

Part 18

Transportation of Dangerous Goods by Air

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SUBPART A: GENERAL**18.001 APPLICABILITY**

- (a) This Part prescribes the requirements of the Republic of Vietnam that apply to the carriage of dangerous goods by air as specified in:
 - (1) The International Civil Aviation Organization Document, *Technical Instructions for the Safe Transport of Dangerous Goods by Air*, and all applicable amendments; and
 - (2) As amplified by, the *Dangerous Goods Regulations* of the International Air Transport Association.
- (b) This Part is applicable to operators of aircraft in:
 - (1) Aerial work;
 - (2) Commercial air transport; and
 - (3) General aviation.
- (c) This Part is also applicable to all organizations and individuals involved in the process of shipping dangerous goods by air, including all persons performing duties required by these regulations.
- (d) Any instructions or limitations contained in the *Technical Instructions* for the carriage of dangerous goods on passenger or cargo aircraft, as therein defined shall for the purpose of this Part be interpreted as applying also to the carriage of such goods beneath passenger or cargo aircraft.

18.003 DEFINITIONS

- (a) All definitions applicable to this Part are contained in Part 1 (Appendix 1 to 1.007) of these regulations.

18.005 ACRONYMS & ABBREVIATIONS

- (a) The meanings of acronyms in this Part are contained in Part 1 (Appendix 1 to 1.008) of these regulations.

18.007 GENERAL PROHIBITIONS

- (a) No person may carry on any aircraft articles and substances that are specifically identified by name or by generic description in the *Technical Instructions* as being forbidden for transport by air under any circumstances.
- (b) No person may carry on any aircraft articles and substances that are specifically identified by name or by generic description in the *Technical Instructions* as being forbidden for transport by air under normal circumstances or infected live animals.
- (c) No person may carry on any aircraft articles or substances classified as dangerous goods except as established in this Part and the detailed specifications and procedures provided in:
 - (1) The *Technical Instructions*; and
 - (2) As amplified by, the IATA-DGR.
- (d) With respect to any goods which a person knows or ought to know or suspect to be dangerous goods, that person shall not, without determining and complying with the restrictions regarding carriage by air:
 - (1) Take or cause it to be taken on board;
 - (2) Suspend or cause it to be suspended beneath, or
 - (3) Deliver or cause it to be delivered for load or suspend beneath an aircraft.

SUBPART B: APPROVALS & SAFETY OVERSIGHT**18.010 APPLICABILITY**

- (a) This Subpart requires the approval of the CAAV for carriage of dangerous goods except as provided in the exceptions of this Part.

18.011 APPROVAL REQUIRED

- (a) No person may operate an aircraft with any dangerous goods therein or suspended thereunder, unless such goods are carried, loaded or suspended:
 - (1) With the written approval of the CAAV and in accordance with any conditions to which such approvals may be subject, and
 - (2) In accordance with the *Technical Instructions* and any conditions specified therein.
- (b) Where specifically provided for in the *Technical Instructions*, the CAAV and other States concerned may grant an approval provided that in such instances an overall level of safety in transport which is equivalent to the level of safety provided for in the *Technical Instructions* is achieved.
- (c) For the purpose of approvals, "States concerned" are the States of Origin and the Operator, unless otherwise specified in the *Technical Instructions*.

18.013 INITIAL CERTIFICATION & APPROVAL

- (a) No operator, shipper or other organization may perform functions involving the safe transportation of dangerous goods by air unless they have demonstrated the capability to perform that function to the satisfaction of the CAAV and have been issued the required approval(s) authorizing those functions.
- (b) Each operator, shipper or other organization shall demonstrate full compliance with the applicable requirements of this Part prior to certification and approval to perform functions involving the transportation of dangerous goods by air.

18.015 SURVEILLANCE

- (a) Each person, operator, shipper or other organization performing functions involving the safe transportation of dangerous goods by air is subject to the on-going safety oversight inspection program of the CAAV during the performance of those functions.
- (b) As provided in Part 1 of these regulations, each person, operator, shipper or other organization performing functions involving the safe transportation of dangerous goods by air shall grant the CAAV free and uninterrupted access to the facilities, aircraft and other areas where these functions are being performed for the purpose of:
 - (1) Inspecting dangerous goods consignments prepared, offered, accepted or transported by these entities;
 - (2) Inspecting the procedures and practices of these entities;
 - (3) Inspecting the required records that must be maintained;
 - (4) Investigating incidents and alleged violations; and
 - (5) Other safety oversight functions relating to transportation of dangerous goods.

