

Summary version as of 9 December 2020

**GOVERNMENT OF THE REPUBLIC OF LITHUANIA
RESOLUTION**

5 December 2002, No 1901
Vilnius

**ON THE APPROVAL OF THE RULES FOR THE BUILDING, REGULATION,
MANAGEMENT, ACCUMULATION, USE AND MAINTENANCE OF THE STATE
STOCKS OF PETROLEUM PRODUCTS AND OIL**

Pursuant to Article 3(2)(2) of the Republic of Lithuania Law on the State Stocks of Petroleum Products and Oil and seeking to implement Council Directive No 2009/119/EC of 14 September 2009 which obligates the Member States to maintain emergency stocks of crude oil and/or petroleum products (OJ 2009 L 265, p. 9), the Government of the Republic of Lithuania
r e s o l v e s :

Amendments to the Preamble:

No [576](#), 2015-06-09, published in the Register of Legal Acts (TAR) on 2015-06-15, ID No 2015-09268

To approve the Rules for the Building, Regulation, Management, Accumulation, Use and Maintenance of the State Stocks of Petroleum Products and Oil.

Minister of Finance,
Acting Prime Minister

Rimantas Šadžius

Minister of Energy

Jaroslav Neverovič

APPROVED

By Resolution of the Government of the
Republic of Lithuania
No 1901 of 5 December 2002
(New version: Resolution of the
Government of the Republic of Lithuania
No 279 of 27 March 2013)

RULES FOR THE BUILDING, REGULATION, MANAGEMENT, ACCUMULATION, USE AND MAINTENANCE OF THE STATE STOCKS OF PETROLEUM PRODUCTS AND OIL

SECTION I. GENERAL PROVISIONS

Amended title of the Section:

No [1371](#), 2015-12-23, published in TAR 2015-12-30, ID No 2015-21081

1. These Rules for the Building, Management, Accumulation, Use and Maintenance of the State Stocks of Petroleum Products and Oil (the 'Rules') shall set out the procedures for the setting of accumulation tasks for the state stocks of petroleum products and oil (the 'stocks'), requirements for the accumulation, storage, accounting and quality of the stocks, rules for concluding agreements on the accumulation and management of the stocks, and procedures for the stock accounting and write-off, supervision over the stock accumulation, storage and management activities, use of the stocks, and stock reporting.

2. These Rules shall be binding upon oil refineries, economic operators that import or bring into the country petroleum products and/or oil, economic operators that are delegated operators according to the Republic of Lithuania Law on the State Stocks of Petroleum Products and Oil (the 'Law on Stocks'), and the central entity that accumulates and manages petroleum products and oil in the Republic of Lithuania (the 'Agency').

Amendments to the paragraph:

No [576](#), 2015-06-09, published in TAR 2015-06-15, ID No 2015-09268

3. The definitions of the terms used in the Rules are provided in the Law on Stocks, the Republic of Lithuania Law on Energy and the Republic of Lithuania Law on Safe Navigation.

Amendments to the paragraph:

No [576](#), 2015-06-09, published in TAR 2015-06-15, ID No 2015-09268

SECTION II. STOCK ACCUMULATION TASKS

Amended title of the Section:

No [1371](#), 2015-12-23, published in TAR 2015-12-30, ID No 2015-21081

4. While setting the annual stock accumulation levels mandatory for the Agency and the delegated economic operators (the 'stock accumulation tasks'), the Ministry of Energy shall ensure that accumulation the stock levels set in Article 6(1) of the Law on Stocks are ensured in the state.

5. The Ministry of Energy shall calculate the average net daily imports and the average daily inland consumption required for the determination of the stock accumulation tasks according to the methodology provided in Annex 1 to the Rules.

6. By 30 April of each year, the Ministry of Energy shall calculate and approve the stockpiling obligations, indicating the stock categories to be accumulated (petroleum products

specified in Article 2(7) of the Law on State Stocks), concrete stock levels, and the method used to calculate stock levels, specified in subparagraph 4.4 of Annex 1 to the Rules. For petroleum refineries that are designated as obligated enterprises under the Law on State Stocks, stockpiling obligations shall be expressed in tonnes of crude oil equivalent; for enterprises importing and bringing in petroleum products and/or oil that are designated as obligated enterprises under the Law on State Stocks as well as the Agency, stockpiling obligations shall be expressed in tonnes of petroleum products. In calculating stockpiling obligations, the Ministry of Energy shall follow the Methodology for Establishing Stockpiling Obligations set out in Annex 1 to the Rules.

