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| **THE GOVERNMENT -------** | **SOCIALIST** **REPUBLIC OF VIETNAM Independence - Freedom – Happiness ---------------** |
| No.: 92/2015/ND-CP | *Hanoi, 13 October 2015* |

**DECREE**

ON AVIATION SECURITY

*Pursuant to the Law on organization of Government dated 25/12/2001;*

*Pursuant to the Law on Civil Aviation of Vietnam dated 29/6/2006; the Law amending and adding some articles of the Law on Civil Aviation of Vietnam dated 21/11/2014;*

*At the request of the Minister of Transport, the Government issues the Decree on aviation security;*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1. Scope of regulation**

This Decree provides for the measures to control the aviation security; deal with the illegal acts of interference in the civil aviation activities; aviation security control forces; infrastructure, equipment and means to ensure the aviation security; funding for aviation security assurance; responsibility of relevant organizations and individuals in aviation security assurance.

**Article 2. Subjects of application**

This Decree applies to the organizations and individuals operating in the field of civil aviation in Vietnam; the Vietnamese organizations and individuals operating in the field of civil aviation outside Vietnam unless otherwise specified by the host country; the Vietnamese and foreign organizations and individuals operating in the field of civil aviation in the flight information region under the management of Vietnam.

The special aircraft flights shall follow the Decree of the Government on special aircraft flight assurance.

**Article 3. General principles**

1. The aviation security assurance is the important duties of the State, Government and civil aviation industry of Vietnam to protect the life of people and assets in civil aviation activities; protect the aircraft, works and equipment at airport and aerodrome; deal with the illegal acts of interference and contribute to the protection of national security, order and social safety maintenance in the areas of civil aviation activities.

2. The technical regulations and standards, measures and procedures for aviation security applied must ensure the security maximally for all civil aviation activities while creating favorable conditions for the aviation transportation and in accordance with the international agreements on civil aviation in which the Socialist Republic of Vietnam is a member.

3. The aviation security assurance is the responsibility of all organizations and individuals pertaining to the civil aviation activities.

The aviation security assurance services are the public utility services which are provided by the Ministry of Transport.

4. The incidents and acts of violation on aviation security must be detected, stopped, handled and reported promptly and fully and drawn on experience, explained and commented to remedy the loopholes and shortcomings.

5. Where the international agreements in which the Socialist Republic of Vietnam is a member have the provisions which are different from those of this Decree, the provisions of the international agreements shall apply.

**Article 4. Interpretation of terms**

1. Aviation security control is the measures to ensure the aviation security to prevent and stop the illegal acts of interference in the civil aviation activities, secure the aircraft, passengers, crew, people on the ground, assets, works and equipment of aviation industry.

2. Aviation security check is the separate or combined use of scanning, visual check and other measures to identify, detect and stop the acts of violation or signs of violation of aviation security.

3. Aviation security scanning means the use of technical equipment or other measures to detect the weapons, explosives other dangerous items which can be used to carry out the illegal acts of interference in the civil aviation activities.

4. Aviation security supervision is the separate or combined use of people, animals, technical equipment to manage and monitor to detect and stop the acts of violation or signs of violation of aviation security.

5. Aviation security search means the detailed check of each object, position of subject or person who is searched in order to detect and stop the weapon, explosive or other dangerous equipment or items to eliminate the factors of threat to the aviation security. The aviation security search shall be decided by the competent person.

6. Aviation security assurance services are the paid services pertaining to the application of measures of aviation security control, including: Aviation security control; aviation security check; aviation security scanning; aviation security supervision; aviation security search; aircraft guarding and protection, escorting of people, vehicle, objects which are stored and moved in the restricted areas at the airports or aerodromes.

7. Aviation security control card at airports or aerodromes is the document which certifies that the persons are permitted to enter and operate in the relevant restricted areas of airports or aerodromes.

8. Aviation security permit at airports or aerodromes is the document which certifies the vehicles are permitted to enter and operate in the relevant restricted areas of airports or aerodromes.

9. Crew identification card is the document which certifies and permits the crew members of an airline to enter the relevant restricted areas of airports or aerodromes for flights.

10. Internal security control card is the document which certifies the persons who are permitted and operate in the separate restricted areas of units and enterprises at the airports or aerodromes and at the place with aviation equipment and works

11. Internal security control permit is the document which certifies the vehicles which are permitted to enter and operate in the separate restricted areas of units and enterprises at the airports or aerodromes and at the place with aviation equipment and works.

