

Unofficial Translation

Manual for the Appointment of Personnel Responsible for Energy in Designated Factories and Buildings



Department of Alternative
Energy Development and Efficiency

MINISTRY OF ENERGY

August, 2009

Issued on August 17, 2009

A handwritten signature in black ink is written over a blue circular stamp. The stamp contains the text "SEE WORLD" at the top, Thai text "บริษัท โฮลیدی จำกัด" in the middle, and "HOLIDAY CO., LTD." at the bottom.

Introduction

The Energy Conservation Promotion Act B.E.2535, as amended by the Promotion of Energy Conservation Act (No. 2) B.E.2550 Section 9 (2) and Section 21 (2), has bestowed the Minister of Energy by recommendation of the National Energy Policy Committee with the power to issue Ministerial Regulations to the owner(s) of designated factories and designated buildings concerning the appointment of Persons Responsible for Energy (PRE) to be stationed at each facility, together with the qualifications, duties and number of personnel to be appointed.

The Department of Alternative Energy Development and Efficiency has prepared a guide detailing the correct protocol and process for appointing PRE, including replacing personnel who have been relieved of their duties, according to provisions stipulated in the Ministerial Regulation Prescribing Qualifications, Duties and Number of Personnel Responsible for Energy B.E.2552 for use by the owner(s) of designated factories and buildings owner(s).

Bureau of Energy Regulation and Conservation
Department of Alternative Energy Development and Efficiency (DEDE)
Ministry of Energy

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1. Objective

To serve as a practical guide for owners of designated factories and buildings in appointing Personnel Responsible for Energy (PRE) according to qualifications, duties and number, as well as replacing PRE who have been relieved of their duties, as defined by the provisions outlined in Ministerial Regulation Prescribing Qualifications, Duties and Number of Personnel Responsible for Energy B.E.2552.

2. Rules of Law

The Energy Conservation Promotion Act B.E.2535, which was amended by the Energy Conservation Promotion Act (No. 2) B.E.2552 Section 9 (2) and Section 21 (2) bestows the Minister of Energy with the power to issue a ministerial regulation requiring all owners of designated factories/buildings to appoint PRE according to the qualifications, duties and quantity outlined.

In addition, Section 55 stipulates that owners of designated factories/buildings or PRE who fail to adhere to the Ministerial Relation Prescribing Qualifications, Duties and Number of PRE B.E.2552, issued under Sections 9 (2) and 21 (2) outlined above, will be issued with a maximum penalty fine of 200,000 baht.

3. Qualifications of PRE

PRE must possess any one of the following qualifications:-

- 3.1 Be professionally certified to a high level, have at least three years experience of working in a factory/building and been certified for energy conservation obtained from work in a designated factory/building..
- 3.2 Have a degree in either engineering or science and been certified for energy conservation obtained from work in a designated factory/building.
- 3.3 Be a trainee in energy conservation or have objectives similar to those approved by the Director-General.
- 3.4 Completed a trainee course to be senior PRE or undertaken training with objectives similar to those approved by the Director-General.
- 3.5 Passed examinations in line with the examination criteria for PRE set by the Department of Alternative Energy Development and Energy Conservation.

“Form of Certification of Energy Conservation Performance Obtained From Working in a Designated Factory or Designated Building” under Articles 3.1 and 3.2, in accordance with the form specified by the Director-General (Bor Por Chor 2 and 3).

4. Duties of PRE

PRE is required to undertake the following duties:-

- 4.1 Carry out regular maintenance and inspection of all machinery and equipment that uses energy.
- 4.2 Improve energy use so that it is in line with stipulated criteria on energy conservation
- 4.3 Assist owners of designated factories or buildings in energy management using the standards, criteria and procedure for energy management in designated factories and buildings outlined in the ministerial regulations.
- 4.4 Assist owners of designated factories or buildings in operate according to orders of the Director-General under Section 10, which dictates that factory owners must submit all information concerning energy use for inspection, so as to determine whether energy conservation is in line with the standards, criteria and procedures outlined in the ministerial regulations. It is the duty of PRE to assist the owner of the factory and ensure operations comply with the orders of the Director-General within a period of 30 days from the date the order was received.

For owners of designated buildings and PRE stationed inside buildings, operations must also comply with orders of outlined in Section 10 (Section 21 paragraph 2). Factory or building owners who fail to comply with such orders will be issued with a maximum penalty fine of 50,000 baht (as stipulated in Section 54).

5. Provisions for appointing PRE in Designated Factory or Building

Factory/building owners are required to carry out necessary arrangements for the appointment of PRE within 180 days from the date the factory/building was identified as a designated factory/building and to inform the Director-General of any appointments. The number and qualifications of PRE appointed to a factory/building must comply with the following:-

5.1 If the factory/building has been authorized by the energy supplier to use an electric meter or install a single or multiple unit transformer less than 3,000 kilowatts or 3,530 kilovoltamper in size; or which uses electrical energy, heat energy from steam; or consumes other energy from either the energy supplier or independent sources, or any one of the above or a a combination of the above; and which expended total annual electrical energy equal to less than 60 million Megajules between January 1 and December 31 of the previous year is required to arrange for the appointment of at least one PRE, who must have obtained any one of the qualifications outlined in Article 3 above.

5.2 If the factory/building has been authorized by the energy supplier to use an electric meter or install a single or multiple unit transformer larger than 3,000 kilowatts or 3,530 kilovoltamper in size; or which uses electrical energy, heat energy from steam; or consumes other energy from either the energy supplier or independent sources, or any one of the above or a a combination of the above; and which expended total annual electrical energy

equal to or greater than 60 million Megajules between January 1 and December 31 of the previous year is required to arrange for the appointment of at least two PRE, at least one PRE must have obtained any one of the qualifications outlined in Article 3.4 or Article 3.5 above. All other PRE are required to meet with any one of the qualifications outlined in Article 3 above.

Form of Appointment of PRE”, together with necessary documents and other evidence as specified by the Director-General (Bor Por Chor 1)

6. Notification of PRE Relieved from Duty

In the event that PRE have been relieved of their duties and as a result the factory/building no longer has a sufficient number of PRE specified in Article 5, the owner of the factory/building must carry out the following:-

- 6.1 Submit a letter of notification informing the Director-General that PRE have been relieved of their duties.
- 6.2 Arrange for the appointment of replacement PRE within 90 days from the date when former PRE were relieved of their duties and inform the Director-General accordingly.

7. Exceptions in appointing PRE (summarized as follows)

7.1. **If the factory/building was identified as a designated factory/building in accordance with Article 5.1 before or on the date that the ministerial regulation was enacted** and the factory/building owner has appointed PRE who have obtained any one of the required qualifications outlined in Articles 3.1, 3.2 or 3.3 the Director-General must be notified and PRE appointed according to the ministerial regulation. If a factory/building owner adheres to provisions outlined in Article 5.1 above, but did not appoint PRE, they are required to arrange for the appointment of PRE according to the number and qualifications stipulated in the ministerial regulation within 180 days from the date the regulation were enacted.

7.2. **If the factory/building was identified as a designated factory/building in accordance with Article 5.2 before or on the date the ministerial regulation was enacted** and the factory/building owner has arranged to appoint PRE who have obtained any one of the qualifications outlined in Articles 3.1, 3.2 or 3.3 the Director-General must be notified and PRE appointed according to the ministerial regulation.

When notifying the Director-General, the factory/building owner is required to carry out the following:-

- (1) Appoint PRE according to the number and qualifications outlined in this ministerial regulation. The second PRE must be appointed within 180 days from the date the ministerial regulation was enacted. The Director-General must be notified immediately of any such appointments.
- (2) If a factory/building owner is unable to appoint PRE who meet the requirements outlined in Articles 3.4 and 3.5 within 180 days (specified

in Article (1)) and it is through no fault of the factory/building owner, the owner should submit a letter of notification to the Director-General explaining the reasons for a request to extend the appointment time. The Director-General has the power to authorize a maximum extension of two years from the date the ministerial regulation was enacted. The factory/building owner is then required to appoint PRE within the approved period and notify the Director-General accordingly.

7.3. If the factory/building was identified as a designated factory/building in accordance with Article 5.2 before or on the date the ministerial regulation was enacted and the factory/building owner has still not appointed PRE, the owner is required to appoint PRE within the period of time and conditions specified in Articles 7.2 (1) and (2).

7.4. If the factory/building was identified as a designated factory/building in accordance with Article 5.2 from one day after the date the ministerial regulation was enacted and has still not exceeded the two year period from the date the ministerial regulation was enacted, the owner of the factory/building must appoint PRE according to the number of qualifications stipulated in the ministerial regulation within 180 days from the date the factory/building was identified as a designated factory/building and the Director-General be notified accordingly.

Exceptions are granted if the owner of the factory /building is unable to appoint PRE who meet the requirements outlined in Article 3.4 or 3.5 and it is not through any fault of the factory/building owner, in which case PRE must be appointed within the 180-day designated period. In such circumstances, the factory/ building owner must appoint PRE according to the protocol outlined in Article 7.2 (2).

