



DEPARTMENT CIRCULAR NO. DC2022-03-0005

GUIDELINES FOR THE RECOGNITION OF TESTING LABORATORIES FOR THE EXAMINATION, TESTING AND VERIFICATION OF THE ENERGY EFFICIENCY OF ENERGY-CONSUMING PRODUCTS (ECPs) AND THE FUEL EFFICIENCY OF TRANSPORT VEHICLES, INCLUDING THE ISSUANCE OF CERTIFICATE OF ENDORSEMENT TO THE BOARD OF INVESTMENTS (BOI) FOR FISCAL INCENTIVES

WHEREAS, Section 2 of Republic Act No. (RA) 7638 or the "Department of Energy (DOE) Act of 1992" states that it is the policy of the State to ensure a continuous, adequate, reliable, and economic supply of energy through, judicious conservation, renewal, and efficient utilization of energy, to keep pace with the country's growth and economic development, among others;

WHEREAS, Section 5 of the DOE Act of 1992 enumerates the powers and functions of the DOE, which include, among others, the formulation of policies for the planning and implementation of a comprehensive program for the efficient supply and economical use of energy consistent with the approved national economic plan, and the provision of a mechanism for the integration, rationalization and coordination of the various energy programs of the Government with a preferential bias for environment-friendly, indigenous, and low-cost sources of energy;

WHEREAS, Section 3 of RA 11285 or the "Energy Efficiency and Conservation Act" (EEC Act) provides for the establishment of a framework for introducing and institutionalizing fundamental policies on energy efficiency and conservation, including the promotion of efficient and judicious utilization of energy, increase in the utilization of energy efficient and renewable energy technologies, and the delineation of responsibilities among various government agencies and private entities;

WHEREAS, Section 16 of the EEC Act directs the DOE to regularly select energy-consuming products and their models for examination, testing, and verification. As such, the DOE may require any manufacturer, importer, supplier, distributor, or retailer of energy-consuming products (ECPs), devices, and equipment to make available, at such place as the DOE may specify, such number of products as the DOE considers to be reasonably necessary for examination and testing;

WHEREAS, Section 17 of the EEC Act directs the DOE to develop fuel efficiency testing guidelines for the conduct of fuel efficiency tests to validate the information provided by vehicle manufacturers, importers, and dealers as regards to the technical information on the fuel economy rating of their engine;

WHEREAS, Section 16 of the EEC Act and Section 61 of Department Circular No. DC2019-11-0014 or the "Implementing Rules and Regulations of the EEC Act" (EEC-IRR) states that the DOE, subject to procurement laws and regulations, and to ensure compliance with the minimum energy performance (MEP) requirement, may procure the services of or enter into an agreement or other arrangement with a qualified supplier or entity to carry out the examination, and testing of ECPs, and fuel efficiency of transport vehicles;

WHEREAS, Rule XII (Energy Efficiency Rating and Labeling Requirements) of the EEC-IRR mandates the DOE to prescribe efficiency rating and energy labeling systems for products and equipment and transport vehicles which shall be implemented for all applicable industry stakeholders;

WHEREAS, Department Circular No. DC2020-06-0015 or the "Philippine Energy Labeling Program (PELP) Guidelines" prescribes the mandatory compliance for importers, manufacturers, distributors, and dealers of electrical appliances and other ECPs;

WHEREAS, Department Circular No. DC2020-10-0023 provides for the policy framework for the development of the fuel economy rating, fuel economy performance, and related energy efficiency and conservation policies for the transport sector and other support infrastructures;

WHEREAS, Section 6 (a) and 25 of EEC Act and Section 71 of EEC-IRR provide that the Board of Investments (BOI) shall include energy efficiency (EE) projects in the annual Investment Priorities Plan (IPP) for incentives under Executive Order No. (EO) 226, series of 1987 or "Omnibus Investments Code" and any other applicable laws for ten (10) years from the effectivity of the EEC Act. After the aforementioned period, the inclusion of EE projects in the annual IPP shall be reviewed and may be extended by the BOI. Moreover, EE projects shall be exempt from Article 32(1) of EO 226;

WHEREAS, Chapter V, Section 300 of RA 11534 or the "Corporate Recovery and Tax Incentives for Enterprises Act" (CREATE) mandates the BOI, in coordination with the Fiscal Incentives Review Board, Investment Promotion Agencies, other government agencies administering tax incentives, and the private sector, to formulate a Strategic Investment Priority Plan (SIPP) that shall contain, among others, the list of priority projects or activities included in the Philippine Development Plan or its equivalent, or other government programs;

WHEREAS, pending the approval of the SIPP under CREATE, the 2020 Investment Priorities Plan (IPP) could serve as the transitional list of sectors to be promoted for investments and qualified for incentives;

WHEREAS, the DOE conducted public consultations attended by various stakeholders on 22 December 2021 and 27 January 2022 to discuss the Guidelines presented in this Department Circular; and

WHEREAS, the development of Guidelines for the Recognition of service providers in the conduct of examination, testing and verification of the energy performance of ECPs and transport vehicles, will lead to the effective implementation of the provisions of the EEC Act, the EEC-IRR, and the PELP Guidelines, including the validation of information, provided by the manufacturers, importers, suppliers, distributors, and retailers, as reflected in the DOE Energy Label.

NOW, THEREFORE, for and in consideration of all the foregoing premises and pursuant to its mandate under the EEC Act, EEC-IRR, and the PELP Guidelines, the DOE hereby issues, adopts and promulgates the following:

Section 1. Title. This Department Circular shall be known as the "Guidelines for the Recognition of Testing Laboratories for the Examination, Testing and Verification of the Energy Efficiency of Energy-Consuming Products (ECPs) and the Fuel Efficiency of Transport Vehicles Including the Issuance of Certificate of Endorsement to the Board of Investments (BOI) for Fiscal Incentives".

I. ISSUANCE OF CERTIFICATE OF RECOGNITION TO RECOGNIZED TESTING LABORATORIES

Section 2. Scope. This Department Circular shall apply to the Recognition of Testing Laboratories, both public and private, engaged in conducting energy efficiency performance test and fuel efficiency and shall be independent from any manufacturer/importer engaged in business covered by energy labeling pursuant to Section 61(d)(i), Rule XII of the EEC-IRR.

