

## DECISION NO. 2008/03/MC-EnC

of 11 December 2008

### concerning the implementation to the oil sector of certain provisions of the Treaty and the creation of an Energy Community Oil Forum

The Ministerial Council of the Energy Community,

Having regard to the Treaty Establishing the Energy Community, and in particular Article 100 (iii),

Whereas the evolution of the oil markets represent an important challenge for the economy and for the security of energy supplies;

Whereas important oil infrastructure investments are under study or development on the territory of the Contracting Parties;

Whereas the development of an oil market calls for a regional approach progressively converging towards the European Community applicable legislation;

Whereas the Parties consider therefore necessary to extend the scope of certain provisions of the Treaty to the oil sector in order to reinforce their cooperation in this sector;

HAS ADOPTED THIS DECISION BY UNANIMITY OF ITS MEMBERS:

#### Article 1

1