

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

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1491st meeting of the Council

- ENERGY -

Brussels, 31 May 1991

President: Mr Alex BODRY,
Minister for Energy
of the Grand Duchy of Luxembourg

31.V.91

unw/AM/jrb

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium

Mr Elie DEWORME State Secretary for Energy

Denmark

Mr Niels Henrik SLIBEN Deputy Permanent Representative

Germany

Mr Dieter von WÜRZEN State Secretary, Federal Ministry of Economic Affairs

Greece

Mr Stavros DIMAS Minister for Industry, Energy and Technology

Spain

Mr Claudio ARANZADI Minister for Industry and Energy

France

Mr Dominique STRAUSS-KAHN Minister responsible for Industry

Ireland

Mr Robert MOLLOY Minister for Energy

Italy

Mr Guido BODRATO Minister for Industry

Luxembourg

Mr Alex BODRY Minister for Energy

Netherlands

Mr Koos ANDRIESSEN

Minister for Economic Affairs

Portugal

Mr Luis Fernando de MIRA AMARAL

Minister for Industry and Energy

United Kingdom

Mr John WAKEHAM

Minister for Energy

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Commission

Mr Antonio CARDOSO E CUNHA

Member

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TRANSIT OF NATURAL GAS THROUGH GRIDS

Having concluded the co-operation procedure with the European Parliament, the Council adopted by qualified majority the Directive on the transit of natural gas through grids.

The Directive, with which the Member States are required to comply by 1 January 1992, is designed to contribute to better integration of the European energy market by eliminating obstacles to increased natural gas transfers between transmission grids.

The Directive is a logical complement to the Directive adopted at the end of October 1990 on the transit of electricity through grids, and its content may be summarized as follows:

Member States are required to take the measures necessary to facilitate transit of natural gas between high-pressure grids in their territory. Transit is defined as any transaction for the transport of natural gas under the following conditions:

- (a) transmission is carried out by the entity or entities responsible in each Member State for high-pressure natural gas grids, with the exception of distribution grids, in a Member State's territory which contribute to the efficient operation of European high-pressure interconnections;
- (b) the grid of origin or final destination is situated in the Community;
- (c) this transport involves the crossing of at least one intra-Community frontier.

The Directive contains a list of the gas transmission grids involved and of the entities responsible for them in the Member States. The list is to be updated by the Commission, after consultation with the Member State concerned, whenever necessary.

Contracts involving transit of natural gas between grids will be negotiated between the entities responsible for those grids and for the quality of service provided and, where appropriate, with the entities responsible in the Member States for importing and exporting natural gas.

Conditions of transit will, pursuant to the rules of the Treaty, be non-discriminatory and fair for all parties concerned, will not include unfair clauses or unjustified restrictions and will not endanger security of supply nor quality of service, in particular taking full account of the utilization of reserve production and storage capacity and the most efficient operation of existing systems.

Member States must take the measures necessary to ensure that the entities responsible for the grids referred to in the Directive act without delay to:

- notify the Commission and the national authorities concerned of any request for transit;
- open negotiations on the conditions of the natural gas transit requested;
- inform the Commission and the national authorities concerned of the conclusion of a transit contract;

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- inform the Commission and the national authorities concerned of the reasons for the failure of negotiations to result in the conclusion of a contract within twelve months following communication of the request.

Each of the entities concerned may request that the conditions of transit be subject to conciliation by a body, set up and chaired by the Commission, on which the entities responsible for grids in the Community are represented.

SAVE PROGRAMME

Pending receipt of the Opinion of the European Parliament, the Council held a discussion on this matter and concluded it by noting that consensus obtained on the enacting terms proposed by the Commission.

The financial aspects will have to be examined further, the Council being of the view that ECU 35 million over 5 years appeared an appropriate amount provided that it did not exceed the ceilings which would be set in the next inter-institutional agreement on the financial perspective beyond 1992.

The Council instructed the Permanent Representatives Committee to complete the examination of this dossier having regard also to the European Parliament's Opinion and to submit the outcome to the Council at a forthcoming meeting.

The SAVE programme was presented by Mr CARDOSO E CUNHA, Member of the Commission, at the previous Energy Council on 29 October 1990 and its primary purpose is to contribute to improved use of energy, with a view to reducing energy use per unit of GNP by 20% within 5 years.

The programme provides for Community funding ranging from 30 to 100% of the cost of measures under the four categories of action on energy efficiency, viz.:

- (a) technical evaluations for assessing the data needed for defining technical standards or specifications;
- (b) measures to support the Member States' initiatives for extending or creating infrastructures concerned with energy efficiency;
- (c) measures to foster the creation of an information network aimed at promoting better co-ordination between national, Community and international activities through the establishment of appropriate means for exchanging information and at evaluating the impact of the various measures provided for;
- (d) measures to implement the programme for improving the efficiency of electricity use adopted by Decision 89/364/EEC.

EUROPEAN ENERGY CHARTER

The Council discussed the energy aspects of the Commission communication on a European Energy Charter and, more particularly, the wording of the draft Charter which might serve as a basis for defining the Community position at the International Conference scheduled to take place in the second half of 1991.

