

Part 13
PASSENGER CARRYING REQUIREMENTS OF AIRCRAFT OPERATION
CERTIFICATE HOLDER AOC

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SUBPART A: GENERAL

13.001 APPLICABILITY

- (a) This Part prescribes the passenger-carrying requirements of Vietnam for aircraft with passenger seating capacity of more than 19 passengers, in addition to the passenger-carrying requirements required by Part 10.
- (b) This Part is applicable to the persons and organizations that operate the aircraft and the persons performing duties on their behalf.

13.003 DEFINITIONS

- (a) For the purpose of this Part, the following definitions shall apply:

Note: Additional aviation-related terms are defined in Part 1 of these regulations.

(1) 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) As per helicopters, an operation over water at a horizontal distance that is 50 nautical miles from the nearest shoreline or 50 nautical miles from the landing left form off coast.

- (2) **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.

13.005 ACRONYMS

- (a) The following acronyms are used in this Part:
 - (1) AOC (Air Operator Certificate);
 - (2) OM (Operation Manual);
 - (3) PBE (Protective Breathing Equipment);
 - (4) PIC (Pilot In Command);
 - (5) F/O (First Officer);
 - (6) SCA (Senior Cabin Crew Member/Purser).

13.007 PASSENGER-CARRYING REQUIREMENTS

- (a) No person may be carried without compliance to the passenger carrying requirements unless:

- (1) There is an approved seat with an approved seat belt for that person;
- (2) That seat is located so that the occupant is not in any position to interfere with the flight crew members performing their duties;
- (3) There is unobstructed access from their seat to the flight deck or a regular or emergency exit;
- (4) There is a means for notifying that person when smoking is prohibited and when seat belts shall be fastened; and
- (5) That person has been orally briefed by a crew member on the use of emergency equipment and exits.

Note: reference to Appendice 1 of 13.007 for more details of safe equipments need to be briefed as requested at Point (5), Item (b), Paragraph 13.007.

- (b) The passenger-carrying requirements of item (a) of this paragraph do not apply when carrying:
 - (1) A crew member not required for the flight;
 - (2) A representative of the Authority on official duty;
 - (3) A person necessary to the safety or security of cargo or animals; or
 - (4) Any person authorised by the AOC holder's Operation Manual.

SUBPART B: CABIN CREW MEMBERS

13.010 REQUIRED CABIN CREW MEMBERS

- (a) The AOC holder shall schedule, and the PIC shall ensure that the minimum number of required and licenced cabin crew members are on board passenger-carrying flights.
- (b) The number of cabin crew members may not be less than minimum prescribed by the Authority in the AOC holders' operations specifications or the following, whichever is greater:
 - (1) For a seating capacity of 20 to 50 passengers: 1 cabin crew member; and
 - (2) One additional cabin crew member for each unit of 50 passenger seat capacity;
 - (3) In no case, will the number of cabin crew members be less than the number of life rafts carried
- (c) When passengers are on board at parked aircraft, the minimum number of cabin crew members shall be:
 - (1) One-half that required for the flight operation;
 - (2) But never less than one cabin crew member (or another person qualified in the emergency evacuation procedures for the aircraft); and
 - (3) Where one-half would result in a fractional number, it is permissible to round down to the next whole number.
- (d) In unforeseen circumstances the required minimum number of cabin crew may be reduced provided that:
 - (1) The number of passengers has been reduced in accordance with procedures specified in

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the Operations Manual; and

- (2) A report is submitted to the Authority by AOC holder after completion of the flight.

13.013 CABIN CREW MEMBER PRIVILEGES

- (a) A cabin crew member licenced under Part 7 may perform cabin safety services for hire on passenger carrying aircraft when cabin crew members are required by 13.010:
 - (1) For commercial air transport operations, when also qualified under the requirements of Part 14.
 - (2) For general aviation operations, after initial and recurrent of emergency training and drills for the specific aircraft.
- (b) A cabin crew member shall have in his personal possession during flight operations a current Class 2 medical certificate issued in the last 12 calendar months.