Section 3. Purpose. DOE-recognized testing laboratories (RTLs) shall provide testing services on energy performance and fuel efficiency that is relevant to the implementation of PELP and transport vehicle labeling. This includes the following:

- a. Conduct of verification testing of post-market samples obtained by DOE during monitoring activities.
- b. Conduct of verification testing necessary for the resolution of challenge tests lodged towards a PELP-covered product.
- c. Conduct energy performance testing for energy labeling registration purposes. It should be noted, however, that Recognition is not a requirement for energy performance testing for product registration purposes.

Section 4. Definition of Terms. For the purposes of this Department Circular, the terms and definitions under the EEC-IRR, PELP Guidelines and Department Circular No. 2020-06-0016 or "Minimum Energy Performance for Products (MEPP) Guidelines" shall be used in suppletory to the following terms and definitions:

- a. "Applicant" refers to any juridical person or entity who applies to be recognized and has control over the laboratory and shall ensure compliance with all the requirement of this Department Circular.
- b. "Assessment" refers to the general task of evaluating an Applicant Testing Laboratory to determine if it meets DOE's requirements for Recognition.
- c. "Assessment Team" refers to representatives from the DOE headed by the Energy Utilization Management Bureau (EUMB), and technical experts/assessors duly recognized and authorized by DOE as members who are tasked to evaluate testing laboratories for the purpose of Recognition.
- d. "BOI" refers to the implementing body responsible for the development, regulation, and promotion of investments in the Philippines.
- e. "Certificate of Endorsement" refers to the certification issued by the DOE-EUMB to the BOI to endorse projects for availment of fiscal incentives.
- f. "Certificate of Recognition" refers to the certification issued by the DOE-EUMB to RTLs required to fulfill the tasks stated in Section 3 of this Department Circular.
- g. "Conformity" refers to the fulfillment of requirements of a standard.

- h. "Fiscal Incentives" refers to financial instruments, such as tax reduction, incentives and subsidies that may be granted by the BOI to help stimulate and support the establishment of testing laboratories or expansion of scope of existing laboratories, which are instrumental in the implementation of energy labeling initiatives.
- i. "Recognition" refers to the procedure by which DOE gives formal acknowledgement, under duly established guidelines and rules, that an entity is competent to carry out tests in accordance to set standards.
- j. "RTL" refers to testing laboratories recognized by the DOE in accordance with this Department Circular.
- k. "Surveillance audit" refers to a periodic audit of RTLs conducted by the Assessment Team to ensure continued compliance to the Recognition requirements.
- l. "Testing Laboratory" refers to a laboratory which examines, tests, and verifies the characteristics or performance of a product.
- m. "Verification" refers to the evaluation of Conformity by examining, testing, and verifying relevant characteristics of a product.
- n. "Verification Test" refers to the test conducted on a product drawn from the market to verify the claim of a manufacturer, importer, supplier, distributor, or retailer of ECPs and transport vehicles.

Section 5. Implementing Units. The following DOE units and other government agencies shall be the implementing offices of this Department Circular:

- a. EUMB shall be responsible for the formulation, promulgation, enforcement, review, and evaluation of the PELP policy and for implementing the monitoring activities and issuance of the Certificate of Recognition of RTLs to ensure the industry players' compliance to the program.
- b. EUMB – Alternative Fuels and Energy Technology Division (AFETD) shall lead in the evaluation of application for the Recognition of testing laboratories for transport vehicles and shall be responsible in identifying the composition of the Assessment Team.
- c. EUMB – Energy Efficiency and Conservation Performance Regulation and Enforcement Division (EPRED) shall lead in the evaluation of applications for the Recognition of Testing Laboratories for ECPs. EPRED shall be responsible in identifying the composition of the Assessment Team.
- d. Energy Research Testing and Laboratory Services – Lighting and Appliance Testing Division (ERTLS-LATD) shall assist in assessing Testing Laboratories for Recognition purposes and may also be tapped to assist in the testing services for ECPs covered by PELP.
- e. Legal Services – General Legal Services Division (LS-GLSD) shall be responsible for the adjudication of violations of prohibited acts under the EEC Act, the EEC-IRR, this Department Circular and any related violation of a Testing Laboratory in the conduct of the energy efficiency performance test.

- f. Field Offices shall provide support in the assessment of Applicant's Testing Laboratory within their respective jurisdiction.
- g. Other Government Agencies may be tapped to be a part of the Assessment Team in the evaluation and assessment of the Applicant's Testing Laboratory.

Section 6. Requirements. Applicants applying for Recognition must comply with the following requirements:

- a. Duly accomplished application form (*Annex A*) under oath by the Applicant or duly authorized representative;
- b. Certified true copy of a valid permit to operate business issued by the local government unit (LGU);
- c. Certified true copy of the Bureau of Internal Revenue (BIR) Certificate of Registration;
- d. Duly accomplished affidavit of undertaking to abide by the terms and conditions for the Recognition of Testing Laboratory (*Annex B*);
- e. Letter of Authorization of representative for the Recognition of Testing Laboratory (*Annex C*);
- f. Location map of the Testing Laboratory and layout of the Testing Laboratory, including dimensions (*Annex D*);
- g. Organizational chart showing the relationship between the Testing Laboratory and other operations of the firm, when applicable (*Annex E*);
- h. List of personnel involved in the operation of the Testing Laboratory including their job descriptions, responsibilities, qualifications, and Certificate of Competency (*Annex F*);
- i. List of all equipment, manuals of the procedures and reference materials required for the tests and calibrations (*Annex G*); and
- j. Certified true copy of Accreditation Certificate issued by the Philippine Accreditation Bureau (PAB), or proof of ongoing application for accreditation with the PAB, as compliant with the latest version of PNS ISO/IEC 17025.

Section 7. Criteria for Evaluation of Application. The application for Recognition submitted by the Applicant shall be evaluated based, among others, on the following:

- a. Completeness of the submitted required documents;
- b. Legitimacy of the operation of the Applicant;
- c. Test Methods/ Procedures used by the Applicant shall be those specified in the issued or future issuance of PELP Implementing Guidelines (IG);

- d. Capability of facilities and equipment to determine performance and energy efficiency of ECPs and fuel efficiency of transport vehicles as specified in the PELP IG; and,
- e. Quality system aligned with the latest version of PNS ISO/IEC 17025. In consideration of the regular updating of standards, a transition period of one (1) year shall be provided to allow adjustments for conformance to the new requirements, if any, of the latest version of the standard.

