

Proposal for a Council Directive repealing Council Directives 68/414/EEC and 98/93/EC imposing an obligation on Member States of the EEC to maintain minimum stocks of crude oil and/or petroleum products, and Council Directive 73/238/EEC on measures to mitigate the effects of difficulties in the supply of crude oil and petroleum products

(2002/C 331 E/42)

(Text with EEA relevance)

COM(2002) 488 final — 2002/0221(CNS)

(Submitted by the Commission on 11 September 2002)

EXPLANATORY MEMORANDUM

The Commission has put forward a proposal for a new Directive of the European Parliament and of the Council concerning the alignment of measures with regard to security of supply for petroleum products. More specifically, this proposal for a Directive provides for Member States' provisions on oil stocks and crisis measures to be more closely aligned with each other, and for coordinated action between the Member States in the event of a supply crisis.

The abovementioned proposal for a Directive is in two parts:

- The first part defines the stockholding obligations and the criteria with which the security stock systems must comply.
- The second part covers aspects relating to the adoption of measures in a crisis situation, more especially the institutional mechanism for ensuring a coordinated response from the Member States in the event of a crisis.

In this situation, existing legislation on this subject is no longer relevant. The aim of this proposal for a Directive is therefore to repeal some of the texts concerned.

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas:

- (1) Directive .../.../EC provides for the alignment of measures with regard to security of supply for petroleum products.
- (2) More specifically, in order to ensure the proper functioning of the internal market, Directive .../.../EC brings the provisions of the Member States with regard to petroleum stocks and crisis measures closer into line with each other and provides for coordinated action between Member States in the event of a supply crisis.
- (3) It also incorporates, in a new and coherent text, all the relevant aspects which were dealt with in particular in Council Directive 68/414/EEC of 20 December 1968 imposing an obligation on Member States of the EEC to maintain minimum stocks of crude oil and/or petroleum

products⁽¹⁾, and in Council Directive 73/238/EEC of 24 July 1973 on measures to mitigate the effects of difficulties in the supply of crude oil and petroleum products⁽²⁾.

(4) Those legislative texts are therefore now obsolete,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Council Directive 68/414/EEC and Council Directive 98/93/EC amending Directive 68/414/EEC are hereby repealed.

Article 2

Council Directive 73/238/EEC is hereby repealed.

Article 3

This Directive shall enter in force on the twentieth day following that of its publication in the *Official Journal of the European Communities*.

Article 4

This Directive is addressed to the Member States.

⁽¹⁾ OJ L 308, 23.12.1968, p. 14. Directive amended by Council Directive 98/93/EC of 14 December 1998; OJ L 358, 31.12.1998, p. 100.

⁽²⁾ OJ L 228, 16.8.1973, p. 1.