13.015 CABIN CREW MEMBERS AT DUTY STATIONS

- (a) During taxi, cabin crew members shall remain at their duty stations with safety belt and shoulder harness fastened except to perform duties related to the safety of the aircraft and its occupants.
- (b) During takeoff and landing, cabin crew members shall remain at their duty stations with safety belt and shoulder harness fastened.
- (c) During enroute phases of flight, the cabin crew member shall be seated at their duty station with safety belt and shoulder harness fastened whenever the PIC so directs.

Note: This does not prevent the PIC from directing the fastening of the seat belt only at times other than for takeoff and landing.
- (d) During takeoff and landing, cabin crew members shall be assigned to duty stations as near as practicable to required floor level exits and shall be uniformly distributed throughout the aircraft to provide the most effective egress of passengers in event of an emergency evacuation.
- (e) When passengers are on board a parked aircraft, cabin crew members (or another person qualified in emergency evacuation procedures for the aircraft) will be placed in the following manner:
 - (1) If only one qualified person is required, that person shall be located in accordance with the AOC holder's Operations Manual procedures;
 - (2) If more than one qualified person is required, those persons shall be spaced throughout the cabin to provide the most effective assistance for the evacuation in case of an emergency.

SUBPART C: PASSENGERS

13.020 DENIAL OF TRANSPORTATION

- (a) To prescribe Article 146, Part 3 of the Civil Aviation Law, an AOC holder may deny transportation because a passenger:
 - (1) Refuses to comply with the instructions regarding exit seating restrictions prescribed by the Authority; or
 - (2) Has a handicap that can be physically accommodated only by an exit row seat.

- (b) The following requirements from Article 146 of the Civil Aviation Law also apply to the right to refuse the carriage of passenger who has got an air ticket and reserved a seat on the flight or in the course of the passenger's journey:
- (1) Do From condition of the passenger's health the carrier obviously realizes that the transport of the passenger or continuing transport of the passenger shall be dangerous or harmful to the passenger, other persons on the aircraft or the flight;
 - (2) For the prevention of infectious disease spread;
 - (3) The passenger does not observe regulations on aviation safety and security and air transportation;
 - (4) The passenger has an act affecting public order, jeopardizing the flight's safety or affecting others' life and health or properties;
 - (5) The passenger is in influence of alcohol, beer and other stimulants that he/she does not control his/ her behaviour;
 - (6) For the security reasons;
 - (7) At the request of competent governmental authority.

13.023 PROHIBITION AGAINST CARRIAGE OF WEAPONS

- (a) No person may, while on board an aircraft being operated in commercial air transport, carry on or about their person a deadly or dangerous weapon, either concealed or unconcealed.

Note: This section does not apply to officials or employees of the State who are authorised to carry weapons or crew members and other persons authorised by the AOC holder to carry arms.

13.025 CARRIAGE OF SPECIAL SITUATION PASSENGERS

- (a) No AOC holder may allow the transportation of special situation passengers except:

- (1) As provided in the AOC holder's Operations Manual procedures; and
- (2) With the knowledge and concurrence of the PIC.

- (b) The special situations passengers shall include:

- (1) Blind persons;
- (2) Paraplegic persons (non-ambulatory);
- (3) Persons with reduced mobility;
- (4) Persons requiring medical oxygen;
- (5) Person unable to use seat belts; and
- (6) Prisoners under escort;

13.027 OXYGEN FOR MEDICAL USE BY PASSENGERS

- (a) An AOC holder may allow a passenger to carry and operate equipment for the storage, generation or dispensing of medical oxygen only as prescribed by the Authority.
- (b) No person may smoke, and no crew member may allow any person to smoke within 10 feet of oxygen storage and dispensing equipment carried for the medical use of a passenger.

