

**REGULATIONS ON
Transport of passengers, luggage, consignment
on the national railways**

(Issued attaching to Decision No. 01/2006/QĐ-BGTVT dated January 4, 2006
by the Minister of Transport)

**CHAPTER I
GENERAL REGULATION**

Article 1. Scope of adjustment

This regulation is set for transport of passengers, luggage, consignment; rights and obligations of the enterprises that provide transport services for passengers, luggage, consignment (hereinafter referred to as the Enterprise) and of passengers, consignors on the national railways and specialized railways connected to the national railways.

Article 2. Applied objects

1. This Regulation will be applied to the Enterprise, passengers, consigners & involved organizations and individuals.
2. If provisions of international treaty in which the Socialist Republic of Vietnam is the member are different from this Regulation then such provisions will be applied.

Article 3. Definitions

In this Regulation, the following terms are understood as follows:

1. Passenger is the person who gets on the train with a valid ticket.
2. Luggage is personal belongings and goods of passengers transported in the same train, including hand luggage and consignment.
3. Consignment is goods of consigners transported by the Enterprise and the consigner does not need to travel with them on that train.
4. Permissible technical load is the maximum weight to be transported in the carriage in accordance with regulated standards.
5. Force majeure is the unprejudiced, unforeseen cases and it is impossible to avoid them even the Enterprise, passengers, consigners have taken all necessary measures in their permissible competence. In railway transport, force majeure may occur due to natural calamities, enemy-inflicted destruction, diseases or other reasons for ensuring order, social security, congestion which are not the fault of the Enterprise, passengers and consigners.

6. Dangerous goods are goods while being transported on railways can cause harm to health, human life, environment and to be mentioned in the list of dangerous goods as stipulated by the laws.

Chapter II PASSENGER TRANSPORT

Article 4. Obligations of the enterprises that provide transport services for passenger, luggage and consignment

The Enterprise must obey the following obligations:

1. The obligations are stipulated in Item 2, Article 97 of the Railway Law;
2. The main contents under this Regulation and the documents related to ticket selling, sending & receiving baggage, consignment must be published at the transaction place between the Enterprise, passengers and consigners; passengers and consigners must be guided & clarified of necessary issues;
3. Waiting room, ticket counters, timetable, fare table, travelling regulations, tasks of passenger-serving staffs must be arranged at the station, terminal where passengers can pick up & see off their relatives. If having service for receiving and returning the consignment, the place for storage of these consignments must be arranged with published charges and loading - unloading fees;
4. Public announcement of train type, number of trains, timetable, regulations on stations where the works for passengers, baggage, consignment is operated at all relevant stations for 5 days at the latest before implementation;
5. Passenger trains must be installed with appropriate equipment as stipulated in Railway Exploitation Specifications;
6. Station master, terminal master and conductor must timely inform passengers and relevant people of late departure and arrival of the train.

Article 5. Rights of the enterprises that provide transport services for passenger, luggage and consignment

The enterprise has the following rights:

1. The rights are stipulated in Item 1, Article 97 of the Railway Law;
2. Passengers, consigners and consignees are requested to buy additional tickets when they have no ticket or invalid tickets;
3. Passengers, luggage and consignment having ticket or receipt will be refused or stopped from being transported in the following cases:
 - a. The additional tickets are not bought for passengers, luggage and consignment as stipulated in Item 2 of this Article;
 - b. Passengers do not obey the provisions of this Regulation, travelling regulations and other provisions of the relevant laws;
 - c. Children less than 10 years old (the height is under 1.32m if their age can't be identified) travels without accompanying adults;

- d. The drunk, insane people and people with infectious diseases, people with illness who are required by the doctor not to move or it may find themselves in danger when they go by train (except for travelling with companion);
- e. Due to force majeure or having to transport for special duty.

Article 6. Obligations of passengers, consigners

Passengers, consigners have the following obligations:

1. The obligations are stipulated in Item 2, Article 99 of the Railway Law;
2. Paying regulated transport fare and other fees at departure station;
3. Paying transport fare and other fees when they are recognized to be unpaid or paid insufficiently;
4. Paying unpaid transport fees and other costs arising from transport process or they are paid insufficiently as stipulated at destination station;
5. Passengers are eligible to go on board when:
 - a. They have valid and intact ticket;
 - b. They get on the right train with the right time as indicated on their ticket;
 - c. They must obey travelling regulations on board and other regulations of relevant laws;
 - d. Children less than 10 years old (the height is under 1.32m if their age can't be identified) must be accompanied by an adult;
6. Submitting ticket and valid documents to railway staff who is responsible for checking them when passengers get on the train or on board.