Amendments to the paragraph:
No 1161, 2029-11-20, published in TAR

7. The Ministry of Energy shall calculate the stock accumulation tasks on the basis of the statistical information and data for the reporting year provided by the Statistics Lithuania, the procedure and scope of provision of which shall be set in the Procedure for the Submission of Information Required for the Implementation of Provisions of the Republic of Lithuania Law on the State Stocks of Petroleum Products and Oil approved by the Minister of Energy in coordination with the Statistics Lithuania.

Amendments to the paragraph:
No [302](#), 2016-03-30, published in TAR 2016-03-31, ID No 2016-06738

8. The Ministry of Energy shall calculate and set the stock accumulation tasks for the Agency and for each delegated economic operator separately having regard to the scope of the operator's production, import and/or bringing into the country of petroleum products and to the categories of petroleum products.

Amendments to the paragraph:
No [302](#), 2016-03-30, published in TAR 2016-03-31, ID No 2016-06738

9. The stock accumulation tasks calculated and approved by the Ministry of Energy shall be valid until 30 June of next year.

TAR note: Takes effect after the approval of the stock accumulation tasks for 2017

Amendments to the paragraph:
No 1161, 2029-11-20, published in TAR

10. Each year, after approval of the new stockpiling obligations, the Agency and the obligated enterprises must fulfil the stockpiling obligations set for them (accumulate the stock levels specified in the stockpiling obligations) by 1 July. If tankers are not allowed to enter the port (terminal) waters by decision of the harbourmaster (head of the marine part of the terminal), obligated enterprises, in fulfilling their stockpiling obligations, may accumulate up to 15 per cent of the stock levels for a concrete category specified in the stockpiling obligations with other categories of products specified in the stockpiling obligations for a maximum of five consecutive days. Obligated enterprises must notify the Ministry of Energy by electronic means of communication at least one day in advance about the temporary accumulation of a concrete category of stocks with other categories of products specified in the stockpiling obligations, indicating the stock categories, quantities and duration, and must also submit a copy of the decision of the harbourmaster (head of the marine part of the terminal) by which tankers are not allowed to enter the port (terminal) waters as well as any other relevant information.

Amendments to the paragraph:
No 1161, 2029-11-20, published in TAR

11. The levels of crude oil and interim petroleum products accumulated by the Agency and the delegated economic operators shall be recalculated into petroleum products according to the methodology provided in Annex 1 to the Rules.

SECTION III.

ACTIVITIES OF THE AGENCY IN THE ACCUMULATION AND MANAGEMENT OF STOCKS

Amended title of the Section:

No [1371](#), 2015-12-23, published in TAR 2015-12-30, ID No 2015-21081

12. Should the Agency accumulate more stocks than set in the stock accumulation tasks approved for it including the stock levels according to the agreements concluded or to be concluded with the delegated economic operators in the process of centralised stock accumulation and management, the Agency shall apply to the Ministry of Energy in writing requesting to sell the excess stocks, to grant rights of claims to excess stocks under the agreements, or to use the excess stocks otherwise. In such a case the Agency shall submit to the Ministry of Energy reasoned proposals which of the stock excess realisation methods should be applied and how the income from the sale of the stock excess should be used; the Agency shall also provide to the Ministry of Energy information about the stock accumulation levels by stock categories.

Amendments to the paragraph:

No [576](#), 2015-06-09, published in TAR 2015-06-15, ID No 2015-09268

No [302](#), 2016-03-30, published in TAR 2016-03-31, ID No 2016-06738

13. On receipt of the Agency's request regarding the stock excess, the Ministry of Energy shall, no later than within 20 working days after the receipt of the request, evaluate the Agency's reasoned proposals and the information about the stock accumulation levels by stock categories, take a decision to permit the Agency to realise the stock exceed or to refuse such permission, and notify the decision to the Agency in writing, specifying the reasons for the decision in the case if the Ministry of Energy has refused to grant such permission or has decided to permit realisation of the stock excess by a method other than the method proposed by the Agency. The decision of the Ministry of Energy to permit realisation of the stock excess shall specify, inter alia, the stock excess realisation method: selling the excess stocks, granting rights of claims to excess stocks under the agreements, or using the excess stocks otherwise.