- (c) No crew member may allow any person to connect or disconnect oxygen dispensing equipment to or from an oxygen cylinder while any other passenger is aboard the aircraft.

13.030 CARRIAGE OF PERSONS WITH REDUCED MOBILITY

- (a) No person may allow a person of reduced mobility to occupy seats where their presence could:
 - (1) Impede the crew in their duties;
 - (2) Obstruct access to emergency equipment; or
 - (3) Impede the emergency evacuation of the aircraft.

13.033 PASSENGER SEAT BELTS

- (a) Each passenger occupying a seat or berth shall fasten his or her safety belt and keep it fastened while the "Fasten Seat Belt" sign is lighted or, in aircraft not equipped with such a sign, whenever instructed by the PIC.
- (b) No passenger safety belt may be used by more than one occupant during takeoff and landing.
- (c) At each unoccupied seat, the safety belt and shoulder harness, if installed, shall be secured so as not to interfere with crew members in the performance of their duties or with the rapid egress of occupants in an emergency.

Note: A person who has not reached his or her second birthday may be held by an adult who is occupying a seat or berth.

Note: A berth, such as a multiple lounge or divan seat, may be occupied by two persons provided it is equipped with an approved safety belt for each person and is used during en-route flight only.

13.035 EXIT ROW SEATINGS

- (a) No PIC or SCA may allow a passenger to sit in an emergency exit row if the PIC or SCA determine that it is likely that the passenger would be unable to understand and perform the functions necessary to open an exit and to exit rapidly.

Note: See Appendix 1 to 13.035 for additional requirements pertaining to exit row seating.

13.037 PASSENGER INFORMATION SIGNS

- (a) The PIC shall turn on required passenger information signs during any movement on the surface, for each takeoff and each landing, and when otherwise considered to be necessary.

13.040 PASSENGER COMPLIANCE WITH INSTRUCTIONS

- (a) Each passenger on a commercial air transport flight shall comply with instructions given by a crew member in compliance with this Part.

13.043 REQUIRED PASSENGER BRIEFINGS

- (a) No person may commence a takeoff unless the passengers are briefed prior to takeoff in accordance with the AOC holder's Operation Manual procedures on:
 - (1) Smoking limitations and prohibitions;
 - (2) Emergency exit location and use;

- (3) Use of safety belts;
 - (4) Emergency floatation means location and use;
 - (5) Placement of seat backs;
 - (6) If flight is above 12,000 feet MSL, the normal and emergency use of oxygen; and
 - (7) The passenger briefing card.
- (b) Immediately before or immediately after turning the seat belt sign off, the PIC or SCA shall ensure that the passengers are briefed to keep their seat belts fastened while seated, even when the seat belt sign is off.
 - (c) Before each takeoff, the PIC or SCA shall ensure that any persons of reduced mobility are personally briefed on:
 - (1) The route to the most appropriate exit; and
 - (2) The time to begin moving to the exit in event of an emergency.

13.045 PASSENGER BRIEFING: EXTENDED OVERWATER OPERATIONS

- (a) No person may commence extended overwater operations unless all passengers have been orally briefed on the location and operations of life preservers, life rafts and other flotation means, including a demonstration of the method of donning and inflating a life preserver.

SUBPART D: SECURING ITEMS OF MASS

13.050 SECURING OF BAGGAGE IN PASSENGER COMPARTMENT

- (a) No person may allow the takeoff or landing of an aircraft unless each item of mass in the passenger cabin is properly secured to prevent it from becoming a hazard during taxi, takeoff and landing and during turbulent weather conditions.
- (b) No person may allow an aircraft to move on the surface, takeoff or land unless each passenger serving cart is secured in its stowed position.