Article 7. Rights of passengers, consigners

Passengers, consigners have the following rights:

1. The rights are stipulated in Item 1, Article 99 of the Railway Law;
2. The rights to refuse to get on the train, send baggage and consignment when:
 - a. The Enterprise breaks this regulation or other regulations under their responsibility which can directly or indirectly cause harm to the life and health or may damage, loss of baggage, consignment of passengers or consigners;
 - b. The Enterprise does not run the right with the right time as indicated on the ticket but they can not negotiate with passengers and consigners to accept such change.

CHAPTER III PASSENGER TICKET

Article 8. Passenger ticket

1. Tickets for passenger, luggage, and consignment are the proof of the contract engagement for transport of passenger, baggage and consignment. Tickets for passenger, luggage, and consignment are issued by the enterprise in accordance with the Form registered with the competence State authority.
2. The ticket is considered to be invalid when it is torn, creased, crushed, blurred, or it is impossible to fully read the necessary information on the ticket as regulated; not issued by the enterprise; being purged, removed, repaired or not to be used for the right train with the right time as indicated on the ticket without confirmation of the Enterprise.

Article 9. Sales of passenger ticket

At the station and terminal which provides passenger transport services, the enterprise must:

1. Sell tickets to passengers; announce ticket selling plans for each relevant section, station; publish information on the availability of tickets for each type of seat and train;
2. Sell tickets many days before the train departs and have various convenient ticket selling methods to create favorable conditions for passengers.

Article 10. Discounted tickets

The rate of exemption and discount for beneficiaries of social welfare are regulated in accordance with the provisions of the Government.

Article 11. Collective tickets

The organizations that need to buy collective tickets must send the request letter signed by their head along with list of passengers to the Enterprise. This group must go together in the same train from the same departure station and has the representative to solve the problems that may occur during their journey.

Article 12. Priority for buying tickets

The people who are prioritized to buy tickets are specified in the following priority order:

1. Passengers with serious diseases requested by health authorities to be transported at the soonest possibility;
2. Wounded soldiers, sick soldiers;
3. Disables;
4. Pregnant women;
5. Passengers going with under 24-month children;
6. Over 70-year elderly;
7. Personnel, soldiers working in the armed forces, public security; journalists go on business urgently.

Article 13. Additional tickets

1. Passengers who want to travel longer than their destination station as indicated on the ticket must buy an additional ticket for the additional distance as regulated by the Enterprise.
2. If passengers want to upgrade their seat from low class to higher class, they must inform to the conductor. If the request is accepted, passengers must buy an additional ticket and pay the difference as regulated by the Enterprise.
3. On-board passengers, luggage, consignment that are transported without ticket or invalid ticket then additional tickets must be bought for them as regulated by the Enterprise.

Article 14. Return and change of tickets

The return and change of tickets are executed as follows:

1. Four hours before departure time of throughout trains in the whole line;
2. Two hours before departure time of throughout trains in section;
3. Thirty minutes before departure time of regular trains in section;
4. The enterprise has the rights to shorten the time to return the tickets as stipulated in Items 1, 2, and 3 of this Article. The return and change of tickets, return fare or collection of the difference will comply with regulations of the Enterprise.

Article 15. Passenger fares, fees and surcharges

Passenger fares, transport fees of baggage, consignment and other fees are set up and published by the enterprises under the provisions of the laws.

CHAPTER IV

SETTLEMENT OF PROBLEMS, OBSTACLES IN PASSENGER TRANSPORT

Article 16. Passengers stop their journey on the way

If passengers who fall sick or due to other reasons have to get off at any stations on the way then the conductor will certify so that passengers can continue their journey by another trains or will be refunded the fare for their untraveled journey.

Article 17. Change of on-board seat

1. If passengers buy high-class tickets but they are arranged the seats with lower class without their consent, the enterprise must refund the difference for the section that passengers have to use lower-class seat.
2. If passengers buy lower-class tickets but they are arranged the seat with higher class tickets due to duplicate mistake, passengers will not have to pay more.