Amendments to the paragraph:

No [302](#), 2016-03-30, published in TAR 2016-03-31, ID No 2016-06738

14. The Agency shall monitor compliance of the quality indicators of the stocks controlled by it by the trusteeship right with the statutory requirements. Having established that the stocks quality may deteriorate to such extent that the mandatory quality indicators established in the Law on Stocks, national or European standards, technical specifications and/or company standards are no longer met, the Agency shall make a reasoned written proposal for the solution of the stock replacement matter to the Ministry of Energy. Having received such proposal from the Agency, the Ministry of Energy shall, no later than within 10 working days after receipt of the application, evaluate the reasoned proposal take a decision to replace the stocks or to extend the stocks storage, and notify the decision to the Agency in writing, specifying the reasons for the decision in the case if the decision taken by the Ministry of Energy is different from the Agency's proposal. The decision on stocks replacement taken by the Ministry of Energy shall also specify the method of stock replacement. In replacing the stocks, the Agency may temporarily reduce the stock levels by no more than 30%. The Agency shall furnish the Ministry of Energy, no later than 10 working days in advance, with a reasoned explanation about the planned temporary reduction of the stocks, specifying the stock categories and levels, the estimated duration of the temporary stock reduction and other information. The stocks may be reduced for no longer than 2 months in succession during a calendar year.

Amendments to the paragraph:

No [576](#), 2015-06-09, published in TAR 2015-06-15, ID No 2015-09268

15. The Agency shall provide to the delegated economic operators and other economic operators services related to the accumulation and management of the stocks. An economic operator intending to conclude an agreement on the stock accumulation and management with the Agency shall submit a security of fulfilment of its obligations, which must be acceptable to the Agency. The security shall remain valid throughout the term of the agreement on stock accumulation and management. The Agency shall publish information about the forms of securities acceptable to the Agency on its website.

16. The Ministry of Energy shall approve, on an annual basis by 31 July, tariff rates for the services of stock accumulation and management (the ‘tariff rates’), applied by the Agency. The tariff rates shall take effect no earlier than 7 months after approval thereof. The Ministry of Energy shall set the tariff rates having regard to the Agency’s costs and proposals for the setting of the tariff rates. In the setting and approving of the tariff rates, the Ministry of Energy shall ensure that the tariff rates do not exceed the costs of the stock accumulation and management incurred by the Agency. The Agency shall submit its proposals and requisite information to the Ministry of Energy on an annual basis by 30 June. The tariff rates approved by the Ministry of Energy shall remain in effect until new tariff rates take effect. New tariffs shall not apply to Agency’s agreements on stock accumulation and management that had been concluded prior to the approval of such tariff rates.

Amendments to the paragraph:

No 1161, 2029-11-20, published in TAR

16¹. In order to fulfil its duty of central accumulation and management of the stocks, the Agency shall, after receiving, within the time limits set in the Law on Stocks, applications of the delegated economic operators for the conclusion of agreements on the full or partial stock levels the accumulation and management of which is mandatory for them, conclude agreements with such operators on the accumulation and management of the stock levels specified in their applications. The Agency shall approve and publish, on its website, the procedure for the submission of the said applications and for acting on them.

Paragraph added:

No [302](#), 2016-03-30, published in TAR 2016-03-31, ID No 2016-06738

16². On receipt of the delegated economic operators’ applications referred to in p. 16¹ of the Rules, the Agency shall assess the need for the acquisition of the stock storage services (terminal services) and of the acquisition of stocks and/or rights of claim to the stocks, and shall organise such acquisition according to a procedure established in the Law on Stocks as necessary.

Paragraph added:

No [302](#), 2016-03-30, published in TAR 2016-03-31, ID No 2016-06738

SECTION IV. CONCLUDING AGREEMENTS ON STOCK ACCUMULATION AND MANAGEMENT

Amended title of the Section:

No [1371](#), 2015-12-23, published in TAR 2015-12-30, ID No 2015-21081

17. A delegated economic operator intending to conclude (or amend/renew) an agreement on stock accumulation and management with other economic operators registered in the Republic of Lithuania that provide the stock accumulation and management services and hold excess stocks or stockholding capacities (except for agreements with the Agency), such operator shall give the Ministry of Energy a 5 (five) working days’ written notice by providing the information and documents listed in p. 19 below.

18. Where the delegated economic operators or the Agency intend to conclude (or amend/renew) an agreement on stock accumulation and management with central stockholding entities of other Member States or other Member States' entities holding excess stocks or stockholding capacities, a prior consent of the Ministry of Energy shall be obtained. The Ministry of Energy shall issue such consent according to a procedure set out in p. 22 and 23 of the Rules.

