

Part 1**GENERAL POLICIES, PROCEDURES AND
DEFINITIONS**

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SUBPART A: GENERAL**1.001 APPLICABILITY OF THESE PARTS**

- (a) This Part prescribes requirements that are applicable to the structure and processes of all Parts of the civil aviation safety regulations in aircraft and aircraft operation (abbreviated as Aviation safety regulations/VAR).
- (b) Aviation safety regulations include¹:
 - (1) Part 1: General Policies, Procedures and Definitions;
 - (2) Part 2: Registration of Aircraft;
 - (3) Part 3: Aircraft and Component Original Certification;
 - (4) Part 4; Continuing Airworthiness of Aircraft;
 - (5) Part 5: Approved Maintenance Organizations;
 - (6) Part 6: Required Instruments and Equipment;
 - (7) Part 7: Personnel Aviation Licencing;
 - (8) Part 8: Medical Certification;
 - (9) Part 9: Approved Training Organizations;
 - (10) Part 10: Operations of Aircraft;
 - (11) Part 11: Aerial Work Operations;
 - (12) Part 12: Air Operator Certification and Administration;
 - (13) Part 13: AOC Passenger Carrying Requirements;
 - (14) Part 14: AOC Personnel Qualification;
 - (15) Part 15: Fatigue Management;
 - (16) Part 16: AOC Operational Control;
 - (17) Part 17: AOC Mass and Balance and Performance;
 - (18) Part 18: Transportation of Dangerous Goods by Air;
 - (19) Part 19: Aircraft Accident Reporting and Investigation;
 - (20) Part 20: Issuing, Recognition, renewal Air worthiness Certificate;
 - (21) Part 21: Certifying aircraft and aircraft components;
 - (22) Part 22: Foreign Operators.
 - (23) Part 23: General Aviation: Corporate Operators, Turbojet & Large Airplanes
- (c) Vietnam Aviation Administrative (CAAV) issues Aviation safety Advisory Circulars (Advisory Circulars) provides specific technical safety requirements prescribed by the appropriate authorities in support of the Vietnam Civil Aviation Law and supporting legislation to ensure that

¹ This item is revised according to Item 1, Appendix 1 to Circular 21/2017/TT-BGTVT dated 30 June 2017.

aviation operations in the Vietnam meet the international standards for aviation safety.

- (d) Each Part shall, as indicated in the particular Part, apply to all persons operating or maintaining the following:
 - (1) AOC issued by CAAV;
 - (2) Aircraft operation, maintenance registered Vietnamese nationality;
 - (3) AOC issued by the CAAV, operating aircraft registered with nationality that is a member of ICAO and are maintained in accordance with the standards of the aircraft State of Registry, wherever that maintenance is performed, except when there is another agreement in place.
 - (4) Aircraft of foreign nationality that is a member of ICAO and operates in Vietnam².

1.003 ORGANIZATION OF PARTS

- (a) These Parts are subdivided into five hierarchical categories:
 - (1) *Part* refers to the primary subject area;
 - (2) *Subpart* refers to any subdivision of a Part;
 - (3) *Section* refers to a subdivision of a Subpart necessary to designate a group of related subsections and designated by a bold Roman number;
 - (4) *Subsection* refers to the Arabic numbered and titled regulation and can be a subdivision of a Subpart or Section;
 - (5) *Paragraph* refers to the text describing the regulations. All paragraphs are outlined alphanumerically in the following hierarchical order: (a), (1), (i), (A).
- (b) Numbering of these Parts will be as follows:
 - (1) The first regulations number of each Part will be .001;
 - (2) Thereafter, the original numbering of the regulations will be sequenced in the format: 003, 005, 007, 010, leaving the numbers 002, 004, 006, 008 and 009 for future expansion of the regulations to accommodate new ICAO standards or the growing safety complexity of world aviation;
 - (3) The first subsection of Subpart A of each regulation will begin with the number .001. All subsequent Subparts will begin with a subsection number that is the next 10 (Example: 010, 020, 030).
- (c) Definitions used throughout these regulations are organised as follows:
 - (1) Definitions are applicable to any Part may appear in this Part;

² This content is revised according to Appendix I to Circular 03/2016/TT-BGTVT dated 31 March 2016

- (2) Definitions considered critical to a specific Part may appear in this Part and also to the Part where it is considered critical;
 - (3) Definitions applicable only to a specific Part may only appear in that Part.
- (d) Acronyms used throughout these regulations are organised as follows:
- (1) Acronyms applicable any Part may appear in this Part;
 - (2) Acronyms considered critical to a specific Part may appear in this Part and also to the Part where it is considered critical;
 - (3) Acronyms applicable only to a specific Part may only appear at the beginning in that Part.
- (e) Notes appear in Subsections to provide exceptions, explanations, examples to individual requirements and references to specific supporting appendix.
- (f) Subsections and notes may refer to Appendix, which provide detailed requirements that support the purpose of the subsection, and where specifically referenced by the subsection, gain the legal force and effect of the referring subsection. Under the rules of construction, the term “Appendix” is applied to these supplementary requirements.
- (g) Throughout these regulations the following word usage applies:
- (1) **Shall** indicates a mandatory requirement;
 - (2) The words “**no person may...**” or “**a person may not...**” mean that no person is required, authorized, or permitted to do an act described in a regulation;
 - (3) **May** when used without the word “no” or “not” indicates that discretion can be used when performing an act described in a regulation;
 - (4) **Includes** means “includes but is not limited to.”
 - (5) **Should** indicates a recommended practice³.

1.007 DEFINITIONS

- (a) The definitions provided in Appendix 1 for Article 1.007 of this Part apply to all requirements included in the aviation safety regulations.
- (b) Acronyms in this Subsection applicable to all requirement in this Aviation safety regulations;
Note: Appendix 2 of Subsection 1.007 about explanation of Acronyms and abbreviations.
- (c) The following words and phrases, where found in these regulations, outline the authority delegated to the CAAV:
 - (1) **Acceptance:** In these Parts, identifies documents, portions of documents, formal procedures, facilities, equipment, or personnel

³ This content is revised according to Appendix I to Circular 03/2016/TT-BGTVT dated 31 March 2016

that must be found satisfactory by a technical review of the CAAV prior to use in aviation;

- (2) **Approval.** A formal document issued by the CAAV based on a prior technical evaluation that authorizes the use of documents, portions of documents, policies or formal procedures related to air worthiness and aircraft operation;
- (3) **Approved by Authority:** A formal document issued by CAAV based on a technical evaluation that officially conveys to the holder certain privileges in aviation under the civil aviation law, regulations and Parts..
- (4) **Authorisation:** A formal document issued by CAAV that authorizes the holder to perform the aviation activities identified on the document;
- (5) **Certificate:** A formal document issued by CAAV that authorizes the holder to perform the aviation activities identified on the document;
- (6) **Designation:** A formal document issued by the CAAV based on a technical evaluation process, that authorizes the holder to act on behalf of the CAAV in the performance of the functions identified in the document;
- (7) **Exeption:** An official exception from a requirement of these regulations issued by the CAAV to a group of persons, aircraft or type of operations when the Authority determines that the requirement is not consistent with relevant aviation safety standards for that grouping and it would be in the public interest to issue the exception
- (8) **Exemption.** An official exception from a requirement of these regulations issued to an individual, aircraft or organization by the Authority where the applicant can show that it is in the public interest, an equivalent level of safety can be maintained and such an except will not be inconsistent with relevant aviation safety standards.;
- (9) **Rating.** An authorization by the CAAV entered on or associated with a license or certificate and forming part thereof, stating special conditions, privileges or limitations pertaining to such license or certificate;
- (10) **Prescribed by the CAAV:** This phrase denotes a requirement where the CAAV may, through appropriate guidance materials, outline the steps and standards necessary to meet the requirement;
- (11) **Validation:** An official document from the CAAV for a acceptance of a certificate, license, approval, designation, or authorization issued by another ICAO member to include equivalent or lower privilege, or the recognition is done in a method that prescribed in regulation of International treaty that Vietnam is a member;

- (12) **Rendering (a licence) valid:** The action in accepting a license issued by any other Contracting State of ICAO as the equivalent of its own license.

SUBPART B: ENFORCEMENT OF THESE REGULATIONS

1.010 APPLICABILITY

- (a) This subpart outlines the delegation of responsibility and authority of the CAAV to ensure compliance with the aviation safety regulations.
- (b) This subpart refers possible enforcement actions. The actual enforcement processes and penalties that may be administered with respect to these regulations are located in an administrative enforcement decree.

1.011 RESPONSIBILITY OF AVIATION ADMINISTRATIVE OF VIETNAM

- (a) The CAAV is the Authorised body to reinforce monitoring safety include aviation safety management system, and have the following responsibility:
- (1) Organise aviation safety management system, monitor, check, inspect and ensure aviation safety.
 - (2) Organise or lease, recruit or hire technical personnel with appropriate competence to conduct checking, inspection and give findings relate to certificate and license issuance as well as monitor and ensure aviation safety.
 - (3) Directly implement and enforce Decisions, Decree, Standards, practical recommendations, guidance and advisory from International aviation bodies that Vietnam is a member.
 - (4) Publish advisory document, professional requirement, and basis standards for implementing requirements of these Aviation safety regulations.

1.013 REGULATORY COMPLIANCE REQUIRED

- (a) Individual, organization participate in commercial activities: design, manufraacory, maintenance, testing, aircraft operation, training, medical certificate for aviation personnel:
- (1) Compliance with requirement of Regulations and detail advisory from the CAAV relate to its activities;
 - (2) Compliance with requirement on environmental protection under the guidance of the CAAV;
 - (3) Compliance with requirements of aviation security;
 - (4) Keep record of files relate to your own activities with requirement of Regulations and detail advisory from the CAAV;
 - (5) Supply documents, records as requested by authorized personnel;
 - (6) Display appropriate certificate at the head quarter visibly, must carry personal license, certificate while on duty with the rating in the license.

- (b) A person who without reasonable excuse fails to comply with any requirement of these aviation safety regulations shall be subject to enforcement.
- (c) Such enforcement may result in, depending on the circumstances and mitigating factors:
 - (1) Revocation of a licence, certificate, authorization or privilege;
 - (2) Suspension of a licence, certificate, authorization or privilege;
 - (3) Monetary fines, in coordination with and separate from other penalties; or
 - (4) Issuance of a preventious flying order to prevent an imminent safety of flight situation.

1.015 MINIMUM ACCEPTABLE STANDARDS REQUIRED

- (a) These aviation safety regulations specify minimum standards for the purpose of issuance of licenses, certificates, authorizations, privilege.
- (b) A person, aircraft, component or organization that is the holder of a license, certificate, authorization or privilege issued by the Authority shall continue to meet the minimum standards required for original issuance.
- (c) If the holder of a license, certificate, authorization or privilege is unable to meet the minimum standards for original issuance of that document, they shall surrender that document to the CAAV.
- (d) If the CAAV becomes aware that the holder of license, certificate, authorization or privilege no longer meets the minimum standards to hold that document, it may seek, depending on the circumstances, mitigating factors and risk to air safety:
 - (1) An emergency suspension of the license, certificate, authorization or privilege in the interest of public safety;
 - (2) A suspension of the license, certificate, authorization or privilege;
 - (3) A revocation of the license, certificate, authorization or privilege;
 - (4) Monetary fines, as prescribed by Government Decree;
 - (5) Variance to an existing license, certificate, authorization or privilege;
 - (6) Re-examination of the basis for issuance of the license, certificate, authorization or privilege; or
 - (7) Issuance of a preventious flying order to prevent an imminent safety of flight situation.

1.017 ENFORCEMENT INVESTIGATION & RECOMMENDATIONS

- (a) If the CAAV determines through inspection, incident, accident of any other method that a non-compliant situation described in Section 1.013 and 1.015 may exist, they shall complete an investigation.

- (b) A formal investigation record, complete with the recommendations for resolution of the matter, shall be forwarded to the CAAV Director for subsequent action to resolve the non-compliant situation.
- (c) The process for the subsequent action shall be subject to the civil law of Vietnam, including any appeals.

1.020 ADMINISTRATIVE HANDLING AUTHORIZED

- (a) Instead of the requirement of Section 1.017, if the CAAV determines that it is possible to achieve immediate and lasting compliance with the requirements and minimum standards of the regulations through the administrative handling of a situation described in Sections 1.013 and 1.015, such handling is permissible provided that the handling involves a formal written record and that record of the resolution is retained.
- (b) Variance of a previously issued formal authorization or approval is permissible through administrative handling by the CAAV. This variance should be issued as a formal record and effective:
 - (1) Immediately and without appeal if determined to be necessary in the interest of public safety, or
 - (2) Following a 20 business-day period to allow an appeal of the basis to the CAAV.

SUBPART C: AVIATION SAFETY INSPECTORS

1.030 APPLICABILITY

- (a) This subpart outlines the delegation of responsibility and authority of the CAAV to ensure compliance with the aviation safety regulations.

1.033 DESIGNATE AVIATION SAFETY INSPECTORS

- (a) The CAAV may designate aviation safety inspectors in accordance with criteria set force in these regulations. Aviation safety inspector can be government employee or staff of aviation corporations to work as full time or part time inspector and has a unique credential to perform their functions.⁴
- (b) ⁵Inspection, checking and oversight can be done at any time and location where there is aircraft operation, training and other activities relate to applicability scope of this Aviation Safety regulations (VAR) as followed:
 - (1) Any private or public location where the aircraft is parked to check or any documents in accordance to the regulations in the VAR;
 - (2) Any airport can be checked or any aircraft in the airport or any documents in accordance to the regulations of the VAR.

⁴ This content is revised according to Appendix I to Circular 03/2016/TT-BGTVT dated 31 March 2016

⁵ This content is revised according to Appendix I to Circular 56/2018/TT-BGTVT dated 11 December 2018

- (3) Any aircraft cockpit during the the operation can be checked, or any aircraft components and check flight crew members perform duty
- (c) No person may possess or use these aviation safety inspector credentials unless he is:
 - (1) Employed by the CAAV to perform the functions of the flight safety oversight; and
 - (2) Using the credential in the performance of a specific function of the flight safety oversight organization of the CAAV.
 - (d) For the purpose of exercising his responsibilities under these Regulations, the authorized person shall carry at all times the means of identification specified in paragraph (b).

Note: Appendix 1 Subsection 1.033 stipulated specific standards of safety aviation inspectors in aircraft operation, airworthiness, flight safety etc....

1.035 POWERS OF AVIATION SAFETY INSPECTORS

- (a) An authorised person has the power as delegated by the Authority to:
 - (1) Carry out audits or surveillance activities;
 - (2) Enter and inspect any aerodrome, hanger or other place (at which an aircraft is located or stored), aircraft or any organization performing tasks and services related to aviation safety;
 - (3) Inspect any aircraft, aircraft equipment, components, materials, facilities, personnel or crew members for the purpose of ensuring compliance with the aviation safety regulations;
 - (4) Require any person to produce documents or any other article subject to the aviation safety regulations;
 - (5) Require any person to produce copy any certificate, license, logbook, document or record pursuant to these Regulations.
 - (6) Inspect and copy any certificate, license, logbook, document or record pursuant to these Regulations and any directions issued thereunder to require to be produced;
 - (7) Detain the flying of an aircraft in the interest of public safety when an imminent safety of flight situation exists regarding the airworthiness of the aircraft and operational capability of its crew; report immediately to the CAAV and
 - (8) Re-examinations, evaluations, inspections, investigations, tests, experiments, and flight trials to be made as deemed necessary to ensure compliance with the aviation safety regulations;
- (b) No person may intentionally obstruct or impede any authorized person acting in the exercise of his powers or the performance of his duties under these aviation safety regulations.

- (c) No person shall intentionally obstruct or impede any authorized person from accessing, inspecting or copying documents subject to the aviation safety regulations.

1.037 RIGHT OF ACCESS FOR INSPECTION

- (a) ¶The aviation safety inspectors (authorized person) may conduct inspections, investigations and observations at any time and place that aircraft operations, maintenance, training and other activities subject to these aviation regulations are in progress
- (b) Authorized person shall be given free and uninterrupted right of access:
 - (1) To any place, whether public or private, where an aircraft is located for the purpose of inspecting the aircraft or any document subject to the aviation safety regulations;
 - (2) To any aerodrome for the purpose of inspecting the aerodrome or any aircraft on the aerodrome or any document subject to the aviation safety regulations;
 - (3) To any aircraft and flight deck compartment, for the purpose of checking while in flight:
 - (i) Performance of the aircraft or any of its equipment; and
 - (ii) The efficiency of flight crew members in the performance of their duties.
- (c) No person may intentionally obstruct or impede any authorized person from access to the locations specified in paragraph (b).

1.040 PROVISION OF DOCUMENTS FOR INSPECTIONS

- (a) Any documents and reports specified by relevant Parts of this set of aviation regulations shall be provided to aviation safety inspector (authorized person) upon his request for such information.
- (b) Each person involved or participating in an aviation activity shall, within a reasonable time after being requested to do so by an authorized person, provide the licenses, certificates and documents which he is required to have, carry, complete or preserve during the course of his activities.
- (c) For the purpose of this subsection, a reasonable time for considered to be:
 - (1) At the time of the request, for documents required to be:
 - (i) Carried on the person; or
 - (ii) On board the aircraft during flight;
 - (2) During normal business hours, documents required to be:
 - (i) Completed and retained at airport;
 - (ii) Completed and retained at the administrative facilities; or

¶ This content is revised according to Appendix I to Circular 56/2018/TT-BGTVT dated 11 December 2018

(iii) Preserved.

1.043 PRESERVATION OF REPORTS, DOCUMENTS AND RECORDS

- (a) Any reports or documents generated during activities subject to the aviation safety regulations shall be made within times comply with the methods and shall contain such information as is specified by relevant Parts of this set of aviation regulations.
- (b) A person assigned under these regulations to preserve any document or record shall continue to preserve that document or record until such time as the responsibility may be transferred to another assigned person.

SUBPART D: GENERAL ADMINISTRATIVE RULES

1.050 APPLICABILITY

- (a) This subpart provides the general administrative rules applicable to the documentation issued by the CAAV.

1.053 COST AND RECOVERY FEES

- (a) The CAAV will collect a prescribed fee for original issuance, renewal issuance and replacement of each license, certificate or authorization required by these regulations.
- (b) The CAAV will collect prescribed hourly and travel fees associated with the required technical evaluation and inspections of organizations, their personnel, equipment, facilities and records, including those necessary for:
 - (1) Original certification;
 - (2) Added rating for authorization;
 - (3) On-going validation and renewal of certificates;

1.055 CHANGE OF NAME

- (a) A holder of a license or certificate issued under these regulations may apply to change the name on a license or certificate. The holder shall include with any such request:
 - (1) The current license or certificate; and
 - (2) A copy of other document verifying the name change.
- (b) The CAAV will return to the official holder, the documents specified in paragraph (a) of this subsection.

1.057 CHANGE OF ADDRESS

- (a) The holder of an licence or certificate who has made a change in permanent mailing address may not, after 30 days from that date, exercise the privileges of the licence or certificate unless the holder has notified the CAAV in writing of the new permanent mailing address, or

current residential address if the permanent mailing address includes a post office box number.

