

THE GOVERNMENT

SOCIALIST REPUBLIC OF VIET NAM
Independence - Freedom - Happiness

No.: 97/2020/ND-CP

Ha Noi, 26 August 2020

DECREE

**on increasing the limits of liability of the carrier for damage
in air transport**

Pursuant to the Law on Organization of Government on 19 June 2015;

Pursuant to Law on Civil Aviation of Vietnam on 29 June 2006, Law on amending a certain number of articles of Law on Civil Aviation of Vietnam dated 21 November 2014;

In implementing the Convention for the Unification of Certain Rules for International Carriage by Air adopted on 28 May 1999 in Montreal;

At the request of the Minister of Transport;

The Government promulgated this Decree on increasing the limits of liability of the carrier for damage in air transport.

Article 1. Scope of application

This Decree provides for an increase in the limits of liability of the carrier for damage in air transport which was specified in paragraph 1, Article 166 of the Law on Civil Aviation of Viet Nam dated 29 June 2006.

Article 2. Subject of Application

This Decree applies to agencies, organizations and individuals involved in the carriage of passengers, cargo and baggage by aircraft for commercial purposes, or the carriage of passengers, cargo and baggage by commercial aircraft operated by airlines for non-commercial purposes.

Article 3. To increase the limits of liability of the carrier for damage in air transport which was specified in paragraph 1, Article 166 of the Law on Civil Aviation of Viet Nam dated 29 June 2006

1. For the carriage of passenger, the limit of the liability for damage to death, injury of each passenger is increased from one hundred thousand (100,000)

Special Drawing Rights (SDR) for each passenger to one hundred eight thousand and eight hundred twenty one (128,821) for each passenger.

2. For the carriage of passenger, the limit of the liability for damage caused by delay is increased from four thousand one hundred and fifty (4,150) Special Drawing Rights (SDR) for each passenger to five thousand three hundred and forty six (5,346) for each passenger.

3. For the carriage of baggage, including checked and unchecked baggage, the limit of the liability in case of destruction, loss, damage or delay is increased from 1,000 SDR for each passenger to 1,288 for each passenger.

4. For the carriage of cargo, the liability of the carrier in the case of destruction, loss, damage or delay is increased from 17 SDR per kilogramme to 22 SDR per kilogramme.

Article 4. Entry into force

1. This Decree shall take effect from the date of 15 October 2020.

2. Ministers, Heads of ministry-level and governmental agencies, Chairman of People's Committee of provinces and cities under the central Government shall be responsible for implementing this Decree./.

**FOR THE GOVERNMENT
PRIME MINISTER**

Nguyen Xuan Phuc