Article 18. Losing Ticket

1. Tickets are lost on board:

If passengers recognize losing their ticket on board, they must immediately notify on-board staff. The loss of ticket will be solved as follows:

- a. If the lost ticket is proved to be the valid one, passengers will buy a new ticket for the section from the place where the ticket is recognized to be lost to the destination station. The fare for the section will be as same as the lost one plus additional fee. If the place is not the station where passengers are stipulated to get on and get off, the charged section will be accounted from the coming regulated station where passengers can get on and get off to the destination station;
 - b. If passengers can not prove that they had valid tickets, the Enterprise will solve as stipulated in Item 3, Article 13 of this Regulation;
 - c. If passengers find the lost ticket after buying the substitution, they must immediately notify the conductor so that the additional fare can be refunded by the Enterprise to passengers.
2. If the ticket is lost at the destination station and passengers can not prove that they had valid ticket, passengers are considered to go by train without ticket. The Enterprise will solve this case as stipulated in Item 3, Article 13 of this Regulation.
 3. If the ticket is lost before passengers depart, they must to buy the new ticket. If passengers find their lost ticket after buying the new one, they should immediately notify the Enterprise so that their paid fare can be refunded.
 4. If the collective ticket is lost, the representative of the group must immediately notify the station master (if it is lost at the station) or conductor (if it is lost on board). After verifying that the loss true, the station master or conductor will make 01 additional collective ticket in which the reason of ticket loss is mentioned clearly and give it to the representative.

Article 19. Getting on the wrong train and getting off at the wrong destination station.

1. Passengers who get on the wrong train will be permitted to get off the train at the next station where the works for passengers getting on and getting off is operated to return to the departure station. The station master of the station where passengers get off is responsible for verifying this mistake and arranges for passengers to return to their departure station.
2. If passengers get off at the wrong station, they will be arranged to get on the right train to continue their journey as indicated on the ticket. The station master of the station where passengers get off is responsible for verifying this mistake and arranges for passengers to return to their destination station.
3. In both cases as mentioned in Item 1 and 2 of this Article, passengers do not have to pay any additional fare.

Article 20. Missing the train

1. If passengers miss the train due to late arrival, their tickets will be invalid.
2. Passengers who miss the train due to the fault of the enterprise will be treated as follows:

- a. Passengers will be arranged to get on the earliest train which will stop at the destination station as indicated on the ticket of passengers;
- b. Passengers can request to change their tickets to the other day to travel with the same type of train as their bought tickets and they can change only one time;
- c. If passengers do not want to continue their journey, the enterprise must refund all fare for passengers (if missing the train at departure stations) or the fare for untraveled section (if missing the train at through stations).

Article 21. Duplication of on-board seats

In case one on-board seat is sold to many passengers, the conductor and on-board staff have to settle as follows:

1. When the train has not departed yet:

- a. The priority is given to the passenger who is the first one sitting on the duplicate seat;
- b. If the remaining who still wants to continue their journey with their selected train will be arranged the seat and the enterprise must refund the difference for the passenger in case their substitution seat is the lower class. If passengers do not want to continue their journey, the enterprise must refund all fare for passengers and they will be prioritized passengers to buy ticket for the next train.

2. When the train has departed:

- a. The priority is given to the passenger who is the first one sitting on the duplicate seat;
- b. If the remaining who still wants to continue their journey with their selected train will be arranged the seat and the enterprise must refund the difference for the passenger in case their substitution seat is the lower class. If passengers do not want to continue their journey, the conductor must arrange for them to get off the train at the nearest station so that passengers can return to their departure station without any fare. In addition, the enterprise must refund all fare for the captioned passengers.

Article 22. Traffic jam on railways

Traffic jam on railways will be settled as follows:

1. At the departure station:

- a. Passengers can refuse to get on the train and request the Enterprise to refund fare for them;
- b. If passengers agree to wait for the train, the Enterprise must arrange for passenger to get on the earliest train.

