

**JOINT DECLARATION OF INTENT ON RECIPROCAL HOLDING OF OIL
EMERGENCY STOCKS BETWEEN
THE FEDERAL MINISTRY OF ECONOMICS AND TECHNOLOGY OF THE FEDERAL
REPUBLIC OF GERMANY
AND THE MINISTRY OF ECONOMIC DEVELOPMENT OF THE ITALIAN REPUBLIC**

The Federal Ministry of Economics and Technology of the Federal Republic of Germany and the Ministry of Economic Development - Directorate general for security supply and energy infrastructure of the Italian Republic (hereinafter referred to as "the Participants") have regard to 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 (hereinafter referred to as "the Directive"). They have regard in particular to Article 5, Article 7 (3) and Article 8 (1) of the Directive.

They recognize the transposition of the Directive by the Participants into national law, including requirements regarding stockholding obligations.

They notice the international dimension of the oil market and the transnational channels of oil supply. In this context they recognize the importance of the Transalpine pipeline from Trieste to Ingolstadt and its facilities for the supply of Southern Germany. They acknowledge that also in case of oil supply disruptions local amounts of oil will be made available to their respective buyers.

Therefore they have decided as follows:

Section 1

Purpose of the Joint Declaration of Intent ("JDoI")

1. The purpose of this JDoI is to establish a common understanding of the Participants with regard to their cooperation regarding holding of emergency stocks according to the Directive in the country of one of the Participants on behalf of the country of the other Participant (or its Central Stockholding Entity (CSE) or one of its economic operators) and for the handling of applications for authorisation of
 - a. international tickets (see Sections 4 and 6); and
 - b. international storage arrangements (see Sections 5-6).
2. The purpose is neither to regulate the activities of economic operators or CSEs nor to regulate the applications to be submitted to the national authorities or the responses by these authorities to the applicants, as these matters will be handled according to national regulations and procedures.

Section 2

Definitions

1. For the purposes of this JDoI
 - a. "Competent Authority" means the body responsible for the authorisation of international tickets and international storage arrangements on behalf of a Participant;



- b. "Covering Entity" means an EU Member State, CSE or economic operator in an EU Member State which provides stocks to cover a stockholding obligation in another EU Member State (the Covered State);
 - c. "Covered Entity" means an EU Member State, CSE or economic operator in an EU Member State using stocks provided by a Covering Entity to cover a stockholding obligation in another EU Member State (the Covered State);
 - d. "Storing Entity" means an EU Member State, CSE or economic operator in an EU Member State using its own oil stocks in one EU Member State (the Covering State) to cover a stockholding obligation in another EU Member State (the Covered State);
 - e. "Covering State" means the EU Member State where the oil stocks of the Covering Entity or the Storing Entity are located;
 - f. "Covered State" means the EU Member State for which a Covered Entity or a Storing Entity has to fulfil a stockholding obligation;
 - g. "international ticket" means an arrangement under which a Covered Entity delegates its stockholding tasks or obligations in accordance with Article 7 (3) or Article 8 (1) (b)-(c) of the Directive to a Covering Entity which holds those stocks in the Covering State;
 - h. "international storage arrangement" means an arrangement under which a Storing Entity meets its commitments to the Covered State by holding emergency stocks located in a Covering State;
 - i. "territory" means the area within the European Union over which each Participant exercises jurisdiction with regard to the Directive.
2. In addition, the definitions in Article 2 of the Directive apply.

Section 3

Requirements on Emergency Stocks covered by the JDoI

Oil stocks which are held as emergency stocks under an international ticket or an international storage arrangement according to this JDoI

- a. will be located in the territory of one of the Participants; and
- b. will be monitored regularly by the Participant in whose territory the stocks are held; and
- c. will be reported on regularly in accordance with the requirements of the International Energy Agency (IEA) and the EU.

Section 4

International Tickets

1. The Participants will, based on their national regulations, require an applicant seeking authorisation for an international ticket to specify the following:
 - a. the Covering Entity with registered name and principal business address;
 - b. the Covered Entity with registered name and principal business address;
 - c. the identity of the Covering State and the Covered State;
 - d. the ticket period which will be a period of 3 months, beginning on the first day of a quarter;
 - e. the category of oil stocks using the following categories:
 - crude oil;
 - motor gasoline;
 - gas/diesel oil;
 - kerosene-type jet fuel;

- aviation gasoline;
 - fuel oil;
 - LPG;
 - white spirit and SPB;
 - lubricants;
 - bitumen;
 - paraffin waxes;
 - petroleum coke.
- f. the volume of the oil stocks, specified in metric tonnes;
- g. information to pinpoint the locations of the storage facilities where the oil stocks will be stored. The actual distribution of the oil stocks on the storage facilities will be reported monthly (or more frequently) by the Covering Entity and the Covered Entity, respectively, to their Competent Authorities in accordance with national regulations.
2. The Participants will require an application seeking authorisation for an international ticket to contain an assurance from the applicant that:
- a. the ticket arrangement contains legally binding arrangements which will ensure that from the beginning of the ticket period:
- the stocks will be held on behalf of the Covered Party throughout the ticket period;
 - the stocks will be available and physically accessible at all times;
- b. the applicant will provide evidence of these arrangements to either of the Participants on request.
3. The CSE of the Federal Republic of Germany can only cover its stockholding obligation by holding stocks of the categories crude oil, motor gasoline, gas/diesel oil and kerosene-type jet fuel.

