

Minimum stocks of crude oil and/or petroleum products

2008/0220(CNS) - 22/04/2009 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 629 votes to 24, with 8 abstentions, a legislative resolution amending, under the consultation procedure, the proposal for a Council directive imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products.

The main amendments are as follows:

Equal footing: Parliament states that the Commission should ensure that the eight Member States that are not members of the International Energy Agency (IEA) are involved on an equal footing as regards the decisions adopted and the measures taken by the EU in consultation with the IEA.

Closer cooperation: a new recital states that in order to ease the financial burden on end-users, Member States should provide for closer cooperation among central stockholding entities and for the setting up of regional stockholding entities. Parliament adds that the role of the Member States in maintaining and managing mandatory oil stocks for emergency situations should be strengthened.

Definitions: ‘effective international decision to release stocks’ is amended to reflect the fact that an IEA decision to release stocks is a decision of the 28 member countries of the IEA, 8 of which are not EU Member States. Parliament also inserted a definition for ‘emergency situations’.

Calculating stock levels: the methods for calculating stockholding obligations and stock levels may be amended only after consulting experts and stakeholders.

Availability of stocks: Member States must ensure that arrangements for the identification, accounting and control of stocks shall be established with the prior agreement of the Commission.

Register of emergency stocks – Annual report: the register must contain, inter alia, information concerning the depot, refinery or storage facility where the stocks in question are located. Within 45 days (rather than 30 days) of the end of each calendar year, Member States shall send the Commission a copy of the stock register. The Commission must ensure the confidentiality of the individual data contained in the registers.

Setting up central stockholding entities: Parliament considered that in the past, there have been some doubts about the effectiveness and reliability of implementing agreements between Member States in case of a severe supply disruption. A new clause is inserted which states that In the event that an agreement delegates these obligations to the Member State within whose territory those stocks are located or to the central stockholding entity set up by that Member State, this agreement shall contain provisions, which set out: (a) the responsibility of the Member State or the central stockholding entity to ensure accurate data on the level of stocks at any time; (b) the timeframe for delivering these emergency stocks acquired, constituted, maintained or managed on its territory to the Member State, which has delegated these tasks; c) effective, proportionate and dissuasive penalties, in case the Member State or central stock holding entity does not fulfil the conditions laid down in the agreement

Summaries of commercial stocks: Member States shall send the Commission a monthly statistical summary (rather than a weekly one). However, the Commission may, following its review, require Member States to send a weekly (as opposed to monthly) statistical summary of the levels of commercial

oil stocks, if a thorough examination of the feasibility and effectiveness of weekly statistical summaries shows that they offer distinct advantages in terms of market transparency and that no major subsequent corrections are routinely necessary to the data obtained for such summaries.

Commission controls: Member States must keep records for 3 years (rather than 10 years).

Emergency procedures: Members specify that the Commission shall work in close cooperation with other international organisations having the power to take a decision to release stocks and shall strengthen multilateral and bilateral coordination on these matters worldwide.

In addition, every Member State shall ensure that it can be represented, in person or by electronic means, at a meeting of the Coordination Group within 24 hours following the call for a meeting. The Coordination Group shall examine the situation based on the commitment to the principle of solidarity among Member States and on an objective assessment of the economic and social impact, and the Commission shall determine based on the assessment by the Coordination Group, whether a major supply disruption has occurred.

Review: the Commission review must consider the following: (a) whether data on stocks are accurate and transmitted on time; (b) whether the levels of commercial oil stocks shall be reported on a weekly or on a monthly basis; (c) whether it would be appropriate to require all Member States to hold a compulsory minimum level of specific stocks covering a longer period of time.

Annex III (Methods for calculating the level of stocks held): when calculating their stocks, Member States must reduce the quantities of stocks calculated as set out in the text by 5% (rather than 10%).