

CIRCULAR

on

TRAINING, CERTIFICATION OF ENERGY MANAGERS AND ENERGY AUDITORS

Pursuant to the Decree No.189/2007/ND-CP of December 27, 2007 of the Government regulating functions, duties, powers and organizational structure of the Ministry of Industry and Trade;

Pursuant to the Decree No.44/2011/ND-CP of the Government dated June 14, 2011 amending and supplementing Article 3 of the Decree No.189/2007/ND-CP of December 27, 2007 of the Government regulating functions, duties, powers and organizational structure of the Ministry of Industry and Trade;

Pursuant to the Law on Economic and Efficient Use of Energy;

Pursuant to the Decree No.21/2011/ND-CP dated March 29, 2011 of the Government regulating in details and measures of implementation of the Law on Economic and Efficient Use of Energy;

Minister of Industry and Trade regulates on training and grant of certificates of energy management and energy auditors as follows,

Chapter I

GENERAL PROVISIONS

Article 1. Scope of governing

This Circular provides for training in energy management, energy auditors; authorization to issue, recognize certificates of energy management; issue, recognition and revocation of certificates of energy auditors.

Article 2. Subjects of application

This Circular applies to organizations and individuals involved in activities of training, grant, and recognition of certificates for energy management; training, grant, recognition, revocation of certificates of energy auditors.

Article 3. Interpretation of terms

1. *Certificate of energy management*: means a certificate issued by the Ministry of Industry and Trade to person who achieved result in examination for granting certificate of energy management.

2. *Certificate of energy auditor*: means a practicing certificate issued by the Ministry of Industry and Trade to person who achieved result in examination for granting certificate of energy auditor.

Chapter II

TRAINING FACILITIES OF ENERGY MANAGEMENT, ENERGY AUDITORS

Article 4. Conditions to be recognized as a training facility of energy management, energy auditors

Training facility of energy management, energy auditors is an organization established under the provisions of the law and meeting the following conditions:

1. On the material facilities
 - a) Having classrooms with areas, lighting conditions, ventilation in accordance with Vietnam standards; with minimum teaching facilities including computers, projectors, screens, boards and other necessary equipment;
 - b) Having practice facility of thermal systems, pumping systems, fan systems, compressed air, and lighting systems;
 - c) Having adequate facilities for energy audit.
2. On the lecturers
 - a) There must be enough number of lecturers to meet the training scale, including there are at least two lecturers of the permanent staff of the training facility;
 - b) Lecturers must have qualifications from degree of university or higher in engineering related to energy, energy audits, to meet the requirements of the training program.
3. Having a training management apparatus meeting requirements for professional expertise for training.

Article 5. Registration dossier

Training facility meeting the conditions specified in Article 4 of this Circular, makes dossier to send to General Directorate of Energy. Registration dossier comprises:

1. The application for recognition as the training facility of energy management and energy auditors should be shown the information related to training facility such as the legal representative, contact address, phone number, email, and website. Application form is prescribed in Appendix 1 of this Circular.
2. A copy of business registration certificate or establishment decision of the training facility.
3. An explanation of the material facilities, lecturers as prescribed in Article 4 of this Circular.

Article 6. Appraisal and recognition of training facility

1. Within 5 working days from the date of receipt of registration dossier of training facility, the General Directorate of Energy shall consider the validity of the dossier. If the dossier is invalid, the General Directorate of Energy shall issue written reply to request the training facility to supplement documents.
2. Within 30 working days from the date of receipt of a valid registration dossier, the General Directorate of Energy shall evaluate and examine the actual capacity of the training facility with the contents specified in Article 4 of this Circular and submit to the Minister of Industry and Trade for decision to recognize that the training is qualified for training of energy management, energy auditors. Decision form is specified in Appendix 2 of this Circular.

Chapter III

ORGANIZATION OF TRAINING AND GRANT OF CERTIFICATES OF ENERGY MANAGEMENT, ENERGY AUDITORS

Article 7. Conditions for enrollment of participants

1. Participants in enrollment of training course for energy management must meet the conditions specified in clause 1 of Article 35 of the Law on Economic and Efficient Use of Energy.
2. The participants in enrollment for training course of energy auditors must be graduated from university or higher on the energy sector or related engineering sector and have 3 years of experience working in the energy sector.

