

VIETNAM'S LEGAL FRAMEWORK ON ENERGY AUDIT AND ENERGY MANAGEMENT

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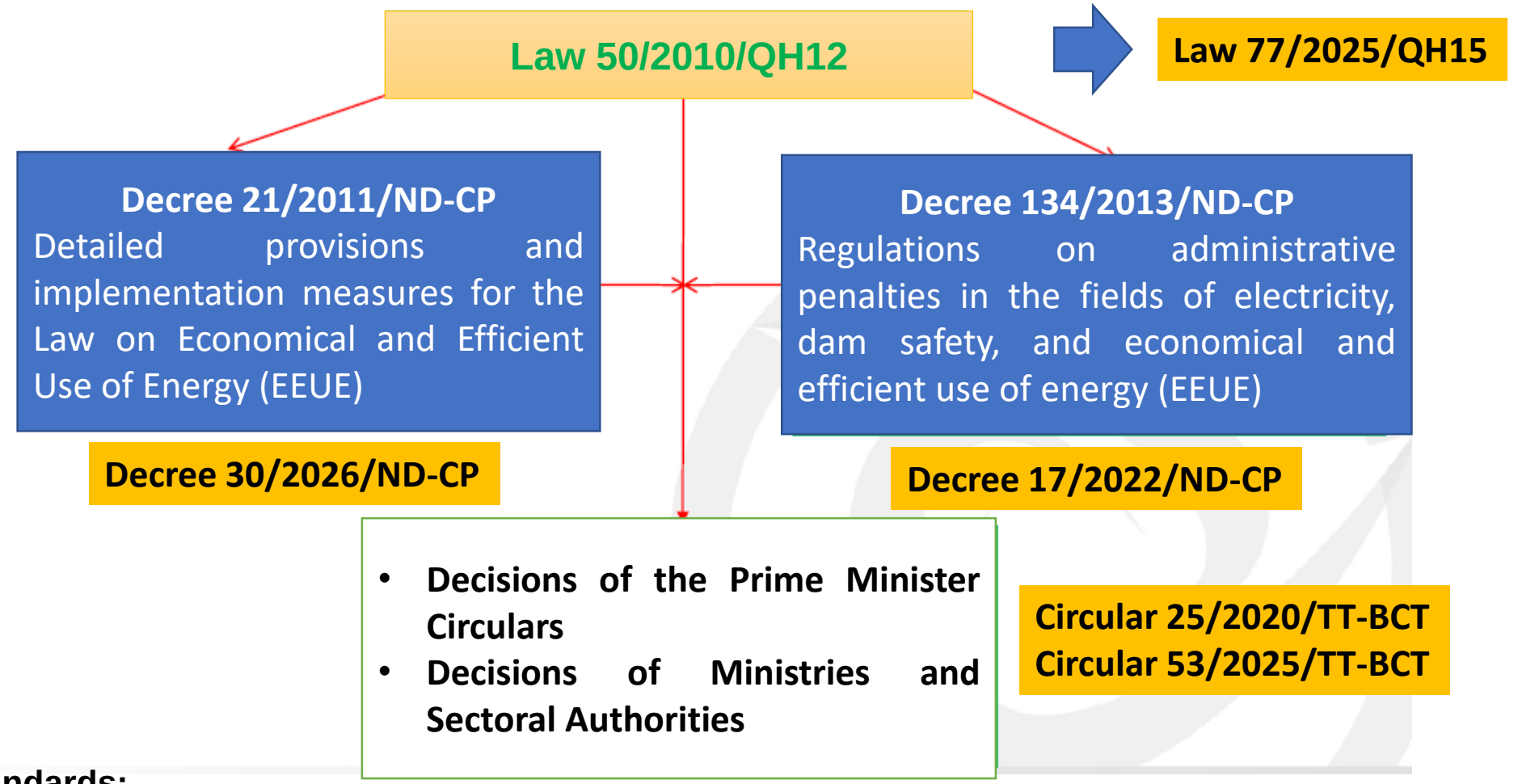
OBJECTIVES



OBJECTIVES

- Review current legal regulations related to energy audit and energy management systems in Vietnam.
- Clarify core legal requirements concerning: mandatory entities, service-providing organizations, implementation content and procedures, and monitoring and reporting responsibilities.
- Assess the readiness of the legal framework for the development and application of economic-technical norms.
- Identify gaps, ambiguities, or inconsistencies to serve as a basis for proposing improvements.