7.5. If PRE who possess the qualifications outlined in Articles 3.4 and 3.5 are relieved of their duties within the two-year period from the date the ministerial regulation was enacted and as a result the designated factory or building does not have the required number of PRE according to the criteria specified in Article 5.2, the factory/building owner is required to carry out the following:-

- (1) Submit a form to the Director-General listing PRE who have been relieved of their duties
- (2) Arrange for appointment of PRE according to the number and qualifications stipulated in the ministerial regulation within 180 days from the date PRE were relieved of the duties and notify Director-General accordingly.

- (3) In the event that it is not possible to appoint PRE according to the criteria outlined in Articles 3.4 and 3.5 within the 180-day period (stipulated in Article (2)) and it is through no fault of the factory/building owner, the owner must submit a form to the Director-General outlining the reasons why and request for an extension (maximum two years) from the date the ministerial regulation were enacted. The factory/building owner must then arrange for the appointment of replacement PRE within the authorized time and notify the Director-General accordingly.

Form of Appointment of PRE” outlined in Articles 7.1-7.5, together with relevant documents and evidence must be in line with form stipulated by the Director-General (bor por chor 1) and include all details specified in the Ministerial Regulation Prescribing Qualifications, Duties and Number of PRE B.E.2552, included in appendix A.

8. Penalties outlined under Section 55

In accordance with Section 55 of the Energy Conservation Promotion Act 1992, amended by the Energy Conservation Promotion Act (No. 2) B.E.2552, stipulates that owners of designated factories/buildings or PRE, who fail to adhere to provisions outlined in the Ministerial Regulation Prescribing Qualifications, Duties and Number of PRE B.E.2552, issued under Section 9(2) and Section 21(2) of this act, shall be issued with a maximum fine of 200,000 baht.

9. Explanation of Terms and Abbreviations

In order to ensure that these guidelines are concise and easy to read and understand, an explanation of the terms and abbreviations used is listed below:-

Term/Abbreviation	Meaning
Act	The Energy Conservation Promotion Act B.E.2535, as amended by the Promotion of Energy Conservation Act (No. 2) B.E.2550
DEDE	Department of Alternative Energy Development and Efficiency
DG-DEDE	Director-General of the Department of Alternative Energy Development and Efficiency
DF/DB	Designated factory / designated building
Small-sized designated factory and/or building	A designated factory or building that has been authorized by the energy supplier to use an electric meter or install a single or multiple unit transformer less than 3,000 kilowatts or 3,530 kilovoltampere in size; or which uses electrical energy, heat energy from steam; or consumes other energy from either the energy supplier or independent sources, or any one of the above or a combination of the above; and which expended total

Term/Abbreviation	Meaning
	annual electrical energy equal to less than 60 million Megajules between January 1 and December 31 of the previous year
Large-sized designated factory and/or building	A designated factory or building that has been authorized by the energy supplier to use an electric meter or install a single or multiple unit transformer equal to or larger than 3,000 kilowatts or 3,530 kilovoltamper in size ; or which uses electrical energy, heat energy from steam; or consumes other energy from either the energy supplier or independent sources, or any one of the above or a combination of the above; and which expended total annual electrical energy equal to or greater than 60 million Megajules between January 1 and December 31 of the previous year
PRE	Persons Responsible for Energy
Senior PRE	PRE who has completed a training course for senior PRE or received training with objectives similar to those approved by the Director-General (outlined in Article 3.4) or completed examinations according to the criteria for PRE examinations as set by the Department of Alternative Energy Development and Efficiency (outlined in Article 3.5)
Minister	Minister of Energy
Ministerial Regulations	Ministerial Regulations on the Qualifications, Duties and Quantity of PRE B.E.2552
Form Bor Por Chor 1	Form for the appointment of PRE
Form Bor Por Chor 2	Form of Certification of Energy Conservation Performance Obtained From Working in a Designated Factory or Designated Building
Form Bor Por Chor 3	Form of Certification of Energy Conservation Performance Obtained From Working in a Factory/ Building which is not a Designated Factory/Designated Building

- Note:** (1) Senior PRE who possess required qualifications outlined in Article 3.4 and have completed senior PRE training course as set by DEDE or other course with objectives similar to those approved by the Director-General.
- (2) Senior PRE who possesses required qualifications outlined in Article 3.5, including any person may have or have not completed training course, but who has a high level of knowledge and ability and has passed senior PRE examination as set by DEDE.

10. Procedure for Appointment of PRE - with examples

- 10.1 Owners of designated factories/buildings must arrange for an inspection of their premises to determine whether the property is a small- or large-size facility according to the definition given in Article 9.
- 10.2 **If the factory/building is deemed to be a small-size factory/building** the owner must carry out the following:-
- (1) **Appoint at least one individual** who has obtained the necessary qualifications for PRE according to any one of the provisions specified in Articles 3.1-3.5 **within 180 days from the date the factory/building was identified as being a designated factory/building.** The Director-General must be notified of all persons appointed as PRE.
 - (2) Submit a form of notification regarding the appointment of PRE (**form bor por cho 1**), together with all documents and other evidence for consideration by the Director-General, who will then review the request and make to a decision. The ID number of the PRE should be given to the owner of the factory/building, after which the DEDE is to receive all information and documents specified in the form.

If the owner of the factory or building is to appoint PRE who have obtained the qualifications outlined in Articles 3.1 or 3.2, they must submit a “Form of Certification of Energy Conservation” – form bor bor cho 2 for work carried out in designated factories/buildings; and form bor por chor 3 for work carried out in factories/buildings which are not designated factories/buildings. All forms must be submitted to the Director-General for consideration.

- 10.3 **If the designated factory/building is a large sized factory/building** the owner(s) is required to carry out the following:-
- (1) **Appoint at least two personnel to carry out PRE duties, of which at least one individual must have obtained senior PRE qualifications.** All remaining personnel must have obtained any one of the qualifications outlined in Articles 3.1-3.5 **within 180 days from the date the factory/building was identified as a designated factory/building** and notify the Director-General of all subsequent appointments. **Owner(s) of large-size factories/buildings are required to appoint more than one PRE.**

- (2) Submit form bor por chor 1, together with all documents and other evidence required for small-size factories/buildings (outlined in Article 10.2 (2)).

Details of forms bor bor chor 1, 2 and 3 are attached at the end of this document in appendix A and appendix C.

An example of the form to be submitted for the appointment of PRE (form bor bor cho 1) can be seen in appendix D.

11. Procedure for Appointment of Replacement PRE - with examples

If PRE stationed at a designated factory/building has been relieved of their duties and as a result there is no longer a sufficient number of PRE stationed at the factory/building (outlined in Article 5), the owner of the factory/building is required to carry out the following:-

- 11.1 Submit a notification form to the Director-General listing all PRE who have been relieved of their duties
- 11.2 Appoint new PRE and carry out all necessary duties within 90 days from the date original PRE were relieved of their duties. All new personnel must meet provisions regarding qualifications and number for small/large-size factories/building, the details of which are outlined in Articles 10.2 and 10.3 respectively. The Director-General is to be notified of all PRE appointments via submitting a **“Form of PRE Relieved of Duties”** and **“Form of Appointment of Replacement PRE in Small- and Large-size Designated Factories/Buildings”**, examples of which can be seen in appendixes F1 and F2 respectively.

12. Procedure Regarding Exceptions in the Appointment of PRE - with examples

Exceptions in appointing PRE can be separated into two important cases; if the factory/building was identified as a designated factory/building before or on the date the ministerial regulation was enacted and; if the factory/building was identified as a designated factory/building after the ministerial regulation was enacted and it has not exceeded the specified two-year period. This can be summarized as follows:-

- 12.1 **If factory/building was identified as a designated factory/building before or on the date the ministerial regulation was enacted**, each case can be divided into two cases according to the size of the factory/building and appointment status of PRE; summarized as follows:-
 - (1) **Small sized factories/buildings that appointed PRE** who have obtained any one of the qualifications specified in Articles 3.1-3.3 (and have already been issued with a PRE ID number) and the owner of the factory/building has notified the Director-General and PRE can carry out their assigned duties.

An example of the appropriate form for use by small-size designated factories/buildings is given in appendix F1.

For small-size factories/buildings **that have still not appointed PRE**, the owner of the factory/building is required to arrange for the appointment of at least one individual, who must have obtained any one of the qualifications stipulated in Article 3 **within 180 days from the date the ministerial regulation was enacted.**

An example of the appropriate form used in such circumstances is given in appendix D.

- (2) **Large-size designated factories/buildings that have appointed PRE** who have obtained any one of the qualifications stipulated in Articles 3.1-3.3; and the owner of the factory/building has notified the Director-General; and PRE can carry out their assigned duties.

An example of the appropriate form for use by large-size designated factories/ buildings is given in appendix F2.

Upon submitting a form of appointment of PRE the owner of the factory/building is required to carry out the following:-

- a) Appoint of at least one senior PRE **within 180 days from the date this ministerial regulation was enacted** and notify the Director-General accordingly.
- b) If it is not possible to arrange for the appointment of senior PRE within 180 days according to provisions stipulated in Article (2) a, and it is no fault of the factory/building owner, the owner is required to submit a form to the Director-General requesting an extension to time allotted to appoint senior PRE and state the reasons why PRE can not be appointed, including all necessary documents and evidence showing it is not possible to appoint senior PRE within the specified time period and it is through no fault of the factory/building owner.

