

**Nội dung toàn văn Circular 25/2020/TT-BCT preparing plans for economical and efficient use of energy**

**MINISTRY OF INDUSTRY  
AND TRADE**

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**SOCIALIST REPUBLIC OF VIETNAM  
Independence – Freedom – Happiness**

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No. 25/2020/TT-BCT

*Hanoi, September 29, 2020*

**CIRCULAR**

**ON PREPARING PLANS FOR ECONOMICAL AND EFFICIENT USE OF ENERGY AND REPORTS  
ON IMPLEMENTATION THEREOF; IMPLEMENTATION OF ENERGY ACCOUNTING**

*Pursuant to Law on Economical and Efficient Use of Energy dated June 17, 2010;*

*Pursuant to Decree No. 98/2017/ND-CP dated August 18, 2017 of the Government on functions, tasks, powers, and organizational structure of the Ministry of Industry and Trade;*

*Pursuant to Decree No. 21/2011/ND-CP dated March 29, 2011 of Government on elaborating to Law on Economical and Efficient Use of Energy;*

*At request of Director General of Energy Efficiency and Sustainable Development Department;*

*Minister of Industry and Trade promulgates on preparing plans for economical and efficient use of energy and reports on implementation thereof; implementation of energy accounting.*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1. Scope**

This Circular prescribes:

1. Preparation of annual list of primary energy consumers.
2. Preparation of annual and 5-year plans and reports on economical and efficient use of energy of primary energy consumers.
3. Preparation of annual plans and reports on energy use of agencies and entities with at least 100,000 kWh of annual energy consumption.

4. Procedures for implementation and detail of report on energy accounting.

## **Article 2. Regulated entities**

1. This Circular applies to:

- a) Primary energy consumers (hereinafter referred to as “facilities”);
- b) Agencies and entities using state budget or part of state budget (hereinafter referred to as “agencies and entities”);
- c) Energy accounting organization;
- d) Other relevant agencies, organizations and individuals.

2. This Circular does not apply to agencies and entities operating in national defense and security sectors. With respect to intermediary entities that transport, trade or distribute energy, amount energy traded and distributed within consumption quota of the entities shall be excluded.

## **Article 3. Term interpretation**

In this Circular, terms below are construed as follows:

1. “*website*” refers to an information website of national database on energy consumption at the address of <http://dataenergy.vn>.
2. “*primary energy consumer*” refers to an industrial, agricultural or transportation facility having annual energy consumption of at least 1,000 tonne of oil equivalent (TOE); a construction building used as head office, working office or house; education institution, medical establishment, recreational facility or sport facility; hotel, supermarket, restaurant or shop having annual energy consumption of at least 500 tonne of oil equivalent (TOE).
3. “*the year of N*” refers to the reporting year, determined by calendar year

## **Chapter II**

### **PREPARATION OF LIST OF PRIMARY ENERGY CONSUMERS, PREPARATION OF PLANS AND REPORTS ON ECONOMICAL AND EFFICIENT USE OF ENERGY**

#### **Section 1. PREPARATION OF ANNUAL LIST OF PRIMARY ENERGY CONSUMERS**

### **Article 4. Consolidation and collection of annual energy consumption data**

1. Before December 15 of the year N-1, Departments of Industry and Trade are responsible for issuing Official Dispatches requesting energy consumers in the areas to report on energy consumption data in the year N-1, including:

- a) Primary energy consumers according to Decisions of the Prime Minister on approving list of primary energy consumers for the year N-2;

b) Energy consumers having energy consumption of at least 600 TOE (or 3.6 million kWh) participating in industrial, agricultural or transportation sector; at least 300 TOE (or 1.8 million kWh) for construction buildings. This list of primary energy consumers shall be verified by Departments of Industry and Trade based on list of energy consumers of the latest year of General Statistics Office of Vietnam and estimated accumulated electrical production for the entire N-1 year of energy consumers under list of major customers of Vietnam Electricity under the website: <https://sudungdien.evn.com.vn>.

Departments of Industry and Trade shall attach accounts and online report login instruction on the website <http://dataenergy.vn> to the Official Dispatches requesting annual reports on energy consumption.

2. Hanoi city Power Corporation, Ho Chi Minh city Power Corporation and Power Corporations of provinces and central-affiliated cities are responsible for cooperating and informing local Departments of Industry and Trade on energy consumption data in N-1 year of energy consumers in the areas, serving preparation of annual list of primary energy consumers.

