



TREATY SERIES 1986
N° 6

**Agreement between the Government of Ireland and the
Government of the French Republic on the holding in
French Territory of Reserve Stocks of Crude Oil and/or
Refined Petroleum Products on behalf of Companies
Established in Ireland**

Done at Dublin on 10 December 1985

Entered into force upon signature on 10 December 1985

Presented to Dáil Éireann by the Minister for Foreign Affairs

**AGREEMENT BETWEEN THE GOVERNMENT OF IRELAND AND
THE GOVERNMENT OF THE FRENCH REPUBLIC ON THE
HOLDING IN FRENCH TERRITORY OF RESERVE STOCKS OF
CRUDE OIL AND/OR REFINED PETROLEUM PRODUCTS ON
BEHALF OF COMPANIES ESTABLISHED IN IRELAND**

The Government of Ireland and the Government of the French Republic, having regard to:

The law of 30 March, 1928, the decrees of 10 March, 1958, and 30 January, 1975, and the orders of 13 April, 1959, and 31 December, 1976, fixing in France the rules on the setting up and maintenance of a reserve stock of crude oil and refined petroleum products;

Directive 68/414/EEC of the Council of the European Communities which obliges member States of the European Communities to maintain a minimum level of 65 days stock of crude oil and/or petroleum products, and in particular Article 6(2) of that 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, increasing the minimum level of stocks of crude oil and/or petroleum products to 90 days as from 1 January, 1975;

The European Communities (Minimum Stocks of Petroleum Oils) Regulations 1974 to 1977 made by the relevant Irish Ministers and which envisage the signature of agreements between the Government of Ireland and the Government of another member State;

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 France and include them in the returns of reserve stocks which they make in accordance with 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 France or which it may legally dispose of there;
- (b) Stocks which a French undertaking holds in France or which it may legally dispose of there and which it has agreed in writing to put at the disposal of an Irish undertaking for a period of at least six months.

Article 3

(i) The arrangements provided for in Article 2 shall be subject to prior authorisation by the Irish and French Ministers responsible for petroleum products. These authorisations may be valid for a limited period of not less than six 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;
- (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 obligations referred to in Article 2(b).

(iii) The request to the French Minister responsible for petroleum products shall be submitted to him by the French 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 French Minister responsible for petroleum products shall decide on the request for authorisation at the latest before 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(u) a new request for authorisation must be submitted.

Article 4

The French 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 French law. Such stocks shall not, therefore, be included in returns by French undertakings to international organisations.

Article 6

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

Article 7

1. Any person holding stocks of crude oil and/or petroleum products established in France on behalf of Irish undertakings pursuant to this Agreement shall send a six-monthly return of such stocks to the French and Irish Ministers responsible for

petroleum products. This return shall be sent to them within six weeks of the end of each six-month period. It shall contain the following particulars:

- The name and address of the person holding stocks on behalf of an undertaking subject to stock obligations in Ireland;
- The nature and quantity of such stocks;
- The exact location of the depots.

The French and Irish Ministers responsible for petroleum products shall send each other the returns which have been so submitted to them by the holders of stocks.

2. The French Minister responsible for petroleum products shall have the details checked and communicate any relevant remarks to the Irish Minister responsible for petroleum products.

Article 8

Any questions on the interpretation or application of this Agreement shall be the subject of consultations at the request of either of the Contracting Parties. In the event of a supply crisis these consultations shall commence without delay.

Article 9

This Agreement shall be concluded for an unlimited period. However, either Contracting Party may terminate it by giving nine months' notice through the Ministers responsible for petroleum products. The right to renounce may not be exercised in the event of a supply crisis.

Article 10

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

DONE in Dublin on 10-12-1985 in two originals, in the French and English languages, each text being equally authentic.

[Signed]

On behalf of the Government of Ireland
Signed by Peadar de Barra

[Signed]

On behalf of the Government of the French Republic
Signed by Bernard Guitton