The Director-General has the power to grant a **maximum extension of two years from the date this ministerial regulation was enacted**. The factory/building owner must then ensure that PRE are appointed within the authorized time period and the Director-General notified accordingly.

Examples of the appropriate forms for the appointment of senior PRE and to request for an extension of time to appoint senior PRE outlined in Article 12.2 (2) are given in Appendix F3 and F4 respectively.

(3) **Owner(s) of large-size designated factories/buildings that have still not appointed PRE** according to the number and qualifications stipulated in this ministerial regulation are required to carry out the following:-

- a) **Appoint at least two senior PRE within 180 days from the date this ministerial regulation was enacted.** At least one appointee must be a senior PRE; all other personnel can be either senior or non-senior PRE.
- b) If it is not possible to arrange for the appointment of senior PRE **within 180 days** according to provisions stipulated in Article 3a, and provided it is through no fault of the factory/building owner, the owner is required to carry out procedure outlined in Article 2b.

Examples of the types of form used for the appointment of PRE and to submit a request for an extension of time given to appoint senior PRE are given in Appendixes D and G respectively.

In addition, examples of other such cases concerning the appointment of PRE in large-size designated factories/buildings within two years from the date this ministerial regulation was enacted, as outlined in Article 12.1 (2) and (3) in example 1.

- 12.2 **If the factory/building was identified as a large-size designated factory/building after the date this ministerial regulation was enacted and the two-year period from the date of enactment** has not been exceeded the owner of the large-size factory/building is required to appoint PRE according to the number and qualifications stipulated in this ministerial regulation (outlined in Article 12.1 (3a)), within 180 days from date the factory/building was identified as a designated factory/building and notify Director-General unless it is not possible to appoint senior PRE within the specified time frame (180 days); it through no fault of the factory or building owner; and two years from the date this ministerial regulation was enacted has not been exceeded. In such circumstances, the owner of the factory/building is required to carry out provisions outlined in Article 12.1 (2b).

Examples of the forms used for the appointment of senior PRE and to request an extension to the time to appoint PRE are given in Appendixes D and G respectively.

In addition, examples of other cases concerning the appointment of senior PRE in large-size factories/buildings identified as designated factories/buildings after the date this ministerial regulation was enacted and the two-year period since this ministerial regulation was enacted has not been exceeded (outlined in Article 12.2 in example 2).

- 12.3 **If the factory/building has operated as a designated factory/building for a long period of time and since the Royal Decree Designated Factories/Buildings B.E.2540 and Royal Decree Designated Buildings B.E.2538 were enacted,** the owner of the factory/building has still not appointed PRE.

The Energy Conservation Promotion Act (no.2) B.E.2550 was enacted on June 1, 2008 and bestowed the Minister of Energy with the power to issue ministerial regulations on the required qualifications, duties and quantity of PRE. After these regulations were enacted, the owners of all designated factories and buildings were required to swiftly appoint PRE according to the quantity and qualifications specified and to notify the Director-General within the stipulated time period outlined in Articles 12.1(1) and (3).

Example A: The facility was identified as a designated factory in 2007, but the owner has still not appointed PRE. When the ministerial regulation was enacted, the owner of “Factory A” was required to appoint PRE according to the specified number and qualifications **within 180 days from the date the ministerial regulation was enacted** and notify the Director-General accordingly. This example can be separated into two cases:-

- (1) **Case 1 – A small size designated factory** is required to have at least one PRE who obtained any one of the qualification outlined in Articles 3.1-3.5

- (2) **Case 2 - A large-size designated factory** that is required to have at least two PRE. Of the PRE appointed, at least one must be senior PRE, while all other PRE can be either senior or non-senior PRE.

If the owner of “factory A” is unable to appoint senior PRE within 180 days from the date this ministerial regulation was enacted; and the two-year period since the date the regulation was enacted has still not exceeded and; it is through no fault of the factory owner, then the owner must submit a form stating the reasons why and requesting a extension to the time given to appoint senior PRE (outlined in Article 12.1(2b)).

13. Procedure Regarding Exceptions in the Appointment of Senior Replacement PRE - with examples

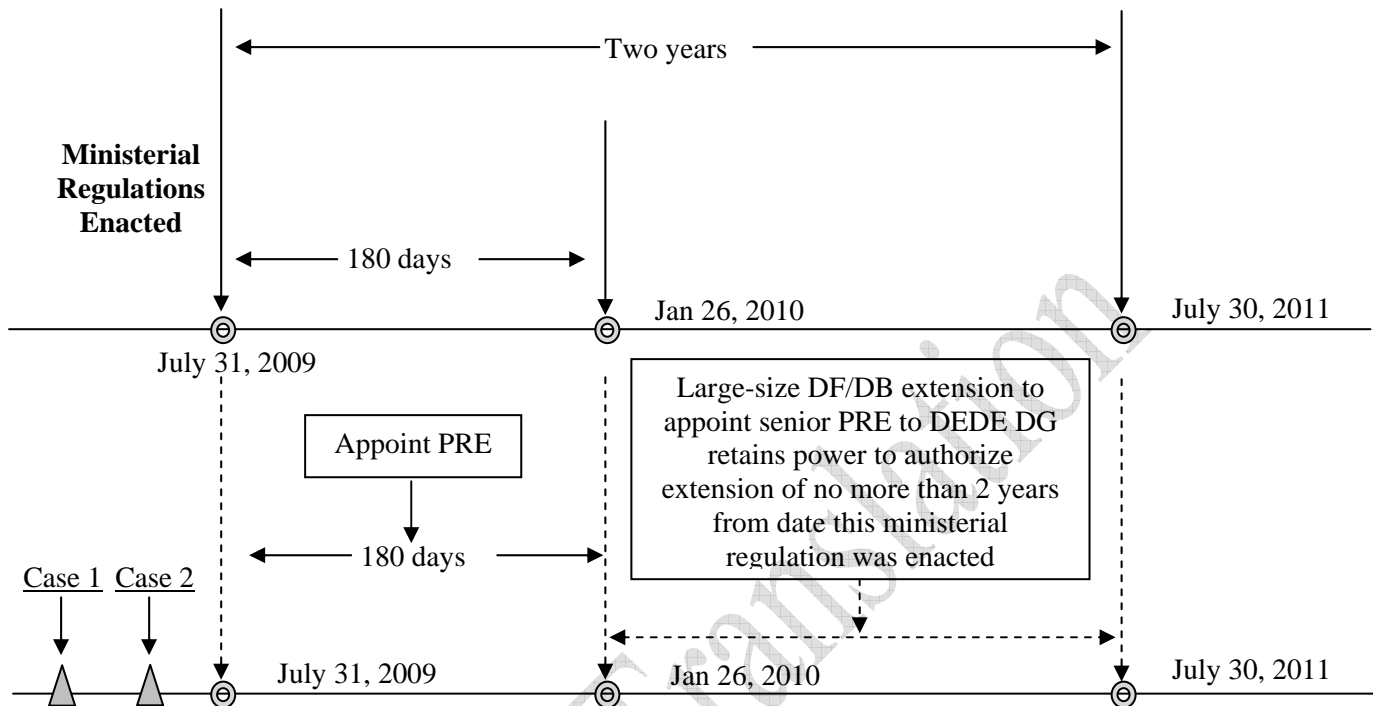
If senior PRE have been relieved from duty within two-years from the date this ministerial regulation was enacted and as a result the number of PRE stationed at the factory/building is not sufficient to meet the criteria outlined in Article 5, the factory/building owner is required to carry out the following:-

- 13.1 Submit a form to the Director-General listing all PRE relieved from duty
- 13.2 Appoint replacement PRE according to the number and qualifications stipulated in this ministerial regulation within 180 days from the date PRE were relieved from duty and notify the Director-General accordingly.
- 13.3 If it is not possible to appoint senior PRE within the 180-day period (outlined in Article 13.2); and is through no fault of the factory/building owner; and the two-year period since this ministerial regulation was enacted has not been exceeded, the owner of the factory/building is required to submit a form to the Director-General requesting an extension (maximum two years) of the time given to appoint PRE from the date this regulation. The factory/building owner is required to appoint a replacement within this time and inform the Director-General accordingly.

An example of the form used to notify the Director-General of PRE relieved from duty; appointment of replacement senior PRE; and to request for an extension (outlined in Article 13), are given in Appendix I1, I2 and I3 respectively.

In addition, examples of other cases regarding the appoint of replacement senior PRE relieved from duty within two years from the date this ministerial regulation was enacted are also included (according to Article 13 in example 3).