**Chapter II**

**AVIATION SECURITY CONTROL**

**Article 5. Protection of security and national defense in civil aviation**

1. The bodies in charge of protection of security and national defense must take measures to prevent, stop and struggle to frustrate the activities of infringement of security and national defense at the airports or aerodromes and the facilities of aviation industry and ensure the aviation security in accordance with regulations of law on national security, defense, people’s police, prevention and control of terrorism and other relevant laws.

2. The relevant bodies, organizations, enterprises and individuals within their responsibility must implement the activities of protection of security and national defense as stipulated by law.

3. The police bodies must take professional measures to proactively prevent, detect and struggle to prevent and control crimes and violation of law on social order and safety and public order at the airports or aerodromes and the facilities of the aviation industry.

**Article 6. Setup and protection of restricted areas**

1. The airports, aerodromes and places with aviation works and equipment must set up the restricted areas. The setup of restricted areas must be consistent with the purposes of aviation security assurance, characteristics of civil aviation activities without obstructing people and vehicles to enter, exit and operate normally in the restricted areas.

2. The people and vehicles entering, exiting and operating in the restricted areas must have the card or permit of aviation security control or the card of aviation security and safety supervisor issued by the competent bodies and units, except passengers or aircraft emergency cases.

3. People and vehicles entering, exiting and operating in the restricted areas must be continuously scanned and supervised for aviation security or searched in case of necessity, except cases of emergency.

4. The restricted areas must be patrolled, guarded and protected by the aviation security control forces that shall take appropriate measures to ensure the aviation security.

5. For the military areas adjacent to the restricted areas at jointly-used aerodrome, the army forces shall coordinate with the aviation security control forces to perform the duties of patrol, guard and protection.

6. For dedicated aerodrome, the aerodrome operator and aircraft operator must perform the duties of patrol, guard and protection.

**Article 7. Protection of public areas of airports or aerodromes**

1. The aviation security control forces at airports or aerodromes must set up the sentry-box, patrol, control and maintain order in the public areas of the airports or aerodromes; promptly detect and handle the violations as stipulated by law, violation of public order, derelict luggage, people and objects having signs of threats to aviation security and safety.

2. The aviation security control forces must coordinate with the police forces to jointly patrol and guard to maintain and ensure the social security and order in the public areas of the airports or aerodromes.

**Article 8. Protection of areas adjacent to the airports or aerodromes and other infrastructure facilities of the aviation industry.**

1. The People’s Committees at all levels where the airport or aerodrome or other infrastructure facilities are situated of the aviationindustry must manage their areas, detect and handle in a timely manner the threats to the aviation security and safety; develop and implement the scheme for prevention and stoppage of riot and looting of airports or aerodromes and other infrastructure facilities of the aviation industry, attack on aircraft during take-off and landing.

2. The police bodies at ward and communal level where the airport or aerodrome is situated and other infrastructure facilities of the aviation industry shall coordinate with the aviation security control forces and the security guard forces of the relevant bodies and units to patrol the surrounding areas outside the airports or aerodromes and other infrastructure facilities of the aviation industry in order to promptly detect and handle the threats to the aviation security and safety.

**Article 9. Aviation security search**

1. The aviation security control forces in the management areas of airports or aerodromes must carry out the aviation security search in case of necessity as stipulated by law.

2. The aviation security search is done to the aircraft, passengers, crew members, luggage, cargo and postal items on aircraft in the event of information on dangerous items on aircraft not yet detected and identified during the scanning and check before carried on board of aircraft.

3. Where there is a person verbally threatening the safety of the flight, the aviation security search is done to the aircraft and person who has verbal threats and his luggage.

4. The aviation security search is done upon check, scanning and supervision for aviation security to the passengers, crew members, flight attendants and relevant persons, luggage, cargo, postal items and means with detection of signs or information of threat to the security and safety of flights.

5. Where there is a person at the scanning point or in the restricted areas verbally threatening the safety of the flights, this person and his luggage and objects must be searched for aviation security.

6. in case of detecting the luggage and objects without their owner or manager, use at the airports, aerodromes and other restricted areas, these luggage and objects must be searched for aviation security.

7. Do not carry out the aviation security search for the case of right to inviolability of the body in accordance with regulations of law.

**Article 10. Provisions on aviation security search**

1. The persons having the authority to decide the aviation security search, subjects and scope of aviation security search consist of:

a) The head of aviation security control forces at the airports or aerodromes for the cases specified in Article 9 of this Decree;

b) The head of aviation security scanning and check division at the airports or aerodromes for the cases specified in Paragraph 3 and 4, Article 9 of this Decree;

c) The head of mobile security and control security division at the airports or aerodromes for the cases specified in Paragraph 5, Article 9 of this Decree;

2. The aviation security search to the aircraft must be notified to the aircraft operators and relevant aviation Authority and must be supervised by the aviation Authority.

