility for export (applicable to aircrafts produced in foreign countries); unexpired written certificate of the manufacturer about conformance with design and production conditions (applicable to aircrafts that have just been shipped); a full record of the conformance with instructions or technical notification performed on the aircraft; a full record of technical conditions of the aircraft, engine and other devices;
- e) A certified true copy (or a copy enclosed with the original copy for comparison) of the purchase contract of the aircraft or the lease contract or lease-purchase contract of the aircraft.

3. Documents in foreign languages shall undergo consular legalization according to law provisions on consular certification and consular legalization.

4. Within five (05) working days from the day on which the satisfactory application is received, the Civil Aviation Authority of Vietnam shall issue the Certificate of registration of Vietnamese nationality of aircrafts according to the Form No. 04 in Appendix enclosed with this Decree; if the application is rejected, the Civil Aviation Authority of Vietnam shall send the applicant a written response containing explanation.

If the application is not satisfactory, within two (02) working days from the day on which the application is received, the Civil Aviation Authority of Vietnam shall issue a guiding documents for completion according to regulations.

5. The applicant for registration of Vietnamese nationality of aircrafts shall pay fees according to laws.

Article 6. Procedures for registration of temporary Vietnamese nationality of aircrafts

1. Any person wishing to register for temporary Vietnamese nationality for his/her aircraft shall submit the application directly or by post or other means to the Civil Aviation Authority of Vietnam and shall be responsible for the accuracy and honesty of information in the application.

2. An application for registration of temporary Vietnamese nationality of aircrafts shall include:

- a) A declaration according to Form No. 01 in Appendix enclosed with this Decree;
- b) Certified true copies (or copies enclosed with the original copies for comparison) of documents proving the legal status of the applicant;
- c) Certified true copies (or copies enclosed with the original copies for comparison) of legal documents proving the ownership towards the aircraft;
- d) Certified true copies (or copies enclosed with the original copies for comparison) of legal documents proving that the aircraft is being produced, assembled or trialed in Vietnam;
- dd) Design of the aircraft.

3. Documents in foreign languages shall undergo consular legalization according to law provisions on consular certification and consular legalization.

4. Within five (05) working days from the day on which the satisfactory application is received, the Civil Aviation Authority of Vietnam shall issue the Certificate of registration of temporary Vietnamese nationality of aircrafts according to the Form No. 05 in Appendix enclosed with this Decree; if the application is rejected, the Civil Aviation Authority of Vietnam shall send the applicant a written response containing explanation.

If the application is not satisfactory, within two (02) working days from the day on which the application is received, the Civil Aviation Authority of Vietnam shall issue a guiding documents for completion according to regulations.

5. The Certificate of registration of temporary Vietnamese nationality of aircrafts is effective within 36 months from the day on which it is issued and will not be extended.

6. The applicant for registration of temporary Vietnamese nationality of aircrafts shall pay fees according to law provisions.

Article 7. Procedures for reissuance of the certificate of nationality registration of aircrafts

1. If the Certificate of registration of Vietnamese nationality of aircrafts or the Certificate of registration of temporary Vietnamese nationality of aircrafts is damaged or lost, the applicant shall send a written notification to the Civil Aviation Authority of Vietnam to apply for reissuance.

2. Any person applying for reissuance of the Certificate of registration of Vietnamese nationality for his/her aircraft shall submit the application directly or by post or other means to the Civil Aviation Authority of Vietnam and shall be responsible for the accuracy and honesty of information in the application.

3. An application for reissuance of the Certificate of nationality registration of aircrafts shall include:

- a) A declaration according to Form No. 03 in Appendix enclosed with this Decree;
- b) Certified true copies (or copies enclosed with the original copies for comparison) of documents proving the legal status of the applicant.