- **Example 1:** Appointing PRE for a large-size designated factory/building within a period of two years from the date ministerial regulations were enacted (outlined in Article 12.1(2) and (3) (identified as a designated facility before or on the date this ministerial regulation was enacted)



**Case 1
Outlined
in Article
(12.1 (2))**

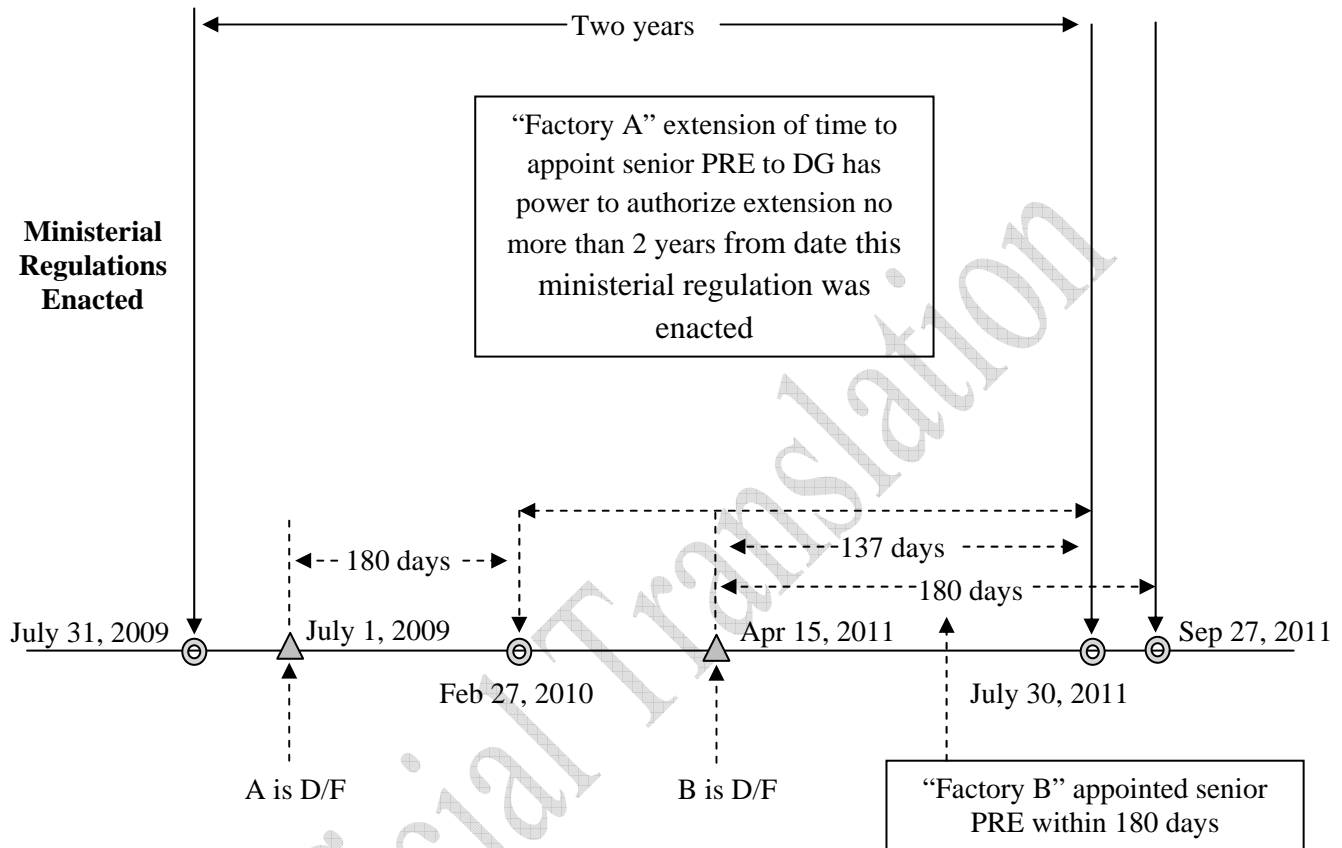
- **Appointment of PRE** according to any one of qualifications specified in Article 3.1-3.3; notify DEDE accordingly; and PRE can proceed with carrying out their duties.
- The owner of DF/DB required to appoint at least one additional senior PRE **within 180 days** from date ministerial regulation was enacted (**July 26 2010**).
- **Except** if it is not possible to appoint senior PRE within 180-day period (July 26 2010) and it is through no fault of the DF/DB owner, the owner must submit form to DG stating reasons and to request extension to appoint senior PRE of **no more than two years from the date ministerial regulation was enacted** (July 30 2011) and appoint senior PRE within that time and notify DG accordingly.

**Case 2
Outlined
in Article
(12.1 (3))**

- **If PRE have still not been appointed**, the DF/DB owner must appoint at least two PRE within 180 days from date ministerial regulation was enacted (Jan 26 2010). At least one of the PRE appointed must be senior-level, while others can be either senior or non-senior.
- **Exceptions:** If it is not possible to appoint senior PRE within the 180-day period (Jan 26 2011) and it is not through any fault of the DF/DB owner, the owner must submit a form to the DG stating the reasons and requesting an extension to appoint senior PRE, after which senior PRE must be appointed within the granted extension time, **as detailed in case 1**.

Note: Ministerial regulations enacted from date stated in Government Gazette – July 31, 2009

- **Example 2: Appoint PRE to large-size designated factory/building (outlined in Article 12.2)** (identified as designated factory/building **after the date** this ministerial regulation was enacted and the two-year period from the date this regulation was enacted has still not been exceeded).

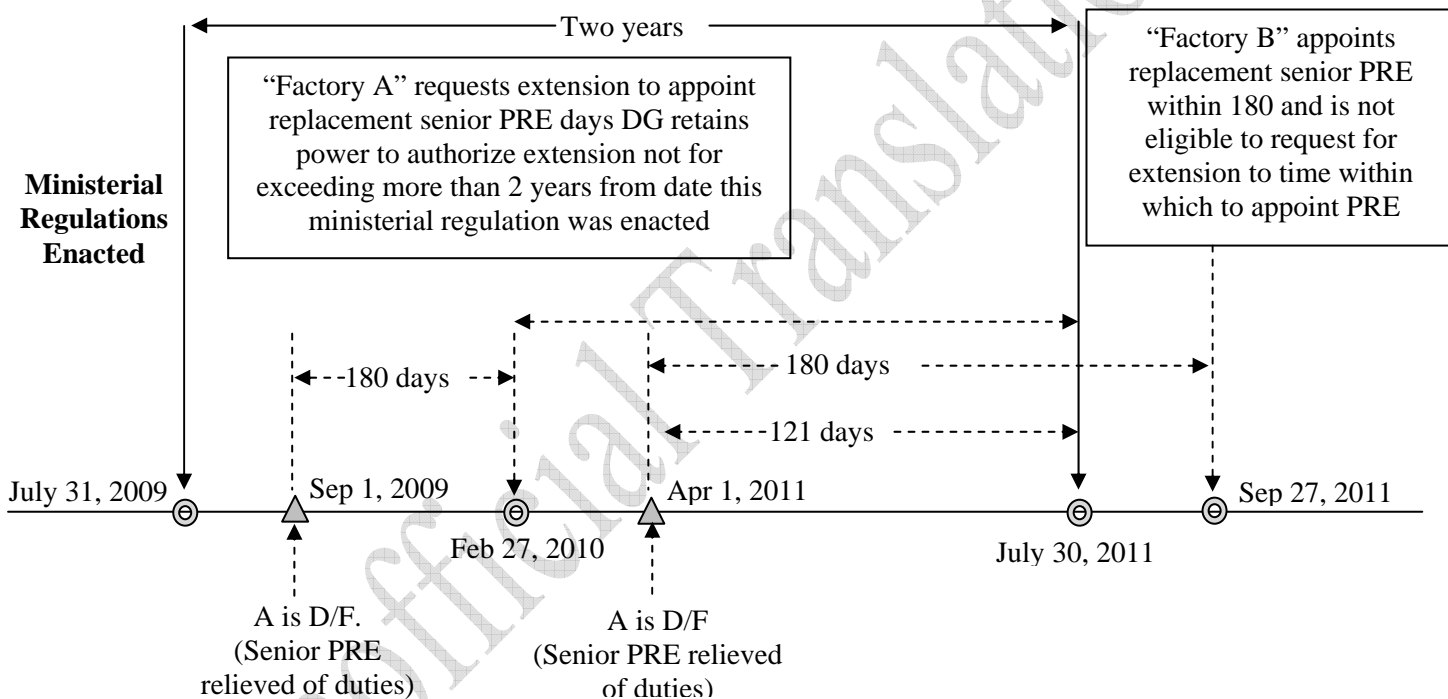


- Example**
- Ministerial Regulations enacted on July 31 2009
 - "Factory A" and "Factory B" are **large-size** designated factories required to appoint at least two PRE within 180 days from date the factory was identified as a designated facility.
 - At least one senior PRE and at least one other is senior or non-senior PRE.
 - "A" was identified as a designated factory on Oct 1, 2009 and is required to appoint PRE according to the number and qualifications stipulated in the ministerial regulation **within 180 days, which is Feb 27, 2010**. If "Factory A" is not able to appoint senior PRE within 180 days and it is through no fault of the factory owner, the owner must submit a form to the DG stating the reasons why and request for an extension to appoint senior PRE. The DG has the power to grant a maximum extension of no more than two years from the date this ministerial regulation was enacted on Jan 30, 2011 (**akin to the case in example 1**).