3. The aviation security control forces at the airports or aerodromes shall directly carry out the aviation security search. The relevant airline shall send the aircraft technicians to participate and give advice during the aviation security search.

4. In case of searching people, arrange male officer to search male passenger and female officer to search female passenger.

5. The aviation security search must be recorded.

**Article 11. Aviation security control to the aircraft and aircraft operation**

1. Before each flight, the aircraft operator must check the security inside and outside the aircraft to detect dangerous items and suspicious people and objects.

2. When the passengers leave the aircraft at any stop of the flight, the aircraft operator must check again to ensure the passengers have got off the aircraft and do not leave luggage or anything on aircraft.

3. The aviation security control forces at the airports or aerodromes must supervise and protect the aircrafts by appropriate measures when the aircraft parks at the aerodrome. At the dedicated aerodrome without the aviation security control forces or when the aircraft parks outside the aerodrome, the aircraft operator is responsible for checking supervising and protecting the aircraft and stopping the illegal taking of people and objects on board the aircraft.

4. The aircraft repairing and maintaining facilities must supervise the aviation security and protect the aircraft during the aircraft repair and maintenance at their facilities.

5. The aviation security control forces of the Vietnamese airlines must control the compliance with the regulations on aviation security; assess the meeting of standards of aviation security of airports or aerodromes and relevant aviation service providers; carry out the security check to the passengers, luggage and cargo by the appropriate measures to the aircraft operation of their airlines outside the airports or aerodromes.

6. During the time the aircraft is flying, the aircraft commander is responsible for ensuring the security, maintenance of order and discipline of the flights; taking necessary measures to ensure the safety for the flights; coordinating with the air security officer who is arranged on aircraft to take appropriate measures of security assurance; handing over the case, violating person and exhibit to the competent state body when the aircraft lands at the airports or aerodromes.

7. Right after receiving the threatening information related to the security and safety of the aircraft or the flight, the aircraft operator must promptly notify the airport emergency forces at the relevant airports or aerodromes and take necessary measures to ensure the safety for the flights.

8. The crew members must follow the order, command and operation of the aircraft operator; take the measures to ensure the aviation security and maintain the order and discipline of the flight.

9. Where the competent state bodies determine that the illegal interference can occur on the flight or as required by the country where the aircraft arrives in, the air security forces must be arranged on that flight.

10. The air security forces of the organization and staffing of the Ministry of Public Security. The funding for arranging the air security officers on the flight shall be born by the aircraft operator.

11. The air security officers are equipped with and use the appropriate weapons and support tools; are under the general command by the aircraft commander. The air security officers must act under the Rule issued by the Ministry of Public Security.

**Article 12. Aviation security control to the crew, passengers and luggage**

1. The crew and passengers on departure, in transit and interline and their luggage must be checked for their papers, checked and scanned for aviation security before on board of aircraft; after check and scanning, they must be isolated and supervised for aviation security continuously until they go on board. Where the people and luggage that have been checked and scanned for aviation security approach or are mixed with the people and luggage that have not been checked and scanned for aviation security or the consigned luggage has illegal signs of interference, they must be checked and scanned again.

2. The passengers must not carry along or put dangerous items in their hand luggage and consigned luggage when going by aircraft, except the case permitted by the competent state bodies.

3. The consigned luggage which has been loaded on aircraft without its passenger on the same flight must be removed out of the aircraft before departure, except the case the consigned luggage is permitted to transport without its passengers according to the provisions of the Law on Civil Aviation of Vietnam. The data and information on the consigned luggage transported without its passenger must be updated and kept with the prescribed time limit.

4. The mislaid luggage or with wrong address must be checked and scanned for aviation security before carried into the storage area and before carried on the aircraft again.

5. The aviation security control forces at the airports or aerodromes must take the measures of aviation security control specified in Paragraphs 1, 2 and 4 of this Article.

For the joint aviation operation for commercial purposes at the dedicated aerodrome, the aircraft operator must implement the security check over the crew, passengers, luggage and objects on aircraft and other measures of aviation security control.

**Article 13. Aviation security control over the cargo and postal items**

1. The cargo and postal items transported by air must be checked, scanned and supervised for aviation security continuously before carried on the aircraft; in case of detecting that the scanned cargo and postal items have the illegal signs of interference, they must be checked and scanned again.

2. The enterprises pertaining to the transportation of cargo and postal items by air must take the measures to eliminate the illegal transportation of dangerous items.

3. The check, scanning and aviation security search for the diplomatic bag and consular bag must comply with the provisions of the international agreements in which the Socialist Republic of Vietnam is a member and the law of Vietnam on diplomacy and consular practice.

