EECA 2024 EnMS STARTER PACK

C4 · OBLIGATIONS REGISTER

Legal & Obligations Register

Every duty of a designated energy consumer under Act 861 and the EEC Regulations 2024 — citation, deadline, penalty, owner, status

GP46 requires the energy policy to commit to compliance with written law (para. 4.4.1(c)) and requires the annual results evaluation to evaluate compliance with legal requirements (para. 8.2(g)). This register is the instrument that does both: one controlled table of every statutory duty, its deadline anchor, its penalty exposure, a named owner, and a live status.

DOCUMENT NO.	REV	ISSUE DATE	PREPARED BY	APPROVED BY
INV-ENMS-C4	1.0	29 July 2026	Innovast Sdn Bhd	Anslem Lim, CEO

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DRAFT FOR ADAPTATION — this template is not regulatory advice. Prepared with reference to GP/ST/No.46/2024 (Pind. 1/2026) (Guidelines on Energy Management System), the Energy Efficiency and Conservation Act 2024 [Act 861] and the Energy Efficiency and Conservation Regulations 2024 [P.U.(A) 466/2024]; sources last verified 18 July 2026. Adapt every field to your organisation before use. Only Suruhanjaya Tenaga can determine compliance with the Act.

Innovast Sdn Bhd

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1 How to use this register

- Assign every row an **owner** (a person, not a department) and set the status: **Met** / **In progress** / **Not met** / **N/A (with reason)**.
- Review the register at every Committee meeting (standing agenda item 6 in the C3 minutes template) and at the annual management review — that review is the GP46 para. 8.2(g) legal-compliance evaluation.
- Enter your own anchor dates (notice date, REM appointment date) and compute the actual deadlines. Keep the computed dates in your Committee calendar and in this register.
- Penalties cited are the statutory maxima for each offence; offences are separate and can accumulate. Under **s.62**, directors, compliance officers, partners, managers and similar officers may be charged jointly or severally with the body corporate and are deemed liable on its conviction unless the statutory defence (no knowledge; no consent or connivance; all reasonable precautions and due diligence) is made out.

2 Part A — Designation and threshold

#	Duty / matter	Citation	Deadline / trigger	Penalty (max)	Owner · Status
A1	Know the designation basis: the Act applies to an energy consumer whose energy consumption over any twelve consecutive months equals or exceeds the prescribed threshold, in respect of an activity, business or trade carried out in one place.	Act s.3(1)(a), s.3(5)	Continuous self-monitoring against the threshold	—	
A2	Threshold value: 21,600 gigajoules. Consumption is assessed per GP/ST/No.44/2024 (Pind. 1/2026) (Guidelines on Ascertaining Energy Consumer), current revision.	reg 3; GP44	—	—	
A3	Designation is effected by the Commission's written notice under s.3(3). Record the notice date — it anchors the REM, audit and external-REM clocks.	Act s.3(2)–(3)	On receipt — file the notice; enter the date here: _____	—	

3 Part B — Registered energy manager

#	Duty	Citation	Deadline / trigger	Penalty (max)	Owner · Status
B1	Appoint a registered energy manager (REM).	Act s.5(1)	Within 3 months of the s.3(3) notice (reg 4(2))	RM50,000 — s.5(3)	
B2	Appointment route: among employees (reg 4(1)); or an external REM under reg 6(1) for a period not exceeding 3 years from the notice date. On expiry of an external appointment, appoint internally in accordance with reg 4 immediately.	regs 4(1), 6(1), 6(4)	External route ends: notice date + 3 years = _____	—	
B3	REM tier must match consumption: 21,600–50,000 GJ ▮ REM fulfilling reg 14; exceeding 50,000 GJ ▮ REM fulfilling subreg 14(2) or (3).	reg 5(a)–(b)	At appointment and on band change	—	
B4	Respect REM workload caps: internal REM — up to 7 other energy consumers that are related corporations (reg 4(4)); external REM — up to 7 other energy consumers (reg 6(3)).	regs 4(4), 6(3)	At appointment; verify annually	—	
B5	Notify the Commission of the appointment by electronic means.	regs 4(3), 6(2)	On appointment	—	
B6	On vacancy: serve notice to the Commission within 14 days; appoint a replacement from among employees within 3 months (external replacement only with the Commission's written approval and conditions).	reg 7(1)–(3)	Vacancy date + 14 days / + 3 months	RM10,000 for late/no vacancy notice (reg 7(1) breach) — reg 7(4)	
B7	Ensure the REM discharges the statutory functions and duties in s.5(2)(a)–(g), as detailed in GP/ST/No.47/2024 (Pind. 1/2026) (data collection and analysis; EnMS implementation and monitoring; EE&C report preparation and accuracy; ESM advice; other duties determined by the Commission).	Act s.5(2); GP47 para. 3	Continuous	RM20,000 (on the REM) — s.5(4)	