19. The following information and documents shall be submitted to the Ministry of Energy in the cases referred to in p. 17 and 18 of the Rules:

19.1. A letter stating:

19.1.1. name and registered office address of the economic operator;

19.1.2. name and registered office address of the entity with which the operator intends to conclude (or amend/renew) an agreement on stock accumulation and management;

19.1.3. estimated term of validity of the agreement on stock accumulation and management;

19.1.4. information on the stocks to be accumulated and managed: categories, quantities in tonnes and/or cubic meters at 15°C;

19.1.5. intended exact place of the stocks storage (name and address of the terminal);

19.2. A draft agreement on stock accumulation and management or draft agreement on amendment to/extension of such agreement, or an agreement in effect; where such documents are drawn up in a language other than the Lithuanian language, a translation into Lithuanian certified according to a procedure prescribed by law shall be submitted;

19.3. Documents proving that the risk of a failure to fulfil the obligation arising from the intended agreement on stock accumulation and management (or amendments thereto/renewal thereof) by the method of right of claim will be insured or secured otherwise during the term of validity of the agreement; where such documents are drawn up in a language other than the Lithuanian language, a translation into Lithuanian certified according to a procedure prescribed by law shall be submitted; an acceptable security against the said risk shall be a letter of guarantee issued by a bank registered in the Republic of Lithuania or another EU Member State or an international financial institution for the amount not smaller than the value of the stocks or a surety bond issued by an insurance company registered in the Republic of Lithuania or another EU Member State that is entitled to provide surety insurance services for the amount not smaller than the value of the stocks.

20. Where, in the case referred to in p. 18 above, a prior consent of the Ministry of Energy is required but the application referred to in p. 19 and filed to the Ministry of Energy is incomplete or not drawn up improperly and/or not all the documents required under p. 19 have been submitted, the Ministry of Energy shall inform the applicant, no later than within 5 working days after the receipt of the application, about the missing information and/or documents that must be submitted.

21. Where, in the case referred to in p. 17 above, a prior notice to the Ministry of Energy is required, the duty to inform the Ministry of Energy shall be deemed to be fulfilled after the economic operator has submitted all the documents and information required under p. 19 above.

22. Where, in the case referred to in p. 18 above, a prior consent of the Ministry of Energy is required, the Ministry of Energy shall, in deciding on whether the consent should be given, shall consider whether:

22.1. the agreement is to be concluded with entities meeting the requirements of the Law on Stocks;

22.2. the draft agreement on stocks accumulation and management meeting the requirements of the Law on Stocks;

22.3. stocks held by the entities and their stockholding capacities meet the requirements of the Law on Stocks;

22.4. the place of holding stocks meet the requirements of the Law on Stocks;

22.5. consents to the intended agreement have been obtained from competent authorities of other Member States in which the stocks will be held.

23. On receipt of the documents required for the consent, the Ministry of Energy shall issue, within 15 working days, its consent or inform the Agency or the delegated economic operator in writing about its refusal to give the consent, specifying the reasons therefor. The Ministry of Energy shall refuse the consent if at least one condition set out in p. 22 above is not met. If all conditions have been met, the Ministry of Energy shall be obliged to give its consent. Decision of the Ministry of Energy may be appealed against according to a procedure prescribed by law.

24. In all cases, the Agency and the delegated economic operators shall submit copies of the agreements on stock accumulation and management or the agreements on amendments thereto/renewal thereof referred to in p. 17 and 18 of the Rules within 5 working days after conclusion of the agreement.

25. The procedure for giving consents by the Ministry of Energy set out in the Section shall also apply in cases where a consent of the Ministry of Energy to the conclusion of agreements on stock accumulation and management in the territory of the Republic of Lithuania is required according to legal acts of other Member States or agreements with other Member States or competent authorities thereof or other institutions/agencies thereof that are authorised to accumulate and manage specific and emergency stocks (the central stockholding entities, CSE).

26. The Agency and the delegated economic operators that have concluded agreements on stock accumulation and management with other entities shall be liable for the proper fulfilment of the stock accumulation tasks.

SECTION V. STOCK ACCOUNTING

Amended title of the Section:

No [1371](#), 2015-12-23, published in TAR 2015-12-30, ID No 2015-21081

27. Accounting for the stocks shall be kept in accordance with the Rules for Accounting for Petroleum Products, Bioproducts, Other Combustible Liquid Products and Natural Gas approved by the Head of the State Inspectorate under the Ministry of Finance of the Republic of Lithuania and other legal acts governing accounting for petroleum products.

Amendments to the paragraph:

No [576](#), 2015-06-09, published in TAR 2015-06-15, ID No 2015-09268

28. The stock accounting shall ensure that determining the levels/quantities, composition, storage locations, and accumulation and management costs of the stocks is possible.

