

Ha Noi, October 30, 2019

No.: **4783** /CHK-ANHK

Subject: Approval of foreign airlines' ASPs in accordance with the Circular No. 13/2019/TT-BGTVT

To:

- Foreign Airlines operating scheduled services to/from Viet Nam;
- Vietnamese companies representing Foreign Airlines operating scheduled services to/from Viet Nam;
- Northern, Middle and Southern Airports Authority.

Pursuance to:

- Paragraph 4, Article 196 of the Law on Civil Aviation of Viet Nam (No. 66/2006/QH11 dated June 29, 2006 and No. 61/2014/QH13 dated November 21, 2014) and point đ, paragraph 2, Article 6 of the Government's Decree No. 66/2015/ND-CP dated August 12, 2015 on the approval of foreign airlines' aviation security program by the Civil Aviation Authority of Viet Nam (CAAV);

- The Circular No. 13/2019/TT-BGTVT dated March 29, 2019 by the Minister of Transport promulgating the details of Viet Nam's Aviation Security Program (ASP) and aviation security quality control, which specified that all foreign airlines operating scheduled services to/from Viet Nam shall have responsibility to submit their ASP to the CAAV for approval (paragraph 4, Article 4 and paragraph 1, Article 118), and specifies procedures for approval or approval of amendments and supplements to the foreign airlines' ASP (Article 5 and 6).

The Civil Aviation Authority of Viet Nam (CAAV) hereby provides the following guidance on application; procedures for approval, approval of ASP's amendments and supplements; period of submission for approval:

1. Application for the approval of ASP

1.1. Application requesting approval of ASP specified at paragraph 1, Article 5 of the Circular No. 13/2019/TT-BGTVT shall include:

- a) Request in written using the form in the Appendix VI of the Circular No. 13/2019/TT-BGTVT;
- b) ASP;



c) ASP in Vietnamese;

d) An assessment of differences of the airline's ASP from regulations of Vietnamese law and measures for remedying differences (if the application for approval for ASP is submitted by the foreign airline).

1.2. Quantity: 03 applications.

1.3. Submission of application: Application of foreign airlines shall be submitted to the CAAV by post or another appropriate manner at the following address: số 119 Nguyễn Sơn, Long Biên, Hà Nội (No. 119 Nguyen Son Str., Long Bien Dist., Ha Noi).

1.4. Supporting materials for the completion of application are available at the CAAV's website at <https://caa.gov.vn/tai-lieu-huong-dan-an-ninh-an-toan/tai-lieu-huong-dan-ho-so-chap-thuan-aosp-cua-hang-hang-khong-nuoc-ngoai-20170929233038694.htm>, including:

a) Guidance materials:

- Written request using the form in the Appendix VI of the Circular No. 13/2019/TT-BGTVT;

- An assessment of differences of the airline's ASP from regulations of Vietnamese laws: Form 1A dated October 30, 2019 for passenger carriage; Form 2A dated October 30, 2019 for all-cargo airlines;

- Documents No. 3730/CHK-ANHK dated August 27, 2019 and No. 4782/CHK-ANHK dated October 30, 2019 by the CAAV on guidance to ensure the security of transit and transfer cargo and parcels (including English version of the said documents);

- ASOP form (Appendix 24/ ICAO Doc 8973).

b) Vietnamese laws and regulations on aviation security:

- The Circular No. 13/2019/TT-BGTVT dated March 29, 2019 by the Minister of Transport promulgating the details of Viet Nam's Aviation Security Program (ASP) and aviation security quality control (including English version for reference);

- Law on Civil Aviation of Viet Nam No. 66/2006/QH11 dated June 29, 2006 and No. 61/2014/QH13 dated November 21, 2014 (including English version for reference);

- The Government's Decree No. 92/2015/ND-CP dated October 13, 2015 on aviation security (including English version for reference);

- The Government's Decree No. 162/2018/NĐ-CP dated November 30, 2018 on handling of administrative violations in the field of civil aviation (including English version for reference).

2. Procedures for approval, approval of ASP's amendments and supplements

2.1. If the application is not completed as prescribed in Section 1 above, within 03 working days, the CAAV shall request in writing the applicant to complete it.

2.2. If the application is completed as prescribed in Section 1 above, within 10 working days from the receipt of the application, the CAAV shall appraise it and carry out a site inspection (if necessary):

- If the ASP complies with all regulations of Circular No. 13/2019/TT-BGTVT, the CAAV shall issue an approval decision;

- If the ASP fails to comply with all regulations of Circular No. 13/2019/TT-BGTVT, the CAAV requests in writing the applicant to make amendments to the ASP.

2.3. No fees or charges for the approval of ASP.

3. Submission deadline of Application for ASP approval

Foreign airlines operating scheduled services to/from Viet Nam whose ASPs was approved by the CAAV in accordance with the Circular No. 01/2016/TT-BGTVT dated February 01, 2016 (this Circular was terminated and superseded by the Circular No. 13/2019/TT-BGTVT dated March 29, 2019) shall have responsibility to submit their application, using guidance specified in this Document, to the CAAV for consideration and approval in accordance with the Circular No. 13/2019/TT-BGTVT dated March 29, 2019, with the following timeline:

3.1. Airlines of countries/territories in **Asia**: from November 15, 2019, no later than December 15, 2019;

3.2. Airlines of countries/ territories in **Europe**: from January 01, 2020, no later than January 31, 2020;

3.3. Airlines of countries/ territories in **America, Australia, Africa**: from February 01, 2020, no later than February 29, 2020;

3.4. For foreign airlines intend to operated scheduled services to/from Viet Nam (have not operated yet by this time) shall have responsibility to submit their ASP to the CAAV for consideration and approval;

3.5. For IndiGo Airlines (IGO) – India and Ethiopian Airlines (ETH) – Ethiopia whose their ASP were approved by CAAV at Decision No. 2028/QĐ-CHK dated September 06, 2019 and No. 2437/QĐ-CHK dated October 22, 2019 respectively, and in compliance with the Circular No. 13/2019/TT-BGTVT dated March 29, 2019: the CAAV will provide further guidance for their implementation.

4. Northern, Middle and Southern Airports Authority shall have responsibility

- To inform Representative Office of foreign airlines operating scheduled services to/from Viet Nam within its responsibility of this Document for implementation;

- To enforce and inspect the compliance of the foreign airlines operating scheduled services to/from Viet Nam within its responsibility.

In case of any difficulties arose, please contact Mr. To Tu Hung – Director of Aviation Security Department, Mobile: 0983299992, Email: totuhung@caa.gov.vn; or Mr. Tong Duc Hanh, Official of Aviation Security Department: Mobile: 0912017069; Email: hanhtd@caa.gov.vn for further instructions.

The Civil Aviation Authority of Viet Nam requests all relevant units, agencies to strictly implement this Document./

Copy to:

- As mentioned-above;
- Director General;
- Departments: Air Transport, Flight Safety Standards;
- Aviation Inspectorate;
- Filling, AVSEC Department. *kur*

**For DIRECTOR GENERAL
DEPUTY DIRECTOR GENERAL**



Dinh Viet Son