



INTRODUCTION TO VIETNAM AVIATION REGULATIONS

SECTION 1 GENERAL

1.1 PURPOSE

This Advisory Circular (AC) is issued to provide general information regarding the consolidation and use of the Vietnam Aviation Regulations.

1.2 STATUS OF THIS ADVISORY CIRCULAR

This is an original issuance of this AC.

1.3 BACKGROUND

- A. Vietnam is a signatory to the ICAO Convention (1944) that provides the basis for international operations of aircraft. This Convention provides for the issuance of desired aviation standards as “Annexes.”
- B. These Annexes prescribe the Standards and Recommended Practices (SARPs) that should be adopted as regulatory requirements to ensure the recognition and reciprocity between the ICAO Contracting States.
- C. Each State is expected to include these SARPs in their aviation regulations and advisory documents. Vietnam has consolidated those SARPs which apply to aviation organizations and operators and their personnel into the Vietnam Aviation Regulations.
- D. This AC provides a discussion of those regulatory requirements and their relationships as included in the consolidated body of Vietnam aviation regulations.

1.4 APPLICABILITY

This AC is applicable to all individuals, operators, organizations and other aviation entities desiring to operate or maintain aircraft in Vietnam.

1.5 RELATED REGULATIONS

The general concepts, relationship and use of all of the Vietnam Aviation Regulations are addressed in this AC.

- Advisory Circulars are intended to provide advice and guidance to illustrate a means, but not necessarily the only means, of complying with the regulations, or to explain certain regulatory requirements by providing informative, interpretative and explanatory material.
- Where a regulation contains the words “prescribed by the Authority,” the AC may be considered to “prescribe” a viable method of compliance, but status of that “prescription” is always “guidance” (never regulation).

1.6 RELATED PUBLICATIONS

For further information on this topic, individuals, organizations and other entities are invited to consult the following Annexes of the International Civil Aviation Organization (ICAO)—

Copies may be obtained from Document Sales Unit, ICAO, 999 University Street, Montreal, Quebec, Canada H3C 5H7.

- Annex 1, Personnel Licensing
- Annex 2, Rules of the Air
- Annex 6, Operation of Aircraft, Part I: International Commercial Air Transport – Aeroplanes
- Annex 6, Operation of Aircraft, Part II, International General Aviation – Aeroplanes
- Annex 6, Operation of Aircraft, Part III, International Operations – Helicopters
- Annex 7, Registration of Aircraft
- Annex 8, Airworthiness of Aircraft
- Annex 13, Accident and Incident Investigation
- Annex 18, The Safe Transport of Dangerous Goods by Air

1.7 DEFINITIONS & ACRONYMS

1.7.1 DEFINITIONS

A. The following definitions are used in this advisory circular—

- 1) **Annexes.** Documents issued by ICAO that prescribe the Standards and Recommended Practices applicable to international aviation operations.
- 2) **Contracting States.** States that are signatories to the “ICAO Convention” indicating that they will implement the requirements of the Convention and the Annexes.
- 3) **ICAO Convention.** The document that was executed following the 1944 convention that established the ICAO.

1.7.2 ACRONYMS

The following acronyms are used in this manual—

- 1) **AIP** – Aeronautical Information Publication
- 2) **AME** – Aviation Medical Examiner
- 3) **AOC** – Air Operator Certificate
- 4) **CAAV** – Civil Aviation Authority of Vietnam
- 5) **ETOPS** – Extended Range Operations of Twin-Engined Aircraft
- 6) **FSSD** – Flight Safety Standards Department
- 7) **GA** – General Aviation
- 8) **ICAO** – International Civil Aviation Organization
- 9) **PBN** – Performance Based Navigation
- 10) **SARPs** – Standards and Recommended Practises
- 11) **RVSM** – Reduced Vertical Separation Minimums
- 12) **VAR(s)** – Vietnam Aviation Regulation(s)

SECTION 2 GENERAL CONCEPTS OF THESE REGULATIONS

The Vietnam Aviation Regulations are—

- ICAO-based
- Edited to assign personal responsibility for compliance with applicable requirements.
- Edited to avoid the excess repetition of the same requirement found in multiple locations in the Annexes.
- Edited to include additional requirements that were determined to be relevant international requirements.
- Developed as a consolidated body of regulations applicable to flight safety standards.
- Organized into “books” to group the requirements pertinent to specific technical users