18.017 FULL COMPLIANCE REQUIRED

- (a) Each person, operator, shipper or other organization performing functions involving the safe transportation of dangerous good by air shall be in full compliance with the applicable requirements of this Part and the ICAO *Technical Instructions* during the performance of those functions.
- (b) Each person, operator, shipper or other organization performing functions involving the safe transportation of dangerous goods by air is subject to the administrative and enforcement penalties specified in Part 1 of these regulations for failure to comply with the regulations of this Part and the ICAO *Technical Instructions*.
- (c) Each Vietnam person, operator, shipper or other organization having been identified as failing to comply with the ICAO *Technical Instructions* or applicable portions of ICAO Annex 18 by the civil aviation authorities of another State shall be subject to administrative and enforcement penalties of Vietnam regardless of the action taken by the other State.

SUBPART C: EXCEPTIONS & EXEMPTIONS

18.020 APPLICABILITY

- (a) This Subpart provides the basis for exceptions and exemptions to the requirements of the:
- (1) ICAO *Technical Instructions*; and
 - (2) IATA *Dangerous Goods Regulations*.

18.023 GENERAL EXCEPTIONS

- (a) These requirements shall not apply to dangerous goods of the classifications specified in Part I of the *Technical Instructions* provided that:
- (1) The dangerous goods do not exceed the appropriate quantity limitations specified therein; and
 - (2) Such other conditions as are specified therein are complied with.

18.025 PASSENGER OR CREW MEMBER PERSONAL ITEMS

- (a) Specific articles and substances carried by passengers or crew members shall be excepted from the provisions of this Part to the extent specified in the *Technical Instructions*.

18.027 REQUIRED FOR AIRCRAFT OPERATIONS

- (a) Articles and substances which would otherwise be classed as dangerous goods shall be excepted from the provisions of this Part if they are required to be aboard the aircraft:
- (1) In accordance with the pertinent airworthiness requirements and operating regulations; or
 - (2) For those specialized purposes identified in the *Technical Instructions*.
- (b) Additional articles and substances which would otherwise be classed as dangerous goods are excluded from the provisions of this Part to the extent specified in the *Technical Instructions*, provided they are:
- (1) Carried as catering or cabin service supplies;
 - (2) Carried for use in flight as veterinary aid or as a humane killer for an animal; or
 - (3) Carried for use in flight for medical aid for a patient, provided that:
 - (i) Gas cylinders have been manufactured specifically for the purpose of containing and transporting that particular gas;
 - (ii) Drugs, medicines and other medical matter are under the control of trained personnel during the time when they are in use in the aircraft;
 - (iii) Equipment containing wet cell batteries is kept and, when necessary secured, in an upright position to prevent spillage of the electrolyte; and
 - (iv) Proper provision is made to stow and secure all the equipment during take-off and landing and at all other times when deemed necessary by the PIC in the interests of safety; or
- (c) Where articles and substances intended as replacements for those described in paragraphs (a) and (b) of this Section or which have been removed or the replacement are carried on an aircraft, they shall be transported in accordance with the provisions of this Part and as permitted in the *Technical Instructions*.

18.030 DANGEROUS GOODS FORBIDDEN FOR TRANSPORT BY AIR UNLESS EXEMPTED

- (a) No person may offer for transport on an aircraft or carry on an aircraft the dangerous goods referenced in paragraphs (a) and (b) of Section 18.007 unless:
- (1) Exempted by the States concerned under provisions similar to Section 18.033 of this Part, or
 - (2) The provisions of the *Technical Instructions* indicate they may be transported under an approval issued by the State of Origin

18.033 EXEMPTIONS

- (a) In cases of extreme urgency or when other forms of transport are inappropriate or full compliance with the prescribed requirements is contrary to the public interest, the CAAV and other States concerned may grant exemptions from the provisions of ICAO Annex 18 provided that in such cases every effort shall be made to achieve an overall level of safety in transport which is equivalent to the level of safety provided by the requirements of this Part and ICAO Annex 18.
- (b) For the purpose of exemptions, "States concerned" shall be the States of Origin, Operator, Transit, Overflight and Destination.
- (c) Where Vietnam is the State of Overflight, if none of the criteria for granting an exemption are relevant, an exemption with specific routing and other restrictions may be granted by the CAAV based solely on whether it is believed that an equivalent level of safety in air transport has been achieved.

18.035 SURFACE TRANSPORT EXEMPTION

- (a) Dangerous goods that are correctly classified, packaged and labelled for transportation by air may be transported from the shipper to the aerodrome under the applicability of this Part provided the:
 - (1) Transporting vehicle has the proper external notification signage prominently displayed;
 - (2) Transporting person is aware of and trained on the hazards associated with the articles and has the necessary capability to mitigate those hazards in event of an accident during transport; and
 - (3) Quantity of articles and goods with each vehicle does not constitute a public hazard or the proposed route and method has been coordinated with the authorities responsible for the surface routes.