1.060 REPLACEMENT OF A LOST OR DESTROYED DOCUMENT

- (a) The official holder of license, certificate or other CAAV documentation that has been lost or destroyed shall request a replacement in writing from the office designated by the CAAV.
- (b) The official holder shall state in the request letter:
 - (1) Full name;
 - (2) Their permanent mailing addresses, or if the permanent mailing address includes a post office box number, the person's current residential address;
 - (3) Their national identification/passport number;
 - (4) Date and place of birth; and
 - (5) Any available information regarding the grade, number, and date of issuance of the document, certificate, or license, and the ratings, if applicable;
 - (6) Number: 01 set.
- (c) After receiving a facsimile from the CAAV confirming that the lost or destroyed document was issued, the official holder may carry or display, as appropriate, the facsimile in lieu of the lost or destroyed document for up to 7 days pending receipt of a duplicate document.
- (d) CAAV has the responsibility to reissue this document within 7 working days from the date receiving a completed application, or notifying refusal and reason for that.

1.063 FALSIFICATION, REPRODUCTION, OR ALTERATION OF REQUIRED DOCUMENTS⁷

- (a) ⁸No person may make or cause to be made concerning any license, certificate, rating, qualification, or authorization, application for or duplicate thereof, issued under these regulations:
 - (1) Any fraudulent or intentionally false statement;
 - (2) Any fraudulent or intentionally false entry in any logbook, record, or report that these regulations require, or used to show compliance with any requirement of these regulations;
 - (3) Any reproduction for fraudulent purpose; or
 - (4) Any alteration.
- (b) Any person who commits any act prohibited under paragraph (a) of this section may have his or her official license, rating, certificate, qualification, or authorization revoked or suspended.

⁷ This content is revised according to Appendix I to Circular 21/2017/TT-BGTVT dated 30 June 2017

⁸ This content is revised according to Appendix I to Circular 21/2017/TT-BGTVT dated 30 June 2017

1.065 SURRENDER, SUSPENSION, OR REVOCATION OF LICENCE OR CERTIFICATE

- (a) Any license, certificate or authorization issued under these regulations ceases to be effective if it is surrendered, suspended, or revoked.
- (b) The official holder of any license or certificate issued under these regulations that has been suspended or revoked shall return that license or certificate to the Authority when requested to do so by the CAAV.

1.067 RE-APPLICATION AFTER REVOCATION

- (a) Unless otherwise authorized by the Authority, a person whose license, certificate or authorization has been suspended may not apply for any license, rating, or authorization during 1 year period since the suspension.

1.070 RE-APPLICATION AFTER SUSPENSION

- (a) Unless otherwise authorized by the Authority, a person whose license, certificate or authorization has been suspended may not apply for any license, rating, or authorization during the period of suspension.

1.073 VOLUNTARY SURRENDER OR EXCHANGE OF LICENCE

- (a) The official holder of a license, certificate or authorization issued under these regulations may voluntarily surrender it for:
 - (1) Cancellation;
 - (2) Issuance of a lower grade license; or
 - (3) Another license with specific ratings deleted.
- (b) An applicant requesting voluntary surrender of a license shall include the following signed statement or its equivalent: "This request is made for my own reasons, with full knowledge that my (insert name of license or rating, as appropriate) may not be reissued to me unless I again pass the tests prescribed for its issuance."

SUBPART E: GENERAL TESTING REQUIREMENTS**1.080 APPLICABILITY**

- (a) This subpart provides the general testing requirements applicable to aviation personnel and organizations subject to these regulations.

1.083 DRUG AND ALCOHOL TESTING AND REPORTING

- (a) An employee who performs any function requiring a license, rating, qualification, or authorization prescribed by these regulations directly or by contract for the holder of a certificate issued by the CAAV may:
 - (1) Be denied any license, certificate, rating, qualification, or authorization for a period of up to 1 year after the date of such refusal; and

- (2) Have his/her license, certificate, rating, qualification, or authorization issued under these regulations suspended or revoked.
- (b) Any person subject to these regulations who is convicted for the violation of Vietnamese Law or any country relating to the growing, processing, manufacture, sale, disposition, possession, transportation, or importation of narcotic drugs, marijuana, or depressant or stimulant drugs or substances, may:
 - (1) Be denied any license, certificate, rating, qualification, or authorization issued under these regulations for a period of up to 1 year after the date of final conviction; or
 - (2) Have his/her license, certificate, rating, qualification, or authorization issued under these regulations suspended or revoked.
- (c) Any person subject to these regulations who refuses to submit to a test to indicate the percentage by weight of alcohol in the blood, when requested by a law enforcement officer, or refuses to furnish or to authorize the release of the test results requested by the CAAV may:
 - (1) Be denied any license, certificate, rating, qualification, or authorization issued under these regulations for a period of up to 1 year after the date of that refusal; or
 - (2) Have his/her license, certificate, rating, qualification, or authorization issued under these regulations suspended or revoked.

SUBPART F: EXEMPTIONS AND DEVIATIONS

1.090 APPLICABILITY

- (a) This subpart prescribes procedures for the issuance, modification and termination of exemptions or deviations from the requirements of the aviation regulations
- (b) Exemptions and deviations in aircraft operations and maintenance (abbreviated as waiver) for the operators with AOC certified by the CAAV, Maintenance Organisation approved in accordance to Part 5; and aircraft with Vietnamese nationality include the following details:
 - (1) Discrepancy to procedures in operation manual (OM), maintenance management exposition (MME) of AOC holder or maintenance organization exposition approved by the CAAV;
 - (2) Operating the aircraft over the limit specified in MEL/CDL (MEL – Minimum equipment list /CDL – Component discrepancy list) as well as other limits have been specified in maintenance data (AMM, IPC, SRM...);
 - (3) Prolong the limit time aircraft maintenance/component stipulated in Aircraft maintenance system approved by the CAAV.
 - (4) Discrepancies of the aircraft maintenance equipment, component list compared to those approved by the CAAV.

1.093 AUTHORITY TO APPROVE EXEMPTIONS AND DEVIATIONS

- (a) The CAAV may, in accordance with the procedures contained in this Subpart, approve an exemption or deviation from the Aviation Safety Regulations.⁹
- (b) No person may authorize an exemption, deviation or waiver from the requirements of the Parts to the Aviation Safety Regulations except in accordance with these procedures.

1.095 ACTING ON UNACCEPTABLE AUTHORISATIONS

- (a) No person may take, or cause to be taken, an action that contravenes the requirements of the Parts to the VAR unless in personal possession of an exemption or deviation that was issued by the CAAV in accordance with the procedures contained in this Subpart.

1.097 APPLICATION FOR CONCESSIONS– GENERAL INFORMATION

- (a) Each application must be written in Vietnamese or English in a specified form by the CAAV;
 - (1) Be submitted 2 copies directly or indirectly in timely consideration with the type of waiver application sent to:
Flight Safety Standard Department - CAAV, 119, phố Nguyễn Sơn, quận Long Biên, Hà Nội, Việt Nam;
 - (2) That request must contain for the applicant:
 - (i) Name;
 - (ii) Address;
 - (iii) Telephone number;
 - (iv) Telephone number;
 - (v) Email address (optional), and
 - (vi) Person designated an agent of the applicant for all purposes related to the application.

1.100 CONCESSION APPLICATION – DESCRIPTION OF PROPOSAL

- (a) The application must include the following information this is relevant to the proposal:
 - (1) A citation of the specific requirement from which the applicant seeks relief;
 - (2) Specification of the types of operations that are to be conducted with this relief;
 - (3) A detailed description of the proposed alternate requirement to meet an equivalent level of safety in the public interest;

⁹ This content is revised according to Appendix I to Circular 03/2016/TT-BGTVT dated 31 March 2016

- (4) A specification of the proposed duration or schedule of events for which this relief will be needed;
- (5) A statement outlining the applicant's basis for seeking relief from compliance with the specified requirements and, if the relief is requested for a fixed period, a description of how compliance will be achieved at the end of this period;
- (6) If the applicant seeks emergency processing, as statement of the supporting facts and reasons that it is an emergency.

1.103 CONCESSION APPLICATION – JUSTIFICATION OF PROPOSAL

- (a) The application must demonstrate that the alternative proposal:
 - (1) Achieves a level of safety at least equal to that of the requirement of the cited Part, or
 - (2) If a required safety level does not exist, that it is consistent to with public interest
- (b) At a minimum the application must provide the following:
 - (1) Information describing relevant incidents or accident experience of which the applicant is aware that relates to the application;
 - (2) A statement identifying any increased risk to safety or property that may result if the alternative proposal is granted and a description of the measures to be taken to address that risk; and
 - (3) Substantiation that the argument for public safety and equivalent level of safety is valid.
- (c) Procedural concessions for discrepancies compared to the procedres in the OM, MME of AOC holder or MOE approved by the CAAV, the waiver application must include:
 - (1) Evidence of carrying out the necessary maintainance task to correct the damage but could not reach the result, evidence of material, equipment and resource reparation.
 - (2) The case of concession application for operating over the limit that is included in AMM, SRM, IPC...and must have written suggestion of the aircraft/engine Manufactory.
- (d) Procedural concession for discrepancies compared to the procedres in theMEL/CDL as well as the limits prescribed in AMM, IPC, SRM:
 - (1) Evidence of carrying out the necessary maintainance task as prescribed in AMS to correct the damage but could not reach the result
 - (2) Provision data of the worthiness program relate to equipment, system where the maintenance task must be taken to ensure that deferred maintenance will not affect flight safety;
 - (3) For the maintenance of equipment related to life limited parts, compulsory maintenance requirements (CMR *, CMR ** ALI) and the

high-rotation device of engines must have the manufacturer's opinion.

- (e) For concessions extend maintenance of aircraft / aircraft equipment has been specified in the aircraft maintenance system documentation (AMS) approved by the CAAV:
 - (1) Provide adequate reasons and explain the use of measures / alternative procedure processes have been approved by CAAV:
 - (2) Documents proving the equivalence of the measures / alternative procedure is used to ensure flight safety level equivalent
- (f) The discrepancies in the types of tools and equipment aircraft maintenance compared to other tools and equipment specified in maintenance documentation has been approved by the CAAV:
 - (1) Provide sufficient reason and information related to the use of tools, equipment and replacement of tools and equipment approved in the maintenance manual or other materials approved by the CAAV:
 - (2) Provide design drawings, technical features of the equipment, replace equipment in order to ensure equivalent functionality with tools, equipment has been approved
 - (3) For the tools and equipment used for measurement, calibration parameters of the engine control system and the aircraft must be approved in writing by the manufacturer.

1.105 PROCESSING THE APPLICATION

- (a) Within 1 days after receipt of the application for grant of concessions, the CAAV to consider the validity and completeness of the record and notify the applicant. In the case of dossiers not valid or missing information in accordance with, the applicant shall provide additional information and granting concession process consider from the time receiving completed records.
- (b) Within two days of the request for concessions is determined to be valid and complete, the CAAV will:
 - (1) Conduct a technical evaluation of the viability of the proposal;;
 - (2) If the decision is favourable, publish the proposal, technical evaluation and recommended action to interested parties;
 - (3) Consider the comments of the interested parties;
 - (4) Make a final decision as to approval or disapproval of the proposal as in Subsection 20.115 in Part 20 of this VAR or if disapproval, must notify applicants.

1.107 TECHNICAL EVALUATION RESULTS

- (a) The CAAV shall conduct a technical evaluation of the proposed alternative method of compliance.

- (b) The person conducting the technical evaluation will conduct an internal report outlining their findings regarding:
 - (1) Need for exemption from the requirement(s);¹⁰
 - (2) Whether an equivalent level of safety is possible;
 - (3) Whether the approval of the alternative method will be in the public interest; and
 - (4) Recommendations for the final form of a decision.

1.110 PUBLICATION OF PROPOSAL AND TECHNICAL EVALUATION

- (a) The CAAV shall publish any proposed favorable decision and disseminate this information to:
 - (1) Persons, organizations that have previously registered with the CAAV as being interested in any exemption or deviation to the requirements of the Civil Aviation which may be approved;
 - (2) Persons or organizations that have a similar license, certificate, operations specifications or other form of approval or authorization that might be affected by the decision.

1.113 APPLICATION FOR APPLYING PRECEDENT

Not applicable

1.117 DISAPPROVAL OF THE ALTERNATIVE METHOD OF COMPLIANCE

- (a) The disapproval of the exemption or deviation request shall be made by the CAAV in the specific cases:
 - (1) The application for granting concession is not valid and the lack of information necessary for the technical evaluation to ensure equivalent level of safety;
 - (2) In the case that the granting concessions could affect the maintaining of the minimum level of safety for operation, aircraft maintenance, can result in endangering air safety for public, passengers and aircraft assets;
 - (3) There is not enough technical capacity to assess the impact of the concessions for the necessary safety.
- (b) The CAAV may refuse to grant concessions within the prescribed time limit if the technical assessment required a longer period of time, or extend the time to consider concessions. In such cases, the CAAV must notify in writing to the requester for concessions and clearly state the minimum time necessary for the granting concessions.

¹⁰ This content is revised according to Appendix I to Circular 03/2016/TT-BGTVT dated 31 March 2016

1.120 PUBLICATION & VALIDITY OF APPROVED ALTERNATIVE METHOD OF COMPLIANCE

- (a) The CAAV shall publish any exemption or deviation granted through the updating and re-issuance of the Advisory Circular for Exemptions and Deviations to:
 - (1) Persons, organizations that have previously registered with the CAAV as being interested in any exemption or deviation to be granted;
 - (2) Persons or organizations that have a similar license, certificate, operations specifications or other form of approval or authorization; and
 - (3) New applicants for a license, certificate, operations specifications or related form of approval or authorization.
- (b) The CAAV shall publish any exemption or deviation granted that relates to general requirements for the aviation community through the method of the Aeronautical Information Publication (API) of the Vietnam.

SUBPART G: RECOGNITION OF LICENSES, CERTIFICATES AND ADDITIONAL LICENSE**1.130 APPLICABILITY**

- (a) This subpart prescribes the general requirements and administrative rules applicable to the use of licenses, certificates, approvals, designations, or authorization issued by another ICAO member as the basis for the issuance of similar documents by the CAAV.

1.133 RECOGNITION – GENERAL

- (a) The CAAV may, with prescribed restrictions and after a process of technical evaluation and confirmation, use a certificate, license, approval, designation, or authorization issued by another ICAO member as the basis for the issuance of a certificate, license, approval, designation or authorization containing the same or more restrictive privileges. CAAV validates certificate of airworthiness, noise, and radio and flight crew license issued by the national operators instead of the country in which the aircraft is registered with the conditions those nationalities are ICAO members and agreed to transfer responsibility for monitoring safety in accordance with the provisions of Article 83bis of the Chi-ca-go Convention.
- (b) The CAAV may not use the process of validation to abdicate its responsibility to ensure that the source documents used are valid and were issued in accordance with applicable ICAO Standards.
- (c) The CAAV may conduct any additional test or inspection deemed technically or administratively necessary to confirm the competency of the holder and the validity of the certificate, license, approval, designation or authorization.

1.135 TIME OF VALIDITY

- (a) Each certificate, license, approval, designation or authorization issued by the CAAV through a validation process is subject to the same procedures for modification, suspension, revocation or termination applicable to other documents issued by the CAAV.
- (b) Unless otherwise prescribed, each certificate, license, approval, designation or authorization issued by the CAAV through a validation process will become invalid when the document used as the basis of issuance becomes invalid, non-current, or expires or is suspended or revoked by the ICAO member that originally issued it.
- (c) The CAAV must notify the Authority of the other ICAO member if, through the processes of certification, inspection, observation or investigation, CAAV determines that the holder of a certificate, license, approval, designation or authorization issued through the processes of validation is:
 - (1) No longer qualified or competent to hold that document;
 - (2) Not in conformance with the applicable ICAO Standards or national regulations applicable to that document; or
 - (3) Engaged to the work has been done that does not meet international standards of flight safety relevant to that document.

1.137 HOLDERS OF VALIDATED DOCUMENTS

- (a) No act of validation by the CAAV relieves the holder of the certificate, license, approval, designation or authorization from conformance with this VAR or the applicable laws of the ICAO members that issued the original document.
- (b) No act of validation by the CAAV relieves the holder of the certificate, license, approval, designation or authorization from inspection and verification by the CAAV for continued competency and conformance with the original basis for issuance.
- (c) The holder of a certificate, license, approval, designation, or authorization issued through the process of validation shall submit to any additional test or inspection deemed technically or administratively by the CAAV to ensure the continued validity and competency of the holder of the certificate, license, approval, designation or authorization.

1.140 VALIDATION OF TYPE CERTIFICATES AND SUPPLEMENTAL TYPE CERTIFICATES

- (a) With the exception of experimental or restricted certificates of airworthiness, all certificates of airworthiness issued by the CAAV will conform to the type Certificate and Supplemental Type Certificates issued by the State of Design or Manufacture and recognized by the CAAV.

1.143 VALIDATION OF CERTIFICATES OF AIRWORTHINESS

- (a) The CAAV can issue airworthiness certificates on the basis of recognition certificate of airworthiness issued by other ICAO members, but maintaining the validity of the airworthiness certificate issued by Vietnam will have no relation to the airworthiness certificate of that country.

1.145 VALIDATION OF MEDICAL CERTIFICATES

- (a) Medical certificates issued by the CAAV with validation of another ICAO member certificate as the primary basis for issuance will be linked to the continued validity of the other State's certificate.

1.147 VALIDATION OF LICENCES AND RATINGS

- (a) Licenses, ratings and limitations issued by the CAAV to Vietnamese citizens with validation of another ICAO member license as the primary basis for issuance will not be linked to the continued validity of the other State's license.
- (b) Licenses, ratings and limitations issued to persons not Vietnamese citizens with validation of another ICAO member's certificate as the primary basis for issuance will be linked to the continued validity of the other State's certificate.

1.150 VALIDATION OF AIR OPERATOR CERTIFICATES

- (a) Validation will not be used by the CAAV as the primary basis for issuance of an Air Operator Certificate to an entity engaged in commercial air transport.

1.153 VALIDATION OF APPROVED ORGANIZATIONS

- (a) The holder of an approved maintenance organization Certificate issued by another ICAO member may be authorized by the CAAV to perform maintenance and repair of aircraft registered in the Vietnam or operated by the holder of AOC issued by Vietnam using as the primary basis the certificate, privileges and limitations issued by the other State.
- (b) The holder of an approved training organization Certificate issued by another ICAO member may be authorized by the CAAV to provide training facilities, equipment, simulators, instructors and examiners to airmen and operators of Vietnam, using as the primary basis the certificate, privileges, designation and limitations issued by the other State.
- (c) Other organizations approved by an ICAO member may be authorized by the CAAV to provide services to airmen and operators of Vietnam, using as the primary basis the certificate, privileges and limitations issued by the other State.
- (d) The authorizations issued to these Approved Organizations by the CAAV through the process of validation are linked to the continued validity of the

certificates, privileges and limitations issued by the other State.