13.053 CARRY-ON BAGGAGE

- (a) No person may allow the boarding of carry-on baggage unless it can be adequately and securely stowed in accordance with the AOC holder's Operations Manual procedures.
- (b) No person may allow aircraft passenger entry doors to be closed in preparation for taxi or pushback unless at least one required crew member has verified that each article of baggage has been properly stowed in overhead racks with approved restraining devices or doors, or in approved locations aft of the bulkhead.
- (c) No person may allow carry-on baggage to be stowed in a location that would cause that location to be loaded beyond its maximum placard weight limitation.

Note: The stowage locations shall be capable of restraining the articles in crash impacts severe enough to induce the ultimate inertia forces specified in the emergency landing conditions under which the aircraft was type-certified.

13.055 CARRIAGE OF CARGO IN PASSENGER COMPARTMENTS

- (a) No person may allow the carriage of cargo in the passenger compartment of an aeroplane except as prescribed by the Authority.

Note: See Appendix 1 to 13.055 for specific requirements pertaining to carriage of cargo in passenger compartments.

SUBPART E: EMERGENCY PREPAREDNESS

13.060 ACCESSIBILITY OF EMERGENCY EQUIPMENT AND EXITS

- (a) No person may allow carry-on baggage or other items to block access to the emergency exits when the aircraft is moving on the surface, during takeoff or landing, or while passengers remain on board.

13.063 READINESS OF AUTOMATIC EMERGENCY EXITS

- (a) No person may cause an aeroplane carrying passengers to be moved on the surface, takeoff or land unless each automatically deployable emergency evacuation assisting means installed on the aircraft is ready for evacuation.

13.065 STOPS WHERE PASSENGERS REMAIN ON BOARD

- (a) At stops where passengers remain on board the aircraft, the PIC, the SCA, or both shall ensure that:
 - (1) All engines are shut down;
 - (2) At least one floor level exit remains open to provide for the deplaning of passengers; and
 - (3) There is at least one person immediately available who is qualified in the emergency evacuation of the aircraft and who has been identified to the passengers on board as responsible for the passenger safety.
- (b) If refuelling with passengers on board, the PIC or a designated company representative shall ensure that the AOC holder's Operations Manual procedures are followed.

13.067 PASSENGER SEAT BACKS

- (a) No PIC or SCA may allow the takeoff or landing of an aircraft unless each passenger seat back is in the upright position.
- (b) Exceptions may only be made in accordance with procedures in the AOC holder's Operations Manual provided the seat back does not obstruct any passenger's access to the aisle or to any emergency exit.

13.070 STOWAGE OF FOOD AND BEVERAGE

- (a) No PIC or SCA may allow the movement of an aircraft on the surface, takeoff or land:
 - (1) When any food, beverage or tableware furnished by the AOC holder is located at any passenger seat; and
 - (2) Unless each food and beverage tray and seat back tray table is in the stowed position.