SUBPART D: RESPONSIBILITIES**18.040 APPLICABILITY**

- (a) This Subpart consolidates the primary organization and individual responsibilities that are applicable to the preparation and transport of dangerous goods by air.

18.043 SHIPPER'S RESPONSIBILITIES*Shipper Personnel Conformance*

- (a) The shipper shall ensure that its personnel conform to the requirements of this Part and the *Technical Instructions* in the performance of their duties and responsibilities.

Employee Training Records Updated

- (b) The shipper shall ensure that each employee completes all dangerous goods training requirements and their training records are updated prior to their performance of tasks associated with transport of dangerous goods by air.

Documents & Supplies

- (c) To ensure proper completion of their assigned tasks, the shipper shall provide employees with all necessary:
 - (1) Shipping instructions and guidance;
 - (2) Reference documents;
 - (3) Shipping documents; and
 - (4) Packaging, labelling, and marking supplies.

Before Consignment

- (d) Before consigning any package or overpack containing dangerous goods for transport by air, the shipper shall ensure that:

- (1) The goods are not of a category whose carriage by air is prohibited by the provisions of the *Technical Instructions*;
- (2) The goods are classified and packed and the packagings used are in accordance with such provisions of the *Technical Instructions* as apply to the goods;
- (3) The package is marked and labelled in accordance with such provisions of as related to marking and labelling and in accordance with the *Technical Instructions*;
- (4) The package is in a fit condition for carriage by air; and
- (5) The dangerous goods transport document has been completed and that the declaration therein has been made.

Training Program

- (e) The shipper shall establish, implement and update dangerous goods training programs for its personnel as prescribed by the *Technical Instructions* and the CAAV.

Required Reports

- (f) The shipper shall report to the CAAV, in the prescribed form and manner and in accordance with the *Technical Instructions*, the following occurrences relating to dangerous goods intended for transport by air:
 - (1) Undeclared dangerous goods;
 - (2) Mis-declared dangerous goods;
 - (3) Mistakes of classification, labelling, packaging or storage;
 - (4) Damage or leakage which caused contamination; and
 - (5) Actions taken to rectify the occurrences.

Security

- (g) The shipper shall comply with dangerous goods security measures to minimize theft or misuse of dangerous goods that may endanger persons, property or the environment and ensure that its employees comply with those measures.

18.045 OPERATOR'S RESPONSIBILITIES

CAAV Approval Required

- (a) No operator may transport dangerous goods subject to the applicability of this Part unless approved to do so by the CAAV.

Operator Personnel Conformance

- (b) The operator shall ensure that its personnel conform to the requirements of this Part and the *Technical Instructions* in the performance of their duties and responsibilities on all occasions when dangerous goods are carried, irrespective of whether the flight is wholly or partly within or wholly outside the territory of Vietnam.

Compliance with Foreign Variations

- (c) Where dangerous goods are to be transported outside the territory of Vietnam, the operator shall ensure that its personnel have reviewed and are in compliance with the appropriate variations noted by ICAO Contracting states contained in the *Technical Instructions*.

Training of Personnel Recorded

- (d) The operator shall ensure that each employee completes all applicable dangerous goods training requirements and their training records are updated prior to their performance of tasks associated with transport of dangerous goods by air.

Provision of Documents & Supplies

- (e) To ensure proper completion of their assigned tasks, the operator shall provide employees with all necessary:
- (1) Operator manuals;
 - (2) Reference documents;
 - (3) Shipping documents; and
 - (4) Packaging, labelling, and marking supplies.

DG Transport Document Required

- (f) An operator shall not accept dangerous goods for transport by air unless the dangerous goods are accompanied by a completed dangerous goods transport document, except where the *Technical Instructions* indicate that such a document is not required.

Inspection of Packages Required

- (g) An operator shall not accept dangerous goods for transport by air until the package, overpack or freight container containing the dangerous goods has been inspected in accordance with the acceptance procedures contained in the *Technical Instructions*.

Acceptance Checklist Required

- (h) An operator shall develop and ensure the use of an acceptance checklist as an aid to compliance with the requirements of this Part and the *Technical Instructions*. This checklist must specifically identify any requirement that is more restrictive than those specified in the *Technical Instructions*.

Loading, Storage, Segregating & Securing

- (i) The operator shall not allow the loading, stowage and securing of dangerous goods subject to this Part and the *Technical Instructions* on the aircraft except in accordance with the dangerous goods manual acceptable to the CAAV.
- (j) The operator shall ensure that dangerous goods are loaded, segregated, stowed and secured on an aircraft as specified in the *Technical Instructions*.

Flight deck & Aircraft Cabin

- (k) The operator shall ensure that dangerous goods are not carried in an aircraft cabin occupied by passengers or on the flight deck, unless otherwise specified in the *Technical Instructions*.