1.155 VALIDATION OF APPROVALS, AUTHORISATIONS AND DESIGNATIONS

- (a) Documents, facilities, equipment, training devices, simulators separately approved by an ICAO member through a technical certification process, and subject to continued inspection or revalidation, may be separately approved by the CAAV for use of airmen and operators of Vietnam, using as the primary basis the approval, privileges and limitations issued by the other State.
- (b) Personnel holding an authorization from an ICAO member to perform certain functions on behalf of the Authority of that State, based on acceptable technical requirements, qualification processes and subject to continued inspection, may be authorized by the CAAV for use of airmen and operators of Vietnam, using as the primary basis the authorization, privileges and limitation issued by the other State.
- (c) Personnel holding a designation from an ICAO member to perform certain functions on behalf of the Authority of that State, on behalf of CAAV based on acceptable technical requirements, qualification processes and subject to continued inspection of the CAAV, may be designated to perform those tasks for the airmen and operators of Vietnam, using as the primary basis the designation, privileges and limitations issued by the other State.
- (d) The approvals, authorizations and designations issued by the CAAV through the process of validation are linked to the continued validity of the approvals, authorizations and designations issued by the other State.

SUBPART H: DESIGNATED REPRESENTATIVES

1.160 APPLICABILITY

- (a) This subpart prescribes the requirements the general requirements and administrative rules for designating private persons to act as representatives of the CAAV in evaluating, examining, inspecting, and testing persons, aircraft and organizations for the purpose of issuing licenses, certificates or authorizations.
- (b) The requirements of this Subpart may also be used to designate a unit of an organization to perform certain functions on behalf of the CAAV.

1.163 FORMAL PROCESS

- (a) All actions in the nomination, selection, designation, supervision and termination of designated representatives of the CAAV shall conform to a formal process of policies and procedures.

1.165 SELECTION

- (a) The CAAV will assess the experience, training and commitment of these

persons before issuing a designation to perform on behalf of the CAAV. This assessment shall determine if the nominated designee:

- (1) Has sufficient facilities, resources, and personnel, to perform the functions for which authorization are requested;
 - (2) Has sufficient experience with CAAV requirements, processes, and procedures to perform the functions for which authorization is requested; and
 - (3) Has sufficient, relevant experience to perform the functions for which authorization is requested.
- (b) The CAAV may select or designate representatives to perform aviation safety inspection in accordance to the standards in Appendix of Subsection 1.033.
- (c) In the case of being designated by the CAAV to perform aviation safety inspection as well as being aviation personnel of aircraft operators or relevant maintenance organisations, designated persons must commit minimum 30% of his/her monthly working hours to aviation safety inspection duty in order to conduct tasks given by the CAAV when required.
- (d) During performing the aviation safety inspection tasks requested by the CAAV, aircraft operators and maintenance organisations must maintain the equivalent level of benefits for aviation safety inspectors as normal working hours.

1.167 CERTIFICATION

- (a) A “Certificate of Authority” shall be issued to each designee specifying the kinds of designation for which the person concerned is qualified and stating an expiration date.
- (b) Each designee shall also be provided a “Certificate of Designation” for display purposes, designating the holder as an authorized person and specifying the kind of designation for which he is qualified.

1.170 DURATION OF CERTIFICATES

- (a) Unless sooner terminated, the designation is effective until the expiration date listed on the designation document.
- (b) No designation will give an expiration date exceeding 24 calendar months after the date it is issued.
- (c) The designation may be renewed for additional periods at the CAAV’s discretion. A renewal is effected by a letter and issuance of a new document specifying the renewal period.
- (d) A designation made under this subpart terminates:
 - (1) Upon the written request of the representative;
 - (2) Upon the written request of the employer in any case in which the recommendation of the employer is required for the designation;

- (3) Upon the representative being separated from the employment of the employer who recommended him for certification;
- (4) Upon a finding by the CAAV that the representative has not properly performed his duties under the designation;
- (5) Upon the assistance of the representative being no longer needed by the CAAV.

1.173 REPORTS

- (a) The designated representative shall make such reports as are prescribed by the CAAV.
- (b) The designated representative shall retain a copy of all documentation issued in the performance of his designation in a location suitable to the CAAV.

1.175 PRIVILEGES

- (a) A designated representative may, within limits prescribed by, and under the general supervision of the CAAV as appropriate to and within the limits of his designation:
 - (1) Perform authorized functions at any authorized location;
 - (2) Accept applications;
 - (3) Conduct evaluations, examinations, tests and/or inspections;
 - (4) Issue or deny licenses or authorisations;
 - (5) Approve technical documents;
 - (6) Charge a fee for his or her services in accordance to the law.

1.177 INSPECTION

- (a) At any time and for any reason, the CAAV may inspect a designated representative in the performance of his authorized functions and his records.
- (b) The CAAV has unrestricted access to the designated representative's location, personnel, records and function in support of the requirement of paragraph (a).
- (c) To facilitate inspections, the designated representative shall provide the CAAV with timely prior notification of the time and location where the performance of an authorized function is planned.

SUBPART I: SERVICE PROVIDER SAFETY MANAGEMENT SYSTEMS¹¹

1.180 APPLICABILITY

- (a) The following organizations shall implement a Safety Management System (SMS) in support of the State Safety Program of Vietnam:

¹¹ This content is added according to Appendix I to Circular 03/2016/TT-BGTVT dated 31 March 2016

- (1) Approved training organizations certificated in accordance with Part 9 of these regulations that are exposed to safety risks related to aircraft operations during the provision of their services;
- (2) Operators of aeroplanes or helicopters certificated in accordance with Part 12 of these regulations, to conduct international commercial air transport, including any maintenance activities not conducted by an approved maintenance organization;
- (3) Approved maintenance organizations certificated in accordance with Part 5 of these regulations and providing services to operators of aeroplanes or helicopters engaged in international commercial air transport;

121.185 SAFETY MANAGEMENT SYSTEM FRAMEWORK

- (a) The SMS of a service provider shall:
 - (1) Be established in accordance with the framework elements outlined in Appendix 1 through 5 of 1.185;
 - (2) Be commensurate with the size of the service provider and the complexity of its aviation products or services.

SUBPART K: ADDITION OR REVISION TO THESE REQUIREMENTS¹³

1.190 APPLICABILITY

- (a) This Subpart prescribes procedures for the addition, amendment or deletion of requirements to these regulations to:
 - (1) Maintain conformance to the applicable ICAO Annex Standards;
 - (2) Incorporate the applicable ICAO Annex Recommended Practices;
 - (3) Incorporate published and relevant international safety practices critical to aviation safety;
 - (4) Incorporate requirements specific to the Vietnam aviation environment identified as necessary to the public interest and safety; and
 - (5) Replace or delete requirements that are no longer applicable.
- (b) Interested parties of the Vietnam aviation community are invited to submit proposed regulatory requirements for inclusion in the rule making process.

1.193 AUTHORITY TO DEVELOP & APPROVE RULE MAKING

- (a) ¹⁴The CAAV may, in accordance with the procedures contained in this Subpart, develop the technical text and supporting documentation necessary to the proposed addition, revision or deletion of requirements.

¹² This item is revised according to Item 2, Appendix 1 to Circular 21/2017/TT-BGTVT dated 30 June 2017.

¹³ This content is added according to Appendix I to Circular 03/2016/TT-BGTVT dated 31 March 2016

¹⁴ This content is revised according to Appendix I to Circular 21/2017/TT-BGTVT dated 30 June 2017

- (b) The Director - General shall publish a Notice of Proposed Rule Making (NPRM) to the aviation community and the general public and process the public comments.
- (c) The Director - General may as an interim measure and in the interest of public safety or to meet Vietnam international aviation obligations, publish a Special Regulation to place a requirement in force pending completion of the NPRM process.

1.195 ISSUANCE OF A SPECIAL REGULATION

- (a) A special regulation may be issued by the Director-General when:
 - (1) An emergency in the public interest has been identified; or
 - (2) A new ICAO Standard has become effective and the time period for notification of any possible differences has been initiated.
- (b) The text of the special regulation shall contain:
 - (1) The Special Regulation number and title;
 - (2) A descriptive paragraph summarizing the requirements;
 - (3) Identification of the objective(s) of Section 1.190 that are the basis for initiation of the NPRM;
 - (4) The background resulting in the issuance;
 - (5) The text of the requirements;
 - (6) The effective date of the requirements; and
 - (7) The transition period for conformance with the requirements.
- (c) The requirements of a special regulation shall cease to be effective when the requirements have been incorporated into Vietnam law through the rule making process described in this Subpart or upon repeal by the CAAV.

1.197¹⁵ SAFETY DATA AND SAFETY INFORMATION PROTECTION

a. The CAAV shall accord protection to safety data captured by, and safety information derived from, voluntary safety reporting systems, mandatory safety reporting system and related sources

b. The CAAV shall not make available or use safety data or safety information collected, stored or analysed in accordance with (a) for purposes other than maintaining or improving safety, unless required by the authorized agency.

c. The CAAV shall not be prevented from using safety data or safety information to take any preventive, corrective or remedial action that is necessary to maintain or improve aviation safety.

d. The CAAV shall take necessary measures, including the promotion of a

¹⁵ This content is revised according to Appendix I to Circular 21/2017/TT-BGTVT dated 30 June 2017

positive safety culture, to encourage safety reporting through the voluntary safety reporting systems and mandatory safety reporting system.

1.199¹⁶ SAFETY INFORMATION SHARING AND EXCHANGE

a. If the CAAV, in the analysis of the information contained in its Safety data collection and processing systems (SDCPS), identifies safety matters considered to be of interest to other States, the CAAV shall forward such safety information to them as soon as possible. Prior to sharing such information, the CAAV and related States shall agree on the level of protection and conditions on which safety information will be shared.

b. States shall promote the establishment of safety information sharing or exchange networks among users of the aviation system, and facilitate the sharing and exchange of safety information.

¹⁶ This content is revised according to Appendix I to Circular 21/2017/TT-BGTVT dated 30 June 2017

APPENDICE

APPENDIX 1 TO 1.007: GLOSSARY OF DEFINITIONS ¹⁷

- (a) The definitions provided in this Section apply to all requirements included in this aviation safety regulations:
- (1) **Security:** A combination of measures and human and material resources intended to safeguard civil aviation against acts of unlawful interference.
 - (2) **Safety:** The state in which risks associated with aviation activities are reduced and controlled to an acceptable level.
 - (3) **Initial notification:** A mean of communication to distribute the initial data collected for an investigation.
 - (4) **Maintenance:** The performance of tasks required to ensure the continuing airworthiness of an aircraft, including any one or combination of overhaul, inspection, replacement, defect rectification, and the embodiment of a modification or repair;
 - (5) **Line maintenance:** Any unscheduled maintenance resulting from unforeseen events, or scheduled checks that contain servicing and/or inspections that do not require specialised training, equipment or facilities.
 - (6) **Specific maintenance:** Any maintenance normally not carried out by the Aircraft Maintenance Organisation.
 - (7) **Runway condition report (RCR):** A comprehensive standardized report relating to runway surface conditions and its effect on the aeroplane landing and take-off performance.
 - (8) **Type certificate data sheet:** as part of the certificate specify the conditions and limits necessary to meet the requirements of the airworthiness standards applicable for that type of aircraft; provides precise definition of the product configuration of the aircraft was that type approved in certificate; include the following required information: type of engine (name of the manufacturer, engine type certificate, the number of engines installed on aircraft); fuels can be used; propellers and propeller limits; rotation speed (for helicopters); actuator torque limits (forwith helicopter); flying speed limit; limits the focus range of the aircraft; limited focus range aircraft with empty load; reference points, the means used to check and balance of the aircraft; loadsmaximum; minimum flight crew; seat number; maximum cargo load; maximum fuel; maximum lubricants; elevation of the maximum activity; movement of the steering wheel controls; exported data; the basis for approval and manufacture of aircraft products;
 - (9) **Flight level:** The aircraft level is maintained throughout most of the

¹⁷ This content is revised according to Appendix I to Circular 21/2017/TT-BGTVT dated 30 June 2017.

flight.

- (10) **Acrobatic flight.** Maneuvers intentionally performed by an aircraft involving an abrupt change in its attitude, an abnormal attitude, or an abnormal variation in speed;
- (11) **Take-off surface:** That part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft taking off in a particular direction
- (12) **Landing surface:** That part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft landing in a particular direction;
- (13) **Minister:** Minister of transportation;
- (14) **Unforeseen factors:** Factors which could have an influence on the fuel consumption to the destination aerodrome, such as deviations of an individual aeroplane from the expected fuel consumption data, deviations from forecast meteorological conditions, extended delays taxi times before take-off, and deviations from planned routings and/or cruising levels.
- (15) **Stimulant drugs or substances:** Alcohol, drugs, painkillers and sleeping pills, cocains, other psychedelic substances, hallucinogenic drug, banned solvents but excluding coffee and cigarette.
- (16) **Regular passenger flights:** supplying of air transport services from a particular terminal specifies a period of notice of flight schedule or flight plan published in newspapers, magazines or other means of advertising
- (17) **Visual meteorological conditions:** Meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, equal to or better than specified minima;
- (18) **Human factors principles:** Principles which apply to design, certification, training, operations and maintenance and which seek safe interface between the human and other system components by proper consideration to human performance;
- (19) **Ignition devices:** devices are not matches or lighters, made of flammable materials and when catch fire can cause damage to property or injury to human.
- (20) **ICAO Contracting state:** all countries have signed the Convention on International Civil Aviation (the Chi-ca-go Convention);
- (21) **Heliport operating minima:** The limits of usability of a heliport for:
 - (i) Take-off, expressed in terms of runway visual range and/or visibility and, if necessary, cloud conditions;
 - (ii) Landing in precision approach and landing operations, expressed in terms of visibility and/or runway visual range and decision altitude/height (DA/H) as appropriate to the category

of the operation;

- (iii) Landing in approach and landing operations with vertical guidance, expressed in terms of visibility and/ or runway visual range, minimum descent altitude/height (MDA/H); and
 - (iv) Landing in non-precision approach and landing operations, expressed in terms of visibility and/ or runway visual range, minimum descent altitude/height (MDA/H) and, if necessary, cloud conditions.
- (22) **Appropriate airworthiness requirements:** The comprehensive and detailed airworthiness codes established, adopted or accepted by an ICAO member for the class of aircraft, engine or propeller under consideration;
- (23) **Propeller:** A device for propelling an aircraft that has blades on a powerplant driven shaft and that, when rotated, produces by its action on the air, a thrust approximately perpendicular to its plane of rotation. It includes control components normally supplied by its manufacturer, but does not include main and auxiliary rotors or rotating airfoils of powerplants;
- (24) **Configuration (as applied to the aeroplane):** A particular combination of the positions of the moveable elements, such as wing flaps and landing gear, etc., that affect the aerodynamic characteristics of the aeroplane.;
- (25) **Airworthiness Directive (AD):** Maintenance requirements, inspection or replacement of aircraft or aircraft equipment, required to be done in order to prevent endangering the safety incidents issued by the State where aircraft registered or recognized by the similar request issue by the national aviation authorities of the designer, manufacturer.
- (26) **Operation Directive (OD):** the method, the documentation required by aircraft operator to ensure safe flight operation by the country of registration or national aircraft operator issued or recognized similar requirements by the national aviation authorities of the design, manufacturer issued;
- (27) **Home base:** means the location, assigned by the operator to the crew member, from where the crew member normally starts and ends a duty period or a series of duty periods and where, under normal circumstances, the operator is not responsible for the accommodation of the crew member concerned.
- (28) **Operating base:** means the location where the operator carries out the operations control functions.
- (29) **Major modification:** Major modification means an modification not listed in the aircraft, aircraft engine, or propeller specifications that might appreciably affect weight, balance, structural strength, performance, powerplant, operations, flight characteristics, or other

qualities affecting airworthiness; or cannot be done by elementary operations.

- (30) **Minor modification:** A modification other than a major modification.
- (31) **Enhanced ground proximity warning:** A forward looking warning system that uses the terrain data base for terrain avoidance.
- (32) **Safety performance indicator:** A data-based safety parameter used for monitoring and assessing performance.
- (33) **Landing distance available (LDA):** The length of runway which is declared available and suitable for the ground run of an aeroplane landing.
- (34) **Sector:** means the segment of an FDP between an aircraft first moving for the purpose of taking off until it comes to rest after landing on the designated parking position
- (35) **Fireproof:**
 - (i) With respect to materials and parts used to confine fire in a designated fire zone, means the capacity to withstand at least as well as steel in dimensions appropriate for the purpose for which they are used, the heat produced when there is a severe fire of extended duration in that zone; and
 - (ii) With respect to other materials and parts, means the capacity to withstand the heat associated with fire at least as well as steel in dimensions appropriate for the purpose for which they are used.
- (36) **Suitable accommodation:** Means, for the purpose of standby, split duty and rest, a separate room for each crew member located in a quiet environment and equipped with a bed, which is sufficiently ventilated, has a device for regulating temperature and light intensity, and access to food and drink;
- (37) **Flame resistant:** As used in this set of aviation regulations, means not susceptible to combustion to the point of propagating a flame, beyond safe limits, after the ignition source is removed;
- (38) **Fire resistant:**
 - (i) With respect to sheet or structural members means the capacity to withstand the heat associated with fire at least as well as aluminum alloy in dimensions appropriate for the purpose for which they are used; and
 - (ii) With respect to fluid-carrying lines, fluid system parts, wiring, air ducts, fittings, and power plant controls, means the capacity to perform the intended functions under the heat and other conditions likely to occur when there is a fire at the place concerned.
- (39) **Flash resistant.** means not susceptible to burning violently when

ignited

- (40) **Aircraft types:** The classification of aircraft according to certain basic description.
- (41) **Signature:** An individual's unique identification used as a means of authenticating a record entry or record. A signature may be handwritten, electronic, or any other form acceptable to the CAAV.
- (42) **Series of flights:** Series of flights are consecutive flights that begin and end within a period of 24 hours; and are all conducted by the same pilot-in-command.
- (43) **Controlled flight into terrain:** Occurs when an airworthy aircraft is flown, under the control of a qualified pilot, into terrain (water or obstacles) with inadequate awareness on the part of the pilot of the impending collision.
- (44) **Special VFR flight:** A VFR flight cleared by air traffic control to operate within a control zone in meteorological conditions below VMC.
- (45) **Long range overwater flights.** Routes on which an aeroplane may be over water and at more than a distance corresponding to 120 minutes at cruising speed or 740 nm (400 NM), whichever is the lesser, away from land suitable for making an emergency landing
- (46) **Conversion:** Conversion is the action taken by the CAAV in issuing its own licence on the basis of a licence issued by another Contracting State for use on aircraft registered in Vietnam.
- (47) **Positioning:** means the transferring of a non-operating crew member from one place to another, at the behest of the operator, excluding the time of travel from a private place of rest to the designated reporting place at home base and vice versa, and the time for local transfer from a place of rest to the commencement of duty and vice versa.
- (48) **Security programme:** Measures adopted to safeguard international and domestic civil aviation against acts of unlawful interference;
- (49) **Safety programme:** An integrated set of regulations and activities aimed at improving safety;
- (50) **Aircraft maintenance system (AMS):** the aircraft maintenance program prepared by the aircraft operator based on the aircraft maintenance program issued by the manufacturer and in accordance with applicable aircraft configuration, operation conditions and governmental requirement of the country where the aircraft is registered and approved by the aviation authorities of the country of registration of aircraft.
- (51) **Training programme:** programme that consists of courses, course ware, facilities, flight training equipment, and personnel necessary to accomplish a specific training objective. It may include a core

- curriculum and a specialty curriculum;
- (52) **Crew resource management (CRM):** A programme designed to improve the safety of flight operations by optimizing the safe, efficient, and effective use of human resources, hardware, and information through improved crew communication and coordination;
- (53) **Controlled flight:** Any flight which is subject to an air traffic control clearance.;
- (54) **IFR flight:** A flight conducted in accordance with the instrument flight rules;
- (55) **VFR flight:** A flight conducted in accordance with the visual flight rules.
- (56) **Appropriate ATS authority** The relevant authority designated by the State responsible for providing air traffic services in the airspace concerned;
- (57) **Appropriate authority:** Regarding flight over the high seas, the relevant authority of the State of Registry; or regarding flight other than over the high seas, the relevant authority of the State having sovereignty over the territory being overflown
- (58) **Accident investigation authority:** The authority designated by a State as responsible for aircraft accident and incident investigations within the context of ICAO Annex 13.
- (59) **Management agency of general registration:** national register agency of non-[international] or the part of the register, the registration of aircraft of international operators.
- (60) **Air traffic service:** A generic term meaning variously, flight information service, alerting service, air traffic advisory service, air traffic control service.
- (61) **Approach control unit:** A unit established to provide air traffic control service to controlled flights arriving at, or departing from, one or more aerodromes;
- (62) **Air traffic control (ATC) facility.** A building holding the persons and equipment responsible for providing ATC services (e.g., airport tower, approach control, centre). May also be called air traffic control unit.
- (63) **Chicago Convention:** (“Convention”) The Convention on International Civil Aviation concluded in Chicago, U.S.A., in 1944, entered into force in 1947. The Articles of the Chicago Convention govern the actions of the contracting States in matters of international civil aviation safety directly and through the Annexes to the Convention, which set forth ICAO Standards and Recommended Practices.
- (64) **Credit:** Recognition of alternative means or prior qualifications.