The Council's reaction to the thrust of the Charter was favourable, and it will be discussed again by the General Affairs Council on 17 and 18 June 1991 in Luxembourg.

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The Council also held a brief discussion in preparation for Member States' participation in the meeting of the Governing Board of the International Energy Agency at Ministerial level, to be held in Paris on 3 June 1991.

OIL SUPPLIES AND OIL STOCKS

Pending receipt of the Opinions of the European Parliament and the Economic and Social Committee, the Council held a general policy debate on certain key questions to which the Commission proposals gave rise, and in particular:

- whether the Community position ought to be more closely co-ordinated in preparation for the proceedings at I.E.A. level, with the aim also of preventing any divergence between the I.E.A. and the Member States;
- whether a closer analysis should be made of the way in which the Commission was proposing that the powers to take action should be distributed between the I.E.A., the Member States and the Commission.

The President of the Council wound up the discussion by noting the broad measure of agreement on the need for Community resources in order to cope with oil supply crises, and the need to update existing arrangements.

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He also noted requests on the part of several delegations for the Commission to re-examine its proposals.

At the close of its proceedings, the Council agreed to instruct the Permanent Representatives Committee to continue its work on this matter so that it could be discussed at a future Council meeting.

MISCELLANEOUS DECISIONS

Competition

The Council adopted the Regulation on the application of Article 85(3) of the Treaty to certain categories of agreements, decisions and concerted practices in the insurance sector.

The Regulation gives the Commission the option of waiving Article 85(1) - prohibiting agreements and understandings between undertakings which may restrict or distort competition - under certain circumstances for certain types of agreements, decisions and concerted practices in the insurance sector, provided that they have as their object co-operation with respect to:

- the establishment of common risk premium tariffs based on collectively ascertained statistics or the number of claims;
- the establishment of common standard policy conditions;
- the common coverage of certain types of risks;
- the settlement of claims;
- the testing and acceptance of security devices;
- registers of, and information on, aggravated risks provided that the keeping of the registers and the handling of this information is carried out subject to the proper protection of confidentiality.

This derogation is based chiefly on the consideration that co-operation between undertakings in the insurance sector is, to a certain extent, desirable to ensure the proper functioning of the sector and may at the same time promote consumers' interests.

Customs union

The Council adopted the Regulations

- opening and providing for the administration of Community tariff quotas for
 - = quality wines produced in the specified regions of Jerez, Malaga, Jumilla, Priorato, Rioja and Valdepeñas (1991-1992)
 - = hake fillets and processing work in respect of certain textile products under Community outward processing arrangements
- temporarily suspending the autonomous Common Customs Tariff duties on a number of agricultural products
- temporarily suspending the autonomous Common Customs Tariff duties on certain industrial products (chemical and allied sectors; micro-electronics and related sectors).

Agriculture

The Council adopted the Regulation fixing, for the 1991/1992 marketing year, the amount of the co-responsibility levy in the cereals sector.

The Regulation also provides for certain agri-monetary arrangements for converting the co-responsibility levy into drachmas and pesetas between 1 and 30 June 1991.



Bruxelles, le 30 mai 1991

Note Bio (91) 178 aux Bureaux Nationaux
cc aux Membres du Service du Porte-Parole

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PREPARATION DU CONSEIL ENERGIE DU 31.5.1991
(João Vale de Almeida)

La session débutera à 10h sous la Présidence de M. Alex BODRY, Ministre luxembourgeois de l'Energie. La Commission sera représentée par M. CARDOSO E CUNHA. Quatre sujets figurent à l'ordre du jour, à savoir :

1) Transit du gaz naturel sur les grands réseaux
(voir P-38 du 12.7.89, COM(89)334 final et COM(90)425 final)

Cette proposition de directive qui vise la libéralisation et l'accroissement des échanges intracommunautaires entre réseaux gaziers et dont l'approche est similaire à celle de la directive sur le transit de l'électricité arrêté le 29.10.90, a rencontré plus de difficultés en raison de la spécificité de ce secteur.

Le Conseil Energie du 29.10.90 ayant permis de dégager une majorité en faveur de la proposition, la position commune a été arrêtée formellement, à la majorité qualifiée, comme point A au Conseil Environnement du 20.12.90. La deuxième lecture au Parlement Européen a eu lieu en avril 1991.

On s'attend à l'adoption définitive de la directive, car une solution semble avoir été trouvée pour surmonter les dernières difficultés d'une délégation (attention DIS: D - fin DIS). Vu la longueur de la procédure décisionnelle, la date de mise en vigueur, initialement prévue pour le 1.7.91, sera reportée au 1.1.92.

2) Programme SAVE
(voir P-73 du 4.10.90, COM(90) 365 final)

Ce programme, qui a reçu un accueil favorable lors de sa présentation au Conseil Energie du 29.10.90, vise à relancer l'action communautaire dans le domaine de l'efficacité énergétique et des économies d'énergie. Prévu pour une durée de 5 ans, il est axé autour d'actions d'ordre technique et financier ainsi que d'actions sur le comportement des utilisateurs.