Cargo-Only

- (l) The operator shall ensure that packages of dangerous goods bearing the "Cargo Aircraft Only" label are carried on a cargo aircraft and loaded as specified in the *Technical Instructions*.

Provision of Qualified Employee

- (m) The operator shall provide an qualified employee to directly supervise the loading, segregation and securing of the dangerous goods.

Employee Training Programs

- (n) The operator shall establish, implement and update dangerous goods training programs for its personnel as prescribed by the *Technical Instructions* and the CAAV.

SMS & Quality Assurance

- (o) The carriage of dangerous goods shall be included in the operator's safety managements system.

- (p) The operator shall have a quality assurance program acceptable to the CAAV that includes audits of the conformance of the operator's and service provider's organization and employees to the requirements applicable to the transport of dangerous goods by air.

Required Reports

- (q) The operator shall report to the CAAV, in the prescribed form and manner and in accordance with the *Technical Instructions*, the following occurrences relating to dangerous goods intended for transport by air:
- (1) Undeclared dangerous goods;
 - (2) Mis-declared dangerous goods;
 - (3) Mistakes of classification, labelling, packaging, storage or loading;
 - (4) Mistakes of aircraft loading and segregation;
 - (5) Damage or leakage which caused contamination;
 - (6) Any in-flight incident related to dangerous goods; and
 - (7) Actions taken to rectify the occurrences.

Security Measures

- (r) The operator shall comply with dangerous goods security measures to minimize theft or misuse of dangerous goods that may endanger persons, property or the environment and ensure that its employees comply with those measures.

Personnel Informed of Limitations

- (s) The operator shall ensure that all personnel, including third-party personnel, involved in the acceptance, handling, loading and unloading of cargo are informed of the operator's operational approval and limitations with regard to the transport of dangerous goods.

18.047 SERVICE PROVIDER'S RESPONSIBILITIES

- (a) No organization may perform duties and responsibilities on behalf of the operators that are associated with the transport of dangerous goods by air unless they comply with the requirements of:
- (1) The operator's Operation Manual;
 - (2) This Part;
 - (3) The *Technical Instructions*, as amplified by
 - (4) The IATA-DGR.
- (b) No person may accomplish functions for the operator involving preparation of the dangerous goods for transport by air unless they have completed the applicable initial and continuation dangerous goods training program.
- (c) The service provider shall establish, implement and update dangerous goods training programs for its personnel as prescribed by the *Technical Instructions* and the CAAV.
- (d) The service provider shall establish procedures for and report to the CAAV, in the prescribed form and manner and in accordance with the *Technical Instructions*, the following occurrences relating to dangerous goods intended for transport by air:
- (1) Undeclared dangerous goods;
 - (2) Mis-declared dangerous goods;
 - (3) Mistakes of classification, labelling, packaging or storage;
 - (4) Damage or leakage which caused contamination; and
 - (5) Actions taken to rectify the occurrences.

- (e) The service provider shall establish dangerous goods security measures to minimize theft or misuse of dangerous goods that may endanger persons, property or the environment and ensure that its employees comply with those measures.

18.050 RESPONSIBILITIES OF PERSONS PREPARING SHIPMENT

- (a) No person may prepare dangerous goods for transport by air unless they comply with the requirements of:
 - (1) The shipper's guidance instructions;
 - (2) This Part; and
 - (3) The *Technical Instructions*, as amplified by
 - (4) The IATA-DGR.
- (b) No person may accomplish functions for the shipper involving preparation of the dangerous goods for transport by air unless they have completed the applicable initial and continuation dangerous goods training program.

18.053 RESPONSIBILITIES OF PERSONS ACCEPTING SHIPMENT

- (a) No person may accept dangerous goods for transport by air unless they use and complete the operator's acceptance checklist in accordance with the procedures provided by the operator and the *Technical Instructions*.
- (b) No person may prepare dangerous goods for transport by air unless they comply with the requirements of:
 - (1) The operator's Operations Manual;
 - (2) This Part; and
 - (3) The *Technical Instructions*, as amplified by
 - (4) The IATA-DGR.
- (c) No person may accomplish functions for the operator involving the acceptance of dangerous goods for transport of dangerous goods by air unless they have completed the applicable initial and continuation dangerous goods training program.

18.055 RESPONSIBILITIES OF PERSON HANDLING & LOADING SHIPMENT

- (a) No person may handle, load, stow, segregate or secure dangerous goods for transport by air unless they comply with the requirements of:
 - (1) The operator's Operations Manual;
 - (2) This Part; and
 - (3) The *Technical Instructions*.
- (b) No person may accomplish functions for the operator involving handling, loading, stowage, segregation or securing or dangerous goods for transport by air unless they have completed the applicable initial and continuation dangerous goods training program.

