

Basic Principles and Legal Foundation of Energy Management

– Post Kyoto Era

*Hwa-Meei Liou**

Abstract

Energy management influences national economy greatly. Energy debates are usually affected by international policies. Energy management includes energy supply and the need for energy. Taiwan is in lack of energy resource geographically. However, with economic development, the need for energy raised. Basic principles for energy management are different in every country due to their historical contexts. In general, there are three common principles: safety and stability, environmental and ecological protection, and rational competition. There are international regulations about energy development and energy utilization. Currently, major international conventions on energy including the followings: United Nations Framework Convention on Climate Change, Kyoto Protocol, and Energy Charter Treaty. Even though Taiwan is not a member included in international environmental conventions, we do rely on other countries in terms of energy supply. More, as we are situating in the era of global competition, it is essential to adjust our national energy policy in correspond to international trends. Regarding development of energy policy, whether nationally or internationally, it is becoming more liberal and private. Thus, a complete legal structure, a effective regulatory mechanism, and a responsible organization should be built. However, establishment of energy law system has been relatively weak. Besides the

* Associate Professor, Department of Financial & Economic Laws, National Taipei University.

Energy Management Law which has been practiced for a long time, some important drafts and acts have been reviewed and passed in the past years. For example: Petroleum Administration Law came into effect. Amendment of Electricity Industry Law had passed after first read in the last session of the Legislative Yuan. Draft of Gas Industry Law had passed in a session of the Executive Yuan. Draft on Reproductive Energy Development had finished. The legal foundation of national energy management has been established gradually. It is also crucial for elevating international competitiveness of energy industry.

Keywords: energy management, energy law, Kyoto Protocol, United Nations Framework Convention on Climate Change, Energy Charter Treaty, German Energy Law, European Energy Law, energy Technology, Energy Management Law, Petroleum Administration Law, Amendment of Electricity Industry Law, gas, reproductive energy