

Unofficial Translation

Ministerial Regulation
Prescribing Standard, Criteria, and
Energy Management Procedures
In Designated Factories and Buildings
B.E. 2552



Department of Alternative
Energy Development and Efficiency

MINISTRY OF ENERGY

Certified Correct Translation


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Remark: Reference to Thai legislation in any jurisdiction shall be made to the Thai version only. This translation has been made so as to establish correct understanding about this Act to the foreigners



Ministerial Regulation

Prescribing Standard, Criteria, and Energy Management Procedures

In Designated Factories and Buildings

B.E. 2552

By virtue of the provision in paragraph 2 of Section 6, Section 9 (1) and Section 21 (1) of the Energy Conservation Promotion Act B.E. 2535 amended by the Energy Conservation Promotion Act (No. 2) B.E. 2550 which is the Act having some provisions concerning restriction of right and freedom of persons, in which Section 29 in addition to Section 33, 41 and Section 43 of the Constitution of the Kingdom of Thailand has prescribed it can be done by virtue of the legal provisions, the Minister of Energy, by an advice of the National Energy Policy Board, issues the ministerial regulation as follows:

Clause 1: This Ministerial Regulation shall become effective in 120 days after it is published in the Government Gazette.

Clause 2: In this Ministerial Regulation:

“Designated Factory” means a factory, classified as the designated factory by a Royal Decree according to Section 8 of the Energy Conservation Promotion Act.

“Owner of Designated Factory” means also the person responsible for managing the designated factory.

“Designated Building” means a building, classified as the designated building by a Royal Decree according to Section 18 of the Energy Conservation Promotion Act.

“Owner of Designated building” means also the person responsible for managing the designated building.

“Auditor and Certifier” mean the authorized person who has the power to audit and certify energy management according to the Energy Conservation Promotion Act.

Clause 3: The owner of the designated factory or building shall arrange to have energy conservation management system in the designated factory or building that includes energy conservation policies, objectives, plans and energy management procedures.

In a case where the energy conservation procedures are implemented for the first time, the owner of the designated factory or building must evaluate the condition of energy management, basing on the energy management procedures, existed in prior to the establishment of energy conservation policy.

Clause 4: The owner of the designated factory or building may set up a working group to help establish energy conservation policies.

The established energy policies must include an intention and determination to manage energy in the designated factory or building by establishing written policy guideline which was signed by the owner of the designated factory or building and contains the following detail:

(1) A clause, stipulating that energy conservation is a part of the operation of the owner of the designated factory or building.

(2) A set of energy conservation policies that are appropriate with the nature and quantity of energy used in the designated factory or building.

(3) An intention to comply with the laws related to energy conservation and management.

(4) Guidelines for continuing improvement of energy consumption efficiency.

(5) Guidelines for effective allocation of resources for management of energy conservation.

The owner of the designated factory or building must arrange to publicize the energy conservation policies by putting up notices in areas that they can be easily seen inside the designated factory or building or by other methods to keep all personnel inform and comply with the energy conservation policies.

Clause 5: The owner of the designated factory or building must arrange to set up an energy management working group, its structure, authority, duties and responsibilities of this working group. A written document on structure, authority, duties and responsibilities of this working group should be published and distributed to all staff in the designated factory or building.

The working group should at least have the following authorities and duties:

- (1) To manage energy conservation program according to the energy conservation policies and procedures of the designated factory or building.
- (2) To coordinate and seek cooperation from all involved agencies in order to execute energy conservation policies and procedures including the arrangement of training courses or activities to create consciousness of personnel in the designated factory or building.
- (3) To ensure that the management of energy conservation in the designated factory or building is carried out according to the established energy conservation policies and procedures.
- (4) To prepare reports on the outcome of energy conservation management policies and procedures for the owner of the designated factory or building.
- (5) To provide recommendations on how to review or revise the energy conservation policies and procedures to the owner of the designated factory or building.
- (6) To support the owner of the designated factory or building to comply with this ministerial regulations.

Clause 6: The owner of the designated factory or building must evaluate the capability in managing energy conservation program by inspecting and evaluating the use of energy that has important implication according to the criteria and procedures, prescribed by the Minister and published in the Government Gazette.

Clause 7: The owner of designated factory or building must arrange to set objectives and plans to decrease the consumption amount of target energy by setting the target decreasing amount in percentage against the existing rate of consumption or set an amount of energy consumption per work unit and specify a period of project implementation, amount of an investment and expected results from the implementation of energy conservation program in order to achieve the objectives according to the criteria and procedures announced in the Government Gazette by the Minister.

In carrying out the implementation according to energy conservation plan according to paragraph 1, the owner of the designated factory or building must arrange to have training courses and energy conservation promotion activities for the personnel of the designated factory or building on a continuing basis in order to create knowledge and consciousness on the impact of energy usage.

Clause 8: The owner of the designated factory or building must maintain close supervision to ensure that the energy conservation is implemented as planned.

The owner of the designated factory or building must inspect and analyze to see if the energy conservation plan has been implemented according to the objectives and plans, specified in Clause 7 according to the criteria and procedures announced in the Government Gazette by the Minister.

Clause 9: The owner of the designated factory or building must arrange to have an inspection, following up and assessment of energy management including the review, analysis and improvement of shortcomings in the plan at least once a year according to the criteria and procedures announced in the Government Gazette by the Minister.

Clause 10: The owner of the designated factory or building must arrange to have the inspection and certification made on the energy conservation management plan by the inspector according to the criteria and procedures announced in the Government Gazette by the Minister.

Clause 11: The owner of the designated factory or building must submit the results of the inspection and certification of the energy conservation management of the past year to the Director-General before March of each year, except in a case where in that past year, the owner of the designated factory or building has less than 180 days to implement the energy conservation project. In such case, the owner must file the report in March of the following year.

The filing of inspection results and certification report, specified in paragraph 1 must be in accordance with the criteria, steps and procedures announced in the Government Gazette by the Minister.

This is given on 25th June 2009

Wannarat Channukul

Minister of Energy

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Remarks:- Reasons for promulgation of this Ministerial Regulation are: Whereas it deems appropriate to prescribe a standard, criteria and energy management procedures in designated factories and buildings as a guideline for owners of the designated factories and buildings and as government's supporting data for an assessment of energy management programs in the designated factories and buildings and, additionally, the provisions of Section 9 (1) and Section 21 (1) of the Energy Conservation Promotion Act B.E. 2535 provided that the Minister of Energy, by an advice of the National Energy Policy and Planning Board, has the power to issue a ministerial regulation, it is therefore necessary to issue this ministerial regulation.

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