II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 24 July 1973

on measures to mitigate the effects of difficulties in the supply of crude oil and petroleum products

(73/238/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;

Having regard to the Opinion of the Economic and Social Committee;

Whereas the establishment of a common energy policy is one of the objectives the Communities have set themselves;

Whereas crude oil and petroleum products are of increasing importance in providing the Community with supplies of energy; whereas any difficulty, even temporary, having the effect of considerably reducing supplies of such products could cause serious disturbances in the economic activity of the Community; whereas the Community must, therefore, be in a position to offset or at least to diminish any harmful effects in such a case;

Whereas procedures and appropriate instruments should be provided in advance to ensure the speedy implementation of measures to mitigate the effects of difficulties in the supply of petroleum and petroleum products;

Whereas all Member States should, therefore, possess the necessary powers to take appropriate action, should the need arise, without delay and in accordance with the Treaty, and in particular Article 103 thereof;

Whereas it is necessary for these powers to be harmonized to a certain extent in order to facilitate the coordination of national measures within the framework of consultations at Community level;

Whereas it is also desirable that a consultative body be set up immediately to facilitate the coordination of practical measures taken or proposed by the Member States in this field;

Whereas it is necessary that each Member State draw up a plan which may be used in the event of difficulties arising in the supply of crude oil and petroleum products;

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Member States shall take all necessary measures to provide the competent authorities with the necessary powers in the event of difficulties arising in the supply of crude oil and petroleum products which might appreciably reduce the supply of these products and cause severe disruption. Those powers should enable the authorities:

— to draw on emergency stocks in accordance with the Council Directive of 20 December 1968 [1]

[1] OJ No L 308, 23. 12. 1968, p. 14.