

**No. 21413**

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**IRELAND  
and  
BELGIUM**

**Agreement on the reciprocal holding of stocks of crude oil  
and/or petroleum products. Signed at Dublin on 28 April  
1977**

*Authentic texts: Irish, English, Dutch and French.*

*Registered by Ireland on 2 December 1982.*

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**IRLANDE  
et  
BELGIQUE**

**Accord relatif à l'imputation réciproque des stocks de pétrole  
brut et/ou de produits pétroliers. Signé à Dublin le  
28 avril 1977**

*Textes authentiques : irlandais, anglais, néerlandais et français.*

*Enregistré par l'Irlande le 2 décembre 1982.*

## AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF IRELAND AND THE GOVERNMENT OF THE KINGDOM OF BELGIUM ON THE RECIPROCAL HOLDING OF STOCKS OF CRUDE OIL AND/OR PETROLEUM PRODUCTS

The Government of Ireland and the Government of the Kingdom of Belgium, having regard to:

- Directive 68/414/EEC of the Council of the European Communities of 20 December 1968 (OJ No. L308/14 of 23 December 1968) which obliges member States of the European Communities to maintain a minimum level of 65 days' stocks of crude oil and/or petroleum products and, in particular, Article 6(2) of the Directive which envisages the establishment of stocks within the territory of a member State for the account of undertakings established in another member State, under individual agreements between Governments;
- Directive 72/425/EEC of the Council of the European Communities of 19 December 1972 (OJ No. L291/154 of 28 December 1972) increasing the minimum level of stocks of crude oil and/or petroleum products to 90 days as from 1 January 1975;
- European Communities (Minimum Stocks of Petroleum Oils) Regulations (S.I. No. 325/1974) made on 4 November 1974 by the Irish Minister for Transport and Power which envisages the signature of Agreements between the Government of Ireland and the Government of another member State;
- The Royal Decree of 11 October 1971 imposing obligations with regard to storage capacity and stocks of petroleum products;
- The Royal Decree of 1 June 1976 amending the Royal Decree of 11 October 1971 and increasing the level of minimum stocks of crude oil and/or petroleum products to 90 days;

Have agreed as follows:

*Article 1.* Subject to the provisions laid down hereunder, undertakings required to maintain stocks in Ireland may hold stocks of crude oil, refined products and/or semi-refined products in Belgium and include them in the returns of reserve stocks which they make in accordance with the legislation on stock obligations.

*Article 2.* The following may be taken into account in pursuance of Article 1:

- (a) Stocks which an undertaking required to maintain stocks in Ireland holds in Belgium or which it may legally dispose of there;
- (b) Stocks which a Belgian undertaking holds in Belgium or which it may legally dispose of there and which it has agreed in writing (declaration of obligation) to put at the disposal of an Irish undertaking for a period of at least three months.

*Article 3.* (i) The arrangements provided for in Article 2 shall be subject to prior authorisation by the Irish and Belgian Ministers responsible for petroleum products. These authorisations may be valid for a limited period of not less than three months.

(ii) Requests for authorisations must contain the following information:

- (a) The nature and quantity of the stocks;
- (b) Precise details of the location of the depot where the stocks are held;

<sup>1</sup> Came into force on 28 April 1977 by signature, in accordance with article 12.

- (c) The name and address of the undertaking entitled to claim the stocks;
- (d) The period for which authorisation is requested;
- (e) The customs arrangements under which the stocks are held;
- (f) Copy of the declaration of obligation referred to in Article 2(b).

(iii) The request to the Belgian Minister responsible for petroleum products shall be submitted to him by the Belgian guarantor of the Irish undertaking not later than fifteen working days before the commencement of the period during which the stocks will be held on behalf of the Irish undertaking.

The Belgian Minister responsible for petroleum products shall decide on the request for authorisation at the latest before the commencement of the period for which the authorisation is sought.

(iv) If there is any change in the information supplied in accordance with Article 3(ii) a new request for authorisation must be submitted.

*Article 4.* The Belgian Government shall not, under any circumstances, hinder the free movement to Ireland of the stocks referred to in Articles 1 and 2.

*Article 5.* The stocks referred to in Article 2 cannot be taken into account for the purpose of meeting stock obligations falling on companies subject to Belgian law. Such stocks shall not, therefore, be included in returns by Belgian undertakings to international organisations.

*Article 6.* The Belgian Minister responsible for petroleum products may refuse an authorisation under Article 2(b) in the event of failure by the Belgian undertaking concerned to meet its stock obligation in Belgium. The applicant company shall be notified of this decision at the latest before commencement of the period in question.

*Article 7.* If the volume of stocks held in Belgium, in accordance with Article 2, reaches a level which is deemed excessive in relation to total Belgian stocks, the Belgian Minister responsible for petroleum products shall immediately initiate consultations with the Irish Minister responsible for petroleum products on the limitation of these stocks for the following three-month period.

Proposals to begin consultations must be made at the latest one week after receipt of the statistical return to be furnished under Article 8.

*Article 8.* Within six weeks of the expiry of each three-month period, a statistical return shall be sent to the Belgian Minister responsible for petroleum products by the Irish Minister responsible for petroleum products. This return shall distinguish between stocks covered by Articles 2(a) and 2(b) and shall include the following information:

- The name and address of the Belgian undertaking holding the stocks;
- The nature and quantity of the stocks;
- The exact location of the depots.

The Belgian Minister responsible for petroleum products shall verify this information and shall convey any observations to the Irish Minister for petroleum products.

*Article 9.* The provisions of Articles 1 to 8 shall apply *mutatis mutandis* to stocks held in Ireland on behalf of Belgian companies which are subject to stock obligations in Belgium.

*Article 10.* Any questions relating to the interpretation and application of this Agreement shall be discussed at the request of either Contracting Party. In the event of a supply crisis, these consultations shall commence without delay.

*Article 11.* This Agreement shall be concluded for an unlimited period. However either Contracting Party may terminate it by giving twelve months' notice through diplomatic channels. The right to renounce may not be exercised in the event of a supply crisis.

*Article 12.* This Agreement shall enter into force on and from the date of signature.

DONE in Dublin on 28 April 1977 in two originals, in the Irish, English, Dutch and French languages, each text being equally authentic.

[Signed]<sup>1</sup>

On behalf of the Government  
of Ireland

[Signed]<sup>2</sup>

On behalf of the Government  
of the Kingdom of Belgium

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<sup>1</sup> Signed by Tom Fitzpatrick.

<sup>2</sup> Signed by André L. De Vogelaere.