- (65) **Validation:** The acceptance of a certificate, licence, approval, designation, or authorisation issued by another ICAO Contracting State as the primary basis for the CAAV's issuance of a certificate, licence, approval, designation, or authorisation containing the same or more restrictive privileges:
- (i) Rendering (a licence) valid. The action taken by a Contracting State, as an alternative to issuing its own licence, in accepting a licence issued by any other Contracting State as the equivalent of its own licence.
 - (ii) Rendering (a Certificate of Airworthiness) valid. The action taken by a Contracting State, as an alternative to issuing its own Certificate of Airworthiness, in accepting a Certificate of Airworthiness issued by any other Contracting State as the equivalent of its own Certificate of Airworthiness.
- (66) **Adviser:** As relating to an aircraft accident, a person appointed by a State on the basis of his or her qualifications, for the purpose of assisting its accredited representative in an investigation.
- (67) **Catering supplies:** Food, beverages, other dry stores and associated equipment used on board an aircraft;
- (68) **Accelerate-stop distance available (ASDA):** The length of the take-off run available plus the length of stopway, if provided.
- (69) **Rescue:** An operation to retrieve persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety;
- (70) **Checklist:** The maintenance and / or repair list must be inspected by a person not on duty, not the person cause the error, improperly, dangerous to the safety operation of aircraft, not conduct the job properly or used parts or supplies not meet standards;
- (71) **Acceptance checklist:** A document used to assist in carrying out a check on the external appearance of packages of dangerous goods and their associated documents to determine that all appropriate requirements have been met.
- (72) **Configuration deviation list (CDL):** A list established by the organization responsible for the type design with the approval of the State of Design which identifies any external parts of an aircraft type which may be missing at the commencement of a flight, and which contains, where necessary, any information on associated operating limitations and performance correction;
- (73) **Minimum equipment list (MEL):** A list which provides for the operation of aircraft, subject to specified conditions, with particular equipment inoperative, prepared by an operator in conformity with, or more restrictive than, the MMEL established for the aircraft type.
- (74) **Master minimum equipment list (MMEL):** A list established for a particular aircraft type by the organization responsible for the type

design with the approval of the State of Design containing items, one or more of which is permitted to be unserviceable at the commencement of a flight. The MMEL may be associated with special operating conditions, limitations or procedures;

- (75) **Area navigation (RNAV):** A method of navigation that permits aircraft operations on any desired flight path within the coverage of station-referenced navigation aids or within the limits of the capability of self-contained aids, or a combination of these. Area navigation includes performance-based navigation as well as other operations that do not meet the definition of performance-based navigation.
- (76) **Performance-based navigation (PBN):** Area navigation based on performance requirements for aircraft operating along an ATS route, on an instrument approach procedure or in a designated airspace. Performance requirements are expressed in navigation specifications (RNAV specification, RNP specification) in terms of accuracy, integrity, continuity, availability and functionality needed for the proposed operation in the context of a particular airspace concept.
- (77) **Sign registration:** is regulated by ICAO for general signal management agencies to register aircraft of an international operator and not based on a national basis. All aircraft of international operator that are not based on a national basis will bear a the same general registration sign;
- (78) **Alerting service:** A service provided to notify appropriate organisations regarding aircraft in need of search and rescue aid, and assist such organisations as required.
- (79) **Flight control service:** As a general term in each case means long-distance control, approach control, ground control services at the airport.
- (80) **long distance control service:** is a service provided to the flight control of air traffic in the airspace;
- (81) **Air traffic control service:** A service provided for the purpose of:
- (i) Preventing collisions;
 - (ii) On the manoeuvring area between aircraft and obstructions;
 - (iii) Expediting and maintaining an orderly flow of air traffic;
 - (iv) Provide consulting and useful information for the implementation of flight safety and efficiency;
 - (v) Notify the relevant agencies and units of aircraft need to search and rescue and support agencies, units as required.
- (82) **Aerodrome control service:** Air traffic control service for aerodrome traffic;
- (83) **Approach control service:** Air traffic control service for arriving or

- departing controlled flights;
- (84) **Ground handling:** Services necessary for an aircraft's arrival at, and departure from, an airport, other than air traffic services;
- (85) **Flight information service:** A service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights;
- (86) **Air traffic advisory service:** A service provided within advisory airspace to ensure separation, in so far as practical, between aircraft which are operating on IFR flight plans;
- (87) **¹²Safety data.** A defined set of facts or set of safety values collected from various aviation-related sources, which is used to maintain or improve safety.
- (88) **Airworthiness data:** Any information necessary to ensure that an aircraft or aircraft component can be maintained in a condition such that airworthiness of the aircraft, or serviceability of operational and emergency equipment, as appropriate, is assured;
- (89) **Approved data.** Technical information approved by the CAAV;
- (90) **Aerodrome control service:** A unit established to provide air traffic control service to aerodrome traffic;
- (91) **Handling agent:** A person, organization or enterprise engaged in or offering services to an air operator;
- (92) **Aeronautical station:** A land station in the aeronautical mobile service. In certain instances, an aeronautical station may be located, for example, on board ship or on a platform at sea;
- (93) **Overhaul:** The restoration of an aircraft/aircraft component using methods, techniques, and practices acceptable to the CAAV, including disassembly, cleaning, and inspection as permitted, repair as necessary, and reassembly; and tested in accordance with approved standards and technical data, or in accordance with current standards and technical data acceptable to the CAAV, which have been developed and documented by the State of Design, holder of the type certificate, supplemental type certificate, or a material, part, process, or appliance approval under Parts Manufacturing Authorisation (PMA) or Technical Standard Order (TSO);
- (94) **Medical assessment:** The evidence issued that the license holder meets specific requirements of medical fitness. It is issued following an evaluation by the Licensing Authority of the report submitted by the designated medical examiner who conducted the examination of the applicant for the license
- (95) **Auditor:** A competence person employed by the Aviation Training Organization (ATO); person authorized by the CAAV to conduct supervision and inspection on behalf of CAAV.

- (96) **Night:** The hours between sunset and sunrise. A variation of this definition may be prescribed by the appropriate authority of State overflown.
- (97) **Reporting point:** A specified geographical location in relation to which the position of an aircraft can be reported;
- (98) **Change-over point:** Change-over point. The point at which an aircraft navigating on an ATS route segment defined by reference to very high frequency radio VHF ranges is expected to transfer its primary navigational reference from the facility behind the aircraft to the next facility ahead of the aircraft. Change-over points are established to provide the optimum balance in respect of signal strength and quality between facilities at all levels to be used and to ensure a common source of azimuth guidance for all aircraft operating along the same portion of a route segment ATS.
- (99) **Defined Point:**
- (i) **(i) Defined point after take-off:** The point, within the take-off and initial climb phase, before which the Performance Class II helicopter's ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required.
 - (ii) **(ii) Defined point before landing:** The point, within the approach and landing phase, after which the Performance Class II helicopter's ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required.
- (100) **Radiotelephony:** A form of radio communication primarily intended for the exchange of information in the form of speech;
- (101) **Aircraft controlled:** Implementation of flight control of aircraft during flight
- (102) **Accredited representative:** As relating to an aircraft accident, a person designated by a State, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another party.
- (103) **Anticipated operating conditions.** Those conditions which are known from experience or which can be reasonably envisaged to occur during the operational life of the aircraft taking into account the operations for which the aircraft is made eligible, the conditions so considered being relative to the meteorological state of the atmosphere, to the configuration of terrain, to the functioning of the aircraft, to the efficiency of personnel and to all the factors affecting safety in flight.
- (104) **Investigation:** As relates to an aircraft accident or incident, a process conducted for the purpose of accident prevention which includes the gathering and analysis of information, the drawing of

conclusions, including the determination of causes and, when appropriate, the making of safety recommendations.

- (105) **Investigator-in-charge:** As relates to an aircraft accident or incident, a person charged, on the basis of his or her qualifications, with the responsibility for the organisation, conduct and control of an investigation.
- (106) **Local night:** means a period of 8 hours falling between 22:00 and 08:00 local time
- (107) **Packaging:** Receptacles and any other components or materials necessary for the receptacle to perform its containment function;
- (108) **Ca-bin altitude:** Atmospheric pressure related to the high level corresponds to that pressure in the Standard Atmosphere.
- (109) **Transition altitude:** The altitude at or below which the vertical position of an aircraft is controlled by reference to altitudes;
- (110) **Minimum descent altitude (MDA) or minimum descent height (MD):** A specified altitude or height in a non-precision approach or circling approach below which descent must not be made without the required visual reference. There are some notes for MDA or MDA as followings:
- (i) Minimum descent altitude (MDA) is referenced to mean sea level and minimum descent height (MDH) is referenced to the aerodrome elevation or to the threshold elevation if that is more than 2 m (7 ft) below the aerodrome elevation. A minimum descent height for a circling approach is referenced to the aerodrome elevation.
 - (ii) The required visual reference means that section of the visual aids or of the approach area which should have been in view for sufficient time for the pilot to have made an assessment of the aircraft position and rate of change of position, in relation to the desired flight path. In the case of a circling approach the required visual reference is the runway environment.
 - (iii) For convenience when both expressions are used they may be written in the form “minimum descent altitude/height” and abbreviated “MDA/H”.
- (111) **Obstacle clearance altitude (OCA) or obstacle clearance height (OCH):** The lowest altitude or the lowest height above the elevation of the relevant runway threshold or the aerodrome elevation as applicable used in establishing compliance with appropriate obstacle clearance criteria.
- (i) Obstacle clearance altitude is referenced to mean sea level and obstacle clearance height is referenced to the threshold elevation or in the case of non-precision approaches to the aerodrome elevation or the threshold elevation if that is more than 2 m (7 ft) below the aerodrome elevation;

- (ii) An obstacle clearance height for a circling approach is referenced to the aerodrome elevation;
 - (iii) For convenience when both expressions are used they may be written in the form “obstacle
 - (iv) clearance altitude/height” and abbreviated “OCA/H”.
- (112) **Minimum sector altitude (MSA):** The lowest altitude which may be used which will provide a minimum clearance of 300 m (1 000 ft) above all objects located in an area contained within a sector of a circle of 46 km (25 NM) radius centred on a significant point, the aerodrome reference point (ARP), or the heliport reference point (HRP).
- (113) **Decision altitude/height (DA/H):** A specified altitude or height in the precision approach or approach with vertical guidance at which a missed approach must be initiated if the required visual reference to continue the approach has not been established. Decision altitude (DA) is referenced to mean sea level and decision height (DH) is referenced to the threshold elevation. For convenience where both expressions are used they may be written in the form “decision altitude/ height” and abbreviated “DA/H”.
- (114) **Altitude:** The vertical distance of a level to a point or an object considered as a point.
- (115) **Altitude from mean sea level:** The vertical distance of a level, a point or an object considered as a point, measured from mean sea level (MSL).
- (116) **In flight service goods:** All items, other than catering supplies, associated with passenger in-flight services that include newspapers, magazines, headphones, audio and video tapes, pillows and blankets, amenity kits.
- (117) **Advisory route:** A designated route along which air traffic advisory service is available;
- (118) **Runway:** A defined rectangular area on a land aerodrome prepared for the landing and take-off of aircraft;
- (119) **Airway:** A control area or portion thereof established in the form of a corridor.
- (120) **Taxiway:** A defined path on a land aerodrome established for the taxiing of aircraft and intended to provide a link between one part of the aerodrome and another
- (121) **Effective length of the runway.** The distance for landing from the point at which the obstruction clearance plane associated with the approach end of the runway intersects the centreline of the runway to the far end.
- (122) **Critical engine:** The engine whose failure would most adversely affect the performance or handling qualities of an aircraft.

- (123) **Point of no return:** The last possible geographic point at which an aeroplane can proceed to the destination aerodrome as well as to an available en route alternate aerodrome for a given flight.
- (124) **Airworthy:** The status of an aircraft, engine, propeller or part when it conforms to its approved design and is in a condition for safe operation.
- (125) **Continuing airworthiness:** The set of processes by which an aircraft, engine, propeller or part complies with the applicable airworthiness requirements and remains in a condition for safe operation throughout its operating life.
- (126) **ATS or ATC route:** A specified route designed for channelling the flow of traffic as necessary for the provision of air traffic services. (The term “ATS route” is used to mean variously, airway, advisory route, controlled or uncontrolled route, arrival or departure route, etc.) An ATS route is defined by route specifications which include an ATS route designator, the track to or from significant points (way-points), distance between significant points, reporting requirements and, as determined by the appropriate ATS authority, the lowest safe altitude.
- (127) **Dry runway:** A runway is considered dry if its surface is free of visible moisture and not contaminated within the area intended to be used.
- (128) **Wet runway:** The runway surface is covered by any visible dampness or water up to and including 3 mm deep within the intended area of use.
- (129) **Contaminated runway:** A runway is contaminated when more than 25 % of the runway surface area (whether in isolated areas or not) within the length and width being used is covered by ice or snow more than 20 mm thick or water more than 3 mm deep.
- (130) Navigation specification. A set of aircraft and flight crew requirements needed to support performance-based navigation operations within a defined airspace. There are two kinds of navigation specifications:
- (i) RNP specification. A navigation specification based on area navigation that includes the requirement for performance monitoring and alerting, designated by the prefix RNP, e.g. RNP4, RNP APCH.
 - (ii) RNAV specification. A navigation specification based on area navigation that does not include the requirement for performance monitoring and alerting, designated by the prefix RNAV, e.g. RNAV 5, RNAV 1
- (131) **Required surveillance performance (RSP) specification:** A set of requirements for air traffic service provision and associated ground equipment, aircraft capability, and operations needed to support

- performance-based surveillance.
- (132) **Required communication performance (RCP) specification:** A set of requirements for air traffic service provision and associated ground equipment, aircraft capability, and operations needed to support performance-based communication.
- (133) **Takeoff decision point:** The point used in determining takeoff performance of a Class 1 helicopter from which, an engine failure occurring at this point, either a rejected takeoff may be made or a takeoff safely continued.
- (134) **Landing decision point (LDP):** The point used in determining landing performance from which, a power- unit failure occurring at this point, the landing may be safely continued or a balked landing initiated. LDP applies to performance Class 1 helicopters.
- (135) **Passenger exit seats:** Those seats having direct access to an exit, and those seats in a row of seats through which passengers would have to pass to gain access to an exit, from the first seat inboard of the exit to the first aisle inboard of the exit. A passenger seat having "direct access" means a seat from which a passenger can proceed directly to the exit without entering an aisle or passing around an obstruction.
- (136) **Renewal – of licence, rating, authorisation or certificate:** The administrative action taken within the period of validity of a licence, rating, authorisation or certificate that allows the holder to continue to exercise the privileges of a licence, rating, authorisation or certificate for a further specified period consequent upon the fulfilment of specified requirements.
- (137) **Critical phases of flight:** Those portions of operations involving taxiing, takeoff and landing, and all flight operations below 10,000 feet, except cruise flight.
- (138) **En-route phase:** That part of the flight from the end of the take-off and initial climb phase to the commencement of the approach and landing phase.
- (139) **Final approach segment (FAS):** That segment of an instrument approach procedure in which alignment and descent for landing are accomplished.
- (140) **Approach and landing phase — helicopters:** That part of the flight from 300 m (1 000 ft) above the elevation of the FATO, if the flight is planned to exceed this height, or from the commencement of the descent in the other cases, to landing or to the balked landing point;
- (141) **Take-off and initial climb phase:** That part of the flight from the start of take-off to 300 m (1 000 ft) above the elevation of the FATO, if the flight is planned to exceed this height, or to the end of the climb in the other cases.

- (142) **Break:** Means a period of time within an flight duty period, shorter than a rest period, counting as duty and during which a crew member is free of all tasks;
- (143) **Medical examiner:** A physician with training in aviation medicine and practical knowledge and experience of the aviation environment, who is designated by the CAAV to conduct medical examinations of fitness of applicants for licences or ratings for which medical requirements are prescribed.
- (144) **Accountable manager:** The manager who has corporate authority for ensuring that all safety-related functions of the organization can be financed and carried out to the standard required;
- (145) **Operational control:** The exercise of the CAAV in the interest of the safety of the aircraft and the regularity and efficiency of the flight
- (146) **Automatic dependent surveillance (ADS):** A surveillance technique in which aircraft automatically provide, via a data link, data derived from on board navigation and position fixing systems, including aircraft identification, 04 dimensional position and additional data as appropriate.
- (147) **Automatic dependent surveillance – broadcast (ADS-B):** A means by which aircraft aerodrome vehicles and other objects can automatically transmit and/or receive data such as identification, position and additional data, as appropriate, in a broadcast mode via a data link.
- (148) **Automatic dependent surveillance – contract (ADS-C):** A means by which the terms of an ADS-C agreement will be exchanged between the ground system and the aircraft, via a data link, specifying under what conditions ADS-C reports would be initiated, and what data would be contained in the reports.
- (149) **Performance-based surveillance (PBS):** Surveillance based on performance specifications applied to the provision of air traffic services. An RSP specification includes surveillance performance requirements that are allocated to system components in terms of the surveillance to be provided and associated data delivery time, continuity, availability, integrity, accuracy of the surveillance data, safety and functionality needed for the proposed operation in the context of a particular airspace concept.
- (150) **14Safety oversight.** A function performed by a State to ensure that individuals and organizations performing an aviation activity comply with safety-related national laws and regulations
- (151) **Authorised instructor:** A person who holds a valid ground instructor or flight instructor certificate issued under Part 7 of these regulations when conducting ground training or flight training or is authorised by the CAAV to provide ground training or flight training under any Part of these regulations.