#### **Article 5. Report on energy consumption of energy consumers**

1. Before January 15 of the year N, energy consumers specified under Points a and b Clause 1 of Article 4 are responsible for submitting reports to local Departments of Industry and Trade on energy consumption in the year N-1 using Form 1.1 under Annex I attached to this Circular on the website <http://dataenergy.vn>.

2. Annual reports on energy consumption of energy consumers shall be produced according to following procedures:

a) Energy consumers shall access the website <http://dataenergy.vn>, input data according to the steps shown on the website and submit reports to Departments of Industry and Trade;

b) Immediately after receiving the reports, Departments of Industry and Trade shall verify data before officially responding to energy consumers on the website <http://dataenergy.vn> within 5 working days;

c) In case energy consumers are requested by Departments of Industry and Trade to revise, revise and complete the reports on the website within 5 working days;

3. If energy consumers specified under Points a and b Clause 1 Article 4 fail to submit reports to Departments of Industry and Trade before the end of January 15 of the N year, Departments of Industry and Trade shall:

a) send Official Dispatches to energy consumers requesting submission of reports on energy consumption to Departments of Industry and Trade within 5 working days;

b) submit Official Dispatches to Department of Transport, Department of Agriculture and Rural Development and Department of Construction requesting cooperation and data on energy consumption within 5 working days;

c) submit Official Dispatches to Power Corporation, Power Corporations of provinces and cities in the areas requesting data on energy consumption of energy consumers within 5 working days.

#### **Article 6. Preparation of annual list of primary energy consumers and report thereon**

1. Departments of Industry and Trade are responsible for consolidating annual lists of primary energy consumers of the year N-1 in the areas, requesting People's Committees of provinces and cities to approve,

submitting physical copies to Ministry of Industry and Trade and uploading on the website <http://dataenergy.vn> before February 1 of the year N.

2. Annual reports on primary energy consumers shall conform to Form 1.9 under Annex I attached to this Circular.

## **Section 2. PREPARATION OF PLANS FOR ECONOMICAL AND EFFICIENT USE OF ENERGY AND REPORTS ON IMPLEMENTATION THEREOF**

### **Article 7. Preparation of annual plans for economical and efficient use of energy of facilities and report on implementation thereof**

1. Before April 30 of each year, facilities must produce plans for the N year and reports on implementation of economical and efficient energy use plans for the N-1 year of the facilities, and register with local Departments of Industry and Trade on the website <http://dataenergy.vn>.

2. Year N plans and reports on implementation of year N-1 plans on economical and efficient use of energy of the facilities shall include details specified under Forms 1.2 to 1.8 under Annex I attached to this Circular. The facilities shall choose a Form suitable for their field of operation to develop year N plans and reports on implementation of year N-1 plan.

3. Preparation and registration for year N plans and reports on implementation of year N-1 plans for economical and efficient use of energy of facilities shall conform to following procedures:

a) Access the website <http://dataenergy.vn>, input data according to the steps shown on the website;

b) In case the facilities are requested by Departments of Industry and Trade to revise, revise and update plans and reports on implementation thereof on the website;

4. Facilities are responsible for organizing full implementation of annual plans for economical and efficient use of energy once register.

### **Article 8. Preparation of 5-year plans for economical and efficient use of energy of facilities and report on implementation thereof**

1. Before the first April 30 of every 5 years, facilities must produce plans for economical and efficient energy use for the next 5 years and reports on implementation of the previous 5-year plans submit to local Departments of Industry and Trade on the website <http://dataenergy.vn>.

2. 5-year plans and reports on implementation of 5-year plans on economical and efficient use of energy of the facilities shall include details specified under Annex II attached to this Circular.

3. Preparation and registration for 5-year plans and reports on implementation of 5-year plans for economical and efficient use of energy of facilities shall conform to following procedures:

a) Access the website <http://dataenergy.vn>, input data according to the steps shown on the website;

b) In case the facilities are requested by Departments of Industry and Trade to revise, revise and update 5-year plans and reports on implementation thereof on the website;

c) Reports on implementation of 5-year plans shall be automatically calculated and updated via database on national energy use based on results of reports on implementation of annual plans of the facilities.

4. Facilities are responsible for organizing full implementation of 5-year plans for economical and efficient use of energy once register.