18.057 PILOT-IN-COMMAND RESPONSIBILITIES

- (a) No person may accomplish the pilot-in-command responsibilities associated with dangerous goods for transport by air unless they comply with the requirements of:
 - (1) The operator's Operations Manual;
 - (2) This Part; and
 - (3) The *Technical Instructions*.
- (b) No person may accomplish functions for the operator involving the pilot-in-command responsibilities associated with the transport of dangerous goods by air unless they have completed the applicable initial and continuation dangerous goods training program.

18.060 OTHER CREW MEMBERS' RESPONSIBILITIES

- (a) No person may accomplish the crew member responsibilities associated with dangerous goods for transport by air unless they comply with the requirements of:
 - (1) The operator's Operations Manual;
 - (2) This Part; and
 - (3) The *Technical Instructions*.
- (b) No person may accomplish functions for the operator involving their crew member responsibilities associated with the transport of dangerous goods by air unless they have completed the applicable initial and continuation dangerous goods training program.

18.063 DESIGNATED POSTAL OPERATORS RESPONSIBILITIES

- (a) The designated postal operators shall adapt the Universal Postal Union procedures to control the introduction of dangerous goods into air transport through postal services.
- (b) The procedures to be used by designated postal operators for controlling the introduction of dangerous goods in mail into air transport shall be approved by the CAAV prior to their use.
- (c) No person may accomplish functions for the designated postal operators' responsibilities associated with the transport of dangerous goods by air unless they have completed the applicable initial and continuation dangerous goods training program.

SUBPART E: PREPARATION FOR TRANSPORT BY AIR**18.070 APPLICABILITY**

- (a) This Subpart provides the basis for application of the requirements contained in the *Technical Instructions* regarding the preparation of dangerous goods for transport by air.

18.073 APPROVED DANGEROUS GOODS TRAINING PROGRAMS

- (a) Each operator, shipper and other organization (such as designated postal operators) involved in the transportation of dangerous goods by air shall, as provided in the *Technical Instructions*:
 - (1) Establish initial and continuation (recurrent) training programs for all personnel involved in the process of transportation of dangerous goods by air; and
 - (2) Maintain and update these training programs; and
 - (3) Have these programs approved by the CAAV prior to the conduct of this training.

18.075 PREPARATION FOR TRANSPORT: GENERAL

- (a) No person shall offer any package or overpack of dangerous goods for transport by air, unless that person has ensured, as specified in this Part and the *Technical Instructions*, that the dangerous goods are:
 - (1) Not forbidden for transport by air and
 - (2) Properly classified, packed, marked, and labelled; and
 - (3) Accompanied by a properly executed dangerous goods transport document.
- (b) Each package of dangerous goods that have been received through the postal services for transport by air shall be re-packed before acceptance by the operator.

18.077 LANGUAGES TO BE USED FOR MARKINGS & DOCUMENTATION

- (a) The markings and documentation related to the transportation of dangerous goods by air shall be provided in English.
- (b) The markings may, in addition to the requirement of paragraph (a) of this Section, be provided in:
 - (1) The language required by the State of Origin; and/or

- (2) Any other form of expression for universal use as outlined in the *Technical Instructions*.

18.080 CLASSIFICATION

- (a) The classification of an article or substance of dangerous goods shall be in accordance with the provisions of the *Technical Instructions*.

18.083 GENERAL PACKAGING REQUIREMENTS

- (a) No person may package dangerous goods for transport by air unless packaging is in accordance with the provisions of IATA-DGR and as provided for in the *Technical Instructions*.
- (b) Packagings shall:
- (1) Meet the material and construction specifications in the *Technical Instructions*; and
 - (2) Be suitable for the contents.
- (c) Packagings in direct contact with dangerous goods shall be resistant to any chemical or other action of such goods.

18.085 PREVENTION OF LEAKAGE

- (a) Packagings used for the transport of dangerous goods by air shall be of good quality and shall be constructed and securely closed so as to prevent leakage which might be caused in normal conditions of transport, by changes in temperature, humidity or pressure, or by vibration.
- (b) Packagings for which retention of a liquid is a basic function, shall be capable of withstanding, without leaking, the pressure stated in the *Technical Instructions*
- (c) Inner packagings shall be so packed, secured or cushioned as to prevent their breakage or leakage and to control their movement within the outer packaging(s) during normal conditions of air transport.
- (d) The cushioning and absorbent materials shall not react dangerously with the contents of the packaging.

18.087 INSPECTION & TESTING OF PACKAGING

- (a) Packagings shall be tested in accordance with the provisions of the *Technical Instructions*.

