

EECR/EECA 2024 PENALTY LISTING

1. Penalties on Energy Consumers (Industrial / Commercial Facilities)

| Clause | Offence | Penalty |
|---------|--|------------------------|
| s.5(3) | Failure to appoint a Registered Energy Manager | Fine ≤ RM50,000 |
| s.6(3) | Failure to develop & implement Energy Management System (EnMS) | Fine ≤ RM50,000 |
| s.6(4) | Failure to comply with EnMS guidelines | Fine ≤ RM20,000 |
| s.7(4) | Failure to submit Energy Efficiency & Conservation Report | Fine ≤ RM50,000 |
| s.8(4) | Failure to appoint Registered Energy Auditor | Fine ≤ RM50,000 |
| s.9(10) | Failure to submit Energy Audit Report | Fine ≤ RM50,000 |

2. Penalties on Registered Energy Managers & Auditors

| Clause | Offence | Penalty |
|---------|--|------------------------|
| s.5(4) | Energy Manager fails to perform duties | Fine ≤ RM20,000 |
| s.7(3) | Failure to prepare Energy Efficiency Report | Fine ≤ RM20,000 |
| s.25(3) | Acting without registration / practising certificate | Fine ≤ RM20,000 |

3. Penalties on Person in Charge of a Building (Commercial Buildings)

| Clause | Offence | Penalty |
|---------|--|---|
| s.11(2) | Failure to display Energy Intensity Label | Fine ≤ RM50,000 |
| s.12(2) | Forgery / misuse of Energy Intensity Label | Fine ≤ RM50,000 or imprisonment ≤ 2 years or both |
| s.13(8) | Failure to conduct building energy audit after non-compliance | Fine ≤ RM50,000 |
| s.14(7) | Failure to submit Building Energy Audit Report | Fine ≤ RM50,000 |
| s.15(8) | Failure to implement approved Energy Efficiency Improvement Plan | Fine ≤ RM50,000 |
| s.15(9) | Failure to submit Improvement Plan | Fine ≤ RM50,000 |

4. Penalties on Manufacturers & Importers (Energy-Using Products)

| Clause | Offence | Penalty |
|---------|--|---|
| s.17(2) | Selling energy-using product without rating label | Fine ≤ RM50,000 |
| s.18(2) | Distributing product without registration or certificate | Fine ≤ RM50,000 or imprisonment ≤ 2 years or both |
| s.23(3) | Failure to recall product after certificate cancellation | Fine ≤ RM50,000 |
| s.24(2) | Failure to keep records (7 years) | Fine ≤ RM50,000 |

5. Penalties on Training Institutions

| Clause | Offence | Penalty |
|---------|--|------------------------|
| s.31(2) | Conducting training without registration | Fine ≤ RM50,000 |

6. Penalties Related to Information, Investigation & Enforcement

These are the **heaviest penalties** in the Bill.

| Clause | Offence | Penalty |
|---------|---|--|
| s.37(3) | Obstruction / refusal during review or audit | Fine ≤ RM100,000 or imprisonment ≤ 2 years or both |
| s.38(4) | Failure to provide required information/documents | Fine ≤ RM100,000 or imprisonment ≤ 2 years or both |
| s.38(5) | Providing false / incomplete information | Fine ≤ RM100,000 |
| s.47(5) | Failure to give access to computerized data | Fine ≤ RM100,000 |
| s.48(1) | Tipping-off during investigation | Fine ≤ RM100,000 or imprisonment ≤ 2 years or both |
| s.45(8) | Tampering with sealed seized items | Fine ≤ RM100,000 or imprisonment ≤ 2 years or both |
| s.40(2) | Failure to allow access to records | Fine ≤ RM20,000 |

7. Director & Employer Liability (Very Important)

| Clause | Impact |
|--------|--|
| s.62 | Directors, managers, partners may be personally liable |
| s.63 | Employers liable for offences committed by employees |