4. The transportation of dangerous cargo must follow the regulations of law and conditions for transportation of dangerous cargo by air of the International Civil Aviation Organization.

5. The aviation security control forces at the airports or aerodromes must take the measures of aviation security assurance specified in Paragraph 1 and 3 of this Article.

**Article 14. Aviation security control over aviation meals, objects of emergency and service on aircraft, fuel and other objects carried on aircraft,**

1. The enterprises providing aviation meals, objects of emergency and service on aircraft and fuel must take measures of aviation security control over the meals, objects of emergency and service on aircraft at their facilities.

2. The aviation meals, objects of emergency and service on aircraft, fuel and other objects must be subject to the appropriate aviation security control when carried into the restricted areas, carried on aircraft and must be supervised continuously for aviation security by the aviation security control forces at the airports or aerodromes;

**Article 15.  Transportation and carriage of weapons and support tools on aircraft**

1. Weapons and support tools are not permitted to carry on the passenger compartment, except the following cases:

a) The officials and guard soldiers must protect the guarded subjects as stipulated by the law on guard force; air security officer must perform duties of security assurance on the flights of the Vietnamese airlines according to the Rule issued by the Minister of Public Security;

b) The air security officer shall carry weapons on flights of foreign airlines under the written agreement between the Civil Aviation Authority of Vietnam and the aviation authorities of the relevant countries.

c) The law enforcers on foreign special flights after permitted by the competent bodies of the Ministry of Public Security;

d) The escorts are permitted to carry the appropriate support tools on aircraft when escorting the accused, defendants, prisoners, expelled persons, extradited persons and arrestees under the wanted decision and persons denied entry.

2. The aircraft commander must be notified of the name, seat, type of weapon or support tool of the persons who are permitted to carry the weapon or support tool on the flight; the persons who carry the weapon or support tool on the same flight must be notified of their sitting positions. The persons who carry the weapon or support tool on aircraft must not use the drink with alcohol and stimulant during the flight and must maintain the weapon or support tool in a secure status.

3. The subjects not specified under Points a, b and consigned luggage, Paragraph 1 of this Article are permitted to carry out the procedures for consignment of weapon or support tool to be transported with the flight as stipulated by law on management and use of weapon, explosive material and support tool.

When carrying out the transportation procedures, the aircraft operator must ensure the weapon or support tool is in a secure status and kept at the place which cannot be approached by the passengers during the flight and comply with the relevant laws.

4. The persons who are permitted to carry the weapon or support tool on the passenger compartment, the persons consign the weapon or support tool for transport must present the valid permit of use of appropriate weapon or support tool issued by the competent state authorities.

**Article 16. Transportation of subjects with potential threats to aviation security**

1. The subjects with potential threats to aviation securityconsist of:

a) The persons who lose their consciousness or act control capacity;

b) The persons who are denied entry but fail to return home voluntarily;

c) The accused, defendants, prisoners, expelled persons, extradited persons and arrestees under the wanted decision.

2. The subjects specified in Paragraph 1 of this Article must be provided with the drink with alcohol or stimulant during the flight; the crew must continuously supervise them during the flight and take necessary additional measures.

3. The subjects specified under Point c, Paragraph 1 of this Article, upon being transported, must be escorted by the persons of competent state bodies; the number of passengers specified in Paragraph 1 of this Article is transported on the same flight as stipulated by the Minister of Transport.

4. The subjects specified under Point b, Paragraph 1 of this Article, upon being transported back to home, the airline must arrange the escorts on the flight.

5. Do not transport the passengers specified in Paragraph 1 of this Article on the flights with the guarded subjects.

**Article 17. Denying transportation of passenger for security reasons**

The airlines have the right to deny transporting the following passengers for the security reasons:

1. The passengers specified under Point a, Paragraph 1, Article 16 of this Decree.

2. In case of failure to meet the provisions specified in Paragraph 3, Article 16 of this Decree.

3. In case the passengers denied entry do not return home voluntarily and are not transported by the airline into Vietnam.

4. Upon requirement of the Vietnamese or foreign competent authorities.

**Article 18. Prohibiting the transportation by air**

1. Prohibiting thetransportation with definite time from 03 to 12 months to the following subjects:

a) The disruptive passengers;

b) The passengers who fail to comply with the decision on administrative sanction in the field of civil aviation;

c) The passengers verbally threaten to use bomb, mine, explosive, explosive material, radioactive material, biological weapon in the check-in area, isolated area, aerodrome and on aircraft.

d) Intentionally spread rumors and provide false information about bomb, mine, explosive, explosive material, radioactive material, bio-chemical weapon that affect the normal operation of civil aviation activities;

dd) Use fake papers to get on the aircraft;

e) Have acts of violation of public order and discipline at the airports or aerodromes and on aircraft.

