

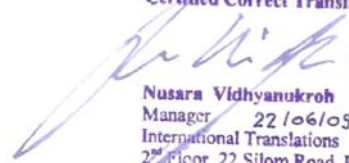
Unofficial Translation

Ministerial Regulation
Prescribing Qualifications, Duties and
Number of Personnel Responsible for
Energy B.E. 2552.



Department of Alternative
Energy Development and Efficiency
MINISTRY OF ENERGY

Certified Correct Translation


Nusara Vidhyanukroh
Manager 22/06/09
International Translations
2nd Floor, 22 Silom Road, Bangkok 10500
Tel. (0) 2233-7714, 234-9969, 267-1097-8
Fax (0) 2632-7119



Ministerial Regulation
Prescribing Qualifications, Duties and
Number of Personnel Responsible for
Energy B.E. 2552.

Unofficial Translation



Ministerial Regulation

Prescribing Qualifications, Duties and Number of Personnel Responsible for Energy

B.E. 2552

By virtue of the provision in paragraph 2 of Section 6, Section 9 (2) and Section 21 (2) 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, Section 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: 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.

Clause 2: The person responsible for energy must have one the following qualifications.

(1) Holding a Higher Vocational Certificate and having at least three years experience in the factory, with evidence of work in energy conservation verified by the owner of the designated factory or building.

(2) Holding a degree in Science or Engineering, with evidence of work in energy conservation verified by the owner of the designated factory or building.

(3) Having taken a training course in energy conservation or training course with similar objectives organized or approved by the Director-General.

(4) Having taken a training course for senior personnel responsible for energy conservation or training course with similar objectives organized or approved by the Director-General.

(5) Having passed the exam for personnel responsible for energy organized by the Department of Alternative Energy Development and Efficiency.

Verification of the owner of the designated factory under (1) and (2) shall conform to the form prescribed by the Director General.

Clause 3: The person responsible for energy shall have the following duties.

(1) Periodically maintain and inspect the efficiency of machinery and equipment that uses energy.

(2) Improve energy consumption method according to the principle of energy conservation.

(3) Assist the owner of the designated factory or building in energy conservation management according to the ministerial regulation prescribing standard, criteria and methods for energy conservation in designated factory or building.

(4) Assist the owner of the designated factory or building in complying with the order of the Director-General according to Section 10.

Clause 4: Owner of the designated factory or building must arrange to have personnel responsible for energy conservation in the designated factory or building within 180 days after the designation and must immediately inform the Director-General. The number and qualifications of the appointed personnel must be as follows.

(1) The following types of designated factory or building must have at least 1 energy conservation personnel with qualifications, specified in Clause 2.

(a) The designated factory or building, approved by power distributor agency to install one or more transformer unit with combined capacity lower than 3,000 kilowatts or 3,530 Kilovolts-ampere or

(b) The designated factory or building that consumes either or all of the electricity, steam power or other types of non-renewable fuels, provided by power distributors or produced by oneself since January 1 to December 31 of the past year at a combined amount equivalent to or lower than 60 million Mega Joules.

(2) The following types of designated factory or building must have at least 2 energy conservation personnel and at least one of them must have qualification, specified in Clause 2 (4) or (5). The rest must have qualification, specified in Clause 2.

(a) The designated factory or building, approved by power distributor agency to install one or more transformer unit with combined capacity of 3,000 kilowatts or 3,530 Kilovolts-ampere or more or.

(b) The designated factory or building that consumes either or all of the electricity, steam power or other types of non-renewable fuels, provided by power distributors or produced by oneself since January 1 to December 31 of the past year at a combined amount equivalent to 60 million Mega Joules or more.

Clause 5: If the designated factory or building doesn't have enough number of responsible personnel according to a requirement in Clause 4 because the responsible person has retired from the duty, the owner of the designated factory or building must take the following actions:

(1) Notify the Director-General in writing of the retirement from duty of the responsible personnel immediately.

(2) Appoint a new person to be responsible for energy within 90 days and inform the director-general immediately.

Clause 6: For the designated factory or building, specified in Clause 4 (1) (a) or (b) before this regulation becomes effective and has a team of personnel responsible for energy according to Section 2 (1) (2) or (3), the owner must inform the Director-General and the person responsible for energy must comply with provisions in this regulation.

If the owner of the designated factory or building, specified in paragraph 1 has not appoint the personnel responsible for energy, that owner must appoint the personnel responsible for energy conservation in pursuance to the number and qualifications, specified in this regulation within 180 days after this regulation is in force.

Clause 7: For the designated factory or building, specified in Clause 4 (2) (a) or (b) before this regulation becomes effective and has a team of personnel responsible for energy according to Clause 2 (1) (2) or (3), the owner must inform the Director-General and the person responsible for energy must comply with provisions in this regulation.

After informing the Director-General, the owner of the designated factory or building must take the following actions:

(1) Appoint the personnel responsible for energy conservation in pursuance to the number and qualifications, specified in this regulation within 180 days after this regulation is in force and inform the Director-General immediately.

(2) If unable to arrange for appointment of personnel responsible for energy pursuant to Clause 2 (4) or (5) within a period specified in (1) and the owner is not at fault, that owner of designated factory or building must clarify the problem in writing with the Director-General and ask for extension for not more than 2 years after this regulation is effective. The owner must appoint personnel responsible for energy within a period of time, prescribed by the Director-General and must notify the Director-General of the appointment immediately.

Clause 8: For the designated factory or building, specified in Clause 4 (2) (a) or (b) before this regulation becomes effective and the owner has not appoint the personnel responsible for energy, that owner must take action according to provisions in Clause 7 (1) and (2).

Clause 9: For the designated factory or building, specified in Clause 4 (2) (a) or (b) from the date that this regulation becomes effective but not longer than 2 years, the owner must appoint the personnel responsible for energy conservation in pursuance to the number and qualifications, specified in this regulation within 180 days after the date of designation and inform the Director-General immediately. If unable to arrange for personnel responsible for energy with qualifications specified in Clause 2 (4) or (5) within the said period of time and is not the fault of the owner of the designated factory or building, that owner must take actions, specified in Clause 7 (2).

Clause 10: If the designated factory or building doesn't have enough number of responsible personnel according to a requirement in Section 4 because the responsible person with qualifications according to Clause 2 (4) or (5) has retired from the duty, the owner of the designated factory or building must notify the Director-General in writing of the retirement from duty of the responsible personnel immediately and take the following actions.

(1) Appoint personnel to be responsible for energy with the number and qualifications according to this regulation within 180 days and inform the director-general immediately.

(2) If unable to arrange for appointment of personnel responsible for energy pursuant to Clause 2 (4) or (5) within a period specified in (1) and the owner is not at fault, that owner of designated factory or building must clarify the problem in writing with the Director-General and ask for extension for not more than 2 years after this regulation is effective. The owner must appoint personnel responsible for energy within a period of time, prescribed by the Director-General and must notify the Director-General of the appointment immediately.

Clause 11: Methods, documents and evidence of appointing the personnel responsible for energy according to this regulation must be in compliance with those prescribed by the Director-General.

This is given on 15th July 2009

Wannarat Channukul

Minister of Energy

Remarks:- Reasons for promulgation of this Ministerial Regulation are:Whereas the provisions of Section 9 (2) and Section 21 (2) of the Energy Conservation Promotion Act B.E. 2535, as amended by the Energy Conservation Promotion Act (No. 2) B.E. 2550 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 to require the owner of the designated factories and building to assign personnel to be responsible for energy management and to prescribe the qualifications, duties and number of those personnel, it is therefore necessary to issue this ministerial regulation.

Unofficial Translation