2.1 ICAO-BASED

- A. The VARs are said to be “ICAO-based” because the foundation of these regulations is the ICAO Annexes.
- B. When developing these regulations, the specific words of the ICAO Annexes were inserted as the foundation for the requirements.
- Parallel (essentially the same) wording was used where possible to ensure that the regulation addressed all requirements in the applicable SARP. Refer to paragraph 2.2 for the only exception to that policy.
 - A determination was made as to whether the pertinent SARP could be implemented within the ICAO-specified period. If it could not be implemented in the period specified by ICAO, a difference was reported and included in the AIP.
- C. Where it was determined a longer transition period would be necessary, the requirement of the SARP was included in the regulations with the intent that exemptions would be issued to those operators or individuals requiring the longer period to transition. Issuance of an exemption will require the reporting of the difference to ICAO.

2.2 EDITING TO ASSIGN PERSONAL RESPONSIBILITY

- A. Many ICAO SARPS are worded impersonally. That is, the wording of the SARP does not assign responsibility.
- For example, an impersonal wording may be “The aircraft will not fly over a congested area below 1000 feet above the surface.”
 - in this example, it is obvious that the aircraft does not, on its own, fly over the congested area.
 - It is the pilot or pilots who are causing the aircraft to fly over the congested area.
 - The operator or the person exercising operational control may have directed the pilots to fly over the congested area.
- B. Where the applicable ICAO SARP does not assign specific responsibility, the wording of the parallel regulation was edited to assign that responsibility.
- For example, an assignment of personal responsibility would be to edit the wording, to whic “No person may fly an aircraft over a congested area below 1000 feet above the surface.
 - While this may seem like a small change, the subsequent enforcement when a pilot does not comply with the requirement is made easier by replacing vague, ambiguous or impersonal wording.

2.3 EDITING TO AVOID DUPLICATION OF REQUIREMENTS

- A. During the development of the VARs, special attention was given to avoiding repetitive duplication of requirements that are found both in the ICAO Standards and in other States' regulations.
- Example #1: Some ICAO flight planning requirements appear verbatim in 5 different locations in the various parts of Annex 6.
 - Example #2: Some ICAO instrument and equipment requirements also appear in 5 different locations in the various parts of Annex 6
- In the VARs, these requirements appear only once, avoiding large amounts of words and repetitive text.
- B. Preventing this duplication is a editing goal of the VARs which requires continuing diligence to ensure that users are not confused by these types of duplicated requirements.
- The only deliberate deviation from this policy are in the first Subparts of those regulations pertaining to specific types of organizations.
 - Here, restatement was necessary to ensure that the management of these specific types of organizations understand the certification requirements specific to their organization and incorporate small differences of requirements between the different types of organizations.

2.4 RELEVANT INTERNATIONAL AVIATION SAFETY REQUIREMENTS

- A. The VARs incorporate the ICAO-SARPS in order to meet the international standards specified for Contracting States.
- B. But, during the development of the VARs, the relevant international standards that had not yet been incorporated in the ICAO-SARPS were also considered for inclusion.
- C. Those relevant international standards that were considered to be necessary to ensure that VARs were comprehensive, yet not overly detailed or restrictive, were adopted. For example—
- The VAR requirement for a period of supervised line flying prior to having pilots assume unrestricted duties in their assigned duty station is not an ICAO-SARP. It is, however, a relevant safety standard incorporated in the FAA and EASA aviation regulations.
 - The VARs include equipment requirements regarding public address systems, interphone systems and portable breathing apparatus that are clearly required in modern passenger aircraft, but have not yet been adopted as ICAO-SARPS.
- D. From the opposite perspective, the VARs do not contain very detailed requirements that are included in other States' regulations that—
- 1) Are not an ICAO-SARP;
 - 2) Would be subject to further refinement as international safety practices evolve. and
 - 3) Have not yet “matured” as an relevant international safety requirement.
- In these situations, the CAAV has decided to publish detailed guidance as—
- An advisory circular, if there may be more than one method that will meet the desired level of safety, or
 - A technical directive, if a specific method of compliance is considered necessary.