Le Parlement Européen n'ayant pas encore adopté son avis, le Conseil pourrait, dans l'attente de cet avis et sous réserve d'une clarification des aspects financiers, arrêter une orientation favorable sur le contenu de la proposition.

3) Charte européenne de l'Energie
(voir P-5 du 13.2.91, COM(91)36 final)

Le projet indicatif de Charte européenne de l'Energie proposé par la Commission établit les principes, les objectifs et les moyens d'une coopération énergétique à long terme en Europe, qui viserait le développement des échanges, la coopération et la coordination dans le domaine de la technologie, l'utilisation optimale de l'énergie et la protection de l'environnement.

Les questions politiques (p.ex. pays à inviter à la Conférence Internationale prévue pour juillet 91) étant de la compétence du

Conseil Affaires Générales, le Conseil Energie - saisi pour , première fois de ce dossier - examinera les questions techniques (p.ex. organisation de la Conférence Internationale) et le contenu de la Charte. On espère aboutir aux premières conclusions en ce qui concerne les aspects de politique énergétique de la proposition.

4) Mécanismes communautaires en cas de difficultés d'approvisionnement pétrolier

(voir P-81 du 25.10.90, COM(90) 514 final)

Il s'agit de deux propositions de directives prévoyant

- a) les procédures et les instruments pour une mise en oeuvre rapide de mesures communautaires en cas de difficultés d'approvisionnement (directive-cadre)
- b) l'organisation future du système de stocks pétroliers.

Ces propositions sont destinées à remplacer les dispositions actuellement en vigueur afin d'arriver à une gestion véritablement communautaire des éventuelles crises d'approvisionnement dans le respect de l'unicité du marché de la Communauté et afin de garantir la cohérence entre les mécanismes communautaires et ceux de l'AELE.

Les deux projets avaient fait l'objet d'une première présentation par M. CARDOSO E CUNHA au Conseil Energie du 29.10.90. Dans l'attente de l'avis du Parlement Européen, le Conseil pourrait avoir un premier débat d'orientation axé essentiellement sur les critères de déclenchement des interventions communautaires et la délimitation des compétences entre la Communauté et l'AIE. Plusieurs délégations semblent réserver un accueil favorable au principe des deux propositions. D'autres, par contre (attention DIS : notamment DK/D/E/NL/UK - fin DIS) ont émis des réserves de caractère politique concernant l'opportunité de modifier les directives existantes et la portée générale des nouvelles propositions.

Pendant le déjeuner, les ministres discuteront entre autres

- la situation du marché pétrolier
- l'adhésion éventuelle de la Communauté à l'AIE
- l'accès des tiers aux réseaux de gaz et d'électricité
- les aspects environnementaux de l'énergie (CO2)
- l'inclusion dans le futur Traité d'un chapitre distinct consacré à l'Energie.

Amixiés,
C. STATHOPOULOS



Bruxelles, le 4 juin 1991

Note Bio (91) 178 (suite 1 et final) aux Bureaux Nationaux
cc aux Membres du Service du Porte-Parole

(le retard dans l'envoi de cette note BIO est du à des difficultés techniques)

CONSEIL ENERGIE DU 31.5.91

(J. Vale de Almeida)

Le Conseil Energie a débuté ses travaux à 10h30. La conférence de presse de clôture a eu lieu après le déjeuner, en début d'après-midi.

Voici les principaux éléments d'information sur le déroulement des travaux (voir, pour des informations "background", la note bio 178).

1) Transit de gaz naturel

Approbation définitive de la directive à la majorité qualifiée, avec l'opposition de deux délégations (attention dis - D et NL - fin dis).

2) Programme SAVE

Large consensus sur le contenu du programme, accord sur l'enveloppe financière de 35 Mécus sur 5 ans. Quelques divergences sur la formulation précise de la dimension budgétaire, à revoir par le Coreper. De toute façon, accord politique sur le programme qui n'attend maintenant que l'avis du PE avant de pouvoir démarrer.

3) Charte Européenne de l'Energie

Consensus favorable aux orientations définies pour la Commission dans sa proposition. Feu vert à la Commission pour la poursuite de la préparation de la Conférence Internationale qui devrait procéder à la rédaction de la Charte. Entretemps, le prochain Conseil Affaires Générales devra se pencher sur la liste des pays à inviter.

4) Mécanismes communautaires en cas de difficulté
d'approvisionnement pétrolier

Un débat en restreinte a confirmé les réserves et les réticences d'une majorité d'Etats membres aux propositions de la Commission. M. CARDOSO E CUNHA a promis d'examiner les propositions à la lumière du débat. Il a cependant exprimé son regret que le Conseil n'estime pas nécessaire d'instaurer un mécanisme communautaire qui remplace des solutions vieilles de 16 ans et qui soit compatible avec le degré actuel d'intégration économique et politique et les ambitions de la Communauté sur la scène internationale.

Amitiés,
B. Dethomas