29. The stocks shall be accounted for separately from production and/or commercial stocks in the entity's accounts.

30. The Agency and the delegated economic operators shall have, at their registered offices or at the actual place of business, documents on all the stocks irrespective of the location where the stocks are held.

SECTION VI. STOCKS WRITING OFF

Amended title of the Section:

No [1371](#), 2015-12-23, published in TAR 2015-12-30, ID No 2015-21081

31. The Agency and the delegated economic operators may write off the following stock losses:

31.1. Losses of petroleum products due to natural loss, not exceeding the fuel natural loss rates set by the Ministry of Energy;

31.2. Losses due to samples that must be taken for laboratory analyses for quality control purposes.

SECTION VII. SUPERVISION OVER STOCK ACCUMULATION, MANAGEMENT AND QUALITY

Amended title of the Section:

No [1371](#), 2015-12-23, published in TAR 2015-12-30, ID No 2015-21081

32. The National Energy Regulatory Council (hereinafter referred to as “the Council”) shall inspect the Agency and the obligated enterprises at least once per year. Inspections shall be carried out upon receipt of the written request of the Ministry of Energy. The request of the Ministry of Energy shall contain information on which enterprises are to be inspected and by what date. Upon receiving information from the Ministry of Energy about the planned stock inspections, the Agency shall, within three working days, provide the Council with an extract from the state information system for stocks of petroleum products and oil, which includes the location of the stocks of the enterprises being inspected and the name and contact details of the person representing the enterprise. Representatives of other Member States may take part in Council inspections if the inspection is of stocks being held within the territory of the Republic of Lithuania on behalf of other Member States or central stockholding entities.

33. The Agency, obligated enterprises and other enterprises providing stockpiling and management services must enable the Council to inspect the stocks. Upon conducting the inspection, the Council shall draw up a report specifying the stock levels established during the inspection, the technical condition of the tanks, the defects found during the inspection, and binding instructions. A report shall also be drawn up in the event that the Council is not enabled to conduct or is otherwise prevented from conducting the inspection, in which case it shall be stated in the report that no stocks have been accumulated. The Council shall inform the Ministry of Energy of the results of the inspection conducted and shall submit a copy of the report within the time limits set out in the request of the Ministry of Energy. The format and procedure for completing the report shall be determined by the Council.

34 Compliance of the quality of stocks with legislative requirements shall be controlled at the Agency and the obligated enterprises by the State Consumer Rights Protection Authority. These controls must be carried out at the same time that the Council inspects how stocks are being accumulated and managed at the Agency and the obligated enterprises. The procedure for and frequency of inspections of stock quality compliance with legislative requirements shall be determined by the State Consumer Rights Protection Authority.

Amendments to the paragraph:

No [1371](#), 2015-12-23, published in TAR 2015-12-30, ID No 2015-21081

SECTION VIII. USE OF STOCKS

Amended title of the Section:

No [1371](#), 2015-12-23, published in TAR 2015-12-30, ID No 2015-21081

35. If the stocks are used, the Ministry of Energy shall inform the European Commission and the International Energy Agency, no later than within 5 working days after the use, about the fact of the stocks' use specifying the time limit for the restoration of the stocks level.

36. Where there are grounds for performing the procedures set out in Article 17 of the Law on Stocks, restrictions on the right to transfer the stocks held in the territory of the Republic of Lithuania on behalf of another Member State or the right to use such stocks shall be prohibited.

SECTION IX. STOCK REPORTING AND STOCK INFORMATION SYSTEM

Amended title of the Section:

No [1371](#), 2015-12-23, published in TAR 2015-12-30, ID No 2015-21081

37. The following stock reports shall be prepared according to a procedure set out in Annex 2 to these Rules and shall be submitted to the European Commission: statistical summaries of stocks and statistical summaries of specific stocks, to the International Energy Agency – statistical summaries of stocks.

38. The Ministry of Energy shall, in the manner prescribed by legislation, establish the state information system for stocks of petroleum products and oil (hereinafter referred to as “the stock information system”). The stock information system is meant to collect data on specific stocks and other required stocks according to the categories set out in Chapter 3.4 of Annex A of Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics, including the information needed to accurately identify the warehouse, processing plant or storage facility where the stock in question is located, as well as its quantity, ownership and nature. Extracts from the stock information system shall be provided to the European Commission in accordance with the procedure laid down in Annex 2 to the Rules.

