



## The Ministerial Regulation

Re: Criteria, procedure and schedule for submission  
and recording of data on energy conservation  
B.E. 2547 (2004)

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By the virtue of section 6 paragraph two, section 11 (2) and (3), 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.2 (B.E. 2538 (1995)) issued pursuant to Energy Conservation Promotion Act B.E. 2535 (1992).

(2) The Ministerial Regulation No.5 (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 shall submit information about production, energy consumption and energy conservation to Department of Alternative Energy Development and Efficiency using the form BorPorRor.1 annexed to this Ministerial Regulation.

The owner of a designated building shall submit information about building utilization data, energy consumption and energy conservation to Department of Alternative Energy Development and Efficiency using the form BorPorAor. 1 annexed to this Ministerial Regulation.

**Clause 4** Monthly data of January to June shall be submitted by July of such year and those of July to December shall be submitted by January of the next year. The data shall be endorsed for validity by personnel responsible for energy.

If data of paragraph one are submitted via post, it shall be through certified mail and the date of certified mail shall be considered as the date of submission. If submit via facsimile, the date of sending facsimile shall be considered as the date of submission. However, submission via facsimile is considered accomplished only when the owner of a designated factory or the owner of a designated building has submitted the original form (Form BorPorRor.1 or Form BorPorAor. 1) within seven days from the deadline of data submission. If submit via electronic mail with password, it shall be in accordance with the law governing electronic business. The effective date and criteria for submission date shall be as announced by Department of Alternative Energy Development and Efficiency.

The announcement in paragraph two may prescribe procedural step in submitting data via electronic mail with password so far as it is not contrary to the law governing electronic business.

**Clause 5** The owner of a designated factory or the owner of a designated building shall keep and maintain record of energy consumption data and installation or modification of machinery that may affect energy consumption and energy conservation using Form BorPorRor.2 or Form BorPorAor. 2 as annexed to this Ministerial Regulation.

The data in paragraph one shall be recoded in monthly basis and shall be endorsed for validity by personnel responsible for energy.

**Clause 6** This Ministerial Regulation shall come into effect one hundred and twenty days after its publication in the Government Gazette.

Given on the 27<sup>th</sup> 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 the existing forms for submission of data on production, energy consumption and energy conservation of a designated factory or a designated building (Form BorPorRor.1 or Form BorPorAor. 1) are not clear and there is several energy units used. It therefore deems appropriate to revise for the easiness of data recording and to resolve confusion on energy unit. Also it deems appropriate to combine the provisions under the Ministerial Regulation No.2 (B.E. 2538 (1995)) and the Ministerial Regulation No.5 (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.