Section 8. Procedure. The procedure for Recognition shall be as follows:

- a. Upon submission of application documents by the Applicant, the DOE shall within two (2) working days determine the completeness of the application documents. Incomplete requirements shall be returned to the Applicant with corresponding assessment from the DOE.
- b. The Applicant, upon determination of the completeness of the submitted application documents, shall pay the non-refundable application fee of Twenty Thousand Pesos (Php 20,000.00).
- c. As part of the evaluation of application, the Assessment Team will schedule an on-site assessment within fifteen (15) working days in accordance with Section 7 of this Department Circular.
- d. The Testing Laboratory shall provide access to the Assessment Team in the conduct of their duty to inspect the equipment, facilities, and operational documents of the laboratory to verify compliance by its personnel with the standards set herein.
- e. During the assessment, Applicant shall be informed of any deficiency or non-conformity on the areas in which the Testing Laboratory failed to meet the requirements/standards and shall immediately implement corrective measures.
- f. The Applicant is given thirty (30) days to perform corrective measures. Within this prescribed period, the Applicant should submit corrective action report with evidence of specific corrective actions. The Assessment Team shall evaluate the proposed corrective action and may conduct on-site assessment, if necessary.
- g. A report shall be prepared by the Assessment Team and endorsed to the EUMB Director for appropriate action. The report shall contain the findings of the assessment and recommendation on Recognition.
- h. The EUMB Director shall either issue a Certificate of RTL or disapprove the application based on the findings of the Assessment Team. Applications that are not favorably considered shall be returned and the Applicant shall be notified in writing of the reason for denial.

Section 9. Obligations of an RTL upon Recognition. The following obligations shall be observed following the grant of Recognition:

- a. Submit to an on-site inspection which includes Surveillance Audit by the Assessment Team.

- b. Maintain records of activities for a period of five (5) years which shall be made available during Surveillance Audit and reproduction upon request of the DOE. Records required to be maintained shall include copies of the following:
 - i. Records of test samples
 - ii. Performance test results
 - iii. Calibration records and copies of calibration certificates (including the identity of personnel involved in the preparation and calibration)
 - iv. Records of relevant qualifications, training, skills, and experience of the technical personnel
 - v. Records of all equipment
- c. Pertinent information related to the administration, operation, and management of the RTL shall be reported in writing to DOE within fifteen (15) days prior to effectivity of change including, but not limited to:
 - i. Change of Name
 - ii. Change of Address
 - iii. Change of Authorized representative/s
 - iv. Change of Personnel
 - v. Change of Equipment
 - vi. Bankruptcy
- d. An RTL shall continue to comply with the provisions of the latest version of PNS ISO/IEC 17025.
- e. An RTL shall not enter into subcontracting agreement when undertaking PELP-related test.
- f. An RTL shall conduct Verification Testing of post-market samples obtained by the DOE, including submission of test report to the DOE once the test has been completed, as well as the proper disposal or facilitation of the return of the said samples.

Section 10. Validity of the Certificate of Recognition. The Certificate of RTL shall only be valid for three (3) years from the date of issuance, unless earlier revoked or cancelled on the grounds specified in Section 16 of this Department Circular.

Section 11. Renewal of Certificate of Recognition. The application for Renewal of Certificate of RTL shall be filed at least three (3) months prior to its expiration. In addition, the procedure outlined in Section 8 of this Department Circular shall be observed in processing the application for Renewal of Certificate of RTL. The following guidelines shall also be complied:

- a. Applicant laboratory must submit a valid Certificate of Accreditation from the Philippine Accreditation Bureau (PAB).
- b. In cases the laboratory did not renew its Certificate of Recognition prior to its expiration, the laboratory shall be delisted from the DOE's list of RTLs. If the laboratory applies for Renewal Certificate of Recognition after the expiration date, it shall be considered as a new application.

II. ISSUANCE OF CERTIFICATE OF ENDORSEMENT TO THE BOI FOR FISCAL INCENTIVES

Section 12. Process for the Submission, Evaluation and Acceptance of Proposals for the Issuance of Certificate of Endorsement to the BOI for Fiscal Incentives. The following shall be the application procedure for the issuance of a Certificate of Endorsement to the BOI for Fiscal Incentives:

- a. **Procedure for Submission of Application.** The procedure for the issuance of a Certificate of Endorsement to the BOI under this Department Circular is as follows:
 - i. The following projects which provide support for the PELP, the adoption of high energy performing ECPs including its support infrastructures may qualify for registration:
 - 1. Importation of high efficiency ECPs covering air conditioners, refrigerating appliances, television sets, and lighting products, or which may later be covered under the PELP: *Provided That*, importation for distribution and sale of high efficiency ECPs may be allowed for 3 years, subject to commitment to locally manufacture ECPs for a minimum production of 2 years;
 - 2. Establishment of facility for the local manufacture of high efficiency ECPs;
 - 3. Establishment of testing laboratories for ECPs covered under the PELP;
 - 4. For existing testing laboratories, opening of new production line of high efficiency ECPs under PELP; and
 - 5. Disposal facilities for ECPs covered under the PELP.
 - ii. The prospective project proponent shall formally submit its proposal through written communication addressed to the EUMB with all the relevant documents found in Section 13 of this Department Circular.
 - iii. Within three (3) working days, the EUMB shall acknowledge receipt of the proposal and will be undergoing initial evaluation.
 - iv. Within twenty (20) working days, the EUMB shall acknowledge the proposal, require additional documents, or reject the proposal based on technical, financial, and legal evaluations.

9

- v. All project proponents shall pay to the DOE a non-refundable fee of PhP15,000.00 prior to the submission of its application and documentary requirements. Proof of payment shall be attached to the application.
 - vi. Applications shall be submitted in a sealed envelope containing a copy of its legal, financial, and technical documents.
- b. **Evaluation and Endorsement Procedures.** The evaluation and endorsement of Certificate of Endorsement under this Department Circular shall follow:
- i. The project proposal shall establish the project's significance in attaining the goals and objectives of EEC Act particularly on the PELP.
 - ii. The evaluation process shall involve the Verification of the completeness of the submitted documents, legality, financial capacity of the project proponent and cost-benefit analysis of the project that shall be conducted simultaneously and must be completed within twenty (20) working days.
 - iii. Applicants with incomplete documents shall be notified and will be given three (3) working days to submit additional documents. Failure to submit within seven (7) working days shall result to its disqualification and a new application must be processed.