4. Within three (03) working days from the day on which the satisfactory application is received, the Civil Aviation Authority of Vietnam shall carry out the reissuance of the Certificate of Vietnamese nationality aircraft or the Certificate of temporary Vietnamese nationality aircrafts; revocation of the Certificate of Vietnamese nationality aircraft or the Certificate of registration of temporary Vietnamese nationality of aircrafts, unless it is lost, and post the notification on website of the Civil Aviation Authority of Vietnam.

If the application is not satisfactory, within two (02) working days from the day on which the application is received, the Civil Aviation Authority of Vietnam shall issue a guiding documents for completion according to regulations.

5. The applicant for reissuance of the Certificate of Vietnamese nationality registration shall pay fees according to law provisions.

Section 2: DEREGISTRATION OF NATIONALITY OF AIRCRAFTS, EXPORT OF AIRCRAFT

Article 8. Cases subject to nationality deregistration

1. An aircraft is subject to Vietnamese nationality deregistration if:

- a) It is declared missing according to the law;
- b) It no longer satisfies conditions specified in Article 4 of this Decree;
- c) At the request of its owner or the person who applied for its registration;
- d) At the request of the authorized party of the IDERA.

2. An aircraft is subject to deregistration of temporary Vietnamese nationality of aircrafts:

- a) Duration of temporary registration is expired according to the Certificate of registration of temporary Vietnamese nationality of aircrafts;
- b) The aircraft is not being produced, assembled or trialed in Vietnam;
- c) At the request of the aircraft's owner or the authorized party of the IDERA.

Article 9. Procedures for nationality deregistration of aircrafts

1. Regarding the deregistration specified in Points a and b Clause 1 and Points a and b Clause 2 Article 8 of this Decree, the Civil Aviation Authority of Vietnam shall decide the nationality deregistration of the aircraft and issue the Certificate of nationality deregistration of aircrafts according to the Form No. 06 in the Appendix enclosed with this Decree; revocation of the Certificate of Vietnamese nationality aircrafts and the Certificate of temporary Vietnamese nationality aircrafts, unless the certificate is lost or is destroyed with the aircraft.

2. Regarding the deregistration specified in Points c and d Clause 1, Point c Clause 2 Article 8 of this Decree, the applicant for nationality deregistration of aircrafts shall submit the application

directly or by post or by other means to the Civil Aviation Authority of Vietnam and shall be responsible for the accuracy and honesty of information in the application.

If the IDERA has been registered according to regulations in this Decree, only the authorized party of the IDERA is entitled to apply for the nationality deregistration of the aircraft.

3. An application for Vietnamese nationality deregistration for an aircraft shall include:

- a) A declaration according to Form No. 02 in Appendix enclosed with this Decree;
- b) Certified true copies (or copies enclosed with the original copies for comparison) of documents proving the legal status of the applicant;
- c) If the applicant for deregistration is the authorized party of the IDERA, the application shall include the written agreement with the deregistration and export of the aircraft of people having registered international interests higher in order of priority than the ones of the applicant for deregistration or shall include documents proving the registered international interests higher in order of priority that have been carried out;
- d) If the applicant for deregistration is the obligee under the secured transaction according to the authorization in the IDERA, the application shall include documents proving that the applicant for deregistration have send a written notification to people with registered international interests, the aircraft's owner, the applicant for nationality registration of aircraft of the application for deregistration of the aircraft at least 10 days before the application is submitted.

4. Documents in foreign languages shall undergo consular legalization according to law provisions on consular certification and consular legalization.

5. Within five (05) working days from the day on which the satisfactory application is received, the Civil Aviation Authority of Vietnam shall issue the Certificate of Vietnamese nationality deregistration for aircrafts according to the Form No. 06 in Appendix enclosed with this Decree or revoke the Certificate of Vietnamese nationality aircrafts or the Certificate of temporary Vietnamese nationality aircrafts, unless the certificate is lost or destroyed with the aircraft; if the application is rejected, the Civil Aviation Authority of Vietnam shall send the applicant a written response containing explanation.