2. Prohibiting thetransportation with definite time from over 12 to 24 months to the following cases:

a) The subjects who are handled but still commit the violation of one of the acts specified in Paragraph 1 of this Article;

b) The persons who have illegal acts of interference in the civil aviation activities specified under Points dd, e, g and h, Paragraph 2, Article 190 of the Law amending and adding some article of the Law on Civil Aviation of Vietnam.

3. Permanently prohibiting the transportation in the following cases:

a) The subjects have been handled but still commit violation in one of the cases specified in Paragraph 2 of this Article;

b) The persons who have the illegal acts of interference in the civil aviation activities specified under Points a, b and Article, Article 190 of the Law amending and supplementing some articles of the Law on Civil Aviation of Vietnam.

c) The persons who appropriate or cause riots at the airports or aerodromes and flight operation service providers.

4. Based on the characteristics and seriousness, the Civil Aviation Authority of Vietnam shall decide on the prohibition of transportation definitely or permanently to the subjects specified in Paragraphs 1, 2 and 3 of this Article. This decision is applicable to the domestic and international flights departing from Vietnam of all Vietnamese and foreign airlines.

**Article 19. Collection of information and assessment of risk of threat to aviation security**

1. The collection, analysis and assessment of the illegal acts of interference in the civil aviation activities, the tricks and modes of threat to the aviation security must be set up between the relevant bodies of the Ministry of Transport, Ministry of Defense, Ministry of Public Security, Ministry of Foreign Affairs and Ministry of Finance.

2. The aviation security control system must be completed, upgraded, meet and promptly respond to the risk of threat to aviation security.

**Article 20. Strengthened aviation security control**

1. When there are high risks to the aviation security, the measures of strengthened aviation security control are done by 03 levels from level 1 to level 3.

2. The level 1 is applied in the following cases:

a) There are important political and social events in the country;

b) There are complex circumstance of political security and social order.

3. The level 2 is applied in the following cases:

a) There is intelligence information on a conspiracy of illegal interference in the civil aviation activities but the specific location, target and time are not yet identified;

b) There are circumstances of serious loss of political and social order at localities.

4. The level 3 is applied in the following cases:

a) There is authentic information on a conspiracy of illegal interference in the civil aviation activities with the specific location, target and time are not yet identified;

b) There are circumstances of serious loss of political and social order at localities.

5. The Director of Civil Aviation Authority of Vietnam shall decide the application and cancellation of level of strengthened aviation security control while informing the Minister of Transport and Minister of Public Security.

6. The measures of strengthened aviation security control are applied to each level must be stipulated in detail in the aviation security Program and Regulation.

**Article 21. Control of aviation security documents**

1. The aviation security documents are the restricted ones and must be appropriately controlled and protected and disseminated to the relevant organizations and individuals.

2. The Minister of Transport stipulates the list and principles of management and use of restricted aviation security documents

**Article 22. Internal security control to the aviation staff**

1. The enterprises managing and employing the aviation staff must issue the regulations on internal security control, including the measures of verification and periodical assessment of identity of aviation staff upon recruitment, request for issue of permit, professional capacity certificate and process of duty performance.

2. The Civil Aviation Authority of Vietnam shall direct, guide and inspect the internal security control of the enterprises managing and employing the aviation staff; temporarily suspend the activities of the aviation staff having signs of law violation, threats to aviation security and safety or as required by the security bodies of the Ministry of Public Security.

3. The security bodies of the Ministry of Public Security must check the identity of foreign aviation staff.

4. The Ministry of Public Security shall coordinate with the Ministry of Transport to stipulate the internal security control to the aviation staff.

**Article 23. Protection of specialized aviation information system**

1. The bodies and units managing the specialized aviation information system must take measures to protect and control the unauthorized access, interference and use causing the unsafety to the civil aviation activities and theft of information.

2. The specialized aviation information systems to be protected consist of:

a) The information system in service of flight activity assurance;

b) The departure control system;

c) The check-in and reservation system;

d) The system synchronously comparing the luggage with passenger; security scanning system; passenger information system before flight; monitoring camera and intrusion alert system;

dd) The system of command and operation and specialized aviation;

e) The aviation database and other information systems shall cause the unsafety to the aviation activities upon unauthorized interference.

3. The airlines must secure the passengers’ personal information; only use for the purposes of their operation and provision to the competent state bodies as required.

**Article 24. Aviation security propagation and assurance**

1. The bodies and units in the aviation industry must propagate, disseminate and educate their staff on the consciousness of compliance with the regulations on aviation security; organize the propagation on the mass media of regulations on aviation security assurance.