2.5 CONSOLIDATED “BODY” OF REGULATIONS

- A. The VARs are a consolidated set of regulations that provide the safety requirements for the spectrum of aircraft, personnel and operators that are in Vietnam now and those expected in the future.

- B. They are grouped by technical subjects in sequence for easier use.
- C. For example, the airworthiness requirements are sequenced in 3 concurrent regulatory Parts—

Those regulations relating to groupings, such as airworthiness, personnel licensing and operations of aircraft, are in separate, sequenced groups and arranged numerically in those groups.

- Part 3 provides the international airworthiness standards
- Part 4 provides the requirements for continuing maintenance
- Part 5 provides the requirements for approved maintenance organizations.

2.6 ORGANIZED INTO “BOOKS” BY TECHNICAL SPECIALITY

- A. The VARs are also organized so that the requirements are located in Parts that are essentially “books” for the users. For example—

This concept is more specifically outlined in Section 3 of this AC.

- The primary requirements for maintenance personnel are located in Part 4.
- The primary requirements for management of an approved maintenance organization are located in Part 5.
- The primary requirements that apply to all operations of aircraft by pilots are located in Part 10.
- The primary requirements for management of an air operator are located in Part 12.
- The primary requirements for cabin crew members are located in Part 13.
- The primary requirements for managers of training and instructors are located in Part 14.

- B. These “books” for technical users make it possible for them to easily consult the regulations that apply to their technical specialities and organizations.

SECTION 3 APPLICABLE REQUIREMENTS VS TARGETED USERS

The following table outlines the separation of purpose and audience employed in the VARs—

PART #	TARGETED USERS	PURPOSE
Part 1 General Policies, Procedures & Definitions	<ul style="list-style-type: none"> ● All Users 	<p>This Part addresses concepts that apply across the body of regulations that are the VARs, prescribing requirements for—</p> <ul style="list-style-type: none"> ● Formatting ● Definitions applicable to all VARs ● Enforcement of the VARs ● Exemptions to the VARs ● Amendment to the VARs ● Use of validation by the CAAV ● Use of designees by the CAAV <p>- <i>This Part contains the ICAO definitions and abbreviations included in the applicable Annexes.</i></p>
Part 2 Registration of Aircraft	<ul style="list-style-type: none"> ● Aircraft Owners 	<p>This Part applies only to registration of aircraft, prescribing requirements for—</p> <ul style="list-style-type: none"> ● Eligibility for Certificates of Registration ● Issuance of Certificates of Registration ● CAAV registry responsibilities ● Marking of aircraft <p>- <i>This Part is closely aligned with ICAO Annex 7, Registration of Aircraft.</i></p>