OVERVIEW OF THE CURRENT LEGAL FRAMEWORK



Technical standards:

- TCVN ISO 50001:2019 and TCVN ISO 50002:2015
- Technical documents and professional guidelines related to energy audit and energy management

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LEGAL FRAMEWORK ON ENERGY AUDIT



LEGAL FRAMEWORK ON ENERGY AUDIT

Energy audit is a mandatory management requirement for key energy users (energy-intensive facilities).

The current legal framework has relatively clearly defined:

- entities subject to mandatory implementation,
- implementation cycles,
- qualifications/conditions for energy audit organizations,
- reporting procedures and content,
- mechanisms for receipt, verification, and monitoring/supervision.

Energy audit is currently governed in two dimensions:

- the compliance dimension of key energy users (energy-intensive facilities);
- the competency and responsibility dimension of service-providing organizations.

The implementation of energy efficiency assessments by key energy-using facilities is guided, monitored, and urged by the Departments of Industry and Trade.

The Ministry of Industry and Trade, in coordination with the Departments of Industry and Trade, guides, monitors, and urges these key energy-using facilities to carry out energy efficiency assessments.

MANDATORY ENTITIES AND COMPLIANCE REQUIREMENTS FOR ENERGY AUDIT

Entities subject to mandatory implementation

- Industrial, agricultural, and transport production facilities with total annual energy consumption of 1,000 TOE/year or more
- Construction works, commercial, and service facilities with total annual energy consumption of 500 TOE/year or more

Management mechanism

- Provincial People's Committees issue the annual list of key energy users
- Ministry of Industry and Trade provides guidance on reporting forms, content, and implementation procedures

Primary obligations of facilities

- Develop annual and 5-year energy use plans
- Submit energy use reports
- Apply an energy management model/system
- Conduct periodic energy audits
- Comply with inspection and supervision by regulatory authorities

CONDITIONS FOR ENERGY AUDIT SERVICE PROVIDING ORGANIZATIONS

Legal conditions

- Be a legally established organization
- Have operational capacity appropriate to the entity being audited

Conditions regarding human resources

- Technical manager: holds an appropriate degree, minimum 5 years of experience, possesses an energy auditor certificate
- Quality assurance manager: minimum 3 years of experience, possesses an energy auditor certificate
- The organization must have at least 03 energy auditors working under contracts of 12 months or more

Conditions regarding equipment and operation

- Possess measurement instruments and equipment, or have long-term lease contracts
- Have procedures for measurement, operation, and maintenance
- Ensure the accuracy of measuring instruments
- Submit periodic reports and maintain operational conditions

PROCESS AND OUTPUT REQUIREMENTS OF ENERGY AUDIT

Step	Content
Step 1	Define the audit scope
Step 2	Establish the energy audit team
Step 3	Estimate timeline and budget
Step 4	Collect existing (available) data
Step 5	Inspect data collection and measurements: – Identify key (strategic) measurement points; – Install metering and monitoring equipment;
Step 6	Analyze collected data: – Identify energy-saving opportunities; – Determine investment costs; – Standardize and validate data; – Ensure normal operation of the production line / technological system;

Output requirements

- Energy audit report with minimum required structure and content
- Contains information on the current status of energy use
- Includes measurement, analysis, and assessment of energy saving opportunities
- Proposes solutions and evaluates investment effectiveness (e.g., financial analysis, payback period)

Supervision basis

- Has a standardized format for receiving and approving energy audit reports
- Provides regulatory authorities with grounds to review the format, content, and competency of auditors

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LEGAL FRAMEWORK ON ENERGY MANAGEMENT



LEGAL FRAMEWORK ON ENERGY MANAGEMENT

Vietnamese law does not mandate enterprises to obtain ISO 50001 certification.