2. During transport:

- a. If passengers want to return to their departure station, the Enterprise must arrange for passenger to go back by the first train without any fare. On the way back, passengers can get off the train at any through stations where the train is permitted to stop. The enterprise must refund fare for the untraveled section in comparison to the destination station as indicated on the tickets;
- b. If passengers who get off at the station where the train is compelled to stop will have the right to request for returning the fare, the Enterprise must return the fare for their untraveled section;

c. If passengers have to wait at the station where the train is compelled to stop for continuation of their journey, the Enterprise must arrange seats in the earliest train for passengers.

3. Within 5 days since the train arrives at the station where passengers get off (regardless of regulated holidays, day-offs), passengers must complete procedures for returning ticket. Exceeding such period, passenger will not be entitled to request for ticket refund.

Article 23. Hand luggage

1. The weight of hand luggage will be exempted from fare according to the following regulations:

a. Buying full passenger ticket: 20kg;

b. Exempted ticket: basing on regulations of the Enterprise;

2. Passengers will have to pay transport fare for hand luggage which is over the weight regulated in Item 1 of this Article.

3. Hand luggage will be put in container, carefully wrapped and put in the regulated places onboard. Passengers must pay attention to your own hand luggage.

4. Prohibited goods for hand luggage include:

a. Dangerous goods;

b. Weapon, supporting tools without valid usage license;

c. Substances which cause insanitation and contaminate coach floor;

d. Corpse, remains;

đ. Goods prohibited from being circulated;

e. Livestock (except for pet dog, cat, bird, ornamental fish which must be equipped reasonably so as to ensure sanitation, no harm to surrounding passengers);

g. Cumbersome things which prevent onboard traffic, spoil coach's equipment.

5. For ordinary passenger trains, passengers are entitled to bring cattle, livestock, sea products, agricultural products, etc., and will sit in coaches dedicated only for these goods.

CHAPTER V TRANSPORT OF BAGGAGE, CONSIGNMENT

Article 24. Declaration of name for goods in the baggage, consignment

The sender of baggage, consignment will be responsible for declaring the correct name of goods in the form. The sender will be responsible for the consequences resulted from incorrect declaration of goods' names.

Article 25. Conditions for transport of baggage

Besides the hand luggage as regulated in Item 1, Article 23 of this Regulation, passengers are entitled to send baggage in the train that you are onboard with the following conditions:

1. Passengers hold valid ticket;
2. Baggage must be sent to the same destination station where passenger gets off as indicated on the ticket;
3. Baggage is not of the goods which are prohibited from being transported by passenger trains or prohibited from being circulated.
4. Being packed as regulated.

Article 26. Conditions for transport of consignment

Consignment for railway transport must satisfy the following conditions:

1. Not being of the goods type which is prohibited from being transported by trains or prohibited from being circulated;
2. Being packed as regulated.

Article 27. Covering, packing for baggage, consignment

1. Baggage, consignment must be covered, packed tightly so as to avoid breakage and loss during transport process;
2. The following information must be provided on the cover of baggage, consignment:
 - a. For baggage: full name, address of the passenger and telephone number, fax number (if any);
 - b. For consignment: full name, address of the consigner, consignee and telephone number, fax number (if any)
 - c. Ticket number of the baggage, consignment;
 - d. Mark, symbol representing the characteristics of the goods;
3. Prior to transport, the Enterprise will be responsible for checking goods, packing and requesting for repairs, supplement to satisfy regulations. In case of suspecting the authenticity of the contained goods, the Enterprise is entitled to request passengers, consigner to open the packing for checking.
4. Types of goods are not required to be packed:
 - a. Motorcycle, electric bicycle, bicycle, baby stroller, wheelchair;
 - b. The goods which is neither packed nor broken, lost or affects other goods will be located in the rear end of the coach.

Article 28. Quantity, type of baggage, consignment

Depending on train types and routes, the Enterprise will list publicly at the station the type of goods, maximum weight and quantity for transport.

Article 29. Procedure for sending baggage, consignment

1. When sending baggage, consignment, the sender must write correctly and sufficiently contents in the forms as regulated by the Enterprise.
2. Passengers, consigners will be responsible for the legality of the goods contained in baggage, consignment, and for sending copy of legal documents required by the Enterprise.
3. The Enterprise will be responsible for inspecting the packing, symbol, mark, characteristic symbol of goods and certifying in the form.

Article 30. Declaration of the value of baggage, consignment

Passengers, consigners can declare the value of baggage, consignment. Declaration must base on the invoice or inspection results on goods' value from relevant authorities.

