



STATUTORY INSTRUMENTS.

S.I. No. 557 of 2019



EUROPEAN UNION (OIL RESERVES) (AMENDMENT) REGULATIONS
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I, RICHARD BRUTON, Minister for Communications, Climate Action and Environment, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Council Directive 2009/119/EC of 14 September 2009¹ as amended by Commission Implementing Directive (EU) 2018/1581 of 19 October 2018², hereby make the following regulations:

1. These Regulations may be cited as the European Union (Oil Reserves) (Amendment) Regulations 2019.

2. These Regulations come into operation on 1 January 2020.

3. In these Regulations -

“Act of 2007” means the National Oil Reserves Agency Act 2007 (No. 7 of 2007);

“Principal Regulations” means the European Union (Oil Reserves) Regulations 2012 (S.I. No. 541 of 2012).

4. Regulation 2 of Principal Regulations is amended -

(a) by the substitution of the following definition for the definition of ‘Council Directive’:

“ ‘Council Directive’ means Council Directive 2009/119/EC of 14 September 2009¹ as amended by Commission Implementing Directive (EU) 2018/1581 of 19 October 2018²;”,

and

¹ OJ No. L 265, 9.10.2009, p.9

² OJ No. L 263, 22.10.2018, p. 57

- (b) by the insertion of the following definitions after the definition of “Irish emergency stocks”:

“ ‘oil stocks’ means stocks of the energy products listed in Chapter 3.4 of Annex A to Regulation (EC) No. 1099/2008;

‘Regulation (EC) No. 1099/2008’ means Regulation (EC) No. 1099/2008 of the European Parliament and of the Council of 22 October 2008³, as amended by Commission Regulation (EU) No. 147/2013 of 13 February 2013⁴, Commission Regulation (EU) No. 431/2014 of 24 April 2014⁵ and Commission Regulation (EU) 2017/2010 of 9 November 2017⁶;

5. Section 2 of the Act of 2007 is amended -

- (a) by the substitution of the following definition for the definition of ‘Council Directive’:

“ ‘Council Directive’ means Council Directive 2009/119/EC of 14 September 2009¹, as amended by Commission Implementing Directive (EU) 2018/1581 of 19 October 2018²;

- (b) by the insertion of the following definition after the definition of “oil consumer”:

“ ‘oil stocks’ means stocks of the energy products listed in Chapter 3.4 of Annex A to Regulation (EC) No. 1099/2008;”,

and

- (c) by the substitution of the following definition for the definition of ‘Regulation (EC) No. 1099/2008’:

“ ‘Regulation (EC) No. 1099/2008’ means Regulation (EC) No. 1099/2008 of the European Parliament and of the Council of 22 October 2008³, as amended by Commission Regulation (EU) No. 147/2013 of 13 February 2013⁴, Commission Regulation

³ OJ No. L 304, 14.11.2008, p 1

⁴ OJ No. L 50, 22.02.2013, p. 1

⁵ OJ No. L 131, 1.05.2014, p. 1

⁶ OJ No. L 292, 10.11.2017, p. 3

(EU) No. 431/2014 of 24 April 2014⁵ and Commission Regulation (EU) 2017/2010 of 9 November 2017⁶.”.

6. Section 32 of the Act of 2007 is amended -

(a) in subsection (1B), in paragraph (c) by the substitution of “30 June” for “31 March”,

and

(b) in subsection (1C), in paragraph (a) by the substitution of “Chapter 3.4 of Annex A to Regulation (EC) No. 1099/2008” for “section 4 of Annex B to Regulation (EC) No. 1099/2088”.

7. The Act of 2007 is amended by the substitution of the following Schedule for Schedule 1:

“SCHEDULE 1

Section 32

The crude oil equivalent of imports of petroleum products, as referred to in section 32 shall be calculated using the following method:

1. The sum of net imports of crude oil, natural gas liquids (NGL), refinery feedstocks and other hydrocarbons, as defined in Annex A, Chapter 3.4 of Regulation (EC) No. 1099/2008, shall be calculated and adjusted to take account of any stock changes. From the resulting figure, one of the following figures shall be deducted for naphtha yield:

4%,

the average naphtha yield,

the net actual naphtha consumption.

2. The sum of the net imports of all other petroleum products, as defined in Annex A, Chapter 3.4 of Regulation (EC) No. 1099/2008, excluding naphtha, shall be calculated and adjusted to take account of stock changes and shall be multiplied by a factor of 1.065.

3. The sum of the figures resulting from 1 and 2 represents the crude oil equivalent.

4. International marine bunkers shall not be included in the calculation.”.

8. Schedule 2 to the Act of 2007 is amended by the substitution of the following paragraph for paragraph 1:

“1. Inland consumption is the sum of the aggregate “observed gross inland deliveries”, as defined in Section 3.2.2.11 of Annex C to Regulation (EC) No. 1099/2008, of the following products only: motor gasoline, aviation gasoline, gasoline-type jet fuel (naphtha-type jet fuel or JP4), kerosene-type jet fuel, other kerosene, gas/diesel oil (distillate fuel oil) and fuel oil (high sulphur content and low sulphur content) as defined in Chapter 3.4 of Annex A to Regulation (EC) No. 1099/2008.”.

9. Schedule 3 to the Act of 2007 is amended in paragraph 5 by the substitution of the following subparagraph for subparagraph (a):

“(a) all other stocks of the petroleum products identified in Chapter 3.4 of Annex A to Regulation (EC) No. 1099/2008 and calculate the crude oil equivalent by multiplying the quantities by a factor of 1.065, or”.



GIVEN under my Official Seal,
29 October, 2019.

RICHARD BRUTON,
Minister for Communication, Climate Action
and Environment.

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