18.090 RE-USE OF PACKAGING

- (a) No person may re-use packaging unless it has been inspected and found free from corrosion or other damage.
- (b) Where a packaging is re-used, the persons re-using the packaging shall take all necessary measures to prevent contamination of subsequent contents.

18.093 PREVENTION OF HAZARDS

- (a) If, because of the nature of their former contents, uncleaned empty packagings may present a hazard, they shall be tightly closed and treated according to the hazard they constitute.
- (b) No packaging shall be used if a harmful quantity of a dangerous substance is adhering to the outside of packages.

18.095 LABELS

- (a) Unless otherwise provided for in the *Technical Instructions*, each package, overpack and freight container of dangerous goods shall be labelled with the appropriate labels and in accordance with the provisions set forth in those Instructions.

18.097 MARKINGS

- (a) Unless otherwise provided for in the *Technical Instructions*, each package of dangerous goods shall be:
- (1) Marked with the proper shipping name of its contents; and

- (2) When assigned, the UN number and such other markings as may be specified in those Instructions.

18.100 SPECIFICATION MARKINGS ON PACKAGING

- (a) Unless otherwise provided for in the *Technical Instructions*, each packaging manufactured to a specification contained in those Instructions shall be so marked in accordance with the appropriate provisions of those Instructions.
- (b) No packaging shall be marked with a packaging specification marking unless it meets the appropriate packaging specification contained in the *Technical Instructions*.

18.103 DANGEROUS GOODS TRANSPORT DOCUMENT

- (a) Unless otherwise provided for in the *Technical Instructions*, no person may offer dangerous goods for transport by air unless they have completed, signed and provided to the operator a dangerous goods transport document, which shall contain the information required by those Instructions.
- (b) The transport document shall bear a declaration signed by the person who offers dangerous goods for transport indicating that the dangerous goods are:
 - (1) Fully and accurately described by their proper shipping names; and
 - (2) Classified, packed, marked, and labelled; and
 - (3) In proper condition or transport by air in accordance with the relevant regulations
- (c) The dangerous goods transport document shall be completed in duplicate.

SUBPART F: ACCEPTANCE, HANDLING, LOADING & STOWAGE

18.110 APPLICABILITY

- (a) This Subpart provides the basis for application of the requirements contained in the *Technical Instructions* regarding the acceptance, handling, loading and stowage of dangerous goods for transport by air.

18.113 ACCEPTANCE PROCEDURES

- (a) The operator of the aircraft, upon acceptance of dangerous goods shall conduct an inspection of the consignment of dangerous goods intended for transportation by air.
- (b) No person shall accept dangerous goods except in accordance with the:
 - (1) Operator's acceptance checklist,
 - (2) *Technical Instructions*; and
 - (3) IATA Dangerous Goods Regulations.
- (c) The person conducting the inspection on behalf of the operator shall complete a checklist specifically designed for this purpose.
- (d) No person may accept dangerous goods for transport by air that have been received through the postal services, unless the package is received from a designated postal operator using procedures approved by the CAAV.

18.115 RETENTION OF DOCUMENTS

- (a) The operator of an aircraft shall retain for not less than 6 months after the date of transport:
 - (1) A dangerous goods transport document which has been furnished to him in accordance with these requirements, and
 - (2) Checklist used in the acceptance of the dangerous goods consignment.
- (b) The AOC holder shall retain the following information for 12 months after the date of transport:
 - (1) The name and address of each shipper of dangerous goods, and
 - (2) The name and address of the person who:

- (i) Accepts each shipment of dangerous goods or directly supervises the acceptance of the dangerous goods, or
 - (ii) Loads and secures the dangerous goods or directly supervises the loading and securing of the dangerous goods;
 - (iii) The approximate date of transport,
 - (iv) The locations to and from which the dangerous goods are to be transported,
 - (v) The the shipping name, the UN number, the class and the quantity of dangerous goods to be transported, and
 - (vi) The name of the employee who prepares the information.
- (c) An AOC holder shall produce a record, notice or report required by this Section within 10 working days after the day on which a written request is received from an inspector.

18.117 LOADING RESTRICTIONS IN PASSENGER CABIN OR ON FLIGHT DECK

- (a) Dangerous goods shall not be carried in an aircraft cabin occupied by passengers or on the flight deck of an aircraft, except in circumstances permitted by the provisions of the *Technical Instructions*.

18.120 LOADING, SEPARATION, SEGREGATION & SECURING: GENERAL

- (a) Packages and overpacks containing dangerous goods shall be loaded and stowed on an aircraft in accordance with the provisions of the *Technical Instructions*.
- (b) Packages containing dangerous goods which might react dangerously one with another shall not be stowed:
- (1) On an aircraft next to each other; or
 - (2) In a position that would allow interaction between them in the event of leakage.
- (c) When dangerous goods subject to the requirements of this Part and the *Technical Instructions* are loaded in an aircraft, the operator shall:
- (1) Protect the dangerous goods from being damaged; and
 - (2) Secure such goods in the aircraft in such a manner that will prevent any movement in flight which would change the orientation of the packages

18.123 STOWAGE OF TOXIC & INFECTIOUS SUBSTANCES

- (a) Packages of toxic and infectious substances shall be stowed on an aircraft in accordance with the provisions of the *Technical Instructions*.