<p>Part 3 Aircraft & Component Original Certification</p>	<ul style="list-style-type: none"> ● Maintenance Personnel ● Aeronautical Engineers ● Aircraft Owners 	<p>This Part applies to the establishment of the conformance of an aircraft with original type design, prescribing the requirements for—</p> <ul style="list-style-type: none"> ● Issuance or validation of a Type Certificate ● Issuance or validation of a Supplemental Type Certificate ● Issuance or validation of a Production Certificate ● Relationships with other ICAO Contracting States on matters of airworthiness <p>- <i>This Part is closely aligned with ICAO Annex 8, Airworthiness of Aircraft.</i></p>
<p>Part 4 Continuing Airworthiness of Aircraft</p>	<ul style="list-style-type: none"> ● Maintenance Personnel ● AMO Management 	<p>This Part is intended as the primary “book” for performance of maintenance by aviation maintenance personnel, prescribing the requirements for—</p> <ul style="list-style-type: none"> ● Eligibility and issuance of Certificates of Airworthiness ● Performance standards for maintenance ● Eligibility to perform maintenance and repair ● Major repair and modifications ● Eligibility and issuance of maintenance releases ● Privileges of maintenance-related licences <p>- <i>This Part addresses those requirements of Annex 8 not addressed in Part 3...</i></p>
<p>Part 5 Approved Maintenance Organizations</p>	<ul style="list-style-type: none"> ● AMO Management ● AMO Employees ● AOC Management 	<p>This Part is intended as the primary “book” for the certification and administration of approved maintenance organizations, prescribing the requirements for—</p> <ul style="list-style-type: none"> ● Applicability and approvals for maintenance organizations ● Content, issuance and amendment of a maintenance approval. ● Management, records, facilities, equipment, tools and technical data ● Qualification, training and assignment of maintenance personnel <p>- <i>This Part contains the SARPs of Annex 6, Parts I, II and III pertaining to maintenance organization approvals.</i></p>
<p>Part 6 Required Instruments and Equipment</p>	<ul style="list-style-type: none"> ● Maintenance Personnel ● Flight Crew Members ● Cabin Crew Members ● AMO Management ● AOC Management 	<p>This Part is intended as a primary “reference book” for determining the instruments and equipment that must be installed on the aircraft for specific operations, including—</p> <ul style="list-style-type: none"> ● Visual flight operations ● Instrument flight operations ● High altitude operations ● Passenger operations ● Special operations, such as ETOPs, AWO, RVSM, PBN <p>- <i>This Part consolidates the instrument and equipment SARPs of Annex 6, Parts I, II, and III.</i></p> <p>- <i>This Part also contains requirements that are not yet SARPs, but are considered to be relevant safety practises in international aviation.</i></p>
<p>Part 7 Personnel Licensing</p>	<ul style="list-style-type: none"> ● Aviation Personnel ● Aviation Instructors ● ATO Management 	<p>This Part is intended as a “book” for the personnel licensing, prescribing the requirements for—</p> <ul style="list-style-type: none"> ● Establishing minimum eligibility requirements, such as age, experience ● The specific licenses that may be issued through validation, conversion or completion of knowledge and skill evaluations ● The ratings, endorsements and limitations of those licenses ● Language proficiency <p>- <i>This Part addresses the ICAO Annex 1 SARPs for obtaining a licence or additional rating on that license.</i></p> <p>- <i>The Annex 1 SARPs for flight crew continuing recency and proficiency requirements are included in Part 10 and 14.</i></p>

<p>Part 8 Medical Licensing</p>	<ul style="list-style-type: none"> ● Medical Examiners ● Flight Crew Members ● Air Traffic Controllers 	<p>This Part is intended as a “book” for aviation medical examiners. prescribing the requirements for—</p> <ul style="list-style-type: none"> ● Types of medical certificates that may be issued ● Qualification, appointment and responsibilities of AMEs ● Medical evaluations and the security of the medical information derived ● Validating or extending medical certificates ● Medical standards for the classes of medical certificates <p>- This Part addresses the ICAO Annex 1 SARPS pertaining to the medical evaluation of aviation personnel. - The Annex 1 SARPS addressing specific medical certificate validity periods and continuing fitness are addressed in Part 10.</p>
<p>Part 9 Approved Training Organizations</p>	<ul style="list-style-type: none"> ● ATO Management ● ATO Employees 	<p>This Part is intended as the primary “book” for the certification and administration of approved training organizations. prescribing the requirements for—</p> <ul style="list-style-type: none"> ● Applicability and approvals for training organizations ● Content, issuance and amendment of a training approval. ● Management, records, facilities, equipment, aircraft and flight simulation ● Qualification, training and assignment of training instructor and evaluator personnel <p>- This Part contains the SARPs of Annex 1 and 6 pertaining to training organization approvals.</p>
<p>Part 10 Operations of Aircraft</p>	<ul style="list-style-type: none"> ● Flight Crew Members ● Flight Dispatchers ● Air Traffic Controllers ● AOC Management 	<p>This Part is intended as the primary “book” for the flight crews conduct of flights, prescribing the requirements for—</p> <ul style="list-style-type: none"> ● General aircraft operations ● Flight crew responsibilities ● Flight crew continuing recency and proficiency qualifications ● General passenger-carrying requirements ● Flight planning and preparation ● Flight plans ● Flight rules regarding all aircraft ● Flight rules for controlled flight ● Flight rules for visual flights ● Flight rules for instrument flights <p>- This Part addresses SARPS from Annex 1, 2 and 6 pertaining specifically to the conduct of flight operations. - This Part includes the primary requirements that ALL pilots should be aware of (except the minimum instruments and equipment of Part 6.</p>
<p>Part 11 Aerial Work</p>	<ul style="list-style-type: none"> ● Aerial Work Management ● Aerial Work Flight Crews 	<p>This Part is intended as the primary “book” for the certification and administration of aerial work operators. prescribing the requirements for—</p> <ul style="list-style-type: none"> ● Applicability and approvals ● Content, issuance and amendment of approvals ● Management, records, facilities, equipment and aircraft ● Qualification, training and experience of aerial work crews ● Special operating rules for certain operations. <p>- This Part contains international requirements found pertinent to aerial work operators.</p>