#### **Article 9. Preparation of annual plans and reports on annual energy use of agencies and entities**

1. Before December 15 of N-1 year, Departments of Industry and Trade are responsible for issuing Official Dispatches requesting local agencies and entities having annual energy consumption of at least 100,000 kWh (according to list of major customers of Vietnam Electricity under the website <https://sudungdien.evn.com.vn>) to produce year N plan and energy use of N-1 year. Departments of Industry and Trade shall attach accounts and online report login instruction on the website <http://dataenergy.vn> to the Official Dispatches.

2. Before April 30 of each year, agencies and entities specified under Clause 1 of this Article are responsible for developing, registering plans and submitting reports to local Departments of Industry and Trade on energy consumption in the year N-1 using Form 1.5 under Annex I attached to this Circular on the website <http://dataenergy.vn>.

3. Development and registration of annual plans and reports on annual energy consumption of agencies and entities specified under Clause 1 of this Article shall conform to following procedures:

a) Access the website <http://dataenergy.vn>, input data according to the steps shown on the website;

b) In case agencies and entities are requested by Departments of Industry and Trade to revise, revise and update plans and reports on energy consumption on the website;

4. Agencies and entities are responsible for organizing full implementation of annual plans once register; fully comply with Articles 30 and 31 of Law on Economical and Efficient Use Of Energy.

#### **Article 10. Deadline for confirmation and completion of reports on energy consumption, registration of plans and reports on implementation of annual plans and 5-year plans for economical and efficient use of energy of agencies and entities**

1. Within 20 working days from the date on which registration for annual plans and 5-year plan and reports on implementation thereof regarding economical and efficient use of energy of the facilities; registration for annual plans for economical and efficient use of energy of agencies and entities, Departments of Industry and Trade shall examine, respond and verify the results on the website <http://dataenergy.vn>.

2. In case of registration for annual plans 5-year plans and reports on annual plans and 5-year plans of the facilities; registration for annual plans for economical use and efficient use of energy and annual reports on energy consumption of agencies and entities are inadequate or inaccurate, Departments of Industry and Trade are responsible for requesting said facilities, entities and agencies to revise reports. Facilities, agencies and entities are responsible for revising and completing reports within 20 working days after receiving request for revision of Departments of Industry and Trade.

#### **Article 11. Development of energy management model**

1. Facilities must adopt energy management model with requirements specified under Article 8 of Decree No. 21/2011/ND-CP dated March 29, 2011 of the Government on elaborating to Law on Economical and Efficient

Use Of Energy, report to local Departments of Industry and Trade and include in reports on implementation of annual energy consumption plan on the website <http://dataenergy.vn>.

2. Departments of Industry and Trade are responsible for examining and encouraging facilities to adopt energy management model.

a) In case facilities have not adopted energy management model, Departments of Industry and Trade are responsible for requesting the facilities to adopt energy management model and list the facilities for next year examination;

b) With respect to facilities recently included in list of primary energy consumers according to Decisions of the Prime Minister, within 1 year from the date on which Decisions of the Prime Minister are issued, facilities are responsible for developing and adopting energy management model and reporting to Departments of Industry and Trade in annual reports on energy consumption plan on the website <http://dataenergy.vn>.

#### **Article 12. Report on compliance with regulations of facilities, agencies and entities**

Departments of Industry and Trade are responsible for producing reports on assessing implementation of annual plans and 5-year plans of local facilities, entities and agencies using Form 1.10 under Annex I attached to this Circular.

Before June 15 each year, Departments of Industry and Trade shall consolidate list and report to Ministry of Industry and Trade on the website <http://dataenergy.vn> and report to People's Committees of provinces and central-affiliated cities.

### **Chapter III**

#### **ENERGY ACCOUNTING**

#### **Article 13. Implementation of energy accounting for primary energy consumers**

1. Facilities are responsible for implementing compulsory energy accounting every 3 years. Steps for energy accounting and details of energy accounting reports of facilities are specified under Annex III attached to this Circular.

2. Energy accounting results are energy accounting reports, including survey and metrological figures, collection of figures on energy consumption of facilities, analysis, calculation and assessment of energy consumption efficiency, assessment of energy economical potential, suggested energy saving solutions, analysis of efficiency in investing in suggested energy saving solutions to enable facilities to select and implement.