Section 13. Approval and Endorsement to the BOI for Fiscal Incentives. For the availment of Fiscal Incentives, after due evaluation, the DOE through the EUMB Director shall endorse the project proposal of RTLs to the BOI. The endorsement shall contain the summary of the following:

- a. Project Scope Summary
- b. Fiscal Cost-Benefit Analysis
- c. Projected financial statements
- d. Company Information
- e. Business Model
- f. Technical, legal, and financial analysis demonstrating the necessity for the implementation of the PELP under RA 11285 or its sustainability.

Possible incentives that can be availed by projects include entitlement to Income Tax Holiday (ITH), Customs Duty Exemption on Importation of Capital Equipment, Raw Materials, Spare Parts, or Accessories, VAT Zero-Rating, and Exemption for 3-5 years, depending on the project scope and such other incentives under the 2020 Investment Priorities Plan (IPP) while the Strategic Investment Priority Plan (SIPP) is still being formulated.

Section 14. Obligations of Endorsed Projects. All projects that have been endorsed by the DOE under this Department Circular shall comply with the following obligations:

- a. Submission of a report on the actual implementation of the project with supporting information particularly on items relating to the Fiscal Incentives availed;
- b. Subject themselves and their projects to an independent Verification by the DOE upon the issuance of the guidelines for the same;
- c. Such other requirements as may be required by the DOE for the attainment of the objectives of the EEC Act and EEC-IRR.

The DOE through the EUMB may issue the guidelines on the forms and requirements to facilitate compliance with the provision on the reportorial requirements and obligations under this Department Circular.

Section 15. Fees and Charges. The following non-refundable fees and charges for application of Recognition or Renewal of the Certificate of RTL shall be collected subject to regular review and update:

- a. Application for Recognition of Testing Laboratories – Php 20,000.00 per product type/per facility
- b. Renewal of Certificate of Recognition - Php 4,800.00 per product type/per facility

Section 16. Prohibited Acts. Any person or entity found in violation of any of the following shall be subject to the appropriate criminal, civil and/or administrative sanctions:

- a. Violation of any of the Obligations cited in Sections 9 and 14 of this Department Circular;
- b. Misrepresentation for purposes of securing a Recognition or Renewal thereof, such as giving false statement in the application or submitting falsified documents;
- c. Willfully refusing, obstructing or attempting to obstruct Surveillance Audit by the Assessment Team or visits by the authorized representative of DOE;
- d. Failure or willful refusal to submit any of the reports required;
- e. Tampering of test result or entering any false information about the product being tested.

Section 17. Fines and Sanctions. Consistent with Section 32 of the EEC Act, upon determination that a reasonable ground exists that a violation of any of the prohibited acts under Section 16 of this Department Circular has been committed, when warranted, any of the applicable administrative fines and penalties under Annex J shall be imposed. This is without prejudice to the revocation of Recognition and blacklisting of the party concerned under Section 18 of this Department Circular.

Section 18. Revocation of Recognition, Delisting and Blacklisting. If, after administration of fines indicated in Section 17 of this Department Circular, the RTL remains non-compliant and commits subsequent violations of the prohibited acts under Section 16 of this Department Circular then, consistent with the Schedule of Penalties under Annex J of this Department Circular, the DOE, through the EUMB, shall have the right to revoke the Recognition of the Testing Laboratory and cancel its certification.

Likewise, the Recognition of laboratories who have failed accreditation or were delisted by PAB will automatically be revoked.

The laboratories with revoked Recognition will be delisted from the DOE's RTL and may only re-apply after two (2) years from such revocation and delisting.

Section 19. Reportorial Obligation. The DOE, through the EUMB, shall regularly update on its website the list of RTLs and endorsed projects to the BOI.

Section 20. Administration of Endorsed Projects. The EUMB shall maintain and publish the projects which availed Fiscal Incentives. The Registry shall contain such pertinent information for purposes of apprising and guiding the public on the benefits of installing such projects.

Section 21. Repealing Clause. The provisions of other Department Circulars, Orders, issuances, rules, and regulations, which are inconsistent with the provisions of this Department Circular are hereby repealed, amended, modified, or superseded accordingly.

Section 22. Separability Clause. If for any reason, any section or provision of this Department Circular is declared unconstitutional or invalid, such parts not affected shall remain in full force and effect.

Section 23. Effectivity. This Department Circular shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation. A copy of this Department Circular shall be filed with the University of the Philippines Law Center - Office of the National Administrative Register.

Issued at Energy Center, Bonifacio Global City, Taguig City.


ALFONSO G. CUSI
Secretary



DOE-AGC-22000849



MAR 10 2022



**Energy Utilization Management Bureau
Quality Management System**

**Application Form for the
Recognition of Testing Laboratory
(Annex A)**

Doc Ref No.:	EUMB-QF-RTLAA
Effective Date:	
Revision No.:	0
Page No.:	1 of 2

**Application Form for the Recognition of Testing Laboratory under the Philippine
Energy Labelling Program for Energy Consuming Products / Transport Vehicles**

Date: _____

The Director
Energy Utilization Management Bureau
Department of Energy
Energy Center, Rizal Drive
Bonifacio Global City, Taguig
1632 Manila

Sir,

In accordance with the Philippine Energy Labelling Program (PELP) Guidelines, promulgated pursuant to Republic Act No. 11285, we hereby apply our business in the registry of recognized testing laboratory under the PELP for Energy Consuming Products / Transport Vehicles.