Article 31. Repair of packing during transport process

During the process for transport, loading, unloading, storage; in case the packing of baggage, consignment is broken causing loss, breakage for baggage, consignment, the Enterprise will be responsible for repair. During repairing process, the Enterprise must make minute on the incidents to be the basis for the following settlement.

Article 32. Responsibility for loading, unloading, storing baggage, consignment

The Enterprise will be responsible for loading, unloading baggage, consignment and is entitled to collect fare for these activities in accordance with regulations of the Enterprise.

Article 33. Informing arrival of baggage, consignment

1. Upon the consignment has been transported to the destination station, the Enterprise must publicly list at the station and inform the consignee.
2. For baggage which is transported to the station later than passengers, the Enterprise must inform passengers as regulated in Item 1 herein.

Article 34. Handing-over baggage, consignment

1. When receiving of baggage, passengers must return baggage ticket to the Enterprise, return baggage tag to the baggage staff. In case the baggage ticket or baggage tag is lost, passengers must fill in the declaration form with clear information on full name, address of passenger; name, status and characteristics of baggage; present identity card, passport or legal personal documents as regulated by the laws. The Enterprise will be responsible for quickly checking and settling.
2. The consignee must submit to the Enterprise with the arrival notice (if any), present identity card or introduction letter of the company, local authority where consignee residents in order to proceed with receiving consignment.

3. Railway staffs are responsible for creating the most favorable conditions for passengers and consignees to receive baggage, consignment.

CHAPTER VI SETTLEMENT OF INCIDENTS, OBSTACLES DURING TRANSPORT OF BAGGAGE, CONSIGNMENT

Article 35. Settlement of unclaimed baggage, consignment

1. The settlement of unclaimed baggage, consignment will be in accordance with regulations stipulated in Article 106 of the Railway Law.
2. With regard to quickly spoiled baggage, consignment, it will be considered as unclaimed upon expiration of claiming period. The Enterprise will be exempted from any responsibilities towards the spoiled goods, loss and is entitled to complete procedures in accordance with regulations of the laws.

Article 36. Change in transport of baggage, consignment

1. After completing procedure for sending baggage and consignment, the sender can change or do not send entire or partial baggage, consignment; change destination station, consignee in the condition that the request must be made prior to loading baggage, consignment into the carriage.
2. The Enterprise must carry out procedures for sending baggage, consignment.
3. The period to change the request as well as other regulations for change will be regulated by the Enterprise.

Article 37. Baggage and consignment prohibited from being transported, seized goods

Upon detecting baggage and consignment which are prohibited from being circulated or transported by passenger trains as regulated in Item 4, Article 23, Item 3, Article 25 and Item 1, Article 26 of this Regulation, settlement will be as follows:

1. Detecting at station: The Enterprise rejects or suspends transport.
2. Detecting during transport, settlement will be as follows:
 - a. When the train is in operation, baggage and consignment which are detected as of dangerous types and prohibited from being transported by passenger train then they will be suspended from transport and taken off at the nearest incoming station for further settlement.
 - b. In case the goods is prohibited from being transported but is not of dangerous types, it is entitled to be transported to the destination station for further settlement.
3. On having order on seizing baggage, consignment from the State relevant authorities, station master, and conductor must make minutes on the incidents and hand over discreetly to the representative of the seizing authorities. Minute form is regulated by the Enterprise. In addition to making minutes, the following settlements will be applied for specific cases:
 - a. The goods are seized at the station:

- At destination station: The Enterprise informs the receiver to come for settlement;
- At departure station: In case baggage and consignment have not been loaded into the carriage, the Enterprise will inform passengers, consigners to come for settlement; in case baggage and consignment have been loaded into the carriage while the train is still in the station then baggage, consignment will be unloaded, and passengers, consigners will be informed to come for settlement;
- b. When the train is in operation, baggage and consignment will be permitted to be transported to the destination station and settlement will be applied as regulated in Point b, Items 2 and 4 of this Article;
- 4. In addition to obeying settlement measures taken by the State relevant authorities, passengers and consigners who break regulations in Items 1, 2 and 3 of this Article will also be responsible for:
 - a. Paying fare penalty for the entire goods on the transported distance as regulated by the Enterprise;
 - b. Compensating for all loss resulted from the breach;
 - c. Other arising costs if any.