- “B” was identified as a designated factory on April 15, 2011 (137 days before the end of the two-year period since this ministerial regulation was enacted). Consequently, “**Factory B**” is required to appoint senior PRE within 180 days from the date the factory was indentified as a designated facility by **Feb 27, 2011** (“Factory B” is not eligible to request for an extension to appoint PRE because it has been over two years since this ministerial regulation was enacted).

Note: Ministerial regulations enacted from date stated in Government Gazette - July 31, 2009

- **Example 3:** Appointment of senior PRE to replace personnel relieved from duty within no more than two years from the date this ministerial regulation was enacted (outlined in Article 13).



Example

- Ministerial Regulations enacted on July 31, 2009
- “Factory A” and “Factory B” are large-size factories, which already appointed senior PRE, who were relieved from duty from both facilities within a period of less than two years from the date this ministerial regulation were enacted (**before Jan 30, 2011**). Therefore, both factories “A” and “B” are required to submit a form to the DG and **must appoint replacements within 180 days from the date original PRE were relieved from duty**. Both factories are eligible to request for an extension (maximum of two years) from the date this ministerial regulation was enacted to appoint replacement senior PRE and provided it was not through any fault of either the owner of “Factory A” or “Factory B”.

- **Designated Factory A:** Senior PRE relieved from duty on June 1, 2009. As a result, the owner of “Factory A” is required to appoint a replacement **within 180 days** from date original senior PRE were relieved (**by Oct 27, 2010**) and notify the DG accordingly.

: If “Factory A” is not able to appoint replacement senior PRE within 180 days (by Feb 27, 2010), the factory owner is required to submit a form to the DG stating the reasons why and to request for an extension to appoint senior PRE. The period can be extended by up to two years from the date ministerial regulations were enacted (**by Jul 30, 2011**), within which time the owner of “Factory A” must appoint a replacement and notify the DG accordingly.

- **Designated Factory B:** Senior PRE relieved from duty on April 1, 2011 (121 days before the end of the two-year period since ministerial regulation was enacted). Consequently, the owner of “Factory B” is required to appoint a replacement **within 180 days** from date the original senior PRE was relieved (**by Sep 27, 2010**) and notify the DG accordingly.

: In this instance, the owner of “Factory B” is not eligible to request for an extension to appoint PRE due to the fact that a replacement must be appoint by Sep 27, 2011, which exceeds the two-year period since this ministerial regulation was enacted (Jul 30, 2011).

Note: Ministerial regulations enacted from date stated in Government Gazette - July 31, 2009

14. Procedure for Submitting Form of Appointment of PRE

There are two ways of submitting a form of appointment of PRE, together with accompanying evidence and documents:-

14.1 The form can be sent by post as registered mail to:

Director-General for the Department of Alternative Energy
Development and Efficiency
Department of Alternative Energy Development and Efficiency
17 Saphan Kasatseuk, Phra Rama 1 Road
Rong Muang
Pathumwan
Bangkok 10330
(The registration date shall be deemed as the date of notification of
appointment of PRE)

Or

14.2 It may be delivered in person to the customer relations dept., floor 1, building 8, Department of Alternative Energy Development and Efficiency

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



Ministerial Regulations
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

Appendix B

**Notification of Department of Alternative
Energy Development and Efficiency
(DEDE)**

**Re: Form of Appointment of Personnel
Responsible for Energy B.E.2552**

Notification of Department of Alternative Energy Development and Efficiency (DEDE)

Re: Form of Appointment of Personnel Responsible for Energy B.E.2552

By virtue of Clause 11 of Ministerial Regulations Prescribing Qualifications, Duties and Number of Personnel Responsible for Energy B.E.2552 issued according to Energy Conservation Promotion Act B.E.2535 amended by Energy Conservation Promotion Act (No. 2) B.E.2550, which is the law that has some provisions regarding the restriction of individual rights and freedom, and the permission from section 29, 33, 41, and 43 of Thai Constitution, and by virtue of the law, Director – General of Department of Alternative Energy Development and Efficiency issues the following notification.

The owners of designated factories or designated buildings shall inform the personnel responsible for energy to the Director – General according to the number, qualifications, and period identified in Clause 4, 5, and 6 paragraph 2, Clause 7 paragraph 2, Clause 9 paragraph 2, and Clause 10 of Form BorPorChor. 1 attached to this notification.

Given on 10 August 2009

Mr. Krairit Nilkuha

Director – General of Department Alternative Energy Development and Efficiency

Form BorPorChor. 1

No.
Date Month Year.....
Received By
Official Only

Letter Informing the Appointment of Personnel Responsible for energy

Date Month B.E.

My name is (Mr. / Mrs. / Miss) Age Year (s) Nationality

Address Moo Soi Road Sub-district District

Province As of Company / Limited Partnership

Address Moo Soi Road Sub-district

District Province Zip Code

Telephone Number Facsimile Number E-mail

According to the Affidavit issued by Office of Company Limited and Partnership Registration

..... Registration Number And Letter of Power of Attorney on

Date Month Year, who is the owner of designated factory / designated building

named TSIC-ID located

on the attached map at Address Moo Soi Road

Sub-district District Province Zip Code

Telephone Number Facsimile Number

Would like to inform the appointment of personnel responsible for energy of the designated factory / designated building of appointee to the Director – General of Alternative Energy Development and Efficiency as follows.

1. I would like to inform that (Mr. / Mrs. / Miss) Age Year (s)

Nationality ID Number

Address Moo Soi Road Sub-district

District Province Zip Code

Telephone Number Facsimile Number E-mail

has been appointed to be personnel responsible for energy of the abovementioned designated factory / designated building according to the letter of acceptance attached to this letter.

Form BorPorChor. 1

2. I would like to certify that Mr. / Mrs./ Misshas the qualifications according to the ministerial regulation identifying the qualifications, duties, and number of personnel responsible for energy B.E.2552 on the item (s) with (/) as follows.

[] 2.1 Is the person who obtains Higher Vocational Certificate and has work experience in the factory or building for at least 3 years with the performance regarding energy conservation as certified by the owner of designated factory / designated building.

[] 2.2 Is the person who obtains Degree in Engineering or Science with the performance regarding energy conservation as certified by the owner of designated factory / designated building.

[] 2.3 Is the person who passes the training regarding energy conservation or training with the similar objective as approved by Director – General.

[] 2.4 Is the person who passes the training regarding the senior personnel responsible for energy or training with similar objectives as approved by Director – General.

[] 2.5 Is the person who passes the exam according to the criteria identified from the examination of personnel responsible for energy held by Department of Alternative Energy Development and Efficiency.

I would like to certify that the abovementioned statements and evidences are accurate.

Sign

()

Position

Juristic Person's Seal

Form BorPorChor. 1

Note :

1. Regarding the appointment, person who informs the appointment shall be the owner of the designated factory / building or the authorized person of the juristic person or the person assigned by the authorized person with the letter of power of attorney from such person. The form of letter of power of attorney shall be applied from the attachment of BorPorChor. 1 form or the newly prepared form with complete contents as identified.

2. The designated factory / building approved by persons who sell the energy to use the electrical meter or to install one set or several sets of transformer with the size lower than 3,000 Kilowatt or 3,530 Kilo Volt Ampere or use electrical energy, steam energy or other kinds of nonrenewable energy from persons who sell energy or from themselves or both from 1 January to 31 December of the previous year with total energy equivalent to electrical power lower than 60 million Mega Joule shall provide at least One personnel responsible for energy with one of the qualifications in Clause 2.

3. The designated factory / building approved by persons who sell the energy to use the electrical meter or to install one set or several sets of transformer with the size more than 3,000 Kilowatt or 3,530 Kilo Volt Ampere or use electrical energy, steam energy or other kinds of nonrenewable energy from persons who sell energy or from themselves or both from 1 January to 31 December of the previous year with total energy equivalent to electrical power more than 60 million Mega Joule shall provide at least 2 personnel responsible for energy and one of them shall pass the training for senior personnel responsible for energy or the training with similar objectives as approved by Director – General according to Clause 2.4 or shall pass the exam according to the criteria identified from the examination of personnel responsible for energy held by Department of Alternative Energy Development and Efficiency in Clause 2.5. For the remaining personnel responsible for energy, they shall possess one of the qualifications in Clause 2.

4. Shall attach the photocopy of ID card or alien certificate of the person who informs the appointment and shall certify such photocopy.

5. Shall attach the evidence of commercial registration and shall certify the copy by persons who inform the appointment (in case that such persons are not juristic persons).

6. Shall attach the affidavit of office of company limited and partnership registration issued for no more than 6 months in case that the persons are juristic persons and such persons shall certify the copy).

7. Persons who inform the appointment shall certify the accuracy of the map of the designated factory / building.

8. Form BorPorChor. 1 shall be used for informing the appointment of personnel responsible for energy for one person per one form.

Map of Designated Factory / Building

Of



I would like to certify that the location of the designated factory / building on this map is accurate.