- (152) **Examiner:** A qualified person designated by the CAAV to conduct a pilot proficiency test, a practical test for an airman licence or rating, or a knowledge test under these regulations.
- (153) **Check airman (aeroplane):** A person who is qualified, and permitted, to conduct an evaluation in an aeroplane, in a flight simulation training device for a particular type aeroplane, for a particular AOC holder.
- (154) **Check airman (simulator):** A person who is qualified to conduct an evaluation, but only in a flight simulation training device for a particular type aircraft, for a particular AOC holder.
- (155) **Medical certificate:** The evidence issued by the CAAV that the licence holder meets specific requirements of medical fitness. It is issued following an evaluation by the CAAV of the report submitted by the designated medical examiner who conducted the assessment (examination) of the applicant for the licence.
- (156) **Category of certificate:** Certificate for an aircraft, including the design, the limitation of operation, type certificate data sheet, airworthiness standards and any conditions or restrictions apply to aircraft type such as Vietnam defined or recognized.
- (157) **Air operator certificate (AOC):** A certificate authorizing an operator to carry out specified commercial air transport operations;
- (158) **Maintenance Certificate:** A document confirming that the maintenance work, depending on the completed level as expected, based on the approved data and the procedures described in the Maintenance organisation's Manual procedures equipvelant system.
- (159) **Air traffic control Limit orders:** Is the point to which an air traffic control command is issued to a valid aircraft;
- (160) **Package:** The complete product of the packing operation consisting of the packaging and its contents prepared for transport;
- (161) **Reference time:** means the local time at the reporting point situated in a 2-hour wide time zone band around the local time where a crew member is acclimatised;
- (162) **Balked landing:** A landing manoeuvre that is unexpectedly discontinued at any point below the obstacle clearance altitude/height (OCA/H).
- (163) **Ditching:** The forced landing of an aircraft on water;
- (164) **Air operator:** A national air operator and a foreign air operator for commercial purpose;
- (165) **Assets:** Any assets transferred carried on an aircraft, in addition to correspondence, serving on the aircraft and baggage accompanying passengers or luggage lost;
- (166) **Goods:** Personal belongings, baggage, cargo, mail, article, thing or conveyance that may be taken or placed on board an aircraft or

taken into a restricted area;

- (167) **Consignment:** One or more packages of dangerous goods accepted by an operator from one shipper at one time and at one address, receipted for in one lot and moving to one consignee at one destination address;
- (168) **COMAT:** Operator material carried on an operator's aircraft for the operator's own purposes.
- (169) **Dangerous goods:** Articles or substances which are defined according to the Vietnam Aviation Law, article 158, item (1) and are classified according to *the ICAO Technical Instructions* for the safe transport of dangerous goods by air;
- (170) **Carry-on baggage:** The carry-on baggage means baggage that is taken care of by passengers and is brought along with them onto aircraft during the flight;
- (171) **Civil aviation.** The operation of any civil aircraft for the purpose of general aviation operations, aerial work or commercial air transport operations.
- (172) **Acts of unlawful interference:** These are acts or attempted acts such as to jeopardize the safety of civil aviation and air transport, i.e.:
- (i) Unlawful seizure of aircraft in flight,
 - (ii) Unlawful seizure of aircraft on the ground,
 - (iii) Hostage-taking on board an aircraft or on aerodromes,
 - (iv) Forcible intrusion on board an aircraft, at an airport or on the premises of an aeronautical facility,
 - (v) Introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes,
 - (vi) Communication of false information as to jeopardize the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility.
- (173) **Safe forced landing:** Unavoidable landing or ditching with a reasonable expectance of no injuries to person in the aircraft or on the surface.
- (174) **Factor of safety:** A design factor used to provide for the possibility of loads greater than those assumed, and for uncertainties in design and manufacturing.
- (175) **Factor of overload:** is the ratio between the specific load weight and weight of the aircraft, expressed in terms of the aerodynamic forces, inertia or impact with the ground.
- (176) **Flight safety documents system:** A set of inter-related documentation established by the operator, compiling and

- organizing information necessary for flight and ground operations, and comprising, as a minimum, the operations manual and the operator's maintenance control manual;
- (177) **Quality system:** Documented organizational procedures and policies; internal audit of those policies and procedures; management review and recommendation for quality improvement;
- (178) **Engine system:** A system of one or more engines and related parts to produce thrust, continuous operation independent of other air units, but does not include devices generate thrust in a short time.
- (179) **Main engine system:** Engine system when damaged can seriously affect aircraft characteristics related to the case under consideration.
- (180) **Safety management system:** A systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures;
- (181) **Equivalent system of maintenance:** An AOC holder may conduct maintenance activities through an arrangement with an AMO or may conduct its own maintenance, preventive maintenance, or alterations, so long as the AOC holder's maintenance system is approved by the CAAV and is equivalent to that of an AMO, except that the approval for return to service of an aircraft/aeronautical product shall be made by an appropriately licenced aviation maintenance technician or aircraft repair specialists, as appropriate.
- (182) **Ground proximity warning system (GPWS):** A warning system that uses radar altimeters to alert the pilots of hazardous flight conditions.
- (183) **Low altitude wind shear warning and guidance system.** A system that will issue a warning of low altitude wind shear and in some cases provide the pilot with guidance information of the escaper manoeuvre.
- (184) **Terrain Awareness Warning System.** A system that provides the flight crew with sufficient information and alerting to detect a potentially hazardous terrain situation and so the flight crew may take effective action to prevent a controlled flight into terrain (CFIT) event.
- (185) **Arresting System.** A system designed to decelerate an aeroplane overrunning the runway
- (186) **ATS surveillance system:** A generic term meaning variously, ADS-B, PSR, SSR or any comparable ground-based system that enables the identification of aircraft.
- (187) **Fatigue Risk Management System (FRMS):** A data-driven means of continuously monitoring and managing fatigue-related safety risks, based upon scientific principles and knowledge as well as operational experience that aims to ensure relevant personnel are

performing at adequate levels of alertness

- (i) It is a management system for an operator to use to mitigate the effects of fatigue in its particular operations.
 - (ii) It is a data-driven process and a systematic method used to continuously monitor and manage safety risks associated with fatigue-related error.
- (188) **Powerplant:** An engine that is used or intended to be used for propelling aircraft. It includes turbosuperchargers, appurtenances, and accessories necessary for its functioning, but does not include propellers;
- (189) **Airborne collision avoidance system (ACAS):** An aircraft system based on secondary surveillance radar (SSR) transponder signals which operates independently of ground-based equipment to provide advice to the pilot on potential conflicting aircraft that are equipped with SSR transponders;
- (190) **Record:** Any writings, drawings, maps, recordings, films, pictures or other electronic media or microfilm used to store information.
- (191) **Airport activity:** Are all operating on the movement area of an aircraft at an airport and all aircraft flying in the vicinity of an airport area. An aircraft is considered to be in the vicinity of an area airport when the aircraft is flying in, flying out of the airport operation perimeter.
- (192) **19Air traffic.** All aircraft in flight or operating on the manoeuvring area of an aerodrome.
- (193) **Approach and landing operations using instrument approach procedures:** Instrument approach and landing operations are classified as follows:
- (i) Non-precision approach and landing operations. An instrument approach and landing which utilizes lateral guidance but does not utilize vertical guidance;
 - (ii) Approach and landing operations with vertical guidance. An instrument approach and landing which utilizes lateral and vertical guidance but does not meet the requirements established for precision approach and landing operations;
 - (iii) Precision approach and landing operations. An instrument approach and landing using precision lateral and vertical guidance with minima as determined by the category of operation..
- (194) **General aviation:** General aviation is defined as all civil aviation operations other than scheduled air services and non-scheduled air transport operations for remuneration or hire. General aviation associated with specialized services such as industry, agriculture,

sylviculture, pisciculture, construction, photography, surveying, observation and patrol, search and rescue, aerial development, instructional flying, sight seeing, calibration flight, pleasure flying and other aerial work.

- (195) **EDTO-significant system:** An aeroplane system whose failure or degradation could adversely affect the safety particular to an EDTO flight, or whose continued functioning is specifically important to the safe flight and landing of an aeroplane during an EDTO diversion.
- (196) **Synthetic vision system (SVS):** A system to display data-derived synthetic images of the external scene from the perspective of the flight deck.
- (197) **Combined vision system (CVS):** A system to display images from a combination of an enhanced vision system (EVS) and a synthetic vision system (SVS).
- (198) **Enhanced vision system (EVS):** A system to display electronic real-time images of the external scene achieved through the use of image sensors. (EVS does not include night vision imaging systems (NVIS).)
- (199) **Calibration.** A set of operations, performed in accordance with a definite documented procedure that compares the measurement performed by a measurement device or working standard with a recognised bureau of standards for the purpose of detecting and reporting or eliminating adjustment errors in the measurement device, working standard, or aeronautical product tested.
- (200) **Air traffic control clearance:** authorization for an aircraft to proceed under conditions specified by an air traffic control unit. It may be accompanied by the word "taxiing", "take off", "departure", "long distance", "approach", "landing" to indicate the portion of flight training that command mentioned.
- (201) **Instrument training:** Training which is received from an authorised instructor under actual or simulated instrument meteorological conditions;
- (202) **Flight training:** Training, other than ground training, received from an authorised instructor in flight in an aircraft;
- (203) **Approved training:** Training carried out under special curricula and supervision approved by the CAAV;
- (204) **Authorised instructor:** A person who holds a valid ground instructor certificate issued under Part 7 and Part 9 Vietnam Aviation Regulations when conducting training;
- (205) **ADS contract:** A means by which the terms of an ADS agreement will be exchanged between the ground system and the aircraft, specifying under what conditions ADS reports would be initiated, and what data would be contained in the reports.

- (206) **Substantial damage:** Damage or failure which adversely affects the structural strength, performance, or flight characteristics of the aircraft, and which would normally require major repair or replacement of the affected component. Engine failure or damage limited to an engine if only one engine fails or is damaged, bent fairings or cowling, dented skin, small punctured holes in the skin or fabric, ground damage to rotor or propeller blades, and damage to landing gear, wheels, tires, flaps, engine accessories, brakes, or wingtips are not considered "substantial damage" for the purpose of this substantial damage relating to an aircraft accident.
- (207) **Heading:** The direction in which the longitudinal axis of an aircraft is pointed, usually expressed in degrees from North (true, magnetic, compass or grid);
- (208) **IFR:** The symbol used to designate the instrument flight rules;
- (209) **IMC:** The symbol used to designate instrument meteorological conditions;
- (210) **Filed flight plan:** The flight plan as filed with an ATS unit by the pilot or a designated representative, without any subsequent changes.
- (211) **Current flight plan:** The flight plan, including changes, if any, brought about by subsequent clearances;
- (212) **Operational flight plan:** The operator's plan for the safe conduct of the flight based on considerations of aeroplane performance, other operating limitations and relevant expected conditions on the route to be followed and at the aerodromes concerned;
- (213) **Flight plan:** Specified information provided to air traffic services units, relative to an intended flight or portion of a flight of an aircraft;
- (214) **Repetitive flight plan:** A flight plan related to a series of frequently recurring, regularly operated individual flights with identical basic features, submitted by an operator for retention and repetitive use by air traffic service units;
- (215) **Accredited medical conclusion:** The conclusion reached by one or more medical experts for the purposes of the case concerned, in consultation with flight operations or other experts as necessary;
- (216) **Operation on the water:** is the operation of aircraft on the surface of the water;
- (217) **Offshore operations:** Operations which routinely have a substantial proportion of the flight conducted over sea areas to or from offshore locations. Such operations include, but are not limited to, support of offshore oil, gas and mineral exploitation and sea-pilot transfer.
- (218) **Agricultural aircraft operation.** The operation of an aircraft for the purpose of:
- (i) Dispensing any economic poison;

- (ii) Dispensing any other substance intended for plant nourishment, soil treatment, propagation of plant life, or pest control; or
 - (iii) Engaging in dispensing activities directly affecting agriculture, horticulture, or forest preservation, but not including the dispensing of live insects.
- (219) **Extended diversion time operations (EDTO):** Any operation by an aeroplane with two or more turbine engines where the diversion time to an en-route alternate aerodrome is greater than the threshold time established by the State of the Operator.
- (220) **Instrument approach operation:** An approach and landing using instruments for navigation guidance based on an instrument approach procedure. There are two methods for executing instrument approach operations—
 - (i) A two-dimensional (2D) instrument approach operation, using lateral navigation guidance only;
 - (ii) A three-dimensional (3D) instrument approach operation, using both lateral and vertical navigation guidance.
- (221) **23Surveillance.** The State activities through which the State proactively verifies through inspections and audits that aviation licence, certificate, authorization or approval holders continue to meet the established requirements and function at the level of competency and safety required by the State
- (222) **Controlled balloon:** A power driven lighter than air aircraft;
- (223) **Balloon:** A non power driven lighter than air aircraft;
- (224) **Course:** A programme of instruction to obtain an airman licence, rating, qualification, authorisation, or currency.
- (225) **Flight time for aeroplane:** The total time from the moment an aeroplane first moves to taxi from its parking place for the purpose of taking off until the moment it finally comes to rest on the designated parking position and all engines are shut down.
- (226) **Flight time for helicopter:** The total time from the moment a helicopter's rotor blades start turning until the moment the helicopter finally comes to rest at the end of the flight, and the rotor blades are stopped.
- (227) **Flight duty period:** The total time from the moment a flight crew member commences duty, immediately subsequent to a rest period and prior to making a flight or a series of flights, to the moment the flight crew member is relieved of all duties having completed such flight or series of flights;
- (228) **External load:** A load that is carried, or extends outside of the aircraft fuselage;
- (229) **Incompatible:** Describing dangerous goods which, if mixed, would

- be liable to cause a dangerous evolution of heat or gas or produce a corrosive substance;
- (230) **Prohibited area:** An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is prohibited;
- (231) **Control area:** A controlled airspace extending upwards from a specified limit above the earth;
- (232) **Movement area:** That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, consisting of the manoeuvring area and the apron(s);
- (233) **Landing area:** That part of a movement area intended for the landing or take-off of aircraft;
- (234) **Restricted area (aerodrome):** Any area of an aerodrome that is identified as an area to which access is restricted to authorised persons and includes any aircraft or vehicle on that aerodrome.
- (235) **Restricted area (airspace):** An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is restricted in accordance with certain specified conditions;
- (236) **Manoeuvring area:** That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, excluding aprons;
- (237) **Terminal control area:** A controlled area that would normally be set at the point where most of the ATS routes adjacent to one or more major airports.
- (238) **Danger area:** An airspace of defined dimensions within which activities dangerous to the flight of aircraft may exist at specified times;
- (239) **Required visual reference:** For instrument approaches, this term means that section of the visual aids or of the approach area which should have been in view for sufficient time for the pilot to have made an assessment of the aircraft position and rate of change of position, in relation to the desired flight path. In Category III operations with a decision height the required visual reference is that specified for the particular procedure and operation;
- (240) **Final approach and take-off area (FATO):** A defined area over which the final phase of the approach manoeuvre to hover or landing is completed and from which the take-off manoeuvre is commenced. Where the FATO is to be used by performance Class 1 helicopters, the defined area includes the rejected take-off area available;
- (241) **Signal area:** An area on an aerodrome used for the display of ground signals;
- (242) **Airframe:** The fuselage, booms, nacelles, cowlings, fairings, airfoil

surfaces (including rotors but excluding propellers and rotating airfoils of a powerplant), and landing gear of an aircraft and their accessories and controls.

- (243) **Knowledge test:** A test on the aeronautical knowledge areas required for an airman licence or rating that can be administered in written form or by a computer;
- (244) **Practical test:** A competency test on the areas of operations for a licence, certificate, rating, or authorisation that is conducted by having the applicant respond to questions and demonstrate manoeuvres in flight, in an approved flight simulator, or in an approved flight training device, or in a combination of these;
- (245) **Pre-flight inspection:** The inspection carried out before flight to insure that the aircraft is fit for the intended flight;
- (246) **Inspector:** A qualified individual authorized by the CAAV to inspect the level of pilots, a practical test for a aviation personnel certificate or the rating type, or a test of knowledge about the guidance in aviation safety regulations.
- (247) **Aviation inspector:** Competent personnel employed by the operator and authorized by the CAAV to do inspection.
- (248) **RNP type:** A containment value expressed as a distance in nautical miles from the intended position within which flights would be for at least 95% of the total flying time;
- (249) **Safety recommendation.** A proposal of an accident investigation authority based on information derived from an investigation, made with the intention of preventing accidents or incidents and which in no case has the purpose of creating a presumption of blame or liability for an accident or incident. In addition to safety recommendations arising from accident and incident investigations, safety recommendations may result from diverse sources, including safety studies.
- (250) **Aeronautical experience:** Pilot time obtained in an aircraft, approved flight simulator, or approved flight training device for meeting the training and flight time requirements of these regulations;
- (251) **Window of circadian low ('WOCL'):** means the period between 02:00 and 05:59 hours in the time zone to which a crew member is acclimatised.
- (252) **Skill test:** A competency test on the areas of operations for a licence, certificate, rating, or authorisation that is conducted by having the applicant respond to questions and demonstrate manoeuvres in flight, or in an approved flight simulation training device, or in a combination of these.
- (253) **Rest period:** Means a continuous, uninterrupted and defined period of time, following duty or prior to duty, during which a crew member

is free of all duties, standby and reserve.

- (254) **Duty period:** means a period which starts when a crew member is required by an operator to report for or to commence a duty and ends when that person is free of all duties, including post-flight duty.
- (255) **Flight duty period (FDP):** means a period that commences when a crew member is required to report for duty, which includes a sector or a series of sectors, and finishes when the aircraft finally comes to rest and the engines are shut down, at the end of the last sector on which the crew member acts as an operating crew member.
- (256) **RCP type:** A label (e.g. RCP 240) that represents the values assigned to RCP parameters for communication transaction time, continuity, availability and integrity.
- (257) **Co-pilot:** A licenced pilot serving in any piloting capacity other than as pilot-in-command but excluding a pilot who is on board the aircraft for the sole purpose of receiving flight instruction;
- (258) **Taxiing.** Movement of an aircraft on the surface of an aerodrome under its own power, excluding take-off and landing;
- (259) **Installation of flammable device:** the equipment of the flammable fluid system must be able to keep the liquid not to contact with fire when the device is put in the fire conditions. Must be equipped with the means to interrupt the flow of the liquid to the combustible area when the explosion occurred;
- (260) **Cruise climb:** An aeroplane cruising technique resulting in a net increase in altitude as the aeroplane mass decreases;
- (261) **Performance-based communication (PBC):** Communication based on performance specifications applied to the provision of air traffic services.
- (262) **Controller-pilot data link communications (CPDLC):** A means of communication between controller and pilot, using data link for ATC communications;
- (263) **Data link communications:** A form of communication intended for the exchange of messages via a data link;
- (264) **Disruptive schedule:** means a crew member's roster which disrupts the sleep opportunity during the optimal sleep time window by comprising an FDP or a combination of FDPs which encroach, start or finish during any portion of the day or of the night where a crew member is acclimatised; A schedule may be disruptive due to early starts, late finishes or night duties.
 - (i) for 'early start' a duty period starting in the period between 05:00 and 05:59 in the time zone to which a crew member is acclimatised;
 - (ii) for 'late finish' a duty period finishing in the period between 23:00 and 01:59 in the time zone to which a crew member is

acclimatised.