4 Part C — Energy management system

#	Duty	Citation	Deadline / trigger	Penalty (max)	Owner · Status
C1	Develop an energy management system and implement it.	Act s.6(1); reg 8	Within 1 year from the REM appointment under reg 4(1)/6(1): appointment date + 1 year = _____	RM50,000 — s.6(3)	
C2	Develop and implement the EnMS in accordance with the guidelines — GP/ST/No.46/2024 (Pind. 1/2026): commitment and policy (para. 4), planning, baseline and targets (para. 5), action plan (para. 6), implementation (para. 7), measurement and management review (para. 8), with ongoing documentation (para. 3.4).	Act s.6(2); GP46	Continuous once developed	RM20,000 — s.6(4)	
C3	Hold Energy Management Committee meetings not less than 4 times a year, minuted and endorsed; management review with top management at least once a year, minutes endorsed by top management.	GP46 para. 4.3(b), para. 8.3; GP47 para. 3(c)	Standing calendar	(evidence for C2)	

5 Part D — EE&C report

#	Duty	Citation	Deadline / trigger	Penalty (max)	Owner · Status
D1	The REM prepares the energy efficiency and conservation report with the statutory content: (a) description of the EnMS implemented; (b) total amount and purpose of consumption of energy and energy resources; (c) proposed EE&C improvement measures; (d) measures already implemented and yet to be implemented; (e) any other information required by the Commission — in the structure of GP/ST/No.45/2024 (Pind. 1/2026).	Act s.7(1); GP45 para. 4.1	Annually, ahead of the submission window	RM20,000 (on the REM) — s.7(3)	
D2	Submit the first EE&C report to the Commission by electronic means.	Act s.7(2); reg 9(a)	Within 30 days after the expiry of 1 year from the REM appointment date: = _____	RM50,000 — s.7(4)	

#	Duty	Citation	Deadline / trigger	Penalty (max)	Owner · Status
D3	Submit subsequent EE&C reports — annually, within 30 days after each successive anniversary of the REM appointment, as illustrated in the submission-process timeline in GP45 Figure 1 (para. 3.2): one year between successive reports, each with a 30-day submission window. Regulation 9(b) verbatim: "for the subsequent energy efficiency and conservation report, that energy efficiency and conservation report shall be submitted to the Commission by the electronic means annually, within thirty days after the expiry of one year from the anniversary date of the appointment of the registered energy manager under subregulation 4(1) or 6(1)."	Act s.7(2); reg 9(b); GP45 para. 3.2 Fig. 1	Annual — anniversary + 30 days each year: _____	RM50,000 — s.7(4)	

6 Part E — Energy audit

#	Duty	Citation	Deadline / trigger	Penalty (max)	Owner · Status
E1	Cause an energy audit to be conducted from time to time so as to meet the audit report submission requirements, and appoint a registered energy auditor (REA) to conduct it.	Act s.8(1)–(2)	In time to submit per reg 10	RM50,000 (failure to appoint REA) — s.8(4)	
E2	Submit the energy audit report (prepared by the REA in accordance with the guidelines — GP/ST/No.49/2024 (Pind. 1/2026)) to the Commission by electronic means. Note: the Commission may require additional information (report may be refused if it is not given — s.9(6)) and may direct rectification or a new report where the report is not per the guidelines or is insufficient (s.9(7)–(8)).	Act s.9(1)–(2), (6)–(8); reg 10(1)(a); GP49	First report: within 1 year of the s.3(3) notice = _____	RM50,000 (failure to submit under s.9(2)/(8)) — s.9(10)	
E3	Subsequent audit reports: on the fifth year, for every five years from the date of the last submission (or per any written notice of exemption).	reg 10(1)(b)–(c)	Last submission + 5 years = _____	—	