1. **Name of Applicant Company:** _____
2. **Testing Laboratory Address:** _____

3. **Telephone and Fax No.:** _____
4. **E-mail Address:** _____
5. **Tax Identification Number** _____ **Date of Issue:** _____
6. **Name of Company President/
General Manager** _____
7. **Name of Laboratory Representative** _____
 - a. **Designation** _____
 - b. **Telephone and Fax No.** _____
 - c. **Email Address** _____

We hereby submit the required documents (in English language) listed below to support our application for the Recognition of Testing Laboratory under the Philippine Energy Labelling Program for Energy Consuming Products / Transport Vehicles:

- a. Certified True Copy of Permit to Operate issued by the local government unit;
- b. Certified True Copy of Bureau of Internal Revenue Registration;
- c. Duly accomplished undertaking to abide the terms and conditions as a DOE recognized testing laboratory (Annex B);



**Energy Utilization Management Bureau
Quality Management System**

**Application Form for the
Recognition of Testing Laboratory
(Annex A)**

Doc Ref No.:	EUMB-QF-RTLAA
Effective Date:	
Revision No.:	0
Page No.:	2 of 2

- d. Duly accomplished Letter of Authorization for Testing Laboratory Representative (Annex C);
- e. Location map of the testing laboratory and layout of the testing laboratory including dimensions (Annex D);
- f. Organizational Chart showing the relationship between the testing laboratory and other operations of the firm, when applicable (Annex E);
- g. List of personnel involved with the operation of the testing laboratory including their job descriptions, responsibilities, qualifications and Certificate of Competency (Annex F);
- h. List of all equipment, manuals of the procedures and reference materials required for the tests and calibrations (Annex G);
- i. Certified true copy of Accreditation Certificate issued by Philippine Accreditation Bureau (PAB) or compliance to the latest version of PNS ISO/IEC 17025, that specifies the scope of accreditation.

Furthermore, we hereby agree to abide by all the Terms and Conditions thereof and all other rules and regulations, including amendments thereto, as prescribed in the PELP Guidelines.

Signature over Printed Name
President/ General Manager

Subscribed and sworn to before me this ___ day of _____, 20__ affiant exhibiting to me his/her government-issued identification card number _____ issued at _____ on _____.

Notary Public: _____

Doc No. _____

Page No. _____

Book No. _____

Series of _____

✓



**Energy Utilization Management Bureau
Quality Management System**

**Undertaking to Abide by the Terms and
Conditions
(Annex B)**

Doc Ref No.:	EUMB-QF-RTLAB
Effective Date:	
Revision No.:	0
Page No.:	1 of 2

**Undertaking to Abide by the Terms and Conditions as a DOE
Recognized Testing Laboratory**

I, _____ (Surname) _____ (First Name, MI) of _____ (Name of Company) with principal address at _____ is duly authorized by this company and its Board of Directors / Partners through Board Resolution No. _____ dated _____, as attached herein, to hereby abide by the following terms and conditions as a Department of Energy (DOE) - Recognized Testing Laboratory.

1. We shall observe and abide by the provisions of this Department Circular, PELP Guidelines, Republic Act 11285 and their implementing rules and regulations and future amendments and shall comply with any and all other directives and orders which the DOE may issue in pursuance with its authority under the law.
2. We shall ensure that our testing activities conform at all times to the applicable requirements of the latest version of PNS ISO/IEC 17025 and for this purpose shall maintain to the satisfaction of the DOE quality system.
3. We shall give access to the DOE's duly authorized representative(s) during working hours to our company premises where our operation is being carried out, for the purpose of evaluating materials, operations, processes, quality system, facilities, records and others.
4. We shall be subjected to reassessment to ensure consistent compliance with the DOE requirements on recognition of testing laboratories.
5. We shall not directly communicate with the product owner/ client with regards to testing. Should there be a need to communicate directly to the company, we shall inform and ask for consent from the DOE.
6. We shall submit to DOE the names of the designated qualified Personnel who will participate in the conduct of tests.
7. We shall demonstrate impartiality and free from any conflict of interests. We shall be independent from any manufacturer, importer, supplier, distributor or retailer engaged in business covered by energy labeling.
8. We shall assure that no DOE personnel, his/her spouse, or his/her relative by consanguinity or affinity within the fourth civil degree shall have ownership of or financial interest in the company.
9. We shall allow DOE assessor/ representative and others concerned to witness the testing activities of the laboratory.



**Energy Utilization Management Bureau
Quality Management System**

**Undertaking to Abide by the Terms and
Conditions
(Annex B)**

Doc Ref No.:	EUMB-QF-RTLAB
Effective Date:	
Revision No.:	0
Page No.:	2 of 2

10. We shall assure that our personnel involved in the testing have agreed to treat with confidentiality all information of the samples subject to testing, and have signed the confidentiality statement.
11. We shall inform the DOE, in writing, of any changes in business name, transfer of business site, management and authorized representative/s fifteen (15) days prior to the effectivity of such changes. Upon transfer of business site, the recognition shall be deemed valid only after assessment has been conducted at the new site by DOE or its designated conformity assessment body.
12. We shall pay the applicable fees and charges as billed or stipulated by DOE.
13. That any infraction of these terms and conditions including falsification or misleading information provided shall constitute sufficient grounds for the institution of administrative sanctions and fines against our company.

Witnesseth my hand this _____ day of _____ 20__ at _____.

Signature over Printed Name
President/ General Manager

Subscribed and sworn to before me this ___ day of _____, 20__ affiant exhibiting to me his/her government-issued identification card number _____ issued at _____ on _____.

Notary Public: _____

Doc No. _____

Page No. _____

Book No. _____

Series of _____

9



**Energy Utilization Management Bureau
Quality Management System**

**Authorization for Testing Laboratory's
Representative
(Annex C)**

Doc Ref No.: EUMB-QF-RTLAC

Effective Date:

Revision No.:

0

Page No.:

1 of 1

Authorization for Testing Laboratory's Representative

(Company Logo)

(Date)

The Director

Energy Utilization Management Bureau
Department of Energy
Energy Center, Rizal Drive
Bonifacio Global City, Taguig
1632 Manila

Dear **Director**:

This is to authorize Mr./Ms. _____ (Name), _____ (Designation), as the Official Representative for the _____ (Company Name).

As the authorized representative, he/she shall be authorized to represent the company in matters related to recognition of testing laboratory. Any documents submitted made by the representative relative to compliance with the recognition, including payment, validation and coordination activities, shall be deemed authorized by the undersigned.

Thank you.

