

# SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4644 of 19 December, 2019

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LEGAL NOTICE NO. 246 OF 2019

## CIVIL CONTINGENCIES ACT 2007

### MAINTENANCE OF MINIMUM STOCKS (AMENDMENT) REGULATIONS 2019

In exercise of the powers conferred on it by section 31 of the Civil Contingencies Act 2007, and all other enabling powers, the and for the purpose of transposing into the law of Gibraltar Commission Implementing Directive (EU) 2018/1581 amending Council Directive 2009/119/EC of 14 September 2009 imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products, the Government has made these Regulations-

#### **Title.**

1. These Regulations may be cited as the Maintenance of Minimum Stocks (Amendment) Regulations 2019.

#### **Commencement.**

2. These Regulations come into operation on the 1<sup>st</sup> January 2020.

#### **Amendment of Regulations.**

3. The Maintenance of Minimum Stocks Regulations 2013 are amended in accordance with the provisions of these Regulations as follows:

(a) For the definition of “oil stocks” in regulation 3 substitute–

““oil stocks” means the following stocks of energy products and as listed in Chapter 3.4 of Annex A to Regulation (EC) No 1099/2008, namely –

- (a) crude oil;
- (b) NGL;
- (c) refinery feedstocks;
- (d) additives/oxygenates;
- (e) biofuels in additives/oxygenates;
- (f) other hydrocarbons;
- (g) petroleum products;
- (h) refinery gas;
- (i) ethane;
- (j) LPG;

- (k) Naphtha;
  - (l) motor gasoline;
  - (m) blended biogasoline (biogasoline in motor gasoline);
  - (n) non biogasoline;
  - (o) aviation gasoline;
  - (p) gasoline type jet fuel (naphtha type jet fuel or JP4);
  - (q) kerosene type jet fuel;
  - (r) blended bio jet kerosene (bio jet kerosene in kerosene type jet fuel);
  - (s) non-bio jet kerosene;
  - (t) other kerosene;
  - (u) gas/diesel oil (distillate fuel oil);
  - (v) blended biodiesels (biodiesels in gas/diesel oil);
  - (w) non biodiesels;
  - (x) fuel oil (both low and high sulphur content);
  - (y) white spirit and SBP;
  - (z) lubricants;
  - (aa) bitumen;
  - (bb) paraffin waxes;
  - (cc) petroleum coke;
  - (dd) other products;”;
- (b) in regulation 20(3), substitute the reference to “subregulation (3)” with “subregulation (2)” and the reference to “31 March” with “30 June”;
- (c) in regulation 23(1), substitute “the first paragraph of Section 3.1 of Annex C to Regulation (EC) No 1099/2008” with “Chapter 3.4 of Annex A to Regulation (EC) No 1099/2008”;
- (d) substitute regulation 25(3) in its entirety with –
- “(3) Specific stocks can only be composed of one or more of the following product categories, as defined in Chapter 3.4 of Annex A to Regulation (EC) No 1099/2008–
- (a) crude oil;
  - (b) NGL;
  - (c) refinery feedstocks;
  - (d) additives/oxygenates;
  - (e) biofuels in additives/oxygenates;
  - (f) other hydrocarbons;
  - (g) petroleum products;
  - (h) refinery gas;
  - (i) ethane;
  - (j) LPG;
  - (k) Naphtha;
  - (l) motor gasoline;
  - (m) blended biogasoline (biogasoline in motor gasoline);
  - (n) non biogasoline;
  - (o) aviation gasoline;

- (p) gasoline type jet fuel (naphtha type jet fuel or JP4);
  - (q) kerosene type jet fuel;
  - (r) blended bio jet kerosene (bio jet kerosene in kerosene type jet fuel);
  - (s) non-bio jet kerosene;
  - (t) other kerosene;
  - (u) gas/diesel oil (distillate fuel oil);
  - (v) blended biodiesels (biodiesels in gas/diesel oil);
  - (w) non biodiesels;
  - (x) fuel oil (both low and high sulphur content);
  - (y) white spirit and SBP;
  - (z) lubricants;
  - (aa) bitumen;
  - (bb) paraffin waxes;
  - (cc) petroleum coke;
  - (dd) other products.”;
- (e) in regulation 25(7), substitute “Section 3.2.1 of Annex C to Regulation (EC) No 1099/2008” with “Chapter 3.4 of Annex A to Regulation (EC) No 1099/2008”;
- (f) substitute Schedule 1 in its entirety with the following –

**“SCHEDULE 1**

Regulation 20

**METHOD FOR CALCULATING THE CRUDE OIL EQUIVALENT  
OF IMPORTS OF PETROLEUM PRODUCTS**

The crude oil equivalent of imports of petroleum products, as referred to in regulation 20, must be calculated using the following method:

- (1) the sum of net imports of crude oil, 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) above represents the crude oil equivalent.
- (4) International marine bunkers shall not be included in the calculation.”.
- (g) in Schedule 2, substitute “Section 3.2.1” in the second line of the second paragraph with “Section 3.2.211” and in the penultimate line of the second paragraph substitute “Section 4 of Annex B to Regulation (EC) No 1099/2008” with “Chapter 3.4 of Annex A to Regulation (EC) No 1099/2008”;
- (h) in Schedule 3, substitute “the first paragraph of Section 3.1 of Annex C to Regulation (EC) No 1099/2008” in subparagraph (a) of the sixth paragraph with ““Chapter 3.4 of Annex A to Regulation (EC) No 1099/2008””.

Dated 19<sup>th</sup> December 2019.

S J SACRAMENTO,  
Minister with responsibility for Civil Contingencies,  
for the Government.

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### EXPLANATORY MEMORANDUM

These Regulations amend the Maintenance of Minimum Stocks Regulations 2013 in light of Commission Implementing Directive (EU) 2018/1581 amending Council Directive 2009/119/EC of 14 September 2009 imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products.

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