39. The delegated economic operators shall submit to the Agency, on an annual basis by 1 April, in writing or electronically via the Stocks IS, information about the average monthly costs of stock management per tonne (by stock categories) for the reporting year.

Amendments to the paragraph:

No [576](#), 2015-06-09, published in TAR 2015-06-15, ID No 2015-09268

40. Ministry of Energy shall send to the European Commission a notice specifying the levels of specific stocks of petroleum products to be accumulated according to the Law on Stocks by categories and the time limit for the fulfilment of this obligation. The notice shall be published in the Official Journal of the European Union.

SECTION X. FINAL PROVISIONS

41. A person that violates these Rules shall be brought to account according to a procedure prescribed by the Lithuanian law.

42. Complaints and disputes related to these Rules shall be considered according to a procedure prescribed by the Lithuanian law.

Annex 1
to the Rules for the Building, Regulation,
Management, Accumulation, Use and
Maintenance of the State Stocks of
Petroleum Products and Oil

METHODOLOGY FOR THE SETTING OF STOCK ACCUMULATION TASKS

1. The stock accumulation tasks shall be set on the basis of the average net petroleum product imports for the past calendar year (reporting year) or the average daily inland consumption, which shall be expressed in the crude oil equivalent.

**SECTION I.
CALCULATION OF THE CRUDE OIL EQUIVALENT USED FOR DETERMINING
THE PETROLEUM PRODUCT IMPORTS**

*Amended title of the Section:
No 1161, 2029-11-20, published in TAR*

2. The crude oil equivalent used to express imports of petroleum products must be calculated using the following method:

2.1. the sum of net imports of crude oil, natural gas liquids (NGL), refinery feedstocks and other hydrocarbons, as defined in Chapter 3.4 of Annex A of Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics, 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:

2.1.1. 4 per cent;

2.1.2. the average naphtha yield;

2.1.3. the net actual naphtha consumption;

2.2. the sum of the net imports of all other petroleum products, as defined in Chapter 3.4 of Annex A of Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics, shall be calculated and adjusted to take account of stock changes and shall be multiplied by a factor of 1.065

2.3. the sum of the figures resulting from performing the steps set out in subparagraphs 2.1 and 2.2 of Annex 1 to this resolution is the crude oil equivalent;

2.4. the amount of oil and/or petroleum products present in international marine bunkers (as they are defined in Chapter 2.1 of Annex A of Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics) (hereinafter referred to as “international marine bunker”) shall not be included in the calculation.

**SECTION II
CALCULATION OF THE CRUDE OIL EQUIVALENT USED FOR DETERMINING
THE INLAND CONSUMPTION**

*Amended title of the Section:
No 1161, 2029-11-20, published in TAR*

3. The crude oil equivalent used to express inland consumption must be calculated using the following method:

3.1. the sum of the aggregate observed gross inland deliveries (as they are defined in Section 3.2.2.11 of Annex C to Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics) is established for the following products (as they are defined in Section 4 of Annex B to Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics): motor gasoline, aviation gasoline, gasoline-type jet fuel (naphtha-type jet fuel or JP4), kerosene-type jet fuel, other kerosene, gas and/or diesel oil (distillate fuel oil) and fuel oil (high sulphur content and low sulphur content);

3.2. the resulting amount is multiplied by a factor of 1.2;

3.3. the amount of petroleum products present in international marine bunkers shall not be included in the calculation.

SECTION III CALCULATION OF STOCK LEVELS

Amended title of the Section:

No 1161, 2029-11-20, published in TAR

4. Stock levels shall be calculated according to the following principles:

4.1. Each specific quantity shall be included in the calculations only once;

4.2. Crude oil stock quantities shall be reduced by 4%, which corresponds to the average yield expressed in naphtha;

4.3. Naphtha and petroleum product stocks held in international marine bunkers shall not be included;

4.4. Levels of other petroleum products that are included in the stocks shall be calculated by one of the following methods (the selected method shall be applied throughout the calendar year):

4.4.1. by summing up the stocks of petroleum products identified in Chapter 3.4 of Annex A to Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics and calculating the crude oil equivalent by multiplying the resulting quantity by a factor of 1.065;

4.4.2. summing up the stocks 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) and calculating the crude oil equivalent – by multiplying the obtained quantity by a coefficient 1.2.

5. The calculation of the stock levels may include the quantities held in:

5.1. tanks of oil refineries;

5.2. bulk terminals;

5.3. pipeline tankage;

5.4. barges;

5.5. in intercoastal tankers;

5.6. in oil tankers in port;

5.7. in inland ship bunkers;

5.8. in storage tank bottoms;

5.9. as working stocks.