Sincerely,

Signature over Printed Name
(President/ CEO/ General Manager)

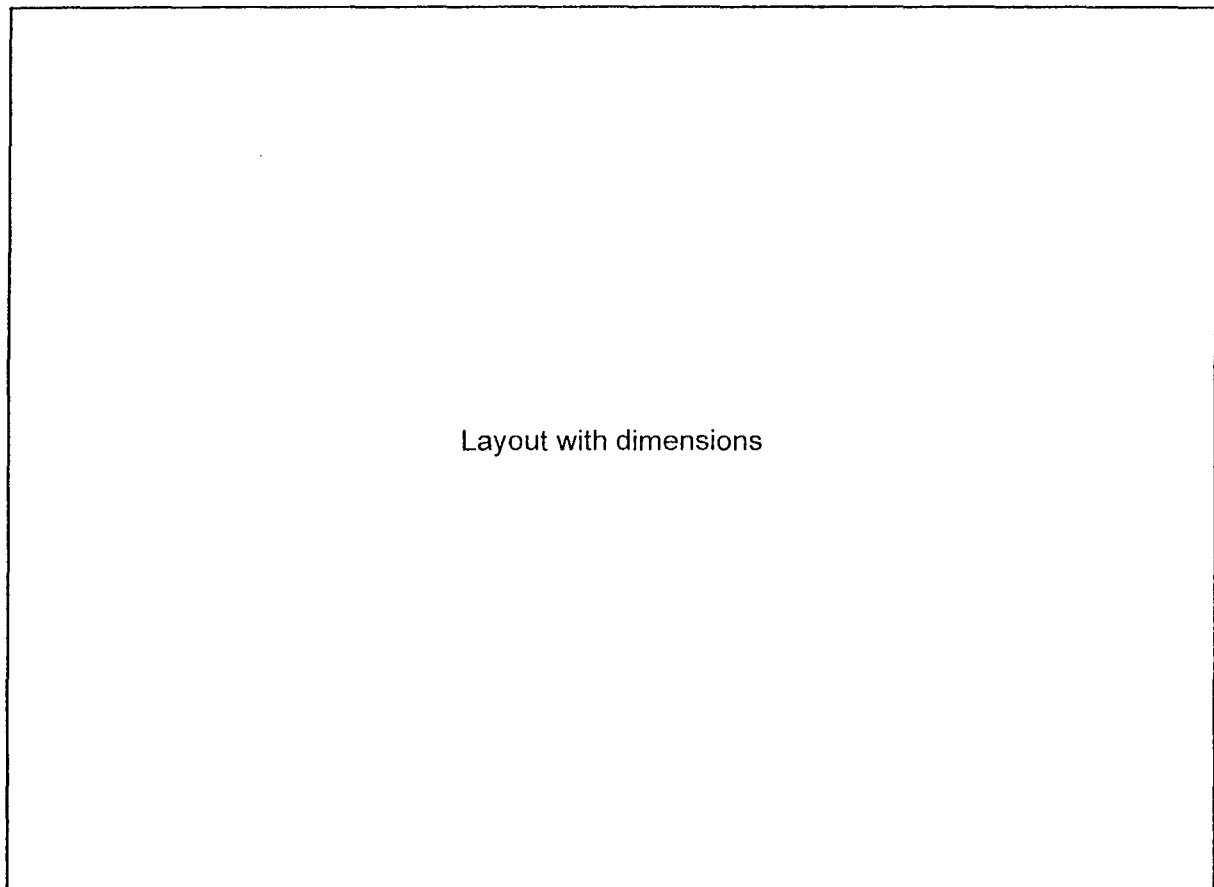
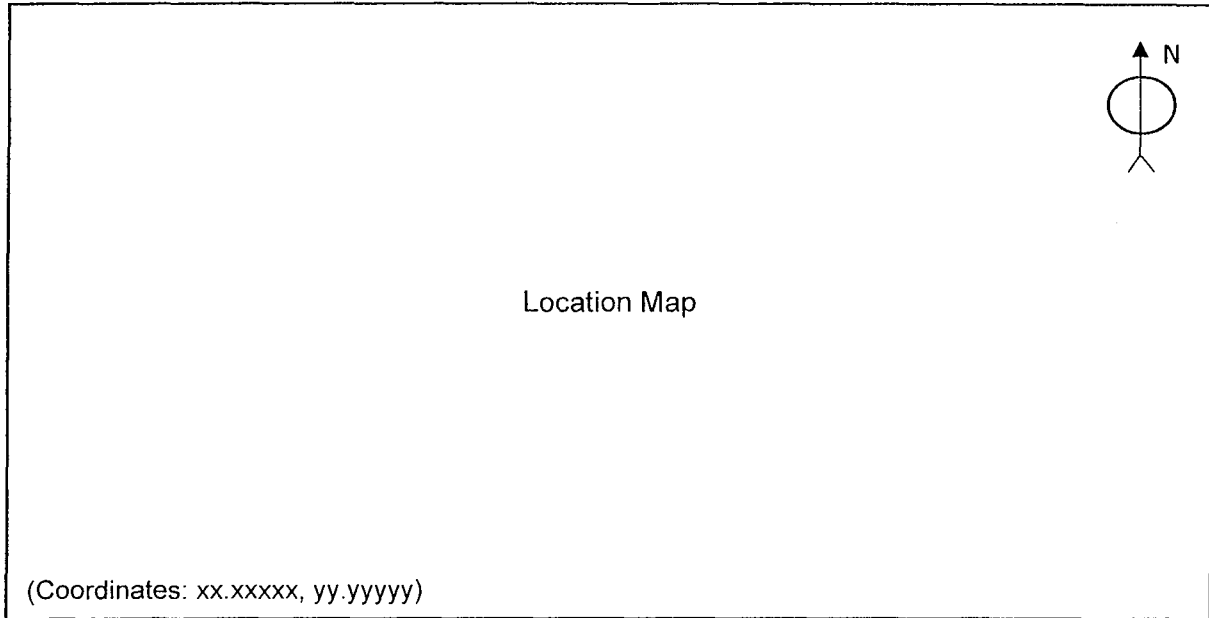


**Energy Utilization Management Bureau
Quality Management System**

**Location Map of Testing Laboratory
(Annex D)**

Doc Ref No.:	EUMB-QF-RTLAD
Effective Date:	
Revision No.:	0
Page No.:	1 of 1

Location Map and Layout (with dimensions) of Testing Laboratory



[Handwritten mark]



