|  |  |
| --- | --- |
| **MINISTRY OF TRANSPORT -------** |  **SOCIALIST REPUBLIC OF VIETNAM  Independence - Freedom - Happiness  ---------------** |
| No. 07/2017/TT-BGTVT | *Hanoi, March 14, 2017* |

**CIRCULAR**

ON AMENDMENT AND SUPPLEMENTATION TO A NUMBER OF ARTICLES OF THE CIRCULAR NO.36/2015/TT-BGTVT DATED JULY 24, 2015 BY THE MINISTER OF TRANSPORT ON MANAGEMENT OF DOMESTIC AIR TRANSPORT FREIGHTS AND AVIATION SERVICE PRICES

*Pursuant to the Vietnam’s Law on Civil aviation dated June 29, 2006 and Law on amendment and supplementation to a number of Articles of the Law on Civil aviation dated November 21, 2014;*

*Pursuant to the Law on Prices dated June 20, 2012;*

*Pursuant to the Government’s Decree No.177/2013/ND-CP dated November 14, 2013 detailing and guiding a number of Articles of the Law on prices and the Government’s Decree No.149/2016/ND-CP dated November 11, 2016 on amendment and supplementation to a number of Articles of the Decree No.177/2013/ND-CP;*

*Pursuant to the Government’s Decree No.102/2015/ND-CP dated October 20, 2015 on management and operation of airports;*

*Pursuant to the Government’s Decree No.107/2012/ND-CP dated December 20, 2012 defining functions, rights, responsibilities and organizational structure of the Ministry of Transport;*

*Upon request of the Director of the Department of Transport and the Director of the Civil Aviation Authority of Vietnam;*

*The Minister of Transport hereby issues this Circular on amendment and supplementation to a number of Articles of the Circular No.36/2015/TT-BGTVT dated July 24, 2015 by the minister of transport on management of domestic air transport freights and aviation service prices.*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1. Amendment and supplementation to a number of articles of the Circular No.36/2015/TT-BGTVT dated July 24, 2015 by the minister of transport on management of domestic air transport freights and aviation service prices** (hereinafter referred to as “Circular No.36/2015/TT-BGTVT).

1. Supplementation to point i, clause 3 Article 5:

“i) Franchise of aviation services include franchise of  stations, warehousing services, grounding  services, avionics maintenance and repair, aviation technical services, catering services and aviation refueling services."

2. Amendment and supplementation to clause 3 and clause 4 Article 8:

“3. In case the published price is adjusted increased or decreased by not exceeding 5%, the selected service provider shall submit a notification of price adjustment made by using form 2 annexed to this Circular or a price declaration to the Civil Aviation Authority of Vietnam.

4. In case the published price is adjusted decreased or increased by more than 5% (accumulative price adjustments according to price change notifications), the service provider shall go through the procedure for price declaration as stipulated by regulations of laws."

3. Amendment and supplementation to Article 9:

**“Article 9. Procedure for receiving price declarations**

1. After receipt of a price declaration , the Civil Aviation Authority of Vietnam shall write down the date of receipt and seal the declaration, and send the declaration to the declarant directly, by post, via facsimile or email.

2. If the price declaration is incomplete, within 02 working days, the Civil Aviation Authority of Vietnam shall request the declarant to complete his/her declaration in writing.

3. After 05 working days from the date of receipt of the complete price declaration, is no request is made by the Civil Aviation Authority of Vietnam, the declaration is adopted.

4. In case of declaration of decrease in the price, the service provider shall promptly adjust the price decreased and submit the price declaration or price notification to the Civil Aviation Authority of Vietnam.”

4. Section 3 of chapter II is renamed into “**Lựa chọn tổ chức, cá nhân cung cấp dịch vụ phi hàng không và niêm yết, công bố công khai giá (selection of non-aviation service providers, price publishing and announcement)”.**

5. Amendment and supplementation to Article 10:

**“Article 10. Selection of non- aviation service providers**

Non-aviation service providers are selected in accordance with Article 40 of the Government’s Decree No.102/2015/ND-CP on management and operation of airports and Circular No.17/2016/TT-BGTVT dated June 30, 2016 by the Minister of Transport detailing management and operation of airports.”

6. Amendment and supplementation to clause 2 of Article 16:

“2. Every non-aviation service providers at the airport shall continue to perform the contracts signed with those providing station and warehousing services until the expiration date of the contract. After the contract expires, the station and warehousing service provider shall select non-aviation service providers in accordance with Article 10 hereof.”

7. The form in Annex 2 to the Circular No. 36/2015/TT-BGTVT shall be replaced with form 1 annexed hereto.

8. Form 2 - price announcement is annexed hereto.

**Article 2. Implementation**

1. This Circular comes into force from April 27, 2017.

2. In case any legislative documents referred to this Circular is amended, supplemented or replace, the new one shall prevail.

3. The Chief of Office, Chief Inspector, Directors of the Civil Aviation Authority of Vietnam, Heads of organizations and authorities and relevant entities shall be responsible for implementing this Circular ./.

|  |  |
| --- | --- |
|   | **MINISTERTruong Quang Nghia** |