COUNCIL DECISION

of 5 June 1997

repealing Decision 77/186/EEC on the exporting of crude oil and petroleum products from one Member State to another in the event of supply difficulties

(97/374/EC)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission [1],

Having regard to the opinion of the European Parliament [2],

Having regard to the opinion of the Economic and Social Committee [3],

Whereas Decision 77/186/EEC [4] was adopted to make intra-Community trade in oil subject to a system of licences valid for short periods and to suspend export licences on an extremely short-term basis;

Whereas the objective of these measures was to restrict or limit intra-Communty trade in oil in the event of excessive price disparities between Member States;

Whereas such pricing policies, which could aggravate the shortage in Member States applying a price ceiling policy, are no longer practised today;

Whereas the abolition of customs formalities and controls within the Community has made it extremely difficult, if not impossible, to implement Decision 77/186/EEC;

Whereas the measures provided for by the said Decision constitute quantitative restrictions on exports contrary to the provisions of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

Decision 77/186/EEC is hereby repealed.

Article 2

This Decision is addressed to the Member States.

Done at Luxembourg, 5 June 1997.

For the Council

The President

E. BORST-EILERS

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[1] OJ No C 272, 18. 9. 1996, p. 10.
[2] OJ No C 132, 28. 4. 1997.
[3] OJ No C 66, 3. 3. 1997, p. 38.
[4] OJ No L 61, 5. 3. 1977, p. 23. Decision as amended by Decision 79/879/EEC (OJ No L 270, 27. 10. 1979, p. 58).