6. The stock quantities referred to in p. 5 above shall not be included (except for the quantities held in tanks of oil refineries, pipeline tankage or bulk terminals) in the levels of specific stocks if the levels of such stocks are calculated separately from the mandatory stocks.

7. The following stock quantities shall not be included in the calculation of the stock levels:

- 7.1. crude oil not yet produced;
- 7.2. quantities held in pipelines, rail tank cars, seagoing ship bunkers, in service stations and retail stores, by other consumers, in tankers at sea, and as military stocks.

8. In the calculation of the stock levels, all the stock quantities included shall be reduced by 10%. All the quantity included in relevant calculation shall be reduced by such percent. Such reduction by 10% shall not apply to the calculation of specific stock levels and levels of various categories of specific stocks if specific stocks are held separately from other stocks. When providing information on accumulated stocks for the purposes of the Law on Stocks, the delegated economic operators shall specify the level of accumulated stocks.

Amendments to the paragraph:

No [302](#), 2016-03-30, published in TAR 2016-03-31, ID No 2016-06738

9. The stock levels being accumulated shall be calculated on the basis of data for the reporting year. During the period from 1 January to 30 June of each calendar year, the daily averages of net imports and inland consumption shall be established (calculated) on the basis of import or consumption data for the penultimate calendar year.

10. This methodology shall apply only to those categories of specific stocks that have been selected for accumulation.

11. Any petroleum product may be included, at the same time, in the calculation of both mandatory stocks and specific stocks if it meets the requirements laid down for the stocks of both types.

SECTION IV. BIOFUEL AND ADDITIVES

Amended title of the Section:

No [1371](#), 2015-12-23, published in TAR 2015-12-30, ID No 2015-21081

12. In the calculation of the stock accumulation tasks, biofuel and non-hydrocarbon compounds added or mixed into petroleum products in order to change their properties (the additives) shall be taken into account only if the biofuel and the additives were mixed with relevant petroleum products.

13. Biofuel and additives shall be taken into account when calculating the actual quantity of the stocks held if they

- 13.1. have been mixed with relevant petroleum products; or
- 13.2. are stored in the territory of the Republic of Lithuania in accordance with set requirements provided that they will be mixed with petroleum products and will be used in the transport sector.

SECTION V SETTING STOCK ACCUMULATION TASKS FOR DELEGATED ECONOMIC OPERATORS

14. The stocks accumulation tasks shall be calculated for the delegated economic operators in tonnes of petroleum products and tonnes expressed in crude oil equivalent depending on the stock levels calculation method applied according to p. 4.4 above:

14.1. If the state accumulates an amount equal to the average daily net imports requirement for 90 days:

14.1.1. The stocks accumulation tasks shall be calculated in tonnes of petroleum products according to the following principles: the quantity produced and realised in the country and imported and/or brought in for inland consumption in the reporting year shall be divided by 365, multiplied by 60 and divided by a coefficient 0.9;

14.1.2. The stocks accumulation tasks shall be calculated in tonnes expressed in crude oil equivalent according to the following principles: the stocks quantities in tonnes obtained in p. 14.1.1 above shall be multiplied by the coefficient referred to therein and by a coefficient 0.9;

or

14.2. If the state accumulates an amount equal to the average daily net imports requirement for 61 days:

14.2.1. The stocks accumulation tasks shall be calculated in tonnes of petroleum products according to the following principles: the quantity produced and realised in the country and imported and/or brought in for inland consumption in the reporting year shall be divided by 365, multiplied by 31 and divided by a coefficient 0.9;

14.2.2. The stocks accumulation tasks shall be calculated in tonnes expressed in crude oil equivalent according to the following principle: the stocks quantities in tonnes obtained in p. 14.2.1 above shall be multiplied by the coefficient referred to therein and by a coefficient 0.9.

15. Where the delegated operators calculate the stocks accumulation tasks in tonnes of petroleum products, the requirement to reduce the quantity by 10% set in p. 8 above shall not apply. Such requirement shall apply in the recalculation of the stocks accumulation task in tonnes into the task in tonnes expressed in crude oil equivalent.