- (265) **Container:** Is a block containing a shipper to contain one or more packages and forming a single block for convenient handling and sorting (line equipment not included in this definition);
- (266) **Aircraft type:** All aircraft of the same basic design, including all modifications there to except those modifications which result in a change in handling or flight characteristics;
- (267) **Total vertical error (TVE):** The vertical geometric difference between the actual pressure altitude flown by an aircraft and its assigned pressure altitude (flight level);
- (268) **Propeller driven aeroplane:** A reciprocating or turbine powered aeroplane that is derives its primary thrust from propellers;
- (269) **Large aeroplane:** An aeroplane of a maximum certificated take-off mass of over 5 700 kg;
- (270) **Small aeroplane:** An aeroplane having a maximum certified take-off mass of less than 5,700 kg;
- (271) **Aeroplane:** A power driven heavier than air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;
- (272) **Runway condition assessment matrix (RCAM):** A matrix allowing the assessment of the runway condition code, using associated procedures, from a set of observed runway surface condition(s) and pilot report of braking action.
- (273) **Runway condition assessment matrix (RCAM).** A matrix allowing the assessment of the runway condition code, using associated procedures, from a set of observed runway surface condition(s) and pilot report of braking action.
- (274) **Emergency locator transmitter (ELT):** A generic term describing equipment which broadcast distinctive signals on designated frequencies and, depending on application, may be automatically activated by impact or be manually activated. An ELT may be any of the following:
- (i) Automatic fixed ELT. An automatically activated ELT which is permanently attached to an aircraft.
 - (ii) Automatic portable ELT. An automatically activated ELT which is rigidly attached to an aircraft but readily removable from the aircraft.
 - (iii) Automatically deployable ELT. An ELT which is rigidly attached to an aircraft and which is automatically deployed and activated by impact, and in some cases, also be hydrostatic sensors. Manual deployment is also provided.
 - (iv) Survival ELT. An ELT which is removable from an aircraft, stowed so as to facilitate its ready use in an emergency, and

manually activated by survivors.

- (275) **Fatigue:** A physiological state of reduced mental or physical performance capability resulting from sleep loss or extended wakefulness and/or physical activity that can impair a crew member's alertness and ability to safely operate an aircraft or perform safety related duties.
- (276) **Hazard:** A condition or an object with the potential to cause injuries to personnel, damage to equipment or structures, loss of material, or reduction of ability to perform a prescribed function.
- (277) **Hazard.** A condition or an object with the potential to cause or contribute to an aircraft incident or accident. This definition is equivalent to item (276).
- (278) **33Threat:** As relating to flight, events or errors that occur beyond the influence of an operational person, increase operational complexity and which must be managed to maintain the margin of safety.
- (279) **Safety performance target:** The planned or intended objective for safety performance indicator(s) over a given period.
- (280) **Flight level:** A surface of constant atmospheric pressure which is related to a specific pressure datum, 1 013.2 hPa, and is separated from other such surfaces by specific pressure intervals. A pressure type altimeter calibrated in accordance with the standard atmosphere:
- (i) when set to a QNH altimeter setting, will indicate altitude;
 - (ii) when set to a QFE altimeter setting, will indicate height above the QFE reference datum;
 - (iii) when set to a pressure of 1 013.2 hPa, may be used to indicate flight levels.
 - (iv) The terms "height" and "altitude" as used above, indicate altimetric rather than geometric heights and altitudes.
- (281) **Performance Class-Helicopters:**
- (i) **Performance Class 1 helicopter:** A helicopter with performance such that, in case of engine failure, it is able to land on the rejected take-off area or safely continue the flight to an appropriate landing area;
 - (ii) **Performance Class 2 helicopter:** A helicopter with performance such that, in case of engine failure, it is able to safely continue the flight, except when the failure occurs prior to a defined point after take-off or after a defined point before landing, in which cases a forced landing may be required;
 - (iii) **Performance Class 3 helicopter:** A helicopter with performance such that, in case of engine failure at any point in the flight profile, a forced landing must be performed.

- (282) **Level:** A generic term relating to the vertical position of an aircraft and meaning in different case of height, altitude or flight level.
- (283) **Civil aviation capability:** an individual technical qualified and / or management experience approved by the CAAV for the position they are holding.
- (284) **Pilot in command:** The pilot-in-command is a flight crewmember designated for a flight by the operator or the aircraft owner in case of general aviation not for commercial purposes. The pilot-in-command shall have the highest authority on board an aircraft and be responsible for the safety and security of the aircraft, persons and properties on board the aircraft during the flight;
- (285) **Authorised person:** As authorized by law to perform the duties of aviation safety surveillance on behalf of the CAAV, including the evaluation, inspection and investigation. These people are recruited by the CAAV and assigned to work in flight safety. They have the right to review, permit or supervise qualified individuals in aviation perform tasks as a "competent person".
- (286) **Aircraft operator:** an organization, individual engaged in the aircraft operation;
- (287) **Cruise relief pilot:** A flight crew member who is assigned to perform pilot tasks during cruise flight, to allow the pilot in command or a co pilot to obtain planned rest.
- (288) **Calendar year:** A period of a year beginning and ending with the dates that are conventionally accepted as marking the beginning and end of a numbered year (as January 1 through December 31 in the Gregorian calendar).
- (289) **Aircraft maintenance personnel:** Individual certified by the CAAV to carry out the inspection and perform or supervise the maintenance, preventive maintenance or other changes / improvements of aircraft, aircraft systems and equipment which individual is approved.
- (290) **Flight dispatcher:** A person designated by the operator to engage in the control and supervision of flight operations, whether licensed or not, suitably qualified in accordance with Annex 1, who supports, briefs and/or assists the pilot-in-command in the safe conduct of the flight;
- (291) **Aviation personnel:** Aviation personnel shall include persons whose duties are directly related to ensuring aviation safety and security, aircraft operation, air transport, and air navigation. They shall possess certificates which are issued or validated by the Ministry of Transport.
- (292) **Directly safety relating personnel:** Individuals can cause danger to aviation safety if they do not perform their duties and functions properly including but not limited to, the flight crew members, aircraft

maintenance personnel, air traffic control staff and other personnel directly related to the operation of aircraft.

- (293) **Maintenance release certifying staff:** Those personnel who are authorised by the Approved Maintenance Organization in accordance with a procedure acceptable to the Authority to certify aircraft or aircraft components for release to service;
- (294) **Technical log:** A document carried on an aircraft that contains information to meet ICAO requirements; a technical log contains two independent sections: a journey record section and an aircraft maintenance record section
- (295) **Calendar day:** A 24-hour period from 0000 through 2359 using Coordinated Universal Time or local time.
- (296) **Local day:** means a 24-hour period commencing at 00:00 local time.
- (297) **Single day free of duty:** means a time free of all duties and standby consisting of one day and two local nights, which is notified in advance. A rest period may be included as part of the single day free of duty.
- (298) **Break:** Means a period of time within an flight duty period, shorter than a rest period, counting as duty and during which a crew member is free of all tasks.
- (299) **Direct Causes.** Actions, omissions, events, conditions, or a combination thereof, which led to the accident or incident.
- (300) **Indirect Causes.** Actions, omissions, events, conditions, or a combination thereof, which, if eliminated, avoided or absent, would have reduced the probability of the accident or incident occurring, or mitigated the severity of the consequences of the accident or incident
- (301) **Pilot-in-command under supervision:** Co-pilot performing, under the supervision of the pilot-in- command, the duties and functions of a pilot-in-command, in accordance with a method of supervision acceptable to the CAAV.
- (302) **Foreign air operator:** Any operator, not being a Vietnam air operator, which undertakes, whether directly or indirectly or by lease or any other arrangement, to engage in commercial air transport operations within borders or airspace of Vietnam, whether on a scheduled or charter basis.
- (303) **Airman:** This term refers to:
- (i) Any individual who engages, as the person in command or as pilot, mechanic, or member of the crew, or who navigates an aircraft while the aircraft is underway;
 - (ii) Any individual in charge of the inspection, maintenance, overhauling, or repair of aircraft, and any individual in charge

of the inspection, maintenance, overhauling, or repair of aircraft, aircraft engines, propellers, or appliances; or

(iii) Any individual who serves in the capacity of flight dispatcher.

- (304) **Accommodation:** means, for the purpose of standby and split duty, a quiet and comfortable place not open to the public with the ability to control light and temperature, equipped with adequate furniture that provides a crew member with the possibility to sleep, with enough capacity to accommodate all crew members present at the same time and with access to food and drink;
- (305) **Suitable accommodation:** Means, for the purpose of standby, split duty and rest, a separate room for each crew member located in a quiet environment and equipped with a bed, which is sufficiently ventilated, has a device for regulating temperature and light intensity, and access to food and drink;
- (306) **EDTO critical fuel:** The fuel quantity necessary to fly to an en-route alternate aerodrome considering, at the most critical point on the route, the most limiting system failure.
- (307) **Duty:** means any task that a crew member performs for the operator, including flight duty, administrative work, giving or receiving training and checking, positioning, and some elements of standby.
- (308) **Night duty:** means a duty period encroaching any portion of the period between 02:00 and 04:59 in the time zone to which the crew is acclimatised.
- (309) **Split duty.** A flight duty period which consists of two duties separated by a scheduled break that is less than a required rest period.
- (310) **Reserve:** means a period of time during which a crew member is required by the operator to be available to receive an assignment for an FDP, positioning or other duty notified at least 10 hours in advance.
- (311) **Rotation:** is a duty or a series of duties, including at least one flight duty, and rest periods out of home base, starting at home base and ending when returning to home base for a rest period where the operator is no longer responsible for the accommodation of the crew member.
- (312) **Standby:** means a pre-notified and defined period of time during which a crew member is required by the operator to be available to receive an assignment for a flight, positioning or other duty without an intervening rest period.
- (313) **Airport standby:** means a standby performed at the airport.
- (314) **Other standby:** means a standby either at home or in a suitable accommodation.

- (315) **36Rotorcraft load combinations.** Configurations for external loads carried by rotorcraft:
- (i) *Class A*—external load fixed to the rotorcraft, cannot be jettisoned, and does not extend below the landing gear, used to transport cargo.
 - (ii) *Class B*—external load suspended from the rotorcraft, which can be jettisoned, and is transported free of land or water during rotorcraft operations.
 - (iii) *Class C*—external load suspended from the rotorcraft, which can be jettisoned, but remains in contact with land or water during rotorcraft operation.
 - (iv) *Class D*—external load suspended from the rotorcraft for the carriage of persons.
- (316) **Operations Specifications.** Formal documents issued by the CAAV as a part of an approved organization's certificate to define the authorisations and limitations conveyed by the certificate
- (317) **Flight data analysis:** A process of analysing recorded flight data in order to improve the safety of flight operations;
- (318) **Flight procedures office:** Is a division was established for the purpose of receiving reports concerning air traffic services and flight plans submitted before departure. Flight procedures can be set up separately or be combined with a unit other air traffic service providers.
- (319) **Instrument approach operations - classifications of:** Classifications of instrument approach operations based on the designed lowest operating minima below which an approach operation shall only be continued with the required visual reference as follows:
- (i) Type A: a minimum descent height or decision height at or above 75 m (250 ft); and
 - (ii) Type B: a decision height below 75 m (250 ft). Type B instrument approach operations are categorized as:
 - (A) Category I (CAT I): a decision height not lower than 60 m (200 ft) and with either a visibility not less than 800 m or a runway visual range not less than 550 m;
 - (B) (B) Category II (CAT II): a decision height lower than 60 m (200 ft), but not lower than 30 m(100 ft) and a runway visual range not less than 300 m;
 - (C) Category IIIA (CAT IIIA): a decision height lower than 30 m (100 ft) or no decision height and a runway visual range not less than 175 m;
 - (D) Category IIIB (CAT IIIB): a decision height lower than 15 m

(50 ft), or no decision height and a runway visual range less than 175 m but not less than 50 m; and

(E) Category IIIC (CAT IIIC): no decision height and no runway visual range limitations.

- (320) **Approval (as related to Dangerous goods):** An authorization granted by an appropriate national authority for:
- (i) The transport of dangerous goods forbidden on passenger and/or cargo aircraft where the Technical Instructions state that such goods may be carried with an approval; or
 - (ii) Other purposes as provided for in the ICAO Technical Instructions.
- (321) **Fit for duty:** Physiologically and mentally prepared and capable of performing assigned duties at the highest degree of safety.
- (322) **Annexes to the Chicago Convention:** The documents issued by the International Civil Aviation Organisation (ICAO) containing the Standards and Recommended Practices applicable to civil aviation.
- (323) **Instrument approach procedure (IAP):** A series of predetermined manoeuvres by reference to flight instruments with specified protection from obstacles from the initial approach fix, or where applicable, from the beginning of a defined arrival route to a point from which a landing can be completed and thereafter, if a landing is not completed, to a position at which holding or en-route obstacle clearance criteria apply.
- (i) Non-precision approach (NPA) procedure. Non precision approach (NPA) procedure. An instrument approach procedure designed for 2D instrument approach operations Type A.
 - (ii) Approach procedure with vertical guidance (APV). A performance based navigation (PBN) instrument approach procedure designed for 3D instrument approach operations Type A..
 - (iii) Precision approach (PA) procedure. An instrument approach procedure based on navigation systems (ILS, MLS, GLS and SBAS Cat I) designed for 3D instrument approach operations Type A or B.
 - (iv) Note: Lateral and vertical guidance refers to the guidance provided either by ground-based navigation aid; or computer-generated navigation data.
- (324) **Error management:** The process of detecting and responding to errors with countermeasures that reduce or eliminate the consequences of errors, and mitigate the probability of errors or undesired aircraft state.
- (325) **Threat management:** The process of detecting and responding to the threats with countermeasures that reduce or eliminate the

- consequences of threats, and mitigate the probability of errors or undesired aircraft.
- (326) **State of Registry:** is an ICAO member registered the aircraft in its registration;
- (327) **State of the Operator:** The State in which the operator's principal place of business is located or, if there is no such place of business, the operator's permanent residence;
- (328) **State of Occurrence:** The State in the territory of which an accident or incident occurs;
- (329) **State of Manufacture:** The State having jurisdiction over the organization responsible for the final assembly of the aircraft;
- (330) **State of Design** The State having jurisdiction over the organization responsible for the type design
- (331) **State of Origin:** The State in the territory of which the cargo was first loaded on an aircraft;
- (332) **State of Destination:** The State in the territory of which the consignment is finally to be unloaded from an aircraft.
- (333) **State of the Aerodrome:** The State in whose territory the aerodrome is located.
- (334) **Instrument approach procedure:** A series of predetermined manoeuvres by reference to flight instruments with specified protection from obstacles from the initial approach fix, or where applicable, from the beginning of a defined arrival route to a point from which a landing can be completed and thereafter, if a landing is not completed, to a position at which holding or en-route obstacle clearance criteria apply.
- (335) **Safety risk:** The predicted likelihood and severity of the consequences or outcomes of a hazard.
- (336) **Error:** An action or inaction by an operational person that leads to deviations from organizational or the operational person's intentions or expectations.
- (337) **Altimetry system error (ASE):** The difference between the altitude indicated by the altimeter display, assuming a correct altimeter barometric setting, and the pressure altitude corresponding to the undisturbed ambient pressure;
- (338) **Aeronautical product:** Any aircraft, aircraft engine, propeller, or subassembly, appliance, material, part, or component to be installed thereon.
- (339) **Elevated heliport:** A heliport located on a raised structure on land;
- (340) **Helideck** A heliport located on a floating or fixed offshore structure;
- (341) **Controlled aerodrome:** An aerodrome at which air traffic control service is provided to aerodrome traffic. The term "controlled

aerodrome” indicates that air traffic control service is provided to aerodrome traffic but does not necessarily imply that a control zone exists.