2. The local government where the airport or aerodrome is situated must provide the propagation and dissemination for people in the surrounding areas of the airport or aerodrome of the consciousness of compliance with the regulations on aviation security;

3. The airlines must regularly propagate and disseminate the regulations on aviation security to the aircraft passengers.

**Article 25. Control of aviation security quality**

1. The control of aviation security quality is the inspection and assessment of application of measures of aviation security assurance in accordance with the laws of Vietnam and the international agreements in which the Socialist Republic of Vietnam is a member; inspection, survey, testing, assessment and investigation of compliance with the laws on aviation security of the bodies, organizations and individuals involved in the civil aviation activities; risk management of aviation security.

2. The Civil Aviation Authority of Vietnam is subject to the inspection and examination of the International Civil Aviation Organization and assessment of foreign aviation authorities on aviation security assurance according to the international standards.

3. The Civil Aviation Authority of Vietnam shall carry out the control of aviation security quality in the aviation industry; appoint the aviation security supervisor to control the aviation security quality.

4. The enterprises having the aviation security Program and Regulation must control the aviation security quality within their enterprises; be subject to the control of aviation security quality of the Civil Aviation Authority of Vietnam and assessment of the foreign aviation authorities and the relevant airlines;

**Chapter III**

**DEALING WITH ILLEGAL ACTS OF INTERFERENCE**

**Article 26. Purposes, requirements and guiding principles to deal with the illegal acts of interference**

1. Proactively and effectively stopping and dealing with, limiting the consequences and harm to the lowest level upon occurrence of illegal acts of interference; giving the priority to the safety assurance for people and hostage life and only using the necessary military force when there are no other workarounds.

2. Giving the priority to the flight operation and necessary assistance to the flying aircraft which is illegally interfered.

3. Maximally maintaining the normal operation capacity at the place of occurrence of illegal acts of interference.

4. Following the laws of Vietnam and the provisions of international Convention on civil aviation and the relevant international agreements in which the Socialist Republic of Vietnam is a member.

5. Implementing the principle of 4 in-place things, including: Scheme for in place response; in place forces; in-place equipment and in-place logistics.

**Article 27. Measures to deal with the illegal acts of interference**

1. The direct response to theillegal acts of interference in the civil aviation activities shall comply with the provisions in the master emergency Scheme to deal with the illegal acts of interference in the civil aviation activities issued by the Prime Minister.

2. The steering Committee for prevention and control of terrorism in the localities where the airports, aerodromes and aviation works and equipment shall perform the duties of commanding and dealing with the illegal acts of interference in the civil aviation activities as stipulated by the Prime Minister.

**Chapter IV**

**AVIATION SECURITY CONTROL FORCES**

**Article 28. Position, functions and organization of aviation security control forces**

1. The aviation security control forces is organized by the direction of the Ministry of Transport to take measures of aviation security assurance and provide the aviation security assurance services at the airports or aerodromes and the facilities processing cargo and postal items

2. The enterprises providing the air traffic services shall organize the aviation security control forces to ensure the aviation security at the air traffic service providers situated outside the restricted areas of the airports or aerodromes;

3. The enterprises manufacturing, maintaining and repairing aircraft and aircraft equipment shall organize the aviation security control forces to ensure the aviation security at their facilities.

4. The Vietnamese airlines and enterprises jointly carrying on aviation business shall organize the aviation security control forces to take measures of aviation security control on aircraft and aircraft operation outside the areas of airports or aerodromes.

**Article 29. Requirements for aviation security control forces**

1. Have independent organizational system.

2. The heads of divisions of the system must work full-time and are approved according to regulations.

3. The aviation security controllers are recruited, trained and issued with the prescribed permit.

**Article 20. Duties and powers of the aviation security control forces**

1. Follow the relevant aviation security Program and perform the duties of aviation security control under their authority.

2. Initially deal with the illegal acts of interference in the civil aviation activities at the relevant facilities; protect the scene upon occurrence of cases of threats to the aviation security or illegal interference in the civil aviation activities.

3. Request the Director of aviation Authority and aviation Inspector to suspend the flights to stop the possible threats to the security and safety to the flights.

4. Coordinate with competent bodies and units to defuse bomb, mine, bio- chemical weapons, radioactive materials, prevent diseases at the airports or aerodromes, on aircraft; handle the luggage, cargo, postal items and other objects containing dangerous items.

5. When performing duties within their authority, they have the right to temporarily seize people, check and temporarily seize personal papers of the persons who have acts of threat to the aviation security and safety; seize the weapons, explosives, inflammable materials and other dangerous items illegally carried into the restricted areas and use force against the person who obstructs or has intentional opposition.