Section 5

International Storage Arrangements

The Participants will, based on their national regulations, require an applicant seeking authorisation for an international storage arrangement to specify the following:

- a. the Storing Entity with registered name and principal business address;
- b. the identity of the Covering State and the Covered State;
- c. the storage period which will be a period of full months, 1 month as a minimum, beginning on the first day of a month;
- d. the category of oil stocks using the following categories:
- crude oil;
 - motor gasoline;
 - gas/diesel oil;
 - kerosene-type jet fuel;
 - aviation gasoline;
 - fuel oil;
 - LPG;
 - white spirit and SPB;
 - lubricants;
 - bitumen;
 - paraffin waxes;
 - petroleum coke.

- e. if the oil stocks are specific stocks as defined by Article 5 of the Directive;
- f. the volume of the oil stocks, specified in metric tonnes;
- g. information to pinpoint the location of the storage facilities where the oil stocks will be stored throughout the storage period. The actual distribution of the oil stocks on the storage facilities will be reported monthly (or more frequently) by the Covering Entity and the Covered Entity, respectively, to their Competent Authorities in accordance with national regulations.

Section 6

Processing Applications regarding International Tickets and Storage Arrangements

1. The Participants will, based on their national regulations, require an applicant to forward an application for authorisation for an international ticket, or an amendment to an existing ticket, not later than 1 month prior to the start of the ticket period (in the case of a new ticket) or no later than 1 month prior to the date on which the ticket is to be amended (in the case of an amendment):
 - a. by the Covering Entity to the Competent Authority of the Covering State; and
 - b. by the Covered Entity to the Competent Authority of the Covered State.
2. The Participants will, based on their national regulations, require an applicant to forward an application for authorisation for an international storage arrangement, or any amendment to an existing storage arrangement, not later than 1 month prior to the start of the storage arrangement (in the case of a new arrangement) or no later than 1 month prior to the date on which the arrangement is to be amended (in the case of an amendment):
 - a. by the Storing Entity to the Competent Authority of the Covering State; and
 - b. by the Storing Entity to the Competent Authority of the Covered State.
3. The Competent Authorities of both Participants will inform each other before the start of a quarter about the single authorisations for international tickets and international storage agreements which will be in force at the start of that quarter. If required the Competent Authorities will inform each other about changes to stock volumes held under international storage arrangements during the quarter and if necessary the authorisation may need to be revised.
4. In case of non-compliance with the national regulations for an international ticket or international storage arrangement which results in one of the Participants deciding to revoke its authorisation:
 - a. the Competent Authority of that Participant will notify the other Competent Authority as soon as possible; and
 - b. each Competent Authority will notify their Covering Entity or Covered Entity, respectively, as soon as possible after receipt of notification of the decision to revoke.
5. All communications between Participants and their Competent Authorities under this JDoI will be made by electronic communication. The Competent Authorities will notify each other about the contact data including email addresses to be used.



Section 7
Information requests

The Participants may request further information from the Competent Authority of the other Participant regarding an international ticket or storage arrangement under Sections 4-5 and the Competent Authorities will make all reasonable endeavours to provide any information requested.

Section 8
Controls

The Participants will, based on their national regulations, put in place adequate controls of the oil emergency stocks held in their territories under an international ticket or storage arrangement.


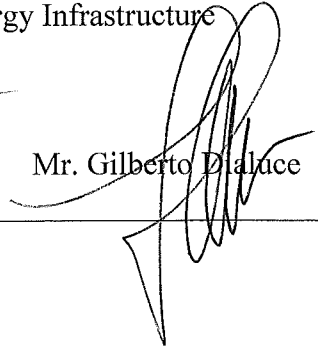
Section 9
Amendment and Termination

1. This JDoI may be amended by mutual written consent of the Participants.
2. Each of the Participants may terminate the cooperation based on this JDoI at the end of any quarter, after giving notice in writing to the other Participant at least 6 months before the end of that quarter. In such case, the Participants will discuss the consequences for any international ticket or storage arrangements still in operation after the termination.

Section 10
Entry into effect

1. This JDoI will come into effect upon the last signature of the Participants.
2. This JDoI does not affect any international ticket or storage arrangement authorised under an existing bilateral agreement.

Signed in duplicate in the English language.

<p>Berlin, 19/10/2013</p> <p>For the Federal Ministry of Economics and Technology of the Federal Republic of Germany State Secretary</p> <p style="text-align: center;"> Mr. Stefan Kapferer</p>	<p>Rome, 24/09/2013</p> <p>For the Ministry of Economic Development of the Italian Republic Directorate-General for Security of Supply and Energy Infrastructure</p> <p style="text-align: center;"> Mr. Gilberto Dialuce</p>
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