Sign

()

Position

Juristic Person's Seal

Unofficial Transcript

Attachment

Letter of Acceptance to be Personnel Responsible for Energy

Date Month Year

My name is (Mr. / Mrs. / Miss) Age Year (s)

Nationality ID Card Number

Address Moo Soi Road

Sub-district District Province

Zip Code..... Telephone number Facsimile number

E-mail I graduated with in B.E.

from Faculty Major

Institute I have the qualifications suitable for

working in energy conservation according to the evidence attached to this letter and I accept to be

personnel responsible for energy of the designated factory / building

of Company Limited / Limited Partnership

from Date Month Year

In order to be the evidence of the acceptance to be personnel responsible for energy abovementioned, I sign this letter in front of the witness,

Sign Personnel Responsible for Energy

()

Sign Witness

()

Sign Witness

()

Note : Evidence Attached to Letter of Acceptance to be Personnel Responsible for Energy

1. Copy of Educational Certificate with certified true copy and certificate of energy conservation performance according to Form BorPorChor. 2 or Form BorPorChor. 3 in case of having qualifications according to Clause 2.1 or 2.2 in Form BorPorChor. 1.
2. Copy of Educational Certificate and Training Certificate on Energy Conservation or training with similar objectives as approved by Director – General of Department of Alternative Energy Development and Efficiency with certified true copy in case of having qualifications according to Clause 2.3 in Form BorPorChor. 1.
3. Copy of Educational Certificate and Training Certificate on Senior Personnel Responsible for Energy or training with similar objectives as approved by Director – General of Department of Alternative Energy Development and Efficiency with certified true copy in case of having qualifications according to Clause 2.4 in Form BorPorChor. 1.
4. Copy of Educational Certificate and Certificate mentioning that such persons pass the examination according to the criteria identified from the examination of personnel responsible for energy held by Department of Alternative Energy Development and Efficiency in case of having qualifications according to Clause 2.5 in Form BorPorChor. 1.
5. Copy of ID card or Alien Certificate of the persons appointed to be personnel responsible for energy with certified true copy.

Duty
30.00 Bath

Letter of Power of Attorney

Date Month Year

My name is (Mr. / Mrs. / Miss) Age..... Year (s) Nationality
Address Moo Soi Road Sub-district
District Province As of
Company Limited / Limited Partnership Located at Address Moo.....
Soi Road Sub-district District
Province would grant the power of attorney to Mr. / Mrs. / Miss
Age Year (s) Nationality Address Soi Road
Sub-district District Provinceto act as follows.

- 1. To inform the appointment of personnel responsible for energy according to Form BorPorChor. 1.
- 2. To certify the energy conservation performance according to Form BorPorChor. 2 or Form BorPorChor. 3 to Department of Alternative Energy Development and Efficiency according to the Energy Conservation Act B.E.2535 amended by Energy Conservation Act (No. 2) B.E.2550.

Any actions taken by the authorized person shall bound by myself in all respects.

In order to be the evidence for the grantee and granter, I sign this letter in front Of the witness.

Sign Granter
()

Sign Grantee
()

Sign Witness
()

Sign Witness
()

Note :

- 1. This letter of power of attorney shall be used in case that the owner of designated factory / building or the authorized person does not inform the appointment or does not certify the performance but grants the power of attorney to others.
- 2. Shall attach copy of ID card or Alien Certificate of the granter and grantee and the owner of the evidence shall certify such copy.
- 3. Shall attach duty of 30.00 Baht.

Appendix C

**Notification of Department of Alternative
Energy Development and Efficiency
(DEDE)**

**Re: Form of Certification of Energy
Conservation of Personnel Responsible
Energy B.E.2552**

Notification of Department of Alternative Energy Development and Efficiency (DEDE)

Re: Form of Certification of Energy Conservation of Personnel Responsible Energy

B.E.2552

By virtue of Clause 2, paragraph 2 of the Ministerial Regulations Prescribing Qualifications, Duties and Number of Personnel Responsible for Energy B.E. 2552 issued according to Energy Conservation Promotion Act B.E.2535 amended by Energy Conservation Promotion Act (No. 2) B.E. 2550, which is the law that has some provisions regarding the restriction of individual rights and freedom, and the permission from section 29, 33, 41, and 43 of Thai Constitution, and by virtue of the law, Director – General of Department of Alternative Energy Development and Efficiency issues the following notification.

The form of the certification of energy conservation performance of personnel responsible for energy by the owner of designated factory / building and the documents and evidences in case of working in the designated factory / building shall accord with Form BorPorChor. 2 attached to this notification and in case of working in the factory or building that is not designated factory / building shall accord with Form BorPorChor. 3 attached to this notification.

Given on 10 August 2009

Mr. Krairit Nilkuha

Director – General of Department Alternative Energy Development and Efficiency

Form BorPorChor. 2

No.
Date Month Year.....
Received By
Official Only

Letter of Certification of Energy Conservation Performance Obtained From Working in Designated Factory or Building

Date Month Year

My name is (Mr. / Mrs. / Miss) Age Year (s) Nationality

Address Moo Soi Road

Sub-district District Province

As of Company Limited / Limited Partnership

Located at Address Moo Soi Road

Sub-district District Province

Zip Code Telephone Number Facsimile Number E-mail

According to the Affidavit of Office of Company Limited and Partnership Registration Registration Number and letter of Power of

Attorney on Date Month Year and As the owner of designated factory / building named TSIC-ID..... I would like to certify that

Mr. / Mrs. / Miss Age Year (s) Nationality

ID Card Number Address Moo

Soi Road Sub-district

District Province Possesses energy conservation

performance according to Energy Conservation Promotion Act B.E.2535 amended by Energy Conservation Promotion Act (No. 2) B.E.2550 with the details appeared on the attached table.

Energy Conservation Performance of Mr. / Mrs. / Miss

Person Appointed to be Personnel Responsible for Energy

Of Designated Factory / Building of Company Limited /

Limited Partnership

(1) No.	(2) Details of Performance	(3) Name of Designated Factory / Building and Location	(4) Period of Time		(5) Investment (Baht)	(6) Energy Conservation Performance / Year			(7) Note
			Start From (Month / Year)	End on (Month / Year)		Type of Energy	Number 1/ (Unit)	Value (Baht)	
Total									

I would like to certify that the abovementioned statements are accurate.

Certified by

(.....)

Note :

1. Person who certifies the energy conservation performance shall be the owner of designated factory / building or the authorized person with the letter of power of attorney.
2. Letter of Certification of Energy Conservation Performance according to Form BorPorChor. 2 shall be used in case of having qualifications according to Clause 2.1 or 2.2 in Form BorPorChor. 1.
3. Form BorPorChor. 2 shall be used for certification of energy conservation performance of persons appointed to be personnel responsible for energy for only 1 person per 1 set.
4. 1/ In case of the conservation performance of electrical power, shall mention number in Kilowatt and Kilowatt – hour.
5. Shall attach details of calculation of energy conservation performance.

Form BorPorChor. 3

No.
Date Month Year.....
Received By
Official Only

**Letter of Certification of Energy Conservation Performance Obtained From Working in
Factory / Building which is not Designated Factory or Building**

Date Month Year

My name is (Mr. / Mrs. / Miss) Age Year (s) Nationality

Address Moo Soi Road

Sub-district District Province

As of Company Limited / Limited Partnership

Located at Address Moo Soi Road

Sub-district District Province

Zip Code Telephone Number Facsimile Number E-mail

According to the Affidavit of Office of Company Limited and Partnership Registration

..... Registration Number and letter of Power of

Attorney on Date Month Yearand As the owner of designated factory /

building named

I would like to certify that Mr. / Mrs. / Miss Age Year

(s) Nationality ID Card Number Address Moo

Soi Road Sub-district

District Province Possesses energy

conservation performance with the details appeared on the attached table.

Energy Conservation Performance of Mr. / Mrs. / Miss

Person Appointed to be Personnel Responsible for Energy

Of Designated Factory / Building of Company Limited /

Limited Partnership

(1) No.	(2) Details of Performance	(3) Name of Designated Factory / Building and Location	(4) Period of Time		(5) Investment (Baht)	(6) Energy Conservation Performance / Year			(7) Note
			Start From (Month / Year)	End on (Month / Year)		Type of Energy	Number 1/ (Unit)	Value (Baht)	
Total									

I would like to certify that the abovementioned statements are accurate.

Certified by

(.....)

Note :

1. Person who certifies the energy conservation performance shall be the owner of designated factory / building or the authorized person with the letter of power of attorney.
2. Letter of Certification of Energy Conservation Performance according to Form BorPorChor. 3 shall be used in case of having qualifications according to Clause 2.1 or 2.2 in Form BorPorChor. 1.
3. Form BorPorChor. 3 shall be used for certification of energy conservation performance of persons appointed to be personnel responsible for energy for only 1 person per 1 set.
4. 1/ In case of the conservation performance of electrical power, shall mention number in Kilowatt and Kilowatt – hour.
5. Shall attach details of calculation of energy conservation performance.

Appendix D

Example Letter for Sending Appointment Form of PRE

Applicant's seal/symbol
and letter head (if any)

**Example letter
for sending appointment form of PRE**

DateMonth.....Year.....