6. Make a record of the case to the person who has threatening acts to the aviation security, disruptive passengers; notify the relevant aviation Authority to handle or transfer the case to the competent state bodies for handle according to regulations of law; require the airline to deny the transportation of such passenger due to the prescribed security reasons.

7. Are equipped and use weapons and support tools to perform their duties according to regulations of law; have costume, badge, epaulet, equipment and means to perform duties.

8. The aviation security control forces at the airports or aerodromes shall provide the aviation security assurance services.

**Article 31. Benefits and policies to the aviation security control forces**

1. The aviation security controllers shall receive salary and other interests, benefits and policies according to regulations of law.

2. While performing duties, if being injured or dead, the aviation security controllers shall be entitled to receiving the benefits like the war invalids, martyrs and other forms of commendation and award in accordance with the law.

**Chapter V**

**INFRASTRUCTURE, EQUIPMENT AND MEANS TO ENSURE THE AVIATION SECURITY**

**Article 32. Requirements for infrastructure to ensure the aviation security of the airports or aerodromes**

1. There are the perimeter fence system, intrusion warning system, sentry-box, gate, door, patrol way, security lighting system, security camera system, warning sign, emergency assembly location, separate parking location, vault or area for defusing bomb, mine or handling dangerous items in line with the requirements for aviation security assurance.

2. Must meet the requirements for aviation security check, scanning, search and supervision to the people, means, objects, luggage, cargo and postal items and for inquiry.

3. Before newly built, renovated or upgraded, the design of airports or aerodromes must be assessed for the aviation security requirements and standards.

**Article 33. Requirements for equipment and means for aviation security assurance**

1. The equipment and means for aviation security assurance must be sufficient and appropriate to perform the duties of aviation security assurance according to regulations.

2. The equipment and means for aviation security assurance at the airports or aerodromes must ensure the synchronization, consistency and meet the standards issued by the competent authorities or recognized in technology and safe to the human health.

3. For international flights, the scanning devices are jointly used between the aviation security scanning and customs scanning.

4. The management unit using the equipment and means for aviation security assurance must develop and issue the materials for operation, maintenance; fully maintain the standards of application and technical features of equipment and means.

5. The image of camera and X-ray scanner must be managed and kept to serve the inquiry in case of necessity. The records and logbook of operation, maintenance and repair of technical system and equipment for aviation security assurance must be managed, kept and presented as required.

**Chapter VI**

**FUNDING FOR AVIATION SECURITY ASSURANCE**

**Article 34. Principles of funding allocation**

The funding for aviation security assurance is ensured from the state budget according to the current decentralization, the enterprise’s funding and revenues from the aviation security assurance services and other revenues as stipulated by law.

**Chapter VII**

**RESPONSIBILITY OF RELEVANT ORGANIZATIONS AND INDIVIDUALS IN AVIATION SECURITY ASSURANCE**

**Article 35. National Civil Aviation Security Committee**

1. The National Civil Aviation Security Committee is an inter-disciplinary coordination organization whose functions are to help the Prime Minister to direct and coordinate to settle the inter-disciplinary important issues on aviation security assurance.

2. The National Civil Aviation Security Committee shall help the Prime Minister to direct and coordinate the activities between the Ministries, ministerial bodies, governmental bodies, People’s Committee of provinces and centrally-run cities in aviation security assurance; periodically assess the risks of threat to aviation security; direct the completion and upgrading of aviation security assurance system; direct the implementation of master emergency Scheme to deal with the illegal acts of interference in the civil aviation activities; direct and settle the problems arising between the Ministries, sectors and localities and the relevant bodies and organizations in the aviation security assurance.

3. The National Civil Aviation Security Committee shall issue the card to the Committee’s members of and permit to the Committee’s vehicles for use when performing their duties. The vehicles used to perform duties are prioritized and exempted from fees and prices when participating in road traffic and operating in airports or aerodromes.

**Article 36. Ministry of Transport**

1. Performs the state management of security assurance for the civil aviation activities; issues under its authority or submits for issuance and implements the policies, legal normative document and technical regulations and standards in the field of aviation security assurance.

2. Coordinates with the relevant Ministries and sectors to effectively follow the provisions of international agreements on aviation security in which the Socialist Republic of Vietnam is a member.