**Energy Utilization Management Bureau
Quality Management System**

**Organizational Chart of Testing
Laboratory
(Annex E)**

Doc Ref No.: EUMB-QF-RTLAE

Effective Date:

Revision No.:

0

Page No.:

1 of 1

Organizational Chart of Testing Laboratory

(Company Logo)



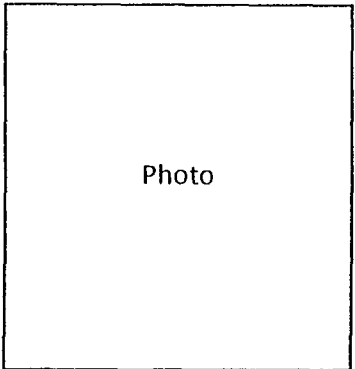
**Energy Utilization Management Bureau
Quality Management System**

**List of Personnel of the Testing
Laboratory
(Annex F)**

Doc Ref No.:	EUMB-QF-RTLAF
Effective Date:	
Revision No.:	0
Page No.:	1 of 1

List of Personnel of the Testing Laboratory

Name: _____
 Sex: _____ Age: _____
 Nationality: _____
 Current Address: _____
 Permanent Address: _____
 Educational Attainment:
 Grade School: _____
 High School: _____
 College/University & Course: _____
 Technical/ Vocational Course: _____
 Post Graduate: _____



Signature

Company Division and Designation: _____

Job Description & Responsibilities:

Qualifications & Trainings:

e



**Energy Utilization Management Bureau
Quality Management System**

**List of Equipment, Manuals of
Procedures and Reference Materials
(Annex G)**

Doc Ref No.:

EUMB-QF-RTLAG

Effective Date:

Revision No.:

0

Page No.:

1 of 1

List of Equipment, Manuals of Procedures and Reference Materials

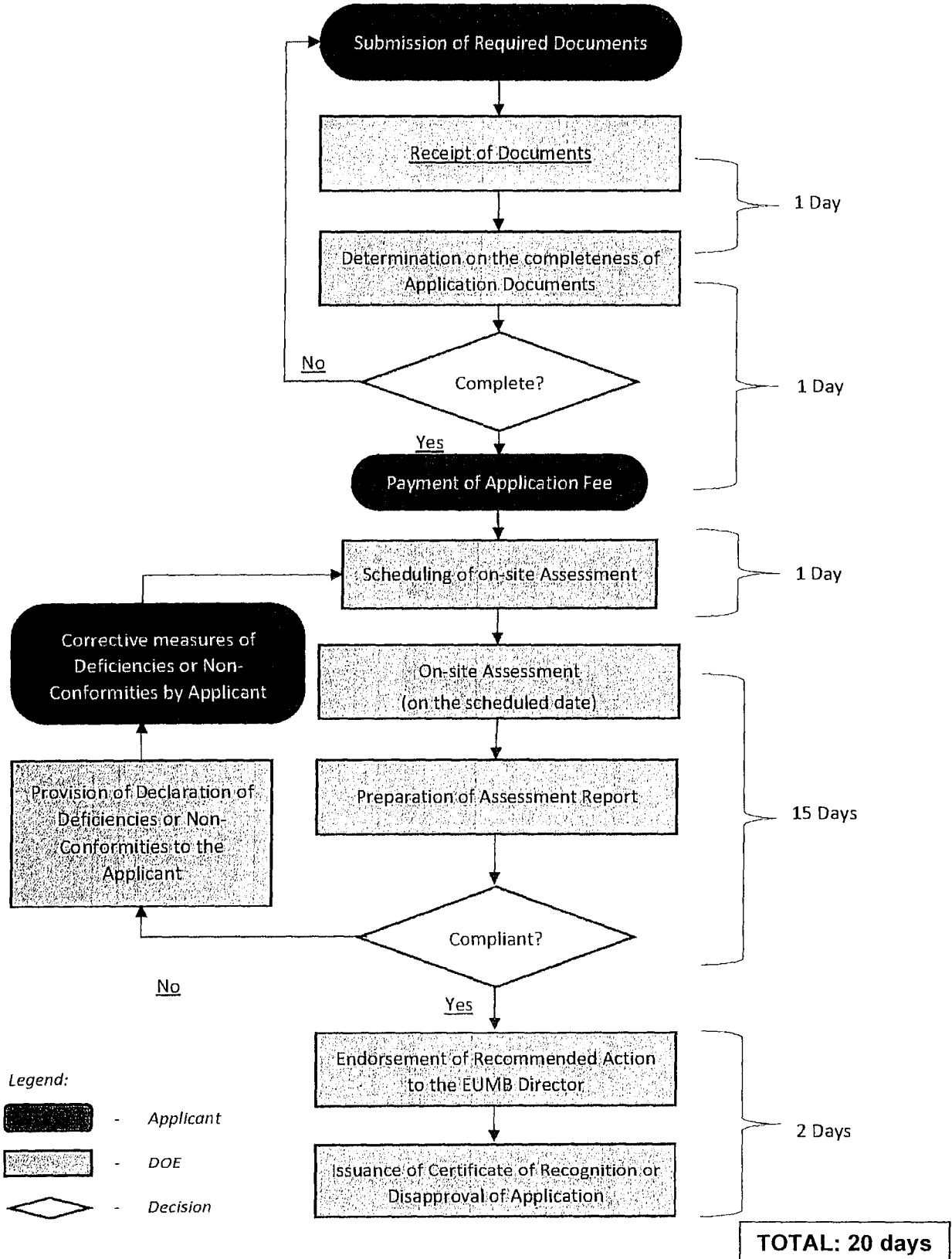
Qty.	Equipment Name	Brand	Date Procured	Description	Remarks

Manuals/ Reference Materials	Description	Remarks

✓



Process Flow Chart for the Recognition of Testing Laboratory



[Handwritten mark]