However, for key energy users, the law requires:

- appointment of an energy manager,
- development and implementation of an energy efficiency and conservation plan,
- application of an energy management model/system,
- monitoring, supervision, and reporting of energy data,
- periodic energy audits.

TCVN/ISO 50001 serves as a voluntary technical standard, encouraged for application to enhance the quality of energy management.

LEGAL FRAMEWORK ON ENERGY MANAGEMENT

Core components of the energy management model:

- Establish an organizational structure and assign energy management responsibilities
- Appoint an energy manager
- Develop annual and 5-year energy efficiency and conservation plans
- Monitor, supervise, and analyze energy use data
- Conduct periodic energy audits
- Implement reporting and data retention/storage regimes
- Undergo inspection and supervision by the Department of Industry and Trade

** According to the provisions of Decree No. 21/2011/ND-CP (already expired, pending new guidance from the Ministry of Industry and Trade)*

ENERGY MANAGEMENT MODEL AND ISO 50001

Similarities

- Requires organizational structure
- Has energy use plans and targets
- Includes monitoring, supervision, and data reporting
- Conducts periodic energy audits
- Has orientation for improving energy use efficiency

Differences

- ISO 50001 has a more complete structure following the PDCA cycle
- ISO 50001 provides clearer requirements regarding: context of the organization, leadership and commitment, energy performance indicators, internal assessment, corrective actions, and continuous improvement
- Vietnamese law mainly stipulates framework-level requirements, with no detailed guidance on implementation equivalent to a full EnMS

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LEGAL FRAMEWORK ON ECONOMIC-TECHNICAL NORMS



LEGAL FRAMEWORK ON ECONOMIC-TECHNICAL NORMS

Circular No. 47/2018/TT-BCT is the direct legal basis governing the development, appraisal, and promulgation of economic-technical norms within the state management scope of the Ministry of Industry and Trade.

Economic-technical norms are defined as the required consumption of:

- labor,
- materials,
- machinery and equipment
- to complete a public service provision meeting the prescribed criteria and standards.

The Circular also clearly stipulates:

- objectives of the norms,
- development principles,
- development bases,
- constituent content,
- process for development, consultation, appraisal, and promulgation.

ROLE OF ECONOMIC-TECHNICAL NORMS FOR ENERGY AUDIT AND ENERGY MANAGEMENT SERVICES

- Serves as a basis for cost estimation, development of prices and unit rates for public service provision
- Standardizes the scope of work and resource mobilization levels
- Supports service quality management
- Increases transparency in task assignment, ordering, appraisal, and acceptance
- Contributes to establishing a minimum quality baseline for energy audit and energy management consulting services
- Gradually professionalizes the energy service market

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LEGAL GAPS AND LIMITATIONS



LEGAL GAPS AND CERTAIN LIMITATIONS

Regarding energy audit

- There are fairly clear regulations on procedure and reporting
- But there is no uniform standard on minimum resource levels to ensure service quality

Regarding energy management

- There is a requirement to apply an energy management model
- But there is no sufficiently detailed guidance to enable uniform implementation following logic equivalent to EnMS/ISO 50001

LEGAL GAPS AND CERTAIN LIMITATIONS

Regarding economic-technical norms

- There is a legal basis for promulgation/issuance
- But there is no specialized set of norms for energy audit and energy management consulting services

Regarding implementation

- Capacity among service-providing units is uneven
- Report quality and professional depth vary
- The ability to monitor output quality is not yet truly consistent

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RECOMMENDATIONS



RECOMMENDATIONS

- Continue improving legal guidance to enhance the implementation quality of energy audits and the energy management model
- Develop and promulgate economic-technical norms for energy audit and energy management consulting services
- Increase consistency among: legal regulations, technical standards, cost management tools, and service quality management
- Strengthen capacity for: service-providing organizations, energy auditors, energy managers, and local regulatory authorities
- Gradually shift from a "document compliance" approach to a "service quality assurance and substantive effectiveness" approach

THANK YOU