<p>Part 12 Air Operator Certification and Administration</p>	<ul style="list-style-type: none"> ● AOC Management ● AOC Employees 	<p>This Part is intended as the primary “book” for the certification and administration of air operators engaged in commercial air transport. prescribing the requirements for—</p> <ul style="list-style-type: none"> ● Applicability and approvals ● Content, issuance and amendment of approval. ● Management, manuals records, facilities, equipment, aircraft and flight simulation ● Operations administration ● Maintenance administration <p>- <i>This Part contains the SARPs of Annex 6 pertaining to commercial air transport.</i></p>
<p>Part 13 Passenger-Carrying Requirements</p>	<ul style="list-style-type: none"> ● Cabin Crew Members ● AOC Management ● Operators of turbine and large aircraft 	<p>This Part is intended as the primary ‘book” for operators and cabin crew members engaged in passenger-carrying, prescribing the requirements for—</p> <ul style="list-style-type: none"> ● Numbers and location of cabin crew members ● Passenger information ● Boarding of passengers and carry-on baggage ● Location of passengers and bags during takeoff and landing ● Carriage of cargo in the cabin. <p>- <i>This Part addresses Annex 6 requirements pertaining to passenger-carrying in aircraft configured for 20 or more passengers.</i> - <i>Required instruments and equipment are prescribed in Part 6.</i></p>
<p>Part 14 AOC Personnel Qualification</p>	<ul style="list-style-type: none"> ● Flight Instructors ● Check Airmen ● Flight Crew Members ● Cabin Crew Members ● Flight Dispatchers ● AOC Management 	<p>This Part is intended as the primary ‘book” for training and qualification of AOC personnel (flight and cabin crew members and flight dispatchers), prescribing the requirements for—</p> <ul style="list-style-type: none"> ● Minimum experience ● Basic qualifications ● Initial ground training ● Proficiency and competency checks ● Supervised line experience ● Recurrent training ● Route qualification ● Instructor and check airmen qualification <p>- <i>This Part addresses Annex 1 and 6 pertaining to qualification, training and checking of AOC personnel for commercial air transport operations.</i></p>
<p>Part 15 AOC Duty, Flight and Rest Requirements</p>	<ul style="list-style-type: none"> ● Flight Crew Members ● Cabin Crew Members ● AOC Management 	<p>This Part is intended to be a “book” for AOC flight and cabin crew members and persons scheduling them for duty in flight, prescribing the requirements for—</p> <ul style="list-style-type: none"> ● Maximum duty times ● Flight duty periods ● Minimum rest periods ● Completion of FTL records. <p>- <i>This Part addresses Annex 6 SARPS pertaining to flight time limitations.</i></p>
<p>Part 16 Operational Control</p>	<ul style="list-style-type: none"> ● Flight Dispatchers ● Flight Crew Members ● AOC Management 	<p>This Part is intended to be the primary “book” of requirements for flight dispatchers and other persons exercising operational control, prescribing the requirements for—</p> <ul style="list-style-type: none"> ● Operational control policies and assignments ● Responsibilities of personnel exercising operational control ● Specific operational control methodology depending of operational factors ● Privileges and responsibilities of flight dispatchers <p>- <i>This Part addresses Annex 6 SARPS pertaining to operational control.</i></p>