Article 8. Organization of training

1. Training facility widely notifies enrollment on the mass media and posts at the training facility. Enrollment notice content shall include:
 - a) Purpose, requirements of the training course;
 - b) The program content, time, location, cost and other necessary information of the training course.
2. Training facility shall self-execute enrollment and send documents to the General Directorate of Energy seven (07) working days prior to the opening date, information on the purpose, location, time, number of students, lecturers who participate in the training course. In case of change of plan, training facility must promptly notify the General Directorate of Energy.
3. Training facility conducts training in accordance with program content specified by the Ministry of Industry and Trade and grants the certificate of completion of the training course in energy management, energy auditors to students in accordance with provisions.
4. Training facility is entitled to collect students' tuition fees as prescribed by law to ensure the principle of collection offsetting expenditure.
5. Training facility is responsible for reporting to the General Directorate of Energy in writing on the training process at the facility within 10 days after the training course has been completed.

Article 9. Conditions for participating in the exams for being granted certificates

1. Students who have the certificates of completion of the training course in energy management, energy auditors and paid fees as prescribed.
2. Subjects eligible for participating in the exams for being granted certificates not required to participate in the training course include:
 - a) People who graduated from university degree or higher in sector of energy management, energy audit;
 - b) People who have the certificates of completion of the training course in energy management, energy auditors granted by international organizations that are recognized, acknowledged in Vietnam.

Article 10. Issuance of certificates and accreditation, recognition of certificates

1. People who achieved results of the examinations held by the Ministry of Industry and Trade are granted certificates with values across the country. Form of energy management certificate, certificate of energy auditor is defined in Appendix 3, Appendix 4 issued together with this Circular.

2. People who have certificates of energy managers, energy auditors issued by the competent institutions of foreign countries or international organizations that have mutual recognition agreements shall be recognized, acknowledged in Vietnam in accordance with law provisions.

Article 11. Change, re-grant of certificates of energy management and certificates of energy auditors

1. In case certificates are torn or missing, persons who are granted certificates may request for changing, re-granting certificates.

2. Dossier of application for change, re-grant of certificate includes:

a) An application for changing, re-granting certificate (stating clearly reasons for the change, re-grant);

b) 02 photos of 3x4 size.

3. Within 10 working days after receipt of application for changing, re-granting certificate for energy management, certificate of energy auditor, the General Directorate of Energy shall consider the validity and submit to the Minister of Industry and Trade for changing, re-granting certificate for energy management, certificate of energy auditor to the applicant for change, re-grant.

4. The applicant for change, re-grant shall pay fees as prescribed by law.

Article 12. Revocation of certificates of energy auditors

Persons who are granted certificates of energy auditors use improper purpose will be sanctioned, revoked certificates of energy auditors under Article 12 of the Decree No.73/2011/ND-CP dated August 24, 2011 of the Government sanctioning administrative violation on economic and efficient use of energy.

Article 13. Archive of records

1. Training facility of energy management, energy auditor is responsible for recordkeeping the training courses in accordance with the law provisions on archives. The archived record includes:

a) Records of students' enrollment, list of students granted the certificates of completion of the training course of each course;

b) List of lecturers participated in teaching for each course;

c) Book managing the grant of certificates for energy management training, certificates of training to improve professional skill.

2. General Directorate of Energy is responsible for recordkeeping in accordance with the law provisions on archives. The archived record includes:

a) Lists of participants in the exams for certificates, the results of the examinations;

b) List of those who were granted certificates;

c) Records and lists of applicants for changing, re-granting certificates.

Chapter IV

ORGANIZATION OF IMPLEMENTATION

Article 14. Effect

This Circular takes effect from December 15, 2011.

Article 15. Organization of implementation

1. General Directorate of Energy shall preside over to inspect and supervise the training process of the training facility of energy management, energy auditors.
2. Concerned organizations and individuals shall implement this Circular and submit comments and recommendations to the General Directorate of Energy for arising advice, solving difficulties and problems.

**FOR MINISTER
DEPUTY MINISTER**

Hoang Quoc Vuong

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