Section added:

No [302](#), 2016-03-30, published in TAR 2016-03-31, ID No 2016-06738

Annex 2
to the Rules for the Building, Regulation,
Management, Accumulation, Use and
Maintenance of the State Stocks of
Petroleum Products and Oil

**PREPARATION OF STOCK REPORTS AND SUBMISSION TO THE EUROPEAN
COMMISSION AND THE INTERNATIONAL ENERGY AGENCY**

**SECTION I.
STATISTICAL SUMMARIES OF STOCKS**

Amended title of the Section:

No [1371](#), 2015-12-23, published in TAR 2015-12-30, ID No 2015-21081

1. The Statistics Lithuania shall prepare the monthly statistical summaries of stocks in cooperation with the Ministry of Energy. A monthly statistical summary of stocks shall contain data referred to in p. 2 and 3 below.

2. The Statistics Lithuania shall be responsible for the preparation of the following monthly statistical summary data on stocks:

2.1. The final quantity of stocks actually held as of the last day of calendar month, by product categories;

2.2. The stock quantities actually held, as of the last day of calendar month, not in the territory of the Republic of Lithuania but in other Member States and central stockholding entities of other Member States, by product categories;

2.3. The stock quantities actually held, as of the last day of calendar month, in the territory of the Republic of Lithuania on behalf of other Member States or central stockholding entities of other Member States, by product categories and by Member States/central stockholding entities;

2.4. Quantities of commercial stocks held in the territory of the Republic of Lithuania by product categories; while providing this information it must be ensured that confidential information is protected and names of owners of the stocks – natural or legal persons – are not mentioned.

3. The Ministry of Energy shall be responsible for the provision of the following information required for the monthly statistical summaries of stocks to the Statistics Lithuania:

3.1. an explanation why the calculation of the mandatory stock levels is based on the number of import days or days of inland consumption;

3.2. an explanation which of the methods referred to in p. 4.4 of Annex 1 to the Rules is used for the stock level calculation purposes;

Amendments to paragraph:

No [1371](#), 2015-12-23, published in TAR 2015-12-30, ID No 2015-21081

3.3. an explanation of whether stocks are held in other Member States based on the economic operators' request or the central stockholding entity's request.

4. The Statistics Lithuania shall submit the monthly statistical summaries of stocks to the European Commission and the International Energy Agency within the following time limits:

4.1. within 55 days after the end of the reporting month;

4.2. no later than within 2 months after receipt of the European Commission's and the International Energy Agency request.

4¹. The Statistics Lithuania shall, upon a request from the International Energy Agency related to the Governing Board of the International Energy Agency an international decision to

use the stocks in accordance with the Agreement on an International Energy Programme of 18 November 1974 or to the International Energy Agency emergency exercise, submit statistical summaries of stocks in compliance with any coverage, deadlines and reporting frequencies specified in such request.

5. The following shall not be included in the statistical summaries of stocks:

5.1. crude oil or petroleum products that have been seized or are subject to execution procedures;

5.2. stocks held by entities that have gone bankrupt or have entered into arrangements with their creditors.

SECTION II. STATISTICAL SUMMARIES OF SPECIFIC STOCKS

Amended title of the Section:

No [1371](#), 2015-12-23, published in TAR 2015-12-30, ID No 2015-21081

6. The Agency shall prepare monthly statistical summaries of specific stocks.

7. A monthly statistical summary of specific stocks shall contain the following data:

7.1. The final quantity of specific stocks actually held as of the last day of calendar month, by product categories and stock owners;

7.2. The number of average consumption days in the reporting year to which the stocks are related;

7.3. The specific stock quantities actually held, as of the last day of calendar month, in the territory of the Republic of Lithuania on behalf of other Member States or central stockholding entities of other Member States, by product categories and by Member States/central stockholding entities.

8. The monthly statistical summaries of specific stocks shall be submitted to the European Commission within the following time limits:

8.1. by the last day of the calendar month following the reporting month;

8.2. immediately at the request of the European Commission.

SECTION III. EXTRACTS FROM THE STOCK ACCOUNTING INFORMATION SYSTEM

Amended title of the Section:

No [1371](#), 2015-12-23, published in TAR 2015-12-30, ID No 2015-21081

9. The Agency shall submit to the European Commission extracts from the Stocks IS prepared by the Agency, within the following time limits:

9.1. by 15 March every year – an extract from the Stocks IS containing data on the stocks accumulated in the Republic of Lithuania, stocks levels and product categories – for the stocks that were included in the Stocks IS in the past calendar year;

9.2. within 15 calendar days after receipt of the European Commission's request - an extract from the Stocks IS containing data on all the stocks accumulated in the Republic of Lithuania and included in the Stocks IS, the stocks levels and product categories; the extract shall not include confidential information on the stockholding locations; the European Commission may request only the data which is not older than 5 years and only the data since 1 January 2013.