<p>Part 17 Mass and Balance and Performance</p>	<ul style="list-style-type: none"> ● AOC Loading Personnel ● AOC Management ● Flight Crew Members 	<p>This Part is intended to be a “reference book” for personnel involved in the computation of mass and balance and performance for specific operators, prescribing the requirements for—</p> <ul style="list-style-type: none"> ● Weighing of aircraft ● Computing the mass and balance of an aircraft ● General factors affecting aircraft performance ● Determination of the impact of obstacles during flight ● Computing the performance of aeroplanes ● Computing the performance of helicopters <p>- <i>This Part addresses Annex 6 SARPS applicable to mass and balance and performance of certain operators.</i></p>
<p>Part 18 Safe Transport of Dangerous Goods by Air</p>	<ul style="list-style-type: none"> ● AOC Management ● Flight Crew Members ● AOC Employees ● Shippers 	<p>This Part is intended to be the “book” for persons involved in the shipment of dangerous goods and their carriage by air, prescribing the requirements for—</p> <ul style="list-style-type: none"> ● Determination of dangerous goods ● Packaging and marking of dangerous goods ● Determination of acceptability of dangerous goods ● Proper handling and storage of dangerous good ● Documentation and notifications ● Training and qualification of personnel <p>- <i>This Part addresses the Annex 6 and 18 SARPS pertaining to the safe transport of dangerous goods by air.</i></p>
<p>Part 19 Aircraft Accident and Incident Reporting and Investigation</p>	<ul style="list-style-type: none"> ● Flight Crew Members ● AOC Management ● Accident Investigation Personnel 	<p>This Part is intended to be the “book” for persons for reporting of aircraft incidents and accidents and their subsequent investigation, prescribing requirements for—</p> <ul style="list-style-type: none"> ● Reporting of incidents and accidents ● Duties and responsibilities of the Investigator-in-charge ● Duties and responsibilities of the State of the Accident ● Duties, responsibilities and rights of other States ● Participation in the investigation ● Types of reports that are required. <p>- <i>This Part addresses the ICAO Annex 13 SARPS pertaining to accident and incident investigation.</i></p>
<p>Part 20 Issuance, Recognition, Renewal of Certificate of Airworthiness</p>	<ul style="list-style-type: none"> ● Aircraft owners ● Maintenance personnel ● AMO Management ● AOC Management 	<p>This Part is intended to be a “book” containing the specific procedures for persons to apply for and renew Certificates of Airworthiness</p> <p>- <i>This Part supplements the requirements of Part 4 by providing specific procedural guidance to meet those requirements.</i></p>
<p>Part 21 Issuance of Certificates for Aircraft and Products and Equipment of Aircraft</p>	<ul style="list-style-type: none"> ● Aircraft owners ● Maintenance personnel ● AMO Management ● AOC Management 	<p>This Part is intended to be a “book” containing the specific procedures for acceptance of type certificates and other associated aircraft and product certificates</p> <p>- <i>This Part supplements the requirements of Part 3 by providing specific procedural guidance to meet those requirements.</i></p>
<p>Part 22 Foreign Operators</p>	<ul style="list-style-type: none"> ● Foreign Operator Managements ● Foreign Operator personnel 	<p>This Part is intended to be the “book” for foreign operators, prescribing requirements for—</p> <ul style="list-style-type: none"> ● Foreign general aviation operators, including business aircraft ● Foreign air operators, including scheduled and unscheduled flights <p>- <i>This Part addresses the ICAO Annex 6 SARPS pertaining to foreign operators.</i></p>

<p>Part 23 General Aviation Corporate Operators</p>	<ul style="list-style-type: none"> ● Management of GA Operators of <ul style="list-style-type: none"> - Turbine-powered aeroplanes - Operators of large aircraft - Corporate aircraft fleets 	<p>This Part is intended as the primary “book” for general aviation corporate operations. prescribing the requirements for—</p> <ul style="list-style-type: none"> ● Operator management responsibilities ● Base of operations ● Manuals ● Programs. ● Qualification, training and assignment of personnel <p>- <i>This Part contains the SARPs of Annex 6 pertaining to general aviation corporate and business operations.</i></p>
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End of Advisory Circular