If the application is not satisfactory, within two (02) working days from the day on which the application is received, the Civil Aviation Authority of Vietnam shall issue a guiding documents for completion according to regulations.

6. The applicant for nationality deregistration shall pay fees according to law provisions.

Article 10. Export of aircrafts

1. Conditions exporting aircrafts:

- a) There shall be the unexpired Certificate of conformance with conditions for export issued or recognized by a regulatory agency
- b) The requirements for National defense and security; aviation safety, aviation security and environmental protection shall be satisfied according to regulations;
- c) The export shall be suitable with the needs of the applicant organizations/individuals;
- d) The aircraft has been deregistered of Vietnamese nationality.

2. People entitled to apply for exporting an aircraft:

- a) The aircraft's owner; the aircraft's lessor;
- b) The authorized party of the IDERA.

3. Any aircraft's owner/lessor applying for exporting aircraft shall receive a written consent of the applicant for registration of the aircraft.

4. If the IDERA has been registered according to regulations in this Decree, only the authorized party of the IDERA is entitled to apply for exporting the aircraft.

5. The export of the aircraft shall comply with regulations in this Decree, regulations on license for flight and other relevant registrations.

Section 3: NATIONALITY MARKS AND REGISTRATION MARKS

Article 11: NATIONALITY MARKS AND REGISTRATION MARKS

1. Marks of Vietnamese nationality of an aircraft include the symbol of Vietnam's national flag and a mark of registration of a Vietnamese nationality aircraft.

2. Registration marks of a Vietnamese nationality aircraft are presented with two (02) consecutively written letters "VN", a hyphen ("-"), one of the following letter and three (03) Arabic numerals:

- a) Letter "A" for aircrafts with turbofans/turbojets;
- b) Letter "B" for aircrafts with turboprop;
- c) Letter "C" for aircrafts with piston;
- d) Letter "D" for other type of aircrafts.

Article 12. General provisions on painting/affixing of nationality marks and registration marks of aircrafts

1. Any Vietnamese nationality aircrafts that is put into operation shall be painted/affixed the nationality marks and registration marks.

2. Vietnamese nationality must not have marks with content or security form similar to or likely to cause confusion with aircrafts having another nationality.

3. The Civil Aviation Authority of Vietnam shall notify the International Civil Aviation Organization (ICAO) about the nationality marks and registration marks of Vietnamese nationality aircrafts.

Article 13: Position and size of nationality marks and registration marks

1. Nationality marks and registration marks of Vietnamese nationality aircrafts displayed on body and wings of aircrafts shall be durable, clear and easy to realize by human eyes or other normal identifying devices.

2. Requirements on painting/affixing of nationality marks and registration marks of aircrafts:

- a) The symbol of Vietnam's national flag shall have the width equal to 2/3 of the length, well-proportioned size and suitable with the type of the aircraft; painted or affixed on two sides of the tail or the head of the aircraft.

- b) Letter and numeral of registration marks shall be capitalized; height of letter (excluding the hyphen) in a group of characters shall be similar;
- c) Width of each character (excluding the number “1”) shall be 2/3 of its height; width of the number “1” shall be 1/6 of its height. The hyphen (“-“) shall be at the middle of the character’s height; its width shall be ½ of character's height;
- d) Lines of each character must be solid and have color in contrast with the background where it is painted/affixed on. The width of the line shall be 1/6 of height of the character. Distance between characters shall be at least ¼ of width of each character.

3. Position and height of characters to be painted or affixed to heavier-than-air aircraft are specified as follows:

a) On wings: A mark shall be painted on or affixed to the lower surface of the left wing and possibly the whole lower surface of both wings in case the characters are required to extend across both wings. The mark shall be located equidistant from the leading and trailing edges of the wings with its top directed toward the leading edge of the wing. The height of the mark must be at least 50 cm.

b) On the body of aircraft (or other similar structure) and on the vertical tail surfaces: The mark must be at least 30 cm in height and on both side of the body of the aircraft between the wings and the horizontal tail surface or the upper parts of both sides (applicable to single-vertical tail aircraft) or the upper parts of the outboard sides of the outer tails (applicable to aircrafts with multi-vertical tails).