#	Duty	Citation	Deadline / trigger	Penalty (max)	Owner · Status
E4	Optional: apply for exemption from subsequent audit reports (demonstrated significant EE&C measures and improvement), within the first three months of the fifth year.	Act s.9(3)–(5); reg 10(2)	Window opens: _____	—	

7 Part F — Officer-level exposure

#	Matter	Citation	Deadline / trigger	Penalty (max)	Owner · Status
F1	Director and officer liability: where a body corporate commits an offence under the Act, its directors, compliance officers, partners, managers, secretaries and similar officers (and persons purporting to act in such capacity or responsible for management) may be charged severally or jointly, and on the body's conviction are deemed guilty and liable to the same punishment — unless the officer proves the offence was committed without their knowledge and without their consent or connivance, and that they took all reasonable precautions and exercised due diligence.	Act s.62	Continuous — brief the board annually	Same punishment as the underlying offence	
F2	Provision of information: on the Commission's written notice, give the information, particulars or documents directed, in the manner, form and period specified — and ensure everything given is true and complete.	Act s.38(1)–(3)	On notice, within the period specified	RM100,000 or 2 years' imprisonment or both (non-compliance) — s.38(4); RM100,000 (untrue or incomplete) — s.38(5)	
F3	Access to records: on the Commission's written notice, allow the Commission, its authorised officers or specified persons access to records for the purposes of the Act.	Act s.40(1)	On request	RM20,000 — s.40(2)	

8 Review log

Review date	Reviewed by	Forum (Committee / management review)	Changes / findings

Scope note: this register covers the duties of a designated energy consumer under Part III of Act 861 and the EEC Regulations 2024. Duties of persons in charge of buildings (energy intensity labelling, Part IV) and of manufacturers/importers of energy-using products (Part V) are out of scope — ask Innovast if either applies to your organisation. The Act applies to Peninsular Malaysia and the Federal Territory of Labuan (s.1(3)).

> **Keep this register live, not annual.** InnoSense tracks the deadline cascade and the evidence trail behind every row — automatically, all year. Register interest at **eeca2024.my** · **anslem@innovast.asia**

The complete Starter Pack

This document is one of thirteen working documents in the EECA 2024 EnMS Starter Pack — together they stand up an energy management system that follows GP/ST/No.46/2024 (Pind. 1/2026) and the statutory duties of Act 861.

Code	Document	Use it to
C0	Pack Guide & Compliance Clock	Orient the team; diarise the statutory deadlines
C1	EECA EnMS Gap Assessment Checklist	Score your current position (Yes / Partial / No) against every GP46 element and statutory duty; get a readiness band
C2	Energy Management Policy Template	Draft the policy with the four GP46-mandatory commitments built in
C3	Committee & Governance Kit	Appoint the management representative; constitute the Committee; run and minute the meetings and the annual management review
C4	**Legal & Obligations Register**	Hold every Act 861 / EECR duty with citation, deadline, penalty, owner and status — the legal-compliance evaluation GP46 para. 8.2(g) expects **(this document)**
C5	REM Appointment Checklist	Choose internal vs external appointment; respect the tiering and the caps; manage the three-year window
C6	EnPI / EEI Worksheet (sector-selectable)	Establish the baseline and indicator — SEC path for industry, BEI path for buildings
C7	Energy Data Collection Plan + 12-Month Consumption Tracker (xlsx)	Plan and record the twelve months of consumption, generation and variable data GP46 requires
C8	Action Plan & ESM Register (docx + xlsx)	Turn audit findings into a prioritised, costed, owned action plan with M&V per ESM
C9	Communication, Awareness & Training Plan	Discharge GP46 para. 7.7–7.9 — communication matrix, motivation strategy, training programme
C10	EnMS Self-Evaluation Matrix (xlsx)	Run the GP46 para. 5.2.3(a) maturity self-evaluation at Committee formation and periodically after
C11	Work Procedure & Log Sheet Starters	Seed the operational controls — chiller plant and lighting examples to adapt
C12	EE&C Report Skeleton	Assemble the annual report content in the GP45 structure before entering it in the Commission's online system

Get the complete pack, free: eeca2024.my/enms-pack · anslem@innovast.asia · +60 12 355 6214