Subject: Notification of Appointment for Personnel Responsible for Energy

Attn: Department of Alternative Energy Development and Efficiency (DEDE)

- Enclosed:
1. Appointment Form for Personnel Responsible for Energy (Form BorPhorChor. 1)
 2. Form of Certification for Having Passed Work on Energy Conservation Obtained through Performing Work at Designated Factories/Buildings (Form BorPhorChor. 2) – In cases where the personnel responsible for energy possesses the qualifications in 3.1 or 3.2.
 3. Job Performance Certification Form in relation to energy conservation as obtained through working in factories, buildings that are not designated factories or designated buildings (Form BorPhorChor. 3) – In cases where the personnel responsible for energy possesses the qualifications in 3.1 or 3.2.

In that (Juristic Person's name), the owner of (name of designated factory/building) TSIC-ID.....would like to report the appointment of the person(s) listed below as personnel responsible for energy at the designated factory/building wherein the details, evidence and various documents are as enclosed in 1 (2 and 3, if any):

1. (First and last name of the person proposed for appointment as the personnel responsible for energy).
2. (First and last name of the person proposed for appointment as the personnel responsible for energy).

Having, therefore, notified you for your consideration and taking this opportunity to thank you,

Respectfully yours,

Signed.....
(Name and Surname of Designated Factory/Building or Authorized Person)
(Juristic Person's Seal)

Remark: Amend, adjust or add the word or sentence as the appropriate.

Appendix E
**Example of form regarding replacement
of PRE relieved from duty**

Appendix E1

**Example of form regarding PRE relieved
from duty for use by small- and large-size
designated factories and buildings**

Applicant's seal/symbol
and letter head (if any)

**Example of form regarding PRE
relieved from duty for use by small- and large-size
designated factories and buildings**

DateMonth.....Year.....

Subject: Release from Duty for Personnel Responsible for Energy

Attn: Department of Alternative Energy Development and Efficiency (DEDE)

In that (Juristic Person's name), the owner of (name of designated factory/building) TSIC-ID.....
would like to report that (Mr./Mrs./Miss)
who is responsible for energy at (name of designated factory/building) shall hereinafter be released from the
aforementioned duty, resulting in an insufficient number of personnel responsible for energy according to the
criteria set forth in Item 4 of the Ministerial Regulations Prescribing Qualifications, Duties and Number of
Personnel Responsible for Energy B.E. 2552, (name of juristic person) shall proceed to appoint a new (senior)
person to be responsible for energy to replace the previous person according to the number, qualifications, and
duration set forth in this Ministerial Regulation.

Having, therefore, notified you for your information,

Respectfully yours,

Signed.....

(Name and Surname of Designated Factory/Building or Authorized Person)

(Juristic Person's Seal)

Remarks: Words or Statements May Be Amended, Deleted, Or Added As Deemed Appropriate.

Appendix E2

Example of form regarding the

Appointment of replacement PRE for use

by small- and large-size designated

factories and buildings

Applicant's seal/symbol
and letter head (if any)

**Example of form regarding
the Appointment of replacement PRE
for use by small- and large-size designated factories
and buildings**

DateMonth.....Year.....

Subject: Appointment of Replacement for Personnel Responsible For Energy

Attn: Department of Alternative Energy Development and Efficiency (DEDE)

Refers to: (Letter of Designated Factory/Building Dated According to Appendix E1)

- Attached:
1. Form for the appointment of person responsible for energy (Form Bor. Por. Chor.1)
 2. Form certifying work performance in energy preservation obtained from operation in a designated factory or building (Form Bor. Por. Chor.2)–In the event that the person responsible for energy possesses qualifications according to 3.1 or 3.2
 3. Form certifying work performance in energy preservation obtained from operation in a factory/ building that is not a designated factory or building (Form Bor. Por. Chor.3)–In the event that the person responsible for energy possesses qualifications according to 3.1 or 3.2

In that the letter refers to (juristic person's name), who is the owner of (name of designated factory/building) TSIC-ID.....and has reported the release from duty as a (senior) person responsible for energy of (Mr./Mrs./Miss)..... and will proceed to appoint a new person responsible for energy to replace the previous person according to the aforementioned details reported,

Now, (name of juristic person) would like to appoint (Mr./ Mrs./Miss) as the person responsible for energy (senior) at (name of designated factory/building) according to the details, including documents and evidence as attached in 1 (2 and 3, if any).

Having, therefore, notified you for your consideration and taking this opportunity to thank you,

Respectfully yours,

Signed.....

(Name and Surname of Designated Factory/Building or Authorized Person)

(Juristic Person's Seal)

Remarks: Words or Statements May Be Amended, Deleted, Or Added As Deemed Appropriate.

Appendix F

**Example of form regarding appointment
and extension of time to appoint senior
PRE of two years from date ministerial
regulation was enacted
(if recognized as designated
factory/building before or on the date
ministerial regulation was enacted and
owner has already appointed PRE)**

Appendix F 1

**Example of form regarding facilities that
have already appointed PRE for use by
small-sized factories and buildings
(if recognized as designated
factory/building before or on the date the
ministerial regulation was enacted and
owner has already appointed PRE)**

Applicant's seal/symbol
and letter head (if any)

**Example of form regarding facilities
that have already appointed PRE for use
by small-sized factories and buildings (if recognized as designated
factory/building before or on the date the ministerial regulation was enacted and owner
has already appointed PRE)**

DateMonth.....Year.....

Subject: Notification of Appointment of Personnel Responsible for Energy

Attn: Department of Alternative Energy Development and Efficiency (DEDE)

In that (juristic person's name), who is the owner of (name of designated factory/building) TSIC-ID..... would like to report the appointment of (Mr./Mrs./Miss)..... number (Por Chor Ror./ Por Chor Or.....) who is qualified according to 2(1) (2) or (3) of the Ministerial Regulations Prescribing Qualifications, Duties and Number of Personnel Responsible for Energy B.E. 2552 as the person who is responsible for energy at (name of designated factory/building) from date.....month.....year.....and shall perform the aforementioned duty according to the criteria set forth in this Ministerial Regulation.

Having, therefore, notified you for your information,

Respectfully yours,

Signed.....

(Name and Surname of Designated Factory/Building or Authorized Person)

(Juristic Person's Seal)

Remarks: Words or Statements May Be Amended, Deleted, Or Added As Deemed Appropriate.

Appendix F 2

**Example of form regarding facilities that
have already appointed PRE for use by
large-sized factories and buildings
(if recognized as designated
factory/building before or on the date
ministerial regulation was enacted and
owner has already appointed PRE)**

Applicant's seal/symbol
and letter head (if any)

**Example of form regarding facilities that have already
appointed PRE for use by large-sized factories and buildings
(if recognized as designated factory/building before or on the
date ministerial regulation was enacted and owner has already
appointed PRE)**

DateMonth.....Year.....

Subject: Appointment Of Replacement for Person Responsible For Energy

Attn: Department of Alternative Energy Development and Efficiency (DEDE)

In that (juristic person's name), who is the owner of (name of designated factory/building) TSIC-ID.....would like to report the appointment of (Mr./Mrs./Miss)..... number (Por Chor Ror./ Por Chor Or.....) who is qualified according to 2(1) (2) or (3) of the Ministerial Regulations Prescribing Qualifications, Duties and Number of Personnel Responsible for Energy B.E. 2552 as the person responsible for energy at (name of designated factory/building) from date.....month.....year..... who shall perform the aforementioned duty according to the criteria set forth in this Ministerial Regulation and (juristic person's name) shall appoint at least one senior person responsible for energy according to the qualifications and duration set forth in this Ministerial Regulation without delay.

Having, therefore, notified you for your information,

Respectfully yours,

Signed.....

(Name and Surname of Designated Factory/Building or Authorized Person)

(Juristic Person's Seal)

Remarks: Words or Statements May Be Amended, Deleted, Or Added As Deemed Appropriate.

Appendix F 3

Example of form regarding appointment of senior PRE within two years from date ministerial regulation was enacted (if recognized as designated factory/building before or on the date ministerial regulation was enforced and owner has already appointed PRE)

Applicant's seal/symbol
and letter head (if any)

**Example of form regarding appointment of senior PRE within
two years from date ministerial regulation was enacted
(if recognized as designated factory/building before or on the
date ministerial regulation was enforced and owner has already
appointed PRE)**

DateMonth.....Year.....

Subject: Appointment of Senior Person Responsible for Energy

Attn: Department of Alternative Energy Development and Efficiency (DEDE)

Refers to: (Letter of Designated Factory/Building Dated According to Appendix F2)

Attached: One form for the appointment of person responsible for energy (Form Bor. Por. Chor.1)

In that the letter refers to (juristic person's name), who is the owner of (name of designated factory/building) TSIC-ID.....must proceed with the appointment of at least one (senior) person to be responsible for energy according to the qualifications and duration set forth in the Ministerial Regulations Prescribing Qualifications, Duties and Number of Personnel Responsible for Energy B.E. 2552,

Now, (name of juristic person) would like to appoint (Mr./ Mrs./Miss).....
as the (senior) person who is responsible for energy at (name of designated factory/building) wherein the details, including documents and evidence, are as attached.

Having, therefore, notified you for your consideration and taking this opportunity to thank you,

Respectfully yours,

Signed.....

(Name and Surname of Designated Factory/Building or Authorized Person)

(Juristic Person's Seal)

Remarks: Words or Statements May Be Amended, Deleted, Or Added As Deemed Appropriate.