4. The marking of aircrafts other than heavier-than-air aircrafts shall be decided by the aircrafts-registering people according to regulations in Clauses 1 and 2 of this Article.

5. If an aircraft is leased with pilot team, it shall be painted/affixed nationality marks and registration marks according to regulations in this Decree for 6 months since it is imported into Vietnam.

Chapter III

REGISTRATION OF RIGHT TOWARDS AIRCRAFT, DEREGISTRATION OF RIGHT TO OWNERSHIP TOWARDS AIRCRAFTS, RIGHT OF POSSESSION TOWARDS AIRCRAFTS

Section 1: REGISTRATION OF RIGHT TO OWNERSHIP TOWARDS AIRCRAFTS, RIGHT OF POSSESSION TOWARDS AIRCRAFTS

Article 14. General principles

1. Rights towards Vietnamese nationality aircrafts shall be registered according to regulations in this Decree.
2. Any Vietnamese organizations/individuals having rights towards foreign-nationality aircrafts shall carry out the registration according to laws of their home countries.
3. Time of registration of right towards aircraft specified in Clause 1 of this Article is determined according to the time of receipt of satisfactory application.

Article 15: Procedures for registration of right to ownership towards aircrafts

1. The aircraft's owner applying for registration of right to ownership towards aircrafts shall send the application directly or by post or other means to the Civil Aviation Authority of Vietnam and shall be responsible for the accuracy and honesty of information in the application.

2. An application for registration of right to ownership towards a Vietnamese aircraft shall include:

a) The Form No. 01 in the Appendix enclosed with this Decree;

b) Certified true copies (or copies enclosed with the original copies for comparison) of documents proving the legal status of the applicant;

c) Certified true copies (or copies enclosed with the original copies for comparison) of legal documents proving the ownership towards the aircraft; documents proving the right to ownership of the former owner (applicable to the transfer of right to ownership towards aircrafts).

3. Documents in foreign languages shall undergo consular legalization according to law provisions on consular certification and consular legalization.

4. Within three (03) working day from the day on which the satisfactory application is received, the Civil Aviation Authority of Vietnam shall issue the Certificate of registration of right to ownership towards aircrafts according to the Form No. 07 in Appendix enclosed with this Decree; if the application is rejected, the Civil Aviation Authority of Vietnam shall send the applicant a written response containing explanation.

If the application is not satisfactory, within one (01) working days from the day on which the application is received, the Civil Aviation Authority of Vietnam shall issue a guiding documents for completion according to regulations.

5. The applicant for registration of right to ownership shall pay fees according to law provisions.

Article 16. Procedures for registration for the right of possession towards aircrafts

1. Any aircraft lessee wishing to register for right of possession towards aircrafts shall send the application directly or by post or other means to the Civil Aviation Authority of Vietnam and shall be responsible for the accuracy and honesty of information in the application.

2. An application for registration of right of possession towards a Vietnamese aircraft shall include:

a) The Form No. 01 in the Appendix enclosed with this Decree;

b) Certified true copies (or copies enclosed with the original copies for comparison) of documents proving the legal status of the applicant;

c) A certified true copy (or a copy enclosed with the original copy for comparison) of the purchase contract of the aircraft or the lease purchase contract of aircraft if the lessor is also the owner of the aircraft;

d) A certified true copy (or a copy enclosed with the original copy for comparison) of the purchase contract or the lease purchase contract of aircraft. If the lessor in the contract is not the aircraft's owner, documents proving that the lessor is entitled to lease out the aircraft are required.

3. Documents in foreign languages shall undergo consular legalization according to law provisions on consular certification and consular legalization.