Article 38. Transport cancellation due to track incidents

1. Transport cancellation at departure station:
 - a. In case force majeure occurs and prevents transport, the Enterprise will return baggage, consignment to the sender;
 - b. In case transport is canceled due to the Enterprise's faults, the Enterprise must return baggage, consignment along with all fare, loading and unloading expenses as well as other payments collected from the sender.
2. Transport cancellation at through stations:
 - a. In case force majeure occurs and prevents transport, the sender may request for returning baggage, consignment at the station where the train must stop or at departure stations or at through stations where the works for baggage, consignment is operated. The Enterprise will refund all fare for the distance from unloading station to the destination station;
 - b. In case transport is cancelled due to the Enterprise's faults, the sender may request for returning baggage, consignment at the station where the train must stop or at departure stations or at through stations where the works for baggage, consignment is operated. The payment of expense to the sender will be as follows:
 - Receiving at the station where the train must stop, the Enterprise must refund fare for untraveled section;
 - Receiving at through stations, the return section to the departure station will be exempted from fare and the Enterprise must refund fare from unloading station to the destination station as indicated on the ticket;

- Receiving at the departure stations, the return section to the departure station will be exempted from fare and the Enterprise must refund all fare and collected loading and unloading fee.

3. In case transport is delayed at departure stations, through stations due to train operation obstacle and without the sender's request as regulated in Items 1 and 2 of this Article, the Enterprise will continue transport upon the traffic is clear.

Article 39. Compensation for spoilage, loss due to the Enterprise's faults

1. Compensation for broken, lost baggage, consignment will be made in the following forms:

a. According to the value of baggage, consignment which has been declared; in case the Enterprise proves that the actual lost value is lower than the declared value, the former value will be applied;

b. According to mutual negotiation;

c. According to the invoice value;

d. According to market price of the goods at the time of payment and place of return; in case there is no market price of such goods, the average price of goods in the same type and quality at the place of return will be applied;

2. In case there are not sufficient backgrounds for compensation in accordance with regulations in Item 1 of this Article, the compensation level will not exceed VND 20,000 (twenty thousand) for one kilogram of the lost baggage and consignment.

3. In case baggage, consignment is lost partially broken, lacked and lost, the compensation will be made to such portions; In case the broken, lost portion resulted in the whole damage or out of use, compensation will be made for the entire goods and the Enterprise will be entitled to own such lost goods.

4. In addition to compensation as regulated in Items 1, 2 and 3 of this Article, the Enterprise must also refund all collected fare and expenses to the sender.

Article 40. Period for transport, receiving of baggage, consignment and compensation for breach.

1. Period for transport of baggage, consignment includes the period for receiving at departure station, transport and return at destination station.

2. Period of receiving baggage is the time when the Enterprise returns baggage to the sender and is calculated from the time when the train arrives at destination station.

3. Period of receiving consignment is the time when the Enterprise returns consignment to the consignee and is calculated from the time when the train arrives at destination station.

4. The Enterprise regulates and publishes the period regulated in Items 1, 2 and 3 of this Article, as well as proceedings, procedures for damage compensation due to breach of period.

5. The period rating for transport and receiving of baggage and consignment is determined and negotiated between the Enterprise and the sender.

Article 41. Dispute settlement

1. In case incidents which occur during transport of passengers, baggage and consignment may affect the benefit of each party, the Enterprise will settle by negotiation, conciliation with passengers and consigners or request arbitrator to settle or file to the court. Proceedings, procedures for dispute settlement will be implemented in accordance with regulations of the laws.

2. Appealing time, lodging validity will follow regulations as stipulated in Articles 110 and 111 of the Railway Law.

**CHAPTER VII
IMPLEMENTATION**

Article 42. Implementation

1. Based on this Regulation, within their rights and responsibilities, the enterprise that provides transport services for passenger, luggage, and consignment will detailedly regulate technical specifications, procedures, conditions and methods for implementation in order to instruct their subsidiaries and to publish to passengers, consigners for their reference and implementation.

2. Vietnam Railways is responsible for instructing, guiding, inspecting its dependent enterprises who provide transport service for passengers, consignment for implementation of this Regulation.

3. Vietnam Railway Administration, a state management authority on the railway operation, inspects and supervises the implementation of this Regulation.