- (342) **Aerodrome/Airport/Heliport:** A defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft.
- (343) **Alternate aerodrome/airport/heliport** An aerodrome to which an aircraft may proceed when it becomes either impossible or inadvisable to proceed to or land at the aerodrome/heliport of intended landing where the necessary services and facilities are available, where aircraft performance requirements can be met and which is operational at the expected time of use. Alternate aerodromes/heliports include the following—
- (i) **Takeoff alternate.** An alternate aerodrome/heliport at which an aircraft would be able to land should this become necessary shortly after takeoff and it is not possible to use the aerodrome of departure.
 - (ii) **En-route alternate.** An alternate aerodrome/heliport at which an aircraft would be able to land in the event that a diversion becomes necessary en route.
 - (iii) **ETDO en-route alternate.** A suitable and appropriate alternate aerodrome at which an aeroplane would be able to land after experiencing an engine shut-down or other abnormal or emergency condition while en route in an ETDO operation.
 - (iv) **Destination alternate.** An alternate aerodrome/heliport at which an aircraft would be able to land should it become either impossible or inadvisable to land at the aerodrome of intended landing.
- (344) **Isolated aerodrome:** A destination aerodrome for which there is no destination alternate aerodrome suitable for a given aeroplane type.
- (345) **Apron:** A defined area, on a land aerodrome, intended to accommodate aircraft for purposes of loading or unloading passengers, mail or cargo, fuelling, parking or maintenance.
- (346) **UN number:** The four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods to identify a substance or a particular group of substances.;
- (347) **Maximum number of Passenger:** Maximum number of passenger on board that allow aircraft to take-off
- (348) **Operations manual:** A manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties;
- (349) **Operator’s maintenance control manual:** A document which

describes the operator's procedures necessary to ensure that all scheduled and unscheduled maintenance is performed on the operator's aircraft on time and in a controlled and satisfactory manner;

- (350) **Maintenance organization's procedures manual:** A document which details the maintenance organization's structure and management responsibilities, scope of work, description of facilities, maintenance procedures and quality assurance or inspection systems.
- (351) **Dangerous goods incident:** An occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods by air, not necessarily occurring on board an aircraft, which results in injury to a person, property damage, fire, breakage, spillage, leakage of fluid or radiation or other evidence that the integrity of the packaging has not been maintained. Any occurrence relating to the transport of dangerous goods which seriously jeopardizes the aircraft or its occupants is also deemed to constitute a dangerous goods incident;
- (352) **Serious incident:** An incident involving circumstances indicating that there was a high probability of an accident and associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down. An incident involving circumstances indicating that an accident nearly occurred, the difference being only in the outcome.
- (353) **Aircraft incident:** An aircraft incident means an occurrence, other than an aircraft accident, associated with the operation of an aircraft, which affects or could affect the safety of flight operations.
- (354) **Problematic use of substances:** The use of one or more psychoactive substances by aviation personnel in a way that constitutes a direct hazard to the user or endangers the lives, health or welfare of others; and/or causes or worsens an occupational, social, mental or physical problem or disorder;
- (355) **Substance dependence:** A condition in which a person is dependent on a substance, other than tobacco or ordinary xanthine-containing (e.g., caffeine) beverages, as evidenced by increased tolerance; manifestation of withdrawal symptoms; impaired control of use; or continued use despite damage to physical health or impairment of social, personal, or occupational functioning.
- (356) **Repair:** The restoration of an aircraft/aircraft component to a serviceable condition in conformity with an approved standard. The

restoration of an aircraft component to an airworthy condition to ensure that the aircraft continues to comply with the design aspects of the appropriate air-worthiness requirements used for the issuance of the Type Certificate for the respective aircraft type, after it has been damaged or subjected to wear;

- (357) **Major repair:** Major repair means a repair that:
- (i) If improperly done might appreciably affect weight, balance, structural strength, performance, powerplant, operations, flight characteristics, or other qualities affecting airworthiness; or
 - (ii) Is not done according to accepted practices or cannot be done by elementary operations.
- (358) **Aircraft:** is any machine that can derive support in the atmosphere from the reactions of the air, which includes airplane, helicopter, glider, balloon, and/or other flying apparatus, other than from the reactions of the air against the earth's surface;
- (359) **Pressurized aircraft:** For airman licensing purposes, means an aircraft that has a service ceiling or maximum operating altitude, whichever is lower, above 25,000 feet MSL);
- (360) **Rotorcraft:** A power driven heavier than air aircraft supported in flight by the reactions of the air on one or more rotors;
- (361) **Powered-lift:** A heavier than air aircraft capable of vertical takeoff, vertical landing, and low speed flight that depends principally on engine driven lift devices or engine thrust for lift during these flight regimes and on nonrotating airfoil(s) for lift during horizontal flight;
- (362) **Passenger aircraft:** An aircraft that carries any person other than a crew member, an operator's employee in an official capacity, an authorised representative of an appropriate national authority or a person accompanying a consignment or other cargo;
- (363) **Cargo aircraft:** Any aircraft carrying goods or property but not passengers. In this context the following are not considered to be passengers:
- (i) A crew member.
 - (ii) An operator's employee permitted by, and carried in accordance with, the instructions contained in the Operations Manual.
 - (iii) An authorised representative of an CAAV.
 - (iv) A person with duties in respect of a particular shipment on board.
- (364) **Aircraft certificated for single-pilot operation:** A type of aircraft which the State of Registry has determined, during the certification process, can be operated safely with a minimum crew of one pilot;
- (365) **Aircraft certificated for multi-pilot operation:** A type of aircraft

which the State of Registry has determined, during the certification process, can be operated safely with a minimum crew of two pilots.

- (366) **Aircraft required to be operated with a co-pilot:** A type of aircraft that is required to be operated with a co-pilot, as specified in the flight manual or by the air operator certificate.
- (367) **Unmanned Aircraft.** A further classification of an aircraft which is intended to be operated with no pilot on board. Unmanned aircraft shall include unmanned free balloons and remotely piloted aircraft
- (368) **Large aircraft:** Where this term is used in this set of aviation regulations, it refers to both large aeroplanes and large helicopters;
- (369) **Heavier-than-air aircraft:** Any aircraft deriving its lift in flight chiefly from aerodynamic forces;
- (370) **Lighter-than-air aircraft:** Any aircraft supported chiefly by its buoyancy in the air;
- (371) **Small aircraft:** When this term is used, it refers to both small aeroplanes and helicopters;
- (372) **Jet aircraft:** A aircraft with turbine engine without propeller;
- (373) **Complex aeroplane.** An aeroplane that has retractable landing gear, flaps, and a controllable pitch propeller; or in the case of a seaplane, flaps and a controllable pitch propeller.
- (374) **Category I (CAT I) operation:** A precision instrument approach and landing with a decision height not lower than 60 m (200 ft) and with either a visibility not less than 800 m or a runway visual range not less than 550 m;
- (375) **Category II (CAT II) operation:** A precision instrument approach and landing with a decision height lower than 60 m (200 ft), but not lower than 30 m (100 ft), and a runway visual range not less than 350 m;
- (376) **Category IIIA (CAT IIIA) operation:** A precision instrument approach and landing with:
- (i) A decision height lower than 30 m (100 ft) or no decision height; and
 - (ii) A runway visual range not less than 200 m.
- (377) **Category IIIB (CAT IIIB) operation:** A precision instrument approach and landing with:
- (i) A decision height lower than 15 m (50 ft) or no decision height; and
 - (ii) A runway visual range less than 200 m but not less than 50 m.
- (378) **Category IIIC (CAT IIIC) operation:** A precision instrument approach and landing with no decision height and no runway visual range limitations;

- (379) **55Aircraft Accident:** An occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, in which:
- (i) A person is fatally or seriously injured as a result of being in the aircraft; or direct contact with any part of the aircraft, including parts which have become detached from the aircraft; or direct exposure to jet blast, except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew.
 - (ii) The aircraft sustains damage or structural failure which adversely affects the structural strength, performance or flight characteristics of the aircraft, and would normally require major repair or replacement of the affected component, except for engine failure or damage, when the damage is limited to a single engine, (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windscreens, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome).
 - (iii) The aircraft is missing or is completely inaccessible.
- (380) **Dangerous goods accident:** An occurrence associated with and related to the transport of dangerous goods by air which results in fatal or serious injury to a person or major property damage;
- (381) **Glider:** A non-power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;
- (382) **Propeller glider:** A heavier than air aircraft supported in flight by the interaction force of the air on one or more rotating turns freely on a vertical axis;
- (383) **Training specifications.** A document issued to an Aviation Training Organisation certificate holder by the CAAV that specifies training programme requirements and authorises the conduct of training, checking, and testing with any limitations thereof.
- (384) **Electronic Flight Bag (EFB):** An electronic information system for flight crew which allows for storing, updating, delivering, displaying and/or computing digital data to support flight operations or duties.
- (385) **Flight manual (AFM):** A manual, associated with the certificate of airworthiness, containing limitations within which the aircraft is to be

- considered airworthy, and instructions and information necessary to the flight crew members for the safe operation of the aircraft;
- (386) **Operational manual (OM):** Document, recognized by the national operators, present the process in normal condition, abnormal and emergency checklists, limitations, performance information, information details of the aircraft systems and other material relating to the operation of aircraft.
- (387) **Material and training devices:** documentation is built for each course or curriculum, including lectures, describes the case of aircraft, computer software programs, audio-visual programs, and exercises and distributed material.
- (388) **Destroy load:** Limit load is calculated by the appropriate factor of safety.
- (389) **Design take-off mass:** The maximum mass at which the aircraft, for structural design purposes, is assumed to be planned to be at the start of the take-off run.
- (390) **Design landing mass:** The maximum mass of the aircraft at which, for structural design purposes, it is assumed that it will be planned to land;
- (391) **Design taxiing mass:** The maximum mass of the aircraft at which structural provision is made for load liable to occur during use of the aircraft on the ground prior to the start of take-off;
- (392) **Limit loads:** The maximum loads assumed to occur in the anticipated operating conditions;
- (393) **Ultimate load.** The limit load multiplied by the appropriate factor of safety.
- (394) **Rebuild:** The restoration of an aircraft/aircraft component by using methods, techniques, and practices acceptable to the CAAV, when it has been disassembled, cleaned, inspected as permitted, repaired as necessary, reassembled, and tested to the same tolerances and limits as a new item, using either new parts or used parts that conform to new part tolerances and limits. This work will be performed by only the manufacturer or an organization approved by the manufacturer, and authorised by the state of registry.
- (395) **Aeronautical Information Publication (AIP):** A publication issued by or with the authority of a State and containing aeronautical information of a lasting character essential to air navigation.
- (396) **Runway visual range (RVR):** The range over which the pilot of an aircraft on the center line of a runway can see the runway surface markings or the lights delineating the runway or identifying its centre line.
- (397) **Flight visibility:** The visibility forward from the cockpit of an aircraft in flight.

- (398) **Ground visibility:** The visibility at an aerodrome, as reported by an accredited observer.
- (399) **Visibility:** Visibility for aeronautical purposes is the greater of:
- (i) The greatest distance at which a black object of suitable dimensions, situated near the ground, can be seen and recognized when observed against a bright background;
 - (ii) The greatest distance at which lights in the vicinity of 1 000 candelas can be seen and identified against an unlit background.
- (400) **Operating crew member:** means a crew member carrying out duties in an aircraft during a sector
- (401) **Calendar month:** A period of a month beginning and ending with the dates that are conventionally accepted as marking the beginning and end of a numbered month (as January 1 through January 31 in the Gregorian calendar).
- (402) **Aircraft tracking:** A ground-based process that maintains and updates, at standardized intervals, a record of the four dimensional position of individual aircraft in flight.
- (403) **Airworthiness approval tag.** A tag that may be attached to a part. The tag must include the part number, serial number, and current life status of the part. Each time the part is removed from a type certificated product, a new tag must be created or the existing tag must be updated with the current life status. The airworthiness approval tag has two distinct purposes:
- (i) As a certification of release to service of a part, component or assembly after maintenance, preventive maintenance, overhaul or rebuilding, and
 - (ii) For shipping of a newly manufactured part
- (404) **Life-limited part:** Any part for which a mandatory replacement limit is specified in the type design, the Instructions for Continued Airworthiness, or the maintenance manual.
- (405) **Crew member:** shall be those who perform duties assigned by the operator;
- (406) **Flight crew member:** The flight crewmembers responsible for the operation of an aircraft, including pilot-in-command, co-pilot and other aviation personnel required by the aircraft;
- (407) **Standby Crew member:** The crew member is ready for the duty as required and informed by the Operator
- (408) **Restricted area pass:** A document issued by the designated pass issuing authority, that entitles the holder to have access to a specific restricted area of an aerodrome during a specified period;
- (409) **Unit load device:** Any type of freight container, aircraft container, aircraft pallet with a net, or aircraft pallet with a net over an igloo.

(An overpack is not included in this definition.)

- (410) **Aircraft component:** Any components of the aircraft included in a complete engine / or any equipment operators / emergency;
- (411) **Flight recorder:** Any type of recorder installed in the aircraft for the purpose of complementing accident/incident investigation;
- (412) **Appliance.** Any instrument, mechanism, equipment, part, apparatus, appurtenance, or accessory, including communications equipment, that is used or intended to be used in operating or controlling an aircraft in flight, is installed in or attached to the aircraft, and is not part of an airframe, powerplant, or propeller.
- (413) **Aerodrome operating minima:** The limits of usability of an aerodrome for:
- (i) Take-off, expressed in terms of runway visual range and/or visibility and, if necessary, cloud conditions;
 - (ii) Landing in 2D instrument approach operations, expressed in terms of visibility and/or runway visual range and minimum descent altitude/height (MDA/H) and, if necessary, cloud conditions; and
 - (iii) Landing in 3D instrument approach operations, expressed in terms of visibility and/or runway visual range and decision altitude/height (DA/H); and as appropriate to the type and/or category of the operation.
- (414) **ADS agreement:** An ADS reporting plan which establishes the conditions of ADS data reporting (i.e. data required by the air traffic services unit and frequency of ADS reports which have to be agreed to prior to the provision of the ADS services).
- (415) **Standby.** A defined period of time during which a crew member has not been assigned to any duty, but during which he is required by the operator to be available to receive an assignment for duty without an intervening rest period
- (416) **Flight time of instrument.** Time during which a pilot is piloting an aircraft solely by reference to instruments and without external reference points;
- (417) **Safety information.** Safety data processed, organized or analysed in a given context so as to make it useful for safety management purposes.
- (418) **Flight time solo.** Flight time during which a student pilot is the sole occupant of an aircraft., or that flight time during which the student acts as a pilot in chief of a gas balloon or an airship requiring more than one flight crew member;
- (419) **Flight time cross-country.** That time a pilot spends in flight in an aircraft which includes a landing at a point other than the point of departure and, for the purpose of meeting the cross-country time

- requirements for a private pilot licence (except with a rotorcraft rating), commercial pilot licence, or an instrument rating, includes a landing at an aerodrome which must be a straight-line distance of more than 50 nautical miles from the original point of departure;
- (420) **Flight time dual instruction.** Flight time during which a person is receiving flight instruction from a properly authorised pilot on board the aircraft;
- (421) **Estimated time of arrival:** For IFR flights, the time at which it is estimated that the aircraft will arrive over that designated point, defined by reference to navigation aids, from which it is intended that an instrument approach procedure will be commenced, or, if no navigation aid is associated with the aerodrome, the time at which the aircraft will arrive over the aerodrome. For VFR flights, the time at which it is estimated that the aircraft will arrive over the aerodrome
- (422) **Training time:** The time spent receiving from an authorised instructor flight training, ground training, or simulated flight training in an approved flight simulator or approved flight training device;
- (423) **Expected approach time:** The time at which ATC expects that an arriving aircraft, following a delay, will leave the holding point to complete its approach for a landing. The actual time of leaving the holding point will depend upon the approach clearance;
- (424) **Cabin crew member:** The cabin crewmembers shall be those who perform, in the interest of safety of passengers, duties assigned by the operator or the pilot-in-command of the aircraft, but who shall not act as a flight crew member;
- (425) **Target level of safety (TLS):** A generic term representing the level of risk which is considered acceptable in particular circumstances;
- (426) **Approved standard:** A manufacturing, design, maintenance, or quality standard approved by the CAAV;
- (427) **Approved maintenance organization (AMO):** An organization approved to perform specific aircraft maintenance activities by the Authority. These activities may include the inspection, overhaul, maintenance, repair and/or modification and release to service of aircraft or aircraft components.
- (428) **Approved training organization:** An organization approved by the CAAV or another ICAO member in accordance with the requirements of Annex 1 to perform training for the licences and authorisations. The approved training organization operates under the supervision of the approving State.
- (429) **International operating agency:** An agency of the kind contemplated in Article 77 of the Convention;
- (430) **Total estimated elapsed time:** For IFR flights, the estimated time required from take-off to arrive over that designated point, defined

by reference to navigation aids, from which it is intended that an instrument approach procedure will be commenced, or, if no navigation aid is associated with the destination aerodrome, to arrive over the destination aerodrome. For VFR flights, the estimated time required from take-off to arrive over the destination aerodrome;

- (431) **Air-ground control radio station:** An aeronautical telecommunication station having primary responsibility for handling communications pertaining to the operation and control of aircraft in a given area;
- (432) **Interchange.** An aircraft interchange or interchange flight is a regularly scheduled, single-plane through service linking a route of one air operator at the interchange point to a route of a second air operator, with the same aircraft being crewed by and under the operational control of the respective authorized operator on each route
- (433) **Cloud ceiling:** The height above the ground or water of the base of the lowest layer of cloud below 6 000 metres (20 000 feet) covering more than half the sky;
- (434) **Helicopter.** A heavier than air aircraft supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axes;
- (435) **Large helicopter:** A helicopter with a maximum certificated take-off mass of over 2730 kg;
- (436) **Small helicopter:** A helicopter have a maximum certified take-off mass of less than 2730 kg;
- (437) **Rest facility.** A bunk or seat accommodation installed in an aircraft that provides a crew member with a sleep opportunity.
- (i) **Class 1 rest facility.** A bunk or other surface that allows for a flat sleeping position and is located separate from both the flight deck and passenger cabin in an area that is temperaturecontrolled, allows the crew member to control light, and provides isolation from noise and disturbance.
- (ii) **Class 2 rest facility.** A seat in an aircraft cabin that allows for a flat or near flat sleeping position; is separated from passengers by a minimum of a curtain to provide darkness and some sound mitigation; and is reasonably free from disturbance by passengers or crew members.
- (iii) **Class 3 rest facility.** A seat in an aircraft cabin or flight deck that reclines at least 40 degrees and provides leg and foot support.
- (438) **Acclimatised:** means a state in which a crew member's circadian biological clock is synchronised to the time zone where the crew member is. A crew member is considered to be acclimatised to a 2-hour wide time zone surrounding the local time at the point of

departure. When the local time at the place where a duty commences differs by more than 2 hours from the local time at the place where the next duty starts, the crew member, for the calculation of the maximum daily flight duty period, is considered to be acclimatised in accordance with the values in the Table 1.

Table 1

Time difference (h) between reference time and local time where the crew member starts the next duty	Time elapsed since reporting at reference time				
	<48	48 – 71:59	72 – 95:59	96 – 119:59	≥120
<4	B	D	D	D	D
≤6	B	X	D	D	D
≤9	B	X	X	D	D
≤12	B	X	X	X	D

'B' means acclimatised to the local time of the departure time zone,

'D' means acclimatised to the local time where the crew member starts his/her next duty, and

'X' means that a crew member is in an unknown state of acclimatisation

- (439) **81Threshold time:** The range, expressed in time, established by the State of the Operator to an en-route alternate aerodrome, whereby any time beyond requires an EDTO approval from the State of the Operator.
- (440) **Primary Standard.** A standard defined and maintained by a State Authority and used to calibrate secondary standards.
- (441) **Transfer Standard.** Any standard that is used to compare a measurement process, system, or device at one location or level with another measurement process, system or device at another location or level.
- (442) **Flight simulation training device:** Any one of the following three types of apparatus in which flight conditions are simulated on the ground:
- (i) A flight simulator, which provides an accurate representation of the flight deck of a particular aircraft type to the extent that the mechanical, electrical, electronic, etc. aircraft systems control functions, the normal environment of flight crew members, and the performance and flight characteristics of that type of aircraft are realistically simulated
 - (ii) A flight procedures trainer, which provides a realistic flight deck environment, and which simulates instrument responses, simple control functions of mechanical, electrical, electronic, etc. aircraft systems, and the performance and flight characteristics of aircraft of a particular class.

- (iii) A basic instrument flight trainer, which is equipped with appropriate instruments and which simulates the flight deck environment of an aircraft in flight in instrument flight conditions.
- (443) **Enhanced vision system.** A system to display electronic real-time images of the external scene achieved through the use of image sensors. (EVS does not include night vision imaging systems (NVIS).)
- (444) **Training manual.** A manual containing the training goals, objectives, standards syllabi, and curriculum for each phase of the approved training course.
- (445) **Training procedures manual.** A manual containing procedures, instructions and guidance for use by personnel of an Approved Training Organisation in the execution of their duties in meeting the requirements of the certificate
- (446) **Maximum diversion time:** Maximum allowable range, expressed in time, from a point on a route to an en- route alternate aerodrome.
- (447) **Flight Time:** is a part of Flight Duty Period calculated when an aircraft first moving from its parking place for the purpose of taking off until it comes to rest on the designated parking position and all engines or propellers are shut down
- (448) **ADS-C agreement:** A reporting plan that establishes the conditions of ADS-C data reporting (i.e. data required by the air traffic services or control unit and frequency of ADS-C reports that have to be agreed to prior to the provision of the ADS-C services).
- (449) **Instrument ground time:** Time during which a pilot is practising, on the ground, simulated instrument flight in a flight simulation training device approved by the CAAV.
- (450) **Holdover time.** The estimated time de-icing/anti-icing fluid will prevent the formation of frost or ice and the accumulation of snow on the protected surfaces of an aircraft. Holdover time begins when the final application of de-icing or anti-icing fluid commences and expires when the de-icing or anti-icing fluid applied to the aircraft loses its effectiveness.
- (451) **Pilot time:** That time a person:
- (i) Serves as a required pilot;
 - (ii) Receives training from an authorised instructor in an aircraft, or an approved flight simulation training device; or
 - (iii) Gives training as an authorised instructor in an aircraft, or an approved flight simulation training device.
- (452) **Dry lease:** The lease of an aircraft without the crew.
- (453) **Wet Lease:** The lease where the aircraft is provided with crew.

