

**NOTIFICATION OF THE DEPARTMENT OF
ENERGY BUSINESSES**

Re: Criteria and Procedure pertaining to Insurance Coverage to be Procured for Injured Parties as the Result of Dangers Ensuing from the Conduct of Controlled Operations under Category 3

B.E. 2549
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By virtue of Section 31 of the Ministerial Regulations which set out criteria, procedure and terms governing notification, license and rates of fees pertaining to the conduct of fuel oil operations, B.E. 2546, issued pursuant to the Fuel Oils Control Act, B.E. 2542, the Director-General of the Department of Energy Businesses hereby issue this Notification, as follows:

1. This Notification will be called: “Notification of the Department of Energy Businesses re: Criteria and Procedure Pertaining to Insurance Coverage to be Procured for Injured Parties as the Result of Dangers Ensuing from the Conduct of Controlled Operations under Category 3, B.E. 2549”.

2. This Notification shall come in to force as from the date following its publication in the Government Gazette.

3. In this Notification, the following terms shall have the meanings as defined below:
“Injured Party” means entity or legal entity who/which has suffered damages to lives, limbs or properties as the result of fire or explosion caused by controlled operations under Category 3, but excluding family members or people living under the same room with the Insured Party or its employees during their course of employment, or individuals who are carrying out work, during the time of such incident(s) for the Insured Party under employment contract or training.

4. The party licensed to conduct controlled operations under Category 3 pursuant to the Fuel Oils Control Act, B.E. 2542 must take out insurance coverage against damages for those injured from fire or explosion as the result of the conduct of such controlled operations under Category 3.

5. Insurance coverage taken out for each location of operations shall have an insured sum covering damages incurred each time for the loss of lives, limbs, disabilities or for the costs of medical treatment and damages to properties belonging to the injured party for a sum of indemnification of not less than those listed below:

- (1) For fuel oils storage premises, Category Three: the insured sum shall be Baht 1,500,000.
- (2) For oil depots, the insured sum shall be: Baht 25,000,000.

- (3) Fuel Oil Service Station, Category A or B: the insured sum shall be: Baht 2,000,000.
- (4) For Oil Service Station, Category C, Type Two: the insured sum shall be: Baht 1,000,000.
- (5) For Fuel Oil Service Station, Category E, Type Two: the insured sum shall be: Baht 500,000.
- (6) For Fuel Oil Service Stations, Category F, their insured sums shall be as follows:
 - A. Fuel oil service stations, Category F, with fuel oils storage not exceeding 500,000 litres: the insured sum shall be Baht 1,500,000.
 - B. Fuel oil service stations, Category F, with fuel oils storage exceeding 500,000 litres: the insured sum shall be Baht 20,000,000.

6. As for insurance coverage for each accident under 5, indemnification for the injured parties shall be as follows:

- (1) For medical expenses: payment to be paid per actual expenses incurred but not exceeding Baht 100,000 per person.
- (2) In case of total physical disability or death: Bt 100,000/person.
- (3) For damaged properties: payment payable per actuals but within the maximum limit of the insured sum under 5.

However, for (1) and (2) above, the aggregate sum must not exceed Baht 100,000 per person.

7. The term of the insurance policy: coverage will remain throughout such times that the controlled operations under Category 3 are conducted by the relevant operator(s).

8. Insurance coverage policy shall be taken out by the applicant for the License to Conduct Controlled Operations under Category 3, as prescribed herein, and copies of such insurance policy and the Insurance Schedule shall be sent to the Department of Energy Businesses before issuing the License.

9. The Licensee to Conduct Controlled Operations under Category 3 who have taken out insurance coverage under 4 must make an open display of such Schedule of the insurance policy where it can be seen easily at all of its operating premises as listed in the License to Conduct Controlled Operations under Category 3.

10. Licensees who have been authorized to conduct controlled operations under Category 3 before this Notification comes into force, must take action to have insurance coverage take out as prescribed by this Notification within one hundred and eighty days prior to the enforcement of this Notification.

Given on December 12th, 2006.

Mettha Banternsuk
Director-General, Department of Energy Businesses.