Appendix F 4

Example of form regarding request for extension of appointment period of senior PRE within two years from date ministerial regulation was enacted

(if recognized as designated factory/building before or on the date ministerial regulation was enacted and owner has already appointed PRE)

Applicant's seal/symbol
and letter head (if any)

**Example of form regarding request for extension of appointment
period of senior PRE within two years from date ministerial
regulation was enacted**

**(if recognized as designated factory/building before or on the
date ministerial regulation was enacted and owner has already
appointed PRE)**

DateMonth.....Year.....

Subject: Request For Extension of Appointment Period for Senior Personnel Responsible For Energy

Attn: Department of Alternative Energy Development and Efficiency (DEDE)

Refers to: (Letter of designated factory/building dated according to Appendix F2)

Attached: 1. (Documents or evidence clearly show that the owner of the designated factory/building has proceeded with the matter but still has not been able to find a person to perform the aforementioned duty within 180 days of the Ministerial Regulation Effective Date)

In that this letter refers to (juristic person's name), who is the owner of (name of designated factory/building) TSIC-ID.....who has reported the appointment of at least one person who is responsible for energy (senior) within 180 days of the effective date of the Ministerial Regulations Prescribing Qualifications, Duties and Number of Personnel Responsible for Energy B.E. 2552,

Now, (name of juristic person) would like to clarify that action had been taken on the aforementioned matter, but the person responsible for energy (senior) could not be procured within the specified time due to (state a clear reason why the senior person responsible for energy has not yet been procured and the reason must not be the fault of the owner of the designated factory/building) according to the details as attached. Therefore, an extension for the appointment of senior personnel responsible for energy until a period of two years from the Ministerial Regulation Effective Date has been reached is hereby requested. Furthermore, when the matter has been settled, you will be notified without delay.

Having, therefore, notified you for your consideration and taking this opportunity to thank you,

Respectfully yours,

Signed.....

(Name and Surname of Designated Factory/Building or Authorized Person)

(Juristic Person's Seal)

Remarks: Words or Statements May Be Amended, Deleted, Or Added As Deemed Appropriate.

Appendix G

**Example of form requesting extension of
time to appoint senior PRE
(if recognized as designated
factory/building after the date ministerial
regulation was enacted and not in excess of
two years since date ministerial regulation
was enacted)**

Applicant's seal/symbol
and letter head (if any)

**Example of form requesting extension of time
to appoint senior PRE**

**(if recognized as designated factory/building after the date
ministerial regulation was enacted and not in excess of two years
since date ministerial regulation was enacted)**

Date.....Month.....Year.....

Subject: Request to Extend Appointment Period for Senior Personnel Responsible for Energy

To: Director, Department of Alternative Energy Development and Efficiency (DEDE)

Attached Documents: (Documents or evidence clearly indicating that the owner of the designated factory/building has taken action toward the procurement of senior personnel responsible for energy, but remains unable to procure the person to perform the aforementioned duties within 180 days from the day of becoming a controlling factory or controlling

In that (name of juristic person), the owner of (name of designated factory/building), TSIC-ID..... have taken due action and appointed at least one Senior Personnel Responsible for Energy within 180 days from the date of becoming a designated factory/building but have remained unable to provide a person to perform the aforementioned duties within the specified time period because (clearly specify regarding the reason why personnel could not be procured to perform duties as senior personnel responsible for energy and why it was not the fault of the owner of the designated factory/building) according to the details of the items sent.

Therefore, (name of juristic person) wishes to request approval for extension of the appointment period of senior personnel responsible for energy until the specified period of two years from the effective date of the Ministerial Regulations Prescribing Qualifications, Duties and Number of Personnel Responsible for Energy B.E. 2552. Furthermore, I shall notify you without delay upon the completion of this task.

Having, therefore, notified you for your information with great appreciation on this occasion,

Respectfully yours,

Signed.....

(Name and Surname of the Owner of the Designated Factory/Building or an Authorized Individual)

(Stamp the Juristic Person Seal)

Remarks: Words or Statements May Be Amended, Deleted, Or Added As Deemed Appropriate.

Appendix H

**Example of form regarding appointment
and extension of time to appoint to replace
senior PRE (within two years from date
ministerial regulation was enacted)**

Appendix H 1

**Example of form regarding senior PRE
relieved from duty (within two years from
date ministerial regulation was enacted)**

Applicant's seal/symbol
and letter head (if any)

**Example of form regarding senior PRE relieved from duty
(within two years from date ministerial regulation was enacted)**

Date.....Month.....Year.....

Subject: Notification of the Release from Duties of Senior Personnel Responsible for Energy

Attn: Director, Department of Alternative Energy Development and Efficiency (DEDE)

In that (name of juristic person), the owner of (name of designated factory/building), TSIC-ID....., do hereby report that (Mr./Mrs./Ms.)....., No. (Por Chor Ror./Por Chor Or.....) previously a senior personnel responsible for energy at (name of designated factory/building) shall hereinafter be released from performing the aforementioned duty, causing for the number of persons responsible for energy to be short of the criteria set forth in Clause 4 of the Ministerial Regulations Prescribing Qualifications, Duties and Number of Personnel Responsible for Energy B.E. 2552 and (name of juristic person) will proceed to appoint new senior personnel responsible for energy in order to perform duties instead of the former individual according to the number, qualifications and time period set forth in this Ministerial Regulation.

Having, therefore, notified you for your information,

Respectfully yours,

Signed.....

(Name and Surname of the Owner of the Designated Factory/Building or an Authorized Individual)

(Stamp the Juristic Person Seal)

Remarks: Words or Statements May Be Amended, Deleted, Or Added As Deemed Appropriate.

Appendix H 2

Example of form regarding appointment of replacement senior PRE

**(within two years from date ministerial
regulation was enacted)**

Applicant's seal/symbol
and letter head (if any)

**Example of form regarding appointment
of replacement senior PRE
(within two years from date ministerial regulation was enacted)**

Date.....Month.....Year.....

Subject: Notification of Appointment of New Senior Personnel Responsible for Energy

Attn: Director, Department of Alternative Energy Development and Efficiency (DEDE)

Reference: (Letter of the Designated Factory/Building Dated According to **Appendix H-1**)

Attached: Form of Appointment for Persons Responsible for Energy (Bor Por Chor. 1 Form)

According to the letter referenced, (name of juristic person), the owner of (name of designated factory/building), TSIC-ID....., has reported the release of (Mr./Mrs./Ms.)....., No. (Por Chor Ror./Por Chor Or.....) from the aforementioned duties and will proceed to appoint a new senior personnel responsible for energy in order to perform duties according to the details reported.

Now, (name of juristic person) wishes to appoint (Mr./Mrs./Ms.)..... as a senior personnel responsible for energy at (name of designated factory/building) with details including various documents and evidence as shown in the items sent.

Having, therefore, notified you for your consideration and taking this opportunity to thank you,

Respectfully yours,

Signed.....

(Name and Surname of the Owner of the Designated Factory/Building or an Authorized Individual)

(Stamp the Juristic Person Seal)

Remarks: Words or Statements May Be Amended, Deleted, Or Added As Deemed Appropriate.

Appendix H 3

**Example of letter requesting extension of
time to appoint replacement senior PRE
(within two years from date ministerial
regulation was enacted)**

Applicant's seal/symbol
and letter head (if any)

**Example of letter requesting extension of time to appoint
replacement senior PRE
(within two years from date ministerial regulation was enacted)**

Date.....Month.....Year.....

Subject: Request to Extend Appointment Period for Senior Personnel Responsible for Energy

Attn: Director, Department of Alternative Energy Development and Efficiency (DEDE)

Reference: (Letter of Designated Factory/Building Dated According to Appendix H-1)

Attached: (Documents or evidence clearly indicating that the owner of the designated factory/building has taken action toward the procurement of senior personnel responsible for energy, but remains unable to procure the personnel to perform the aforementioned duties within 180 days from the date the former individual was released from his/her position)

According to the letter referenced, (name of juristic person), the owner of (name of designated factory/building), TSIC-ID....., must proceed to appoint new senior personnel responsible for energy in order to perform duties instead of the former person within 180 days since the former Senior Personnel Responsible for Energy has been released from office according to the details reported,

Regarding this subject, (name of juristic person) has explained that he/she has already taken action on the aforementioned topic but remains unable to procure personnel to perform duties as senior personnel responsible for energy within the specified time period because (clearly specify the reason why personnel could not be procured to perform duties as senior personnel responsible for energy and why it was not the fault of the owner of the designated factory/building) according to the attached details and, therefore, does hereby request an extension of the appointment period for senior personnel responsible for energy until the specified time within two years of the Ministerial Regulations Prescribing Qualifications, Duties and Number of Personnel Responsible for Energy B.E. 2552 and will report without delay once the aforementioned task is complete.

Having, therefore, notified you for your consideration and taking this opportunity to thank you,

Respectfully yours,

Signed.....

(Name and Surname of the Owner of the Designated Factory/Building or an Authorized Individual)

(Stamp the Juristic Person Seal)

Remarks: Words or Statements May Be Amended, Deleted, Or Added As Deemed Appropriate.