18.125 LOADING, STOWAGE & SECURING OF RADIOACTIVE MATERIALS

- (a) Freight containers containing radioactive materials shall be loaded and stowed on an aircraft in accordance with the provisions of the *Technical Instructions*.
- (b) Packages of radioactive materials shall be stowed on an aircraft so that they are separated from persons, live animals and undeveloped film, in accordance with the requirements in the *Technical Instructions*.
- (c) The securing of packages of radioactive materials shall be adequate to ensure that the separation requirements are met at all times

18.127 PACKAGES RESTRICTED TO CARGO AIRCRAFT ONLY

- (a) Except as otherwise provided in the *Technical Instructions*, no person may load packages of dangerous goods bearing the "Cargo aircraft only" label on an aircraft unless they are loaded in such a manner that a crew member or other authorized person can:
- (1) See;
 - (2) Handle; and
 - (3) Where size and weight permit, separate such packages from other cargo in-flight

18.130 LEAKAGE OR DAMAGE

- (a) No person may load leaking or damaged packages, overpacks or freight containers on an aircraft.

18.133 INSPECTION REQUIREMENTS: GENERAL

- (a) No person may load packages and overpacks containing dangerous goods and freight containers containing radioactive materials or other dangerous goods unless they have been inspected for evidence of leakage or damage before:
- (1) Loading on an aircraft; or
 - (2) Into a unit load device.
- (b) No person may load a unit load device aboard an aircraft unless the device has been inspected and found free from any evidence of leakage from, or damage to, any dangerous goods contained therein.
- (c) No person may allow the surface transportation or re-loading of packages or overpacks containing dangerous goods and freight containers containing radioactive materials unless they have been inspected for signs of damage or leakage upon unloading from the:
- (1) Aircraft; or
 - (2) Unit load device

18.135 ACTIONS WHEN POSSIBLE LEAKAGE OR DAMAGE IS FOUND

- (a) Where any package of dangerous goods loaded on an aircraft appears to be damaged or leaking, the person making this determination shall follow the operator's corrective procedures for such an occurrence.
- (b) Upon identification of a damaged or leaking package, the operator shall:
- (1) Remove such package from the aircraft; or
 - (2) Arrange for its removal by an appropriate authority or organization.
- (c) Following the action specified in paragraph (a) of this Section, the operator shall ensure that:
- (1) The remainder of the consignment is in a proper condition for transport by air; and
 - (2) No other package has been contaminated.
- (d) If evidence of damage or leakage is found, the operator shall inspect the area where the dangerous goods or unit load device were stowed on the aircraft for damage or contamination before loading other cargo in that location.
- (1) If damage is found, the operator shall repair the damage in accordance with the manufacturer's approved data.
 - (2) If contamination is found, the operator and assigned personnel shall comply with the requirements of Section 18.137 of this Part.

18.137 REMOVAL OF CONTAMINATION

- (a) The pilot-in-command and the operator shall ensure that any hazardous contamination found on an aircraft as a result of leakage or damage to dangerous goods is removed without delay
- (b) The pilot-in-command and the operator shall ensure that an aircraft which has been contaminated by radioactive materials is immediately be taken out of service
- (c) No person may allow an aircraft that has been contaminated by radioactive materials to be returned to service until the radiation level at any accessible surface and the non-fixed contamination are not more than the values specified in the *Technical Instructions*.

SUBPART G: PROVISION OF DANGEROUS GOODS INFORMATION

18.140 APPLICABILITY

- (a) This Subpart provides the consolidation of the requirements for provision of information relating to the transport of dangerous goods by air.

18.143 INFORMATION TO GROUND STAFF & OTHER PERSONS

- (a) Operators, shippers or other organizations involved in the transport of dangerous goods by air shall provide adequate manuals, documents and instructions to their personnel as will enable them to carry out their responsibilities with regard to the transport of dangerous goods.
- (b) The documentation and instructions required by paragraph (a) of this Section shall provide instructions as to the action to be taken in the event of emergencies arising involving dangerous goods
- (c) Where applicable, this documentation and instructions shall also be provided to the handling agents.

18.145 INFORMATION TO PASSENGERS

- (a) Each operator shall ensure that information is promulgated as required by the *Technical Instructions* so that passengers are warned as to the types of goods which they are forbidden from transporting aboard an aircraft.