4. Within three (03) working days from the day on which the satisfactory application is received, the Civil Aviation Authority of Vietnam shall issue the Certificate of registration of right of possession towards aircrafts according to the Form No. 08 in Appendix enclosed with this Decree; if the application is rejected, the Civil Aviation Authority of Vietnam shall send the applicant a written response containing explanation.

If the application is not satisfactory, within one (01) working day from the day on which the application is received, the Civil Aviation Authority of Vietnam shall issue a guiding documents for completion according to regulations.

5. The applicant for registration of right of possession shall pay fees according to law provisions.

Article 17. Procedures for registration for priority right to payment for rescue/preservation of aircraft

1. Within ninety (90) days from the day on which the rescue/preservation of aircraft finishes, the person wishing to register for the right of priority in payment for rescue/preservation of aircrafts shall submit an application directly or by post or via another means to the Civil Aviation Authority of Vietnam and shall be responsible for the accuracy and honesty of information in the application.

2. An application for registration for priority right to payment for rescue/preservation of aircraft shall include:

a) The Form No. 01 in the Appendix enclosed with this Decree;

b) Certified true copies (or copies enclosed with the original copies for comparison) of documents proving the legal status of the applicant.

3. Within three (03) working days from the day on which the satisfactory application is received, the Civil Aviation Authority of Vietnam shall issue the Certificate of registration for priority right to payment for rescue/preservation of aircraft according to the Form No. 09 in Appendix enclosed with this Decree; if the application is rejected, the Civil Aviation Authority of Vietnam shall send the applicant a written response containing explanation.

If the application is not satisfactory, within one (01) working day from the day on which the application is received, the Civil Aviation Authority of Vietnam shall issue a guiding documents for completion according to regulations.

4. The applicant for registration of right of priority in payment for rescue/preservation of aircraft shall pay fees according to law provisions.

Article 18. Procedures for registration for priority right to payment for rescue/preservation of aircrafts with foreign nationality

The registration for registration for priority right to payment for rescue/preservation of foreign-nationality aircraft shall comply with laws of the country in which the aircraft is granted registration. The Civil Aviation Authority of Vietnam is in charge of confirming the rescue/preservation of aircrafts in Vietnam and notify the country registering aircrafts.

Article 19. Procedures for reissuance of the Certificate of registration of rights towards aircrafts

1. If an issued Certificate of registration of rights towards aircraft is damaged or lost, its owner shall follow the procedures for reissuance according to regulations in this Decree.
2. Any person applying for reissuance of the Certificate of registration of rights towards aircrafts shall submit an application directly or by post or via another means to the Civil Aviation Authority of Vietnam and shall be responsible for the accuracy and honesty of information in the application.
3. An application for reissuance of the Certificate of registration of rights towards aircrafts shall include:
 - a) An application form according to Form No. 03 in Appendix enclosed with this Decree;
 - b) Certified true copies (or copies enclosed with the original copies for comparison) of documents proving the legal status of the applicant.
4. Within three (03) working days from the day on which the satisfactory application is received, the Civil Aviation Authority of Vietnam shall carry out the reissuance and revocation of the Certificate of right to ownership towards aircrafts, Certificate of right to possession of aircrafts or the Certificate of priority right to payment for rescue/preservation of aircrafts, excluding for the loss of the certificate, and post information on website of the Civil Aviation Authority of Vietnam; if the application is rejected, the Civil Aviation Authority of Vietnam shall send the applicant a written response containing explanation.

If the application is not satisfactory, within two (02) working days from the day on which the application is received, the Civil Aviation Authority of Vietnam shall issue a guiding documents for completion according to regulations.
5. The applicant for reissuance of the Certificate of registration of rights towards aircrafts shall pay fees according to law provisions.

Section 2: DEREGISTRATION OF RIGHT TO OWNERSHIP TOWARDS AIRCRAFTS, RIGHT OF POSSESSION TOWARDS AIRCRAFTS

Article 20: Procedures for registration of right to ownership towards aircrafts

1. The aircraft's owner applying for deregistration of right to ownership towards aircrafts shall send the application directly or by post or other means to the Civil Aviation Authority of Vietnam and shall be responsible for the accuracy and honesty of information in the application.
2. An application for deregistration of right to ownership towards a Vietnamese aircraft shall include:
 - a) An application form according to Form No. 02 in Appendix enclosed with this Decree;
 - b) Certified true copies (or copies enclosed with the original copies for comparison) of documents proving the legal status of the applicant.
3. Within three (03) working days from the day on which the satisfactory application is received, the Civil Aviation Authority of Vietnam shall issue the Certificate of deregistration of right to ownership towards aircrafts according to the Form No. 10 in Appendix enclosed with this Decree and revoke the issued Certificate of registration of right to ownership towards aircrafts; if the application is rejected, the Civil Aviation Authority of Vietnam shall send the applicant a written response containing explanation.

If the application is not satisfactory, within one (01) working day from the day on which the application is received, the Civil Aviation Authority of Vietnam shall issue a guiding documents for completion according to regulations.

Article 21: Procedures for deregistration of right to ownership towards aircrafts

1. Any aircraft lessee that has applied for deregistration of right of possession towards aircrafts shall send the application directly or by post or other means to the Civil Aviation Authority of Vietnam and shall be responsible for the accuracy and honesty of information in the application.

2. An application for deregistration of right of possession towards a Vietnamese aircraft shall include:

- a) An application form according to Form No. 02 in Appendix enclosed with this Decree;
- b) Certified true copies (or copies enclosed with the original copies for comparison) of documents proving the legal status of the applicant.

3. Within three (03) working days from the day on which the satisfactory application is received, the Civil Aviation Authority of Vietnam shall issue the Certificate of deregistration of right of possession towards aircrafts according to the Form No. 10 in Appendix enclosed with this Decree and revoke the issued Certificate of registration of right of possession towards aircrafts; if the application is rejected, the Civil Aviation Authority of Vietnam shall send the applicant a written response containing explanation.

If the application is not satisfactory, within one (01) working day from the day on which the application is received, the Civil Aviation Authority of Vietnam shall issue a guiding documents for completion according to regulations.

Chapter IV

PROCEDURES FOR ISSUANCE OF AEP CODE AND PROCEDURES FOR REGISTRATION/DEREGISTRATION OF THE IDERA

Article 22. Procedures for issuance of AEP Code

1. Any person eligible for international interests towards Vietnamese nationality aircrafts who applies for the AEP Code shall submit the application directly or by post or other means to the Civil Aviation Authority of Vietnam and shall be responsible for the accuracy and honesty of information in the application.

2. An application for the AEP Code shall include:

- a) Two (02) application forms according to Form No. 11 in Appendix enclosed with this Decree;
- b) Certified true copies (or copies enclosed with the original copies for comparison) of documents proving the legal status of the applicant;
- c) Certified true copies (or copies enclosed with the original copies for comparison) of documents proving international interests towards aircrafts of the applicant.

3. Documents in foreign languages shall undergo consular legalization according to law provisions on consular certification and consular legalization.

4. Within three (03) working days from the day on which the satisfactory application is received, the Civil Aviation Authority of Vietnam shall issue the AEP Code and return one (01)

application form to the applicant; if the application is rejected, the Civil Aviation Authority of Vietnam shall send the applicant a written response containing explanation.

If the application is not satisfactory, within one (01) working day from the day on which the application is received, the Civil Aviation Authority of Vietnam shall issue a guiding documents for completion according to regulations.

5. The applicant for the AEP Code shall pay fees according to law provisions.

Article 23. Procedures for application for registration of IDERA

1. Any aircraft's owner or applicant for registration of aircrafts who wishes to apply for registration of IDERA document shall send the application directly or by post or other means to the Civil Aviation Authority of Vietnam and shall be responsible for the accuracy and honesty of information in the application.

2. An application for registration of IDERA shall include:

- a) Two (02) application forms according to Form No. 12 in Appendix enclosed with this Decree;
- b) Certified true copies (or copies enclosed with the original copies for comparison) of documents proving the legal status of the applicant;
- c) Certified true copies (or copies enclosed with the original copies for comparison) of documents proving international interests of the authorized party of the Vietnamese nationality aircraft.

3. Documents in foreign languages shall undergo consular legalization according to law provisions on consular certification and consular legalization.

4. Within five (05) working days from the day on which the satisfactory application is received, the Civil Aviation Authority of Vietnam shall grant the confirmation on the application form for registration of IDERA and return one (01) application form to the applicant; if the application is rejected, the Civil Aviation Authority of Vietnam shall send the applicant a written response containing explanation.

If the application is not satisfactory, within one (01) working day from the day on which the application is received, the Civil Aviation Authority of Vietnam shall issue a guiding documents for completion according to regulations.

5. The applicant for registration of IDERA shall pay fees according to law provisions.

Article 24. Procedures for deregistration of IDERA

1. Any authorized party in IDERA applying for deregistration of IDERA shall send the application directly or by post or other means to the Civil Aviation Authority of Vietnam and shall be responsible for the accuracy and honesty of information in the application.

2. An application for deregistration of IDERA shall include:

- a) Two (02) application forms according to Form No. 13 in Appendix enclosed with this Decree;
- b) Certified true copies (or copies enclosed with the original copies for comparison) of documents proving the legal status of the applicant.

3. Documents in foreign languages shall undergo consular legalization according to law provisions on consular certification and consular legalization.

4. Within five (05) working days from the day on which the satisfactory application is received, the Civil Aviation Authority of Vietnam shall grant the confirmation on the application form for deregistration of IDERA and return one (01) application form to the applicant; if the application is rejected, the Civil Aviation Authority of Vietnam shall send the applicant a written response containing explanation.

If the application is not satisfactory, within one (01) working day from the day on which the application is received, the Civil Aviation Authority of Vietnam shall issue a guiding documents for completion according to regulations.

5. The applicant for deregistration of IDERA shall pay fees according to law provisions.

Chapter V

AIRCRAFT REGISTER OF VIETNAM

Article 25. Aircraft Register of Vietnam

1. The Aircraft Register of Vietnam is used for recording information relating to the registration/deregistration of nationality and rights towards aircrafts, handling of aircraft involved in secured transactions and other information relating to Vietnamese nationality aircrafts and temporary Vietnamese nationality of aircrafts.

Any Aircraft Register of Vietnam is formulated in form of a paper record book or an electronic record.

2. An Aircraft Register of Vietnam includes the following main contents:

- a) Register date of each type of registration;
- b) Certificates issued for each type of registration: serial number, date of issue;
- c) Nationality and serial number of the registration;
- d) Type of aircraft;
- dd) Manufacturer;
- e) Serial number and date of shipping;
- g) Sub-category of aircraft;
- h) Certificate of type of aircraft: serial number, issuer;
- i) Certificate of eligibility for exporting flight: serial number, issuer, date of issue;
- k) Certificate of eligibility for flight: serial number, issuer, date of issue;
- l) Owner: full name, address, nationality;
- m) Possessor: full name, address, nationality;
- n) Duration of possession of leased aircrafts;
- o) Operator: full name, address, nationality;
- p) Aircraft lessee: full name, address, nationality;
- q) Guarantor: full name, address, nationality;
- r) Obligee: full name, address, nationality;

- s) Value of the transaction secured with aircrafts
- f) Effective duration of the registration of secured transaction;
- u) Person notifying the handling of aircraft involved in secured transaction: full name, address, nationality;
- v) Aircraft rescuer/preserver: full name, address, nationality;
- x) Expiration of registration of temporary nationality of aircraft;
- y) Deregistration of each type of registration: date, reason of deregistration;
- z) Other necessary information.

Article 26. Provision of registration information in the Aircraft Register

1. Any organization/individual involving in the operation of aircrafts that applies for provision of information in the Aircraft Register shall send the application directly or by post or other means to the Civil Aviation Authority of Vietnam
2. An application for information provision shall include:
 - a) An application form according to Form No. 14 in Appendix enclosed with this Decree;
 - b) Certified true copies (or copies enclosed with the original copies for comparison) of documents proving the legal status of the applicant.
3. Within two (02) working days from the day on which the satisfactory application is received according to regulations, the Civil Aviation Authority of Vietnam shall provide information and copies of Aircraft Register of Vietnam for the applicant; if the application is rejected, the Civil Aviation Authority of Vietnam shall send the applicant a written response containing explanation.
4. The applicant for information provision shall pay fees according to law provisions.
5. Within fifteen (15) working days from the day on which the Certificate of registration of nationality of aircrafts is issued, the Civil Aviation Authority of Vietnam shall provide information about the registration of nationality of aircraft for the Ministry of National Defense for airspace management, flight management and other purposes according to law provisions.

Article 27. Solution of complaints and petitions; completion of information about registration of nationality of aircrafts and registration of rights towards aircrafts

1. The Civil Aviation Authority of Vietnam shall handle via writings the complaints, petitions or requests of organizations/individuals involving in the registration of nationality of aircrafts or registration of rights towards aircrafts.
2. Any person wishing to modify information about registration of nationality of aircrafts and registration of rights towards aircrafts shall submit an application directly, by post or by other means to the Civil Aviation Authority of Vietnam.
3. An application for modification of information about registration of nationality of aircrafts and rights towards aircrafts shall include:
 - a) An application form according to Form No. 03 in Appendix enclosed with this Decree;

- b) Certified true copies (or copies enclosed with the original copies for comparison) of documents proving the legal status of the applicant;
- c) Certified true copies (or copies enclosed with the original copies for comparison) of information to be modified.
4. Documents in foreign languages shall undergo consular legalization according to law provisions on consular certification and consular legalization.
5. Within one (01) working day from the day on which the satisfactory application is received, the Civil Aviation Authority of Vietnam shall carry out the modification of information about registration of nationality of aircrafts and registration of rights towards civil aircrafts in Aircraft Register of Vietnam, issue new Certificate and relevant documents.
- If the application is rejected, the Civil Aviation Authority of Vietnam shall send the applicant a written response containing explanation.
6. The applicant for information modification shall pay fees according to law provisions.

Chapter VI

IMPLEMENTARY CLAUSE

Article 28. Effect

1. This Decree comes into effect from October 15th 2015.
2. This Decree replaces the Decree No. 70/2007/ND-CP dated April 20th 2007 and Decree No. 50/2012/ND-CP dated June 11th 2012 by the Government.

Article 29. Transitional clauses

Certificates relating to registration of aircrafts in Vietnam that were issued before the effective date of this Decree shall be continuously effective according to the deadline written on such Certificates; expired Certificates shall be issued according to regulations in this Decree.

Article 30. Organization of implementation

1. The Ministry of Transport shall be responsible for implementing this Decree.
2. The Ministry of Finance is in charge of prescribing the rate of collection and the management and use of charges and fees relating to the registration of nationality of aircrafts, registration of right of priority in payment for rescue/preservation of aircrafts, issuance of register number, deregistration of international interests of Vietnamese nationality aircrafts, registration and deregistration of written authorization of people for requesting deregistration or export of aircrafts; provisions of information in the Aircraft Register of Vietnam and modification of information about registration of nationality and registration of rights towards aircrafts At the request of the Ministry of Transport.
3. Ministers, Heads of ministerial-level agencies, Heads of Governmental agencies, the Presidents of People's Committees of central-affiliated cities and provinces and relevant organizations/individuals shall be responsible for implementing this Decree./.

**ON BEHAFT OF THE GOVERNMENT
THE MINISTER**

Nguyen Tan Dung

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