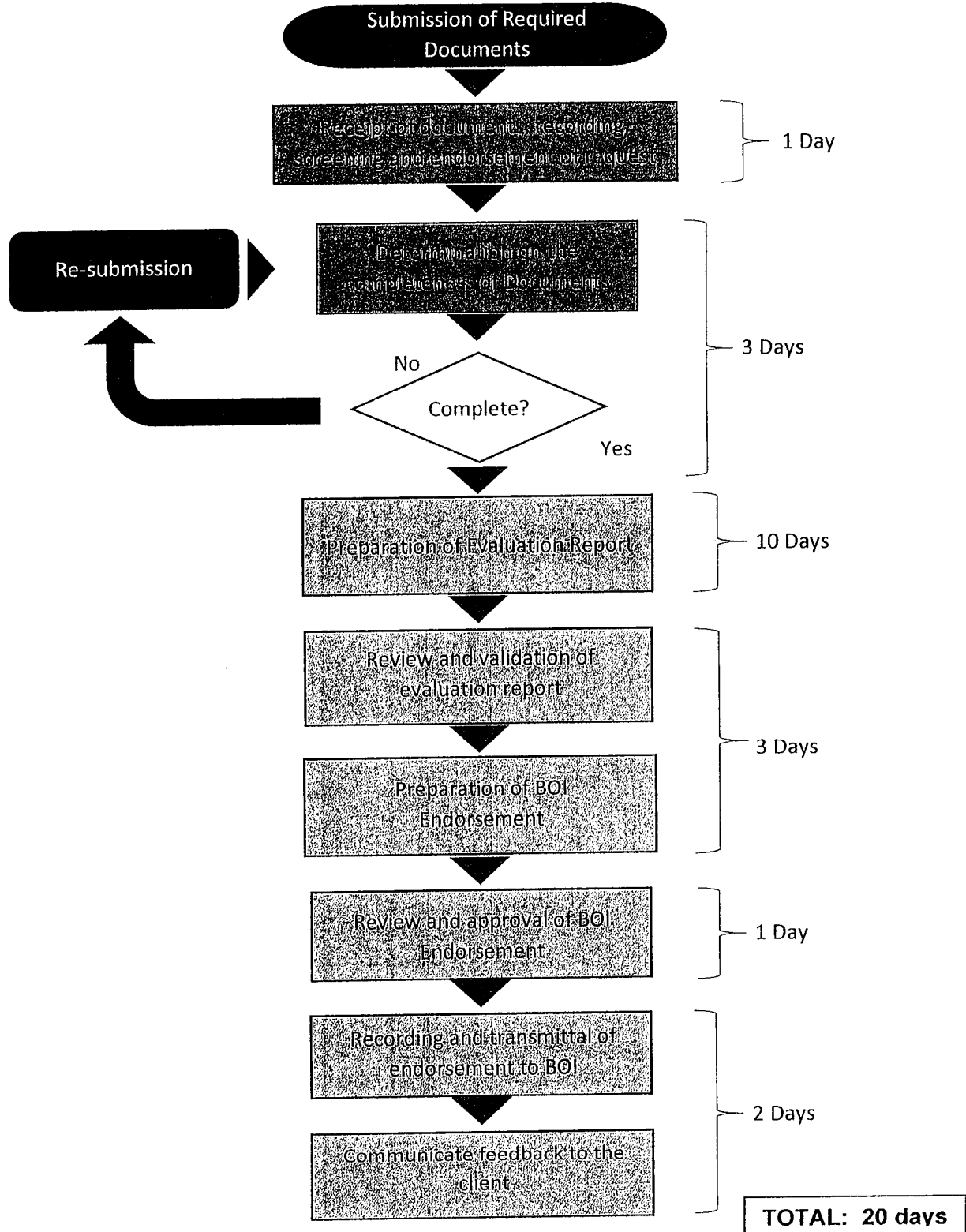



**Energy Utilization Management Bureau
Quality Management System**

**Process Flowchart for the
BOI Incentives Availment for the
Establishment of Testing Laboratories
(Annex I)**

Doc Ref No.:	EUMB-QD-RTLAI
Effective Date:	
Revision No.:	0
Page No.:	1 of 1

**Process Flow Chart for the DOE Endorsement for BOI Incentives Availment for the
Establishment of Testing Laboratories for Energy-Consuming Products**



	Energy Utilization Management Bureau Quality Management System Schedule of Penalties and Fines (Annex J)	Doc Ref No.:	EUMB-QD-RTLAJ
		Effective Date:	
		Revision No.:	0
		Page No.:	1 of 1

Schedule of Penalties and Fines

Pursuant to Sections 80 and 83 of the EEC-IRR, the following shall be the violations of the prohibited acts enumerated of this Department Circular as follows:

Violation	Penalties and Fines*		
	Php 10,000 – 200,000	Php 200,000 – 500,000	Php 500,000- 1,000,000 or Revocation of Recognition or may be a ground for blacklisting
Conduct of performance testing for purposes of PELP verification without DOE recognition		1 st Offense	2 nd Offense
Violation of the Terms and Condition/s under Section 9 of this Department Circular	1 st Offense	2 nd Offense	3 rd Offense
Misrepresentation for purposes of securing a recognition or renewal thereof, such as giving false statement in the application or submitting falsified documents		1 st Offense	2 nd Offense
Willfully refusing, obstructing or attempting to obstruct an on-site inspection by the Assessment Team or visits by the authorized representative of DOE	1 st Offense		2 nd Offense
Failure or willful refusal to submit any of the reports required		1 st Offense	2 nd Offense
Tampering of test result or entering any false information about the product being tested			1 st Offense
Failure to acquire PAB accreditation for PNS ISO/IEC 17025 (for RTLs who submitted proof of ongoing application for accreditation as a requirement for DOE recognition)			1 st Offense
Failure to submit report on the actual implementation of	1 st Offense	2 nd Offense	3 rd Offense



**Energy Utilization Management Bureau
Quality Management System**

**Schedule of Penalties and Fines
(Annex J)**

Doc Ref No.:	EUMB-QD-RTLAJ
Effective Date:	
Revision No.:	0
Page No.:	2 of 2

the project with supporting information particularly on the items relating to fiscal incentives availed			
Failure to subject themselves and their projects to an independent verification by the DOE upon the issuance of the guidelines for the same	1 st Offense	2 nd Offense	3 rd Offense
Failure to comply with such other requirements as may be required by the DOE for the attainment of the objectives of the EEC Act and EEC-IRR	1 st Offense	2 nd Offense	3 rd Offense

*The imposition of fines and penalties stated above shall be on a per entity (laboratory) basis.

g