18.147 INFORMATION TO ACCEPTANCE POINTS PERSONNEL

- (a) Each operator and, where applicable, the handling agent shall ensure that notices are provided at acceptance points for cargo giving information about the transport of dangerous goods.

18.150 INFORMATION TO CREW MEMBERS

- (a) Each operator shall ensure that information is provided in the Operations Manual to enable crew members to carry out their responsibilities in regard to the transport of dangerous goods.
- (b) The documentation and instructions required by paragraph (a) of this Section shall provide instructions as to the action to be taken in the event of emergencies arising involving dangerous goods

18.153 INFORMATION TO THE PILOT-IN-COMMAND

- (a) The operator of an aircraft in which dangerous goods are to be carried shall provide the pilot-in-command as early as practicable before departure of the aircraft with written information as specified in the *Technical Instructions*.

18.155 INFORMATION FROM PILOT-IN-COMMAND TO AERODROME AUTHORITIES

- (a) If an in-flight emergency occurs, the pilot-in-command shall, as soon as the situation permits, inform the appropriate air traffic services unit, for the information of aerodrome authorities, of any dangerous goods on board the aircraft, as provided for in the *Technical Instructions*.

18.157 INFORMATION IN THE EVENT OF AN AIRCRAFT INCIDENT OR ACCIDENT

- (a) The pilot-in-command and the operator of an aircraft carrying dangerous goods which is involved in an accident or incident shall as soon as possible and without delay and in compliance with the Technical Instructions reporting requirements:
 - (1) Inform the appropriate authorities of the State in which this event occurred of any dangerous goods carried as shown on the written information to the pilot in command; and
 - (2) Provide any information required to minimise the hazards created by any dangerous goods carried to the emergency services responding to the event; and
 - (3) Inform the CAAV of the event.

- (b) Where dangerous goods are suspected or known to have been a cause or contributing factor to an aircraft accident or serious incident, the pilot-in-command and the operator of the aircraft shall report to the CAAV within 10 working days in the prescribed form and manner, the details, facts and preliminary analysis of what could be done to prevent the event.
- (1) This report is required for all Vietnam operators or Vietnam-registered aircraft whether the event occurred within the territory of Vietnam or another country.
 - (2) This report is in addition to other reports required for accident and incident occurrences.

SUBPART H: SPECIAL REQUIREMENTS

18.160 APPLICABILITY

- (a) This Subpart provides the requirements relating to specific types of operations that involve the transport of dangerous goods by air.

18.163 GENERAL AVIATION

- (a) A person may handle or transport dangerous goods within Vietnam by small aircraft or helicopter involved in general aviation operations that are:
- (1) Intended for non-commercial recreational use; and
 - (2) Not forbidden for transport by the *Technical Instructions*.

18.165 AERIAL WORK

- (a) A person may handle, offer for transport or transport dangerous goods by aircraft within Vietnam if the dangerous goods are being used at the location where the following aerial work takes place:
- (1) Active fire suppression;
 - (2) Aerial cloud seeding;
 - (3) Aerial drip torching;
 - (4) Agriculture;
 - (5) Forestry;
 - (6) Horticulture;
 - (7) Hydrographic or seismographic work; or
 - (8) Pollution control.
- (b) The dangerous goods shall be contained in a means of containment that is:
- (1) A tank, a container or an apparatus that is an integral part of the aircraft or that is attached to the aircraft in accordance with the certificate of airworthiness;
 - (2) A cylindrical collapsible rubber drum that is transported in or suspended from an aircraft and that is constructed, tested, inspected and used in accordance with data acceptable to the CAAV;
 - (3) A collapsible fabric tank that is transported suspended from a helicopter and that is constructed of material and seamed in accordance with technical data acceptable to the CAAV; or
 - (4) A small means of containment designed, constructed, filled, closed, secured and maintained so that under normal conditions of transport, including handling, there will be no accidental release of dangerous goods that could endanger public safety.

18.167 AIR AMBULANCE

- (a) A person may handle or transport dangerous goods within Vietnam by an air ambulance dedicated to and configured for the transport of patients, of persons who are accompanying or who have accompanied a patient or of medical personnel if:
- (1) The transport of the dangerous goods is not forbidden by *Technical Instructions*;
 - (2) The dangerous goods are contained in a means of containment that:

- (i) Has displayed on it the package markings and labels required by the ICAO *Technical Instructions*;
- (ii) For a cylinder, is in compliance with containment requirements; and
- (iii) Is secured to prevent movement during transport.

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ATTACHMENTS**ATTACHMENT 1 TO PART 18: 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
VAR Part 18	[1]2014	Complete reformatting and revision of Part 18 required by significant ICAO amendments since 2007.

End of Part 18

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