- (454) **Continuous descent final approach (CDFA):** A technique, consistent with stabilized approach procedures, for flying the final approach segment of a non-precision instrument approach procedure as a continuous descent, without level-off, from an altitude/height at or above the final approach fix altitude/height to a point approximately 15 m (50 ft) above the landing runway threshold or the point where the flare manoeuvre should begin for the type of aircraft flown.
- (455) **Industry codes of practice:** Guidance material developed by an industry body, for a particular sector of the aviation industry to comply with the requirements of the International Civil Aviation Organization's Standards and Recommended Practices, other aviation safety requirements and the best practices deemed appropriate.
- (456) **Rest facility:** means a bunk or seat with leg and foot support suitable for crew members' sleeping on board an aircraft.
- (457) **Undesired aircraft state.** Occurs when the flight crew places the aircraft in a situation of unnecessary risk.
- (458) **Augmented flight crew:** means a flight crew which comprises more than the minimum number required to operate the aircraft, allowing each flight crew member to leave the assigned post, for the purpose of in-flight rest, and to be replaced by another appropriately qualified flight crew member.
- (459) **Fatal injury:** As relates to an aircraft accident, any injury which results in death within 30 days of the accident.
- (460) **Air navigation facility.** Any facility used in, available for use in, or designed for use in aid of air navigation, including airports, landing areas, lights, any apparatus or equipment for disseminating weather information, for signalling, for radio directional finding, or for radio or other electromagnetic communication, and any other structure or mechanism having a similar purpose for guiding or controlling flight in the air or the landing and takeoff of aircraft.
- (461) **Required communication performance (RCP):**A statement of the performance requirements for operational communications in support of specific ATM functions.
- (462) **Required navigation performance (RNP):** A statement of the navigation performance necessary for operation within a defined airspace.
- (463) **Composite.** Structural materials made of substances, including, but not limited to, wood, metal, ceramic, plastic, fiber-reinforced materials, graphite, boron, or epoxy, with built-in strengthening agents that may be in the form of filaments, foils, powders, or flakes, of a different material
- (464) **Commercial air transport:** An aircraft operation involving the

transport of passengers, cargo, or mail for remuneration or hire.

- (465) **Fireproof material:** A material capable of withstanding heat as well as or better than steel when the dimensions in both cases are appropriate for the specific purpose.
- (466) **Supplies:** Any category, including but not limited to, aircraft body, engine, propeller, appliance, parts, assemblies, sub assemblies, systems, subsystems, components, blocks, or more.
- (467) **Track:** The projection on the earth's surface of the path of an aircraft, the direction of which path at any point is usually expressed in degrees from North (true, magnetic or grid).
- (468) **Runway-holding position:** A designated position intended to protect a runway, an obstacle limitation surface, or an ILS/ MLS critical/sensitive area at which taxiing aircraft and vehicles shall stop and hold, unless otherwise authorised by the aerodrome control tower.
- (469) **Weapon:** Any thing designed, used or capable of inflicting harm and includes a firearm.
- (470) **Flight information region:** An airspace of defined dimensions within which flight information service and alerting service are provided.
- (471) **Area control service:** Air traffic control service for controlled flights in control areas.
- (472) **Controlled airspace:** An airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification. Controlled airspace is a generic term which covers ATS airspace Classes A, B, C, D and E;
- (473) **Service airspace zone:** An airspace of defined dimensions established in which provided with air traffic service.
- (474) **Aerodrome traffic zone:** An airspace of defined dimensions established around an aerodrome for the protection of aerodrome traffic.
- (475) **Air traffic services airspaces:** Airspaces of defined dimensions, alphabetically designated, within which specific types of flights may operate and for which air traffic services and rules of operation are specified.
- (476) **Navigable airspace:** The airspace above the minimum altitudes of flight prescribed in the civil aviation regulations and includes airspace needed to insure safety in the takeoff and landing of aircraft.
- (477) **Verifying of airworthiness:** The content is written in maintenance records by the one who allowed proceeding after improvements, rebuild, repair or testing the aircraft or aerospace products at the request of the CAAV.

- (478) **Flight review:** A review of the knowledge and flight skills appropriate to the pilot licence and ratings conducted by a licenced instructor in a instructional atmosphere.
- (479) **Required navigation performance (RNP).** A statement of the navigation performance necessary for operation within a defined airspace.
- (480) **Contributing factors:** Actions, omissions, events, conditions, or a combination thereof, which, if eliminated, avoided or absent, would have reduced the probability of the accident or incident occurring, or mitigated the severity of the consequences of the accident or incident. The identification of contributing factors does not imply the assignment of fault or the determination of administrative, civil or criminal liability.
- (481) **Modification.** A change to the type design of an aircraft, engine or propeller.
- (482) **Accredited representative:** As relating to an aircraft accident, a person designated by a State, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another State. The accredited representative would normally be from the State's accident investigation authority.
- (483) **Continuing airworthiness records.** Records which are related to the continuing airworthiness status of an aircraft, engine, propeller or associated part.
- (484) **Adapted competency model.** A group of competencies with their associated description and performance criteria adapted from an ICAO competency framework that an organization uses to develop competency-based training and assessment for a given role.
- (485) **Maintenance release.** A document which contains a certification confirming that the maintenance work to which it relates has been completed in a satisfactory manner in accordance with appropriate airworthiness requirements¹⁸.

APPENDIX 2 TO 1.007: GLOSSARY OF ACRONYMS AND ABBREVIATIONS

The acronyms provided in this Section apply to all requirements included in the aviation safety regulations:

- (1) ACAS = Airborne collision avoidance system;
- (2) ADS = Automatic dependent surveillance;
- (3) AIP = Aeronautical Information Publication;
- (4) AMO = Approved Maintenance Organization;
- (5) AOC = Air operator certificate;

¹⁸ This content is revised according to Appendix I to Circular 56/2018/TT-BGTVT dated 11 December 2018

- (6) ASE = Altimetry system error;
- (7) ATS - Air Traffic Services;
- (8) CAT I Category I operation;
- (9) CAT II Category II operation;
- (10) CAT IIIA - Category IIIA operation;
- (11) CAT IIIB Category IIIB operation;
- (12) CAT IIIC - Category IIIC operation;
- (13) CDL - Configuration deviation list;
- (14) C.G. - Center of Gravity;
- (15) CPDLC - = Controller-pilot data link communications;
- (16) DA - Decision altitude;
- (17) DH - Decision height;
- (18) ELT - Emergency locator transmitter;
- (19) ELT (AD) - Automatic deployable ELT;
- (20) ELT (AF) - Automatic fixed ELT;
- (21) ELT (AP) Automatic portable ELT;
- (22) ELT (S) - Survival ELT;
- (23) ETOPS - Khai thác tầm bay kéo dài đối với tàu bay có 02 động cơ;
- (24) FATO - Final approach and take-off area;
- (25) IFR - Instrument flight rules;
- (26) IMC - Instrument meteorological conditions;
- (27) JRCC - Joint rescue coordination centre;
- (28) LDP - Landing decision point;
- (29) MDA - Minimum descent altitude;
- (30) MDH - Minimum descent height;
- (31) MEL - Minimum equipment list;
- (32) MMEL - Master minimum equipment list;
- (33) NM - Nautical mile;
- (34) OCA - Obstacle clearance altitude;
- (35) OCH - Obstacle clearance height;
- (36) RCC - Rescue coordination centre;
- (37) RNP - Required navigation performance;
- (38) RPL - Repetitive flight plan;
- (39) RSC - Rescue subcentre;
- (40) RVR - Runway visual range;

- (41) SRR - Search and rescue region;
 - (42) TLS - Target level of safety;
 - (43) TVE - Total vertical error;
 - (44) VFR - Visual flight rules;
 - (45) ¹⁹WOCL - Window of circadian low.
- (a) The abbreviations provided in this Section apply to requirements included in the aviation safety regulations:
- (1) Am-pe (A);
 - (2) Becquerel (Bq);
 - (3) Candela (Cd);
 - (4) Celsius temperature (t°C);
 - (5) Coulomb (C);
 - (6) Degree Celsius (°C);
 - (7) Farad (F);
 - (8) Foot (Ft);
 - (9) Gray (Gy);
 - (10) Henry (H);
 - (11) Hertz (Hz);
 - (12) Jun (J);
 - (13) Kelvin (K);
 - (14) Kilogram (Kg);
 - (15) Knot (Kt);
 - (16) Litre (L);
 - (17) Lumen (lm);
 - (18)) Lux (lx);
 - (19) Metre (m);
 - (20) Mole (mol);
 - (21) Newton (N);
 - (22) Ohm (0);
 - (23) Pascal (Pa);
 - (24) Radian (rad);
 - (25) Second (S);
 - (26) Siemens (S);
 - (27) Sievert (Sv);

¹⁹ This content is revised according to Item 4, Appendix 1 to Circular 21/2017/TT-BGTVT dated 30 June 2017.

- (28) Steradian (sr);
- (29) Testa (T);
- (30) Tonne (T);
- (31) Volt (Vt);
- (32) Watt (W);
- (33) Weber (Wb).

APPENDIX 1 TO 1.033: CRITIRA FOR AVIATION SAFETY INSPECTOR

- (a) The CAAV designates aviation safety inspectors to have the authority to conduct inspection, assure aviation safety. These authorized persons must be certified by the CAAV to perform their tasks. The certified persons must meet the following criteria on skill and experience:
 - (1) Flight Inspector:
 - (i) Has at least 5 year of professional experience in: operation management, pilot in command or flight instructor;
 - (ii) A Pilot with experience and total of at least 5000 hours at pilot in chief post;
 - (iii) Airman certification tasks, must hold an ATPL license with valid rating of appropriate aircraft type;
 - (iv) Surveillance tasks must hold a valid ATPL license or expired not longer than the last 3 years. For airline surveillance, must hold an valid ATPL or expired not more than 3 years with rating type/category (turbo-jet/propeller) aircraft appropriate with aircraft type of the operators;
 - (v) Has been trained on aviation safety policy relating to inspection, survilience, approving in aircraft operation;
 - (vi) Has been trained and experienced with aviation meteological;
 - (vii) Has fluently English skill as regulated (reading, understanding, listening and speaing skill);
 - (viii) Has been trained on Civil aviation law of Vietnam, regulations of flight safety standards for operation such as ETOPs, Cat II & III, RVSM/MNPS, MMEL, CRM, dangerous goods transport, accident investigation, and regulations/program/standard procedures for aircraft operation;
 - (ix) Has attended approved basis training on Flight Operations Safety Oversight.
 - (2) Flight Operation Inspector:
 - (i) Has at least 5 year of working experience in aircraft operation, completed one of the course specialized in aircraft – engine (manual), aviation electronic equipment – digital (course) or aircraft operation or pilot;

- (ii) Fluently in English (reading, understanding, speaking and listening skills);
 - (iii) Has been trained on Civil aviation law of Vietnam, regulations of flight safety standards for operation such as ETOPs, Cat II & III, RVSM/MNPS, MMEL, CRM, dangerous goods transport, accident investigation, and regulations/program/standard procedures for aircraft operation;
 - (iv) Has been trained on safety policies field relating to inspection, checking, approving aircraft operation;
 - (v) Has attended approved basis training on Flight Operations Safety Oversight;
 - (vi) Has skill and experience in writing procedures for conducting inspection, approving and supervising the compliance of aircraft requirements;
 - (vii) Maintaining policy on refresh, recurrent understandings relating to aircraft operation.
- (3) Cabin Safety Inspector:
- (i) Obtain a professional certificate on cabin crew safety inspection or via approved cabin crew training course;
 - (ii) Has at least 5 year of working experience in aviation relating to cabin crew duty;
 - (iii) Fluently in English (reading, understanding, speaking and listening skills)
 - (iv) Has been trained on civil aviation law of Vietnam and regulations/standards/ procedure relating to cabin safety.
 - (v) Has been trained on safety policies field relating to inspection, checking, approving of cabin safety;
 - (vi) Has skills and experience in writing procedure for checking, inspection compliance regulation on passenger cabin safety;
 - (vii) Has skills and experience in writing safety and emergency method in cabin safety in the case of incidents.
- (4) Airworthiness Inspector:
- (i) Have at least 5 year of experience in aircraft maintenance, completed one of courses specialized in aircraft – engine (manual),aviation electronic-digital equipment (course) or airworthiness inspector to ICAO standards;
 - (ii) Fluent in English (reading, understanding, speaking and listening skills);
 - (iii) Has been trained in civil aviation law of Vietnam and regulation/standard/procedure in airworthiness;

- (iv) Has been trained in safety policy and implementation procedure in inspection, checking, approving aircraft airworthiness;
- (v) Has attended an approved basis training in criteria for aircraft airworthiness;
- (vi) Has skill and experience in writing procedure for checking, inspection, approving the implementing requirement relating to airworthiness.

APPENDIX 1 TO 1.185: FRAMEWORK OF SAFETY MANAGEMENT SYSTEM²⁰

- (a) This Appendix specifies the framework for the implementation and maintenance of an SMS.
- (b) The framework comprises four components and twelve elements as the minimum requirements for SMS implementation:
 - (1) Safety policy and objectives
 - (i) Management commitment and responsibility
 - (ii) Safety accountabilities
 - (iii) Appointment of key safety personnel
 - (iv) Coordination of emergency response planning
 - (v) SMS documentation
 - (2) Safety risk management
 - (i) Hazard identification
 - (ii) Safety risk assessment and mitigation
 - (3) Safety assurance
 - (i) Safety performance monitoring and measurement
 - (ii) The management of change
 - (iii) Continuous improvement of the SMS
 - (4) Safety promotion
 - (i) Training and education
 - (ii) Safety communication

APPENDIX 2 TO 1.185: SAFETY POLICY & OBJECTIVES²¹

- (a) **Management commitment and responsibility:** The service provider shall define its safety policy in accordance with international and national requirements. The safety policy shall:
 - (1) Reflect organisational commitment regarding safety;

²⁰ This content is revised according to Appendix 1 to Circular 03/2016/TT-BGTVT dated 31 March 2016

²¹ This content is revised according to Appendix 1 to Circular 03/2016/TT-BGTVT dated 31 March 2016

- (2) Include a clear statement about the provision of the necessary resources for the implementation of the safety policy;
 - (3) Include safety reporting procedures;
 - (4) Clearly indicate which types of behaviours are unacceptable related to the service provider's aviation activities and include the circumstances under which disciplinary action would not apply;
 - (5) Be signed by the accountable executive of the organization;
 - (6) Be communicated, with visible endorsement, throughout the organization; and
 - (7) Be periodically reviewed to ensure it remains relevant and appropriate to the service provider.
- (b) **Safety accountabilities:** The service provider shall:
- (1) Identify the accountable executive who, irrespective of other functions, has ultimate responsibility and accountability, on behalf of the organization, for the implementation and maintenance of the SMS;
 - (2) Clearly define lines of safety accountability throughout the organization, including a direct accountability for safety on the part of senior management;
 - (3) Identify the accountabilities of all members of management, irrespective of other functions, as well as of employees, with respect to the safety performance of the SMS;
 - (4) Document and communicate safety responsibilities, accountabilities and authorities throughout the organization; and
 - (5) Define the levels of management with authority to make decisions regarding safety risk tolerability.
- (c) **Appointment of key safety personnel.** The service provider shall appoint a safety manager who is responsible for the implementation and maintenance of an effective SMS.
- (d) **Coordination of emergency response planning.** The service provider shall ensure that an emergency response plan is properly coordinated with the emergency response plans of those organizations it must interface with during the provision of its products and services.
- (e) **SMS documentation:**
- (1) The service provider shall develop an SMS implementation plan, formally endorsed by the organization that defines the

organization's approach to the management of safety in a manner that meets the organization's safety objectives.

- (2) The service provider shall develop and maintain SMS documentation that describes:
 - (i) Safety policy and objectives;
 - (ii) SMS requirements;
 - (iii) SMS processes and procedures;
 - (iv) Accountabilities, responsibilities and authorities for SMS processes and procedures; and e)
 - (v) SMS outputs.
- (3) The service provider shall develop and maintain an SMS manual as part of its SMS documentation.

APPENDIX 3 TO 1.185: SAFETY RISK MANAGEMENT²²

(a) **Hazard identification:**

- (1) The service provider shall develop and maintain a process that ensures that hazards associated with its aviation products or services are identified.
- (2) Hazard identification shall be based on a combination of reactive, proactive and predictive methods of safety data collection.

- (b) **Safety risk assessment and mitigation.** The service provider shall develop and maintain a process that ensures analysis, assessment, and control of the safety risks associated with identified hazards.

APPENDIX 4 TO 1.185: SAFETY ASSURANCE²³

(a) **Safety performance monitoring and measurement:**

- (1) The service provider shall develop and maintain the means to verify the safety performance of the organization and to validate the effectiveness of safety risk controls.
- (2) The service provider's safety performance shall be verified in reference to the safety performance indicators and safety performance targets of the SMS

- (b) **The management of change.** The service provider shall develop and maintain a process to identify changes which may affect the level of safety risk associated with its aviation products or services and to identify and manage the safety risks that may arise from those changes

²² This content is revised according to Appendix 1 to Circular 03/2016/TT-BGTVT dated 31 March 2016

²³ This content is revised according to Appendix 1 to Circular 03/2016/TT-BGTVT dated 31 March 2016

- (c) **Continuous improvement of the SMS.** The Service provider shall monitor and assess the effectiveness of their SMS processes to enable continuous improvement of the overall performance of the SMS

APPENDIX 5 TO 1.185: SAFETY PROMOTION²⁴

- (a) **Training and education:**

- (1) The service provider shall develop and maintain a safety training programme that ensures that personnel are trained and competent to perform their SMS duties.
- (2) The scope of the safety training programme shall be appropriate to each individual's involvement in the SMS

- (b) **Safety communication.** The service provider shall develop and maintain a formal means for safety communication that:

- (1) Ensures personnel are aware of the SMS to a degree commensurate with their positions;
- (2) Conveys safety-critical information,
- (3) Explains why particular safety actions are taken; and
- (4) Explains why safety procedures are introduced or changed.

²⁴ This content is revised according to Appendix 1 to Circular 03/2016/TT-BGTVT dated 31 March 2016