APPENDICES

APPENDIX 1 SECTION 13.007: PASSENGER INSTRUCTIONS

- (a) General:
 - (1) Passengers are instructed on safety issues. A part of this notice may be made through graphic underneath form of films with sound.
 - (2) Hành khách phải được cung cấp bảng thông báo an toàn dưới dạng ảnh chỉ rõ sự hoạt động của các thiết bị an toàn và cửa thoát hiểm cho hành khách sử dụng trong trường hợp khẩn cấp. Passengers are provided safety board as a graphic showing the operation of the safety equipment and exits for passengers in case of an emergency.
- (b) Before takeoff:
 - (1) Passengers be informed of the followings if applicable:
 - (i) Regulation of smoking;
 - (ii) The back seat is in the upright position and the seat back tray table must be in the stowed position;
 - (iii) Location of exit doors;
 - (iv) Location and use of indicator lights to exit doors on the floor of the aircraft;
 - (v) Stowage of carry-on baggage;
 - (vi) Limitation use of portable electronic devices;
 - (vii) Location and content of safety instruction board.
 - (2) Passengers be performed the followings:
 - (i) Use of seat belts and safety belts including the installation and opening the wire and / or seat belts;
 - (ii) Location and use of oxygen equipment if required. Passengers must also be informed about how to stam out all of the smoke when oxygen equipment is used;
 - (iii) Location and use of life preservers when requested.
- (c) After takeoff;
 - (1) Passengers be reminded of followings if applicable:
 - (i) Regulation of smoking;
 - (ii) Use of seat belts and safety belts including safe benefits of fastening seat belts while sitting regardless of status of the signal light seatbelt.
- (d) Before landing:
 - (1) Passengers be reminded of followings if applicable:
 - (i) Regulation of smoking;
 - (ii) Use of seat belt or safety belts;
 - (iii) The back seat is in the upright position and the seat back tray table must be in the stowed position;
 - (iv) Stowage of carry-on baggage; and
 - (v) Limitation use of portable electronic devices.
- (e) Prior to landing:
 - (1) Passengers be reminded of followings:
 - (i) Regulation of smoking;
 - (ii) Use of seat belt or safety belts.
- (f) In an emergency during flight, passengers are instructed emergency actions appropriate to the situation.

APPENDIX 1 SECTION 13.035: EXIT ROW SEATING

- (a) No cabin crew member may seat a person in a passenger exit seat if it is likely that the person would be unable to perform one or more of the applicable functions listed below:
 - (1) The person lacks sufficient mobility, strength, or dexterity in both arms and hands, and both legs:
 - (i) To reach upward, sideways, and downward to the location of emergency exit and exit-slide operating mechanisms;
 - (ii) To grasp and push, pull, turn, or otherwise manipulate those mechanisms;
 - (iii) To push, shove, pull, or otherwise open emergency exits;

- (iv) To lift out, hold, deposit on nearby seats, or manoeuvre over the seat backs to the next row objects the size and weight of over-wing window exit doors;
 - (v) To remove obstructions of size and weight similar to over-wing exit doors;
 - (vi) To maintain balance while removing obstructions;
 - (vii) To exit expeditiously;
 - (viii) To stabilise an escape slide after deployment; or
 - (ix) To assist others in getting off an escape slide.
- (2) The person is less than 15 years of age or lacks the capacity to perform one or more of the applicable functions listed above without the assistance of an adult companion, parent, or other relative;
 - (3) The person lacks the ability to read and understand instructions required by this section and related to emergency evacuation provided by the AOC holder in printed, or graphic form, or the ability to understand oral crew commands;
 - (4) The person lacks sufficient visual capacity to perform one or more of the above functions without the assistance of visual aids beyond contact lenses or eyeglasses;
 - (5) The person lacks sufficient aural capacity to hear and understand instructions shouted by cabin crew members, without assistance beyond a hearing aid;
 - (6) The person lacks the ability adequately to impart information orally to other passengers; or
 - (7) The person has a condition or responsibilities, such as caring for small children, that might prevent the person from performing one or more of the functions listed above; or a condition that might cause the person harm if he or she performs one or more of the functions listed above.
- (b) Determination as to the suitability of each person permitted to occupy an exit seat shall be made by the persons designated in the AOC holder's operations manual.
 - (c) In the event a cabin crew member determines that a passenger assigned to an exit seat would be unable to perform the emergency exit functions, or if a passenger requests a non-exit seat, the cabin crew member shall expeditiously relocate the passenger to a non-exit seat.
 - (d) In the event of full booking in the non-exit seats, and if necessary to accommodate a passenger being relocated from an exit seat, the cabin crew member shall move a passenger who is willing and able to assume the evacuation functions, to an exit seat.
 - (e) Each AOC ticket agent shall, prior to boarding, assign seats consistent with the passenger selection criteria and the emergency exit functions, to the maximum extent feasible.
 - (f) Each cabin crew member shall include in their passenger briefings a request that a passenger identify himself or herself to allow re-seating, in case the gate agent wrongly places a person in the exit row that:
 - (1) Cannot meet the selection criteria;
 - (2) Has a non discernible condition that will prevent him or her from performing the evacuation functions;
 - (3) May suffer bodily harm as the result of performing one or more of those functions; or
 - (4) Does not wish to perform emergency exit functions.
 - (g) Each cabin crew member shall include in their passenger briefings a reference to the passenger information cards and the functions to be performed in an emergency exit.
 - (h) Each passenger shall comply with instructions given by a crew member or other authorised

employee of the AOC holder implementing exit seating restrictions.

