



The Ministerial Regulation

Re: Criteria, Procedure and Schedule for Establishing Energy Conservation Target and Plan, Audit and Analysis on Operation in Compliance with Energy Conservation Target and Plan for Designated Factory and Designated Building

B.E. 2547 (2004)

By the virtue of section 6 paragraph two, section 11 (4) and (5), and section 22 of the Energy Conservation Promotion Act B.E. 2535 (1992), which contains some provisions concerning the limitation of the people rights and liberties that is permissible by the provisions of section 29 together with section 35, section 48 and section 50 of the Constitution of the Kingdom of Thailand, the Minister of Energy, with the recommendation of the National Energy Policy Council, hereby issues the Ministerial Regulation as follows:

Clause 1 The following regulation shall be annulled:

(1) The Ministerial Regulation No.3 (B.E. 2538 (1995)) issued pursuant to Energy Conservation Promotion Act B.E. 2535 (1992).

(2) The Ministerial Regulation No.6 (B.E. 2540 (1997)) issued pursuant to Energy Conservation Promotion Act B.E. 2535 (1992).

Clause 2 In this Ministerial Regulation,

“Designated factory” shall mean a factory being designated by the Royal Decree under the provision of the Energy Conservation Promotion Act B.E. 2535 (1992).

“The owner of a designated factory” shall mean a person who is responsible for the management of a designated factory.

“Designated building” shall mean a building being designated by the Royal Decree under the provision of the Energy Conservation Promotion Act B.E. 2535 (1992).

“The owner of a designated building” shall mean a person who possesses a designated building.

Clause 3 The owner of a designated factory or the owner of a designated building shall set up an energy conservation target and plan for a designated factory or a designated building as the case may be, and implement the energy conservation according to such proposed target and plan.

Clause 4 In setting up an energy conservation target and plan as in Clause 3, the owner of a designated factory or the owner of a designated building shall establish an energy conservation measures and make up a report in accordance with the detail prescribed in Annex 1 and Annex 2 annexed to this Ministerial Regulation for a designated factory or a designated building, respectively. The report shall be submitted to Department of Alternative Energy Development and Efficiency every three years and the first submission shall be done within one year from the date the Ministerial Regulation become enforceable.

Clause 5 For any activity in the establishment of an energy conservation target and plan that requires a certified professional engineer under the law governing engineering or a certified professional architect under the law governing architecture, a person conducting such activity shall be a certified professional engineer or a certified professional architect, as the case may be.

Clause 6 In accomplishing what prescribed in Clause 4, if a report cannot be submitted in due time due to some inevitability the owner of a designated factory or the owner of a designated building may request for a time extension in submitting a report. On the basis of reasonable justification, the Director-General of Department of Alternative Energy Development and Efficiency shall have the authority to extend such deadline as deem appropriate.

Clause 7 The owner of a designated factory or the owner of a designated building shall conduct an audit and analysis on operation in compliance with energy conservation target and plan by reporting the result of such conduct in Part 4 of a data submission form for production data, energy consumption data and energy conservation data for a designated factory (Form BorPorRor.1) or in Part 3 of a data submission form for building utilization data, energy consumption data and energy conservation data for a designated building (Form BorPorAor.1).

Clause 8 Other orders or announcements issued under the Ministerial Regulation No.3 (B.E. 2538 (1995)) and the Ministerial Regulation No.6 (B.E. 2540 (1995)), issued pursuant to the Energy Conservation Promotion Act B.E. 2535 (1992), shall continue to be enforced in so far as they are not contrary to or inconsistent with the provisions of this Ministerial Regulation until new orders or announcements under this Ministerial Regulation take effect.

Clause 9 This Ministerial Regulation shall come into effect one hundred and twenty days after its publication in the Government Gazette.

Given on the 27th day of December B.E. 2547 (2004)

Signed Prommin Lertsuriyadej
(Mr. Prommin Lertsuriyadej)
Minister of Energy

Remark: The reason for the enactment of this ministerial regulation is that it is deemed appropriate to improve the criteria, procedure and schedule for establishing energy conservation target and plan and audit and analysis on operation in compliance with energy conservation target and plan to ease and facilitate the owner of a designated factory or the owner of a designated building. Also it is deemed appropriate to combine the provisions under the Ministerial Regulation No.3 (B.E. 2538 (1995)) and the Ministerial Regulation No.6 (B.E. 2540 (1995)), issued pursuant to the Energy Conservation Promotion Act B.E. 2535 (1992), which are enacted on the same principle, for the reference and assessment purpose; it is therefore necessary to issue this ministerial regulation.

Annex 1

Detail for establishment of a report on energy conservation target and plan for a designated factory

Energy conservation target and plan for a designated factory shall be implemented according to the standard and shall consist of the following detail.

1. Report endorsement by responsible personnel

- (1) The owner of a designated factory endorses the report
- (2) The personnel responsible for energy endorses the accuracy of data present in the report
- (3) The personnel responsible for setting up energy conservation measures endorses the report as a person who makes up the report.

2. The report on energy conservation target and plan shall consist of the following.

- (1) Preliminary data of a factory
 - (a) Name of a factory/ name of legal entity
 - (b) Address
 - (c) Type of product
 - (d) Production quantity
- (2) Energy consumption in a factory
 - (a) Fuel (Type, quantity/year, cost)
 - (b) Electricity (consumption level and maximum electrical power)
- (3) Energy consumption level before implementing the plan
- (4) Energy conservation target for each measure (Summary of targets for energy conservation and investment)
 - (a) Target for improvement of energy consumption level
 - (b) Quantitative target for the improvement
 - (c) Energy saving outcome and saving value
 - (d) Investment expense
 - (e) Analysis on investment return
- (5) Action plan for each energy conservation measure to achieve the proposed target.
- (6) Detailed information and result of audit and analysis of energy consumption level and energy conservation measure.

Annex 2

Detail for establishment of a report on energy conservation target and plan for a designated building

Energy conservation target and plan for a designated building shall be implemented according to the standard and shall consist of the following detail.

1. Report endorsement by responsible personnel

- (1) The owner of a designated factory endorses the report
- (2) The personnel responsible for energy endorses the accuracy of data present in the report
- (3) The personnel responsible for setting up energy conservation measures endorse the report as a person who makes up the report.

2. The report on energy conservation target and plan shall consist of the following.

(1) Preliminary data of a building

- (a) Name of a building/ name of legal entity
- (b) Address
- (c) Type of building
- (d) Number of rooms for a hotel
- (e) Number of beds for a hospital
- (f) Building area, for all types of building (total area, air-conditioned area)

(2) Energy consumption in a building

- (a) Fuel (Type, quantity/year, cost)
- (b) Ratio of fuel consumption in other systems
- (c) Electricity (consumption level and maximum electrical power)
- (d) Ratio of electricity consumption in air conditioning system, lighting system, and others.

(3) Energy consumption level before implementing the plan

(4) Energy conservation target for each measure (Summary of targets for energy conservation and investment)

- (a) Target for improvement of energy consumption level
- (b) Quantitative target for the improvement
- (c) Energy saving outcome and saving value
- (d) Investment expense
- (e) Analysis on investment return

(5) Action plan for each energy conservation measure to achieve the proposed target.

(6) Detailed information and result of audit and analysis of energy consumption level and energy conservation measure.