3. Directs the bodies and units in the aviation industry to carry out the activities to ensure the aviation security, particularly:

a) Taking measures of aviation security assurance; organizing and operating the system of supervision, management and control of aviation security; approving the aviation security Program and Regulation; organizing the aviation security control forces;

b) Establishing the system of reporting, information collection, analysis and assessment of incidents and risks of threat to the aviation security; deciding to take measures and procedures for prevention of aviation security in line with the threatening risks.

c) Developing, training, exercising and carrying out the airport emergency scheme to deal with the illegal acts of interference in the civil aviation activities;

d) Reporting, handling, remedying, investigating and verifying the cases of violation and threat to the aviation security and incidents of aviation security; issuing the necessary recommendations and directives to prevent and stop the incidents of aviation security;

dd) Taking the emergency measures of aviation security assurance to serve the security, national defense and national emergency.

4. Inspecting, examining and sanctioning the administrative violations in aviation security assurance.

5. Coordinating with the Ministry of Public Security, Ministry of Defense and the relevant Ministries, sectors and localities in security protection, national defense, prevention and control of terrorism and maintenance of social order and security in accordance with regulations of law.

**Article 37. Ministry of Public Security**

1. Takes the measures to protect the national security, prevent and control the terrorism pertaining to the civil aviation; periodically and irregularly exchanging, providing and assessing the information on the reality of political security, social order and safety, conspiracy, mode and tricks of operation of terrorists, the reactionary organizations and types of crime and conspiracy to illegally interfere in the civil aviation activities for the Ministry of Transport.

2. Directs the relevant bodies and units to coordinate with the Civil Aviation Authority of Vietnam and the aviation security control forces in taking the measures of aviation security assurance; assess the risks, seriousness and threats to the aviation security; manages and supervises the passengers denied entry; protect the internal security and specialized aviation information system.

3. Develops the protection schemes, prevents and controls the crimes, maintains the public order and social order at the airports or aerodromes and the facilities of the aviation industry; receives and handles the crimes of violation of security, order and traffic safety according to regulations of law.

4. Develops and follows the emergency Schemes to deal with the illegal acts of interference in the civil aviation activities within its duties; sets up the air security forces; provides the training and re-training and instructions on professional aspects of national security protection for the aviation security control forces; provides the techniques of fire prevention and fighting for the fire prevention and fighting forces of the civil aviation industry.

**Article 38. Ministry of Defense**

1. Manages and protects the national airspace; prevent and control the use of shoulder-launched missile aiming at the civil aircraft; periodically or regularly exchanges, provides and assesses the information on political security and social order and safety; conspiracy, mode and tricks of operation of terrorists, reactionary organizations and types of crime, conspiracy of illegal interference in the civil aviation activities for the Ministry of Transport.

2. Develops the scheme for protection, prevention and control of crime, maintenance of public order and social safety at the jointly-used aerodromes.

3 .Develops and follows the emergency Schemes to deal with the illegal acts of interference in the civil aviation activities within its duties; provides the training and re-training and instructions on professional aspects of national security protection for the aviation security control forces;

4. Directs the relevant military bodies and units to coordinate with the Civil Aviation Authority of Vietnam and the aviation security control forces in taking the measures of aviation security assurance; assess the risks, seriousness and threats to the aviation security;

**Article 39. Ministry of Finance**

Directs the customs units at the international airports to coordinate with the aviation security control forces during the check and control of luggage, cargo and postal items to detect and prevent dangerous items illegally carried on aircraft and other illegal acts of law violation.

**Article 40. Ministry of Home Affairs**

Coordinates with the Ministry of Transport to stipulate the appropriate salary mechanism to the subjects as the officials and officers who work full-time and part-time and receive salary from the state budget in the field of aviation security assurance.

**Article 41. People’s Committee at all levels which has the airport, aerodrome, works or equipment in service of civil aviation activities**

1. Prevent and control the crime, maintain the public order and social safety in the areas; receive and handle the crime and violations of security, order and traffic safety in accordance with regulations of law.

2. Coordinate with the relevant bodies and units in preventing the act of using the shoulder-launched missile to attack the civil aircraft; implement the emergency Scheme to deal with the illegal acts of interference in the civil aviation activities within their responsibility.

3. Propagate and mobilize people to comply with the regulations on aviation security and safety assurance.

**Chapter VIII**

**IMPLEMENTATION PROVISION**

**Article 42. Effect**

1. This Decree takes effect from 27/11/2015.

2. This Decree replaces the Decree No. 81/2010/ND-CP dated 14/7/2010 of the Government on civil aviation security; Decree No. 51/2012/ND-CP dated 11/6/2012 of the Government on amending and adding some articles of the Decree No. 81/2010/ND-CP on civil aviation security.

**Article 43. Implementation**

The Ministers, Heads of ministerial bodies, governmental bodies, Chairman of People’s Committee of provinces and centrally-run cities, the enterprises and relevant individuals are liable to execute this Decree./.

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|  | **FOR THE MINISTER** **PRIME MINISTER     Nguyen Tan Dung** |

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