II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 20 May 1975

obliging the Member States to maintain minimum stocks of fossil fuel at thermal power stations

(75/339/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 103 thereof ;

Having regard to the proposal from the Commission ;

Having regard to the Opinion of the European Parliament [1] ;

Having regard to the Opinion of the Economic and Social Committee [2] ;

Whereas the implementation of a Community energy policy is one of the objectives that the Communities have set themselves ;

Whereas a regular and adequate supply of electricity is a fundamental condition for the existence and development of modern society, and whereas interruptions in electricity supplies would cause serious disruption to the vital activities of the Community ;

Whereas in order to guarantee such supplies, it must be possible to produce electricity as and when the demand arises ;

Whereas the fundamental condition for the continuous operation of power stations is the possession of sufficient quantities of primary energy ;

Whereas crises of supply may occur unexpectedly in the case of certain types of primary energy and it is therefore essential to take the necessary measures to alleviate the effects of such shortages ;

Whereas it is necessary to reinforce security of supplies to power stations by building up and maintaining a minimum level of stocks on their premises ;

Whereas the development of security of fuel supplies to power stations may necessitate a review of the minimum level of stocks in several years time,

HAS ADOPTED THIS DIRECTIVE :

Article 1

Member States shall take all appropriate measures by way of law, regulation or administrative action to oblige electricity producers to maintain, permanently, a minimum level of stocks of fossil fuel at their thermal power stations, which level shall be sufficient to ensure at all times the continuation of electricity supplies for a period of at least 30 days.

The level of stocks specified in the first paragraph may be reduced by an amount corresponding to 25 % of the stocks of petroleum products built up at power stations pursuant to the rules laid down in Directive No 68/414/EEC [3], Decision No 68/416/EEC [4] and Directive No 72/425/EEC [5], and which are reserved for the exclusive use of such power stations.

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[1] OJ No C 85, 18. 7. 1974, p. 28.
[2] OJ No C 125, 16. 10. 1974, p. 14.
[3] OJ No L 308, 23. 12. 1968, p. 14.
[4] OJ No L 308, 23. 12. 1968, p. 19.
[5] OJ No L 291, 28. 12. 1972, p. 154.