3. Within 30 days after performing energy accounting, facilities are responsible for submitting energy accounting reports to local Departments of Industry and Trade in writing.

4. Within 30 days after receiving energy accounting reports, Departments of Industry and Trade are responsible for receiving, approving or requesting revising according to Annex 4 of this Circular. Facilities are responsible for completing energy accounting reports and submitting to Departments of Industry and Trade in writing within 60 days after receiving request for revision of Departments of Industry and Trade.

5. With respect to facilities recently added to list of primary energy consumers according to Decisions of the Prime Minister, within 1 year from the date on which Decisions of the Prime Minister are issued, facilities are responsible for finishing energy accounting reports and submitting to Departments of Industry and Trade.

**Article 14. Implementation of energy accounting for facilities not specified under list of primary energy consumers**

Encourage industrial, agricultural, construction and transportation facilities not specified under list of primary energy consumers to periodically perform energy accounting once every 3 to 5 years to identify energy saving opportunities, select and apply methods for efficient and economical use of energy.

**Article 15. Exemption from energy accounting**

1. Primary energy consumers operating in transportation sector are exempted from performing energy accounting.
2. Facilities operating in multiple sectors which include transportation shall only exempted from implementing energy accounting for transportation affairs.

**Chapter IV**

**IMPLEMENTATION**

**Article 16. Responsibilities of Energy Efficiency and Sustainable Development Department**

1. Organizing supervision, examining energy consumption of facilities and agencies and entities.
2. Cooperating with People's Committees of provinces, economic corporations and government corporations in preparing list of primary energy users in the country, reporting to the Minister to request approval of Prime Minister and publicize annually.
3. Cooperating with Departments of Industry and Trade in guiding facilities in preparing plans and reports on implementation of annual plans and 5-year plans on economical and efficient energy consumption; guiding implementation of regulations on economical and efficient energy consumption and energy accounting.
4. Publicizing list of primary energy consumers annually and managing, guiding access, use and extraction of the website <http://dataenergy.vn> in case organizations and individuals request as per the law.

**Article 17. Responsibilities of Departments of Industry and Trade**

1. Cooperating with Energy Efficiency and Sustainable Development Department in guiding, encouraging and examining implementation of efficient and economical energy consumption.
2. Examining and supervising implementation of this Circular within their management.
3. Take charging and cooperating with Departments of different sectors in examining, expediting and instructing entities specified under Points a and b Clause 1 Article 4 to fully exercise obligations specified under this Circular.

4. Guiding and encouraging agencies and entities locally based to fully exercise responsibility of preparing annual plans and report on annual energy consumption as per the law.
5. Taking charge and cooperating with relevant agencies in organizing communication and popularization regarding economical and efficient use of energy in local administrative divisions; promptly encouraging and commending organizations and individuals that deal with violations in economical and efficient use of energy in a timely manner.
6. Requesting People's Committees of provinces and central-affiliated cities to adopt measures to promote economical and efficient use of energy in local administrative divisions according to regulations and law, and this Circular.

**Article 18. Responsibilities of economic groups and government corporations**

1. Thoroughly publicizing, directing, encouraging and assisting member entities of groups and corporations in fully complying with this Circular.
2. Identifying objectives of energy efficiency suitable for operation conditions of groups and corporations.
3. Developing programs for economical and efficient use of energy and applying in groups and corporations.
4. Selecting and directing entities to adopt measures to manage and adopt appropriate technology to improve energy usage, reduce energy intensity and reduce energy needed or a unit of product.
5. Cooperating with Departments of Industry and Trade in guiding and encouraging primary energy users under management of groups and corporations to fully exercise responsibility of reporting on annual energy consumption; reviewing and reporting list of customers consuming energy excessively at request of Ministry of Industry and Trade.

**Article 19. Implementation**

1. This Circular comes into force from November 13, 2020.
2. This Circular replaces Circular No. 09/2012/TT-BCT dated April 20, 2012 of Minister of Industry and Trade on preparing plans and reports on implementation of plans for economical and efficient use of energy; implementation of energy accounting.
3. Annul Article 1 Circular No. 42/2019/TT-BCT dated December 18, 2019 of Minister of Industry and Trade on amendment to periodic reporting regime in Circulars issued or jointly issued by Minister of Industry and Trade.
4. Difficulties that arise during the implementation of this Circular should be reported to the Ministry for consideration/

**MINISTER**



**Tran Tuan Anh**