- (i) No PIC may allow taxi or pushback unless at least one required crew member has verified that all exit rows and escape paths are unobstructed and that no exit seat is occupied by a person the crew member determines is likely to be unable to perform the applicable evacuation functions.

APPENDIX 1 SECTION 13.055: CARRIAGE OF CARGO IN PASSENGER COMPARTMENTS

- (a) Cargo may be carried anywhere in the passenger compartment if it is carried in an approved cargo bin that meets the following requirements:
 - (1) The bin must withstand the load factors and emergency landing conditions applicable to the passenger seats of the aeroplane in which the bin is installed, multiplied by a factor of 1.15, using the combined weight of the bin and the maximum weight of cargo that may be carried in the bin;
 - (2) The maximum weight of cargo that the bin is approved to carry and any instructions necessary to insure proper weight distribution within the bin must be conspicuously marked on the bin;
 - (3) The bin may not impose any load on the floor or other structure of the aeroplane that exceeds the load limitations of that structure;
 - (4) The bin must be attached to the seat tracks or to the floor structure of the aeroplane, and its attachment must withstand the load factors and emergency landing conditions applicable to the passenger seats of the aeroplane in which the bin is installed, multiplied by either the factor 1.15 or the seat attachment factor specified for the aeroplane, whichever is greater, using the combined weight of the bin and the maximum weight of cargo that may be carried in the bin;
 - (5) Combination of weight of the bin and the maximum weight of cargo that the bin is approved to carry must be used.
 - (6) The bin may not be installed in a position that restricts access to or use of any required emergency exit, or of the aisle in the passenger compartment;
 - (7) The bin must be fully enclosed and made of material that is at least flame resistant;
 - (8) Suitable safeguards must be provided within the bin to prevent the cargo from shifting under emergency landing conditions; and
 - (9) The bin may not be installed in a position that obscures any passenger's view of the "seat belt" sign, "no smoking" sign, or any required exit sign, unless an auxiliary sign or other approved means for proper notification of the passenger is provided.
- (b) Cargo, including carry-on baggage, may be carried anywhere in the passenger compartment of a small (Group B) aeroplane if it is carried in an approved cargo rack, bin, or compartment installed in or on the aeroplane, if it is secured by an approved means, or if it is carried in accordance with each of the following:
 - (1) For cargo, it is properly secured by a safety belt or other tie-down having enough strength to eliminate the possibility of shifting under all normally anticipated flight and ground conditions, or for carry-on baggage, it is restrained so as to prevent its movement during air turbulence;
 - (2) It is packaged or covered to avoid possible injury to occupants;
 - (3) It does not impose any load on seats or in the floor structure that exceeds the load limitation for those components;

- (4) It is not located in a position that obstructs the access to, or use of, any required emergency or regular exit, or the use of the aisle between the crew and the passenger compartment, or is located in a position that obscures any passenger's view of the "seat belt" sign, "no smoking" sign or placard, or any required exit sign, unless an auxiliary sign or other approved means for proper notification of the passengers is provided;
- (5) It is not carried directly above seated occupants.
- (6) It is stowed in compliance with these restrictions during takeoff and landing.
- (7) For cargo-only operations, if the cargo is loaded so that at least one emergency or regular exit is available to provide all cabin crew members of the aeroplane a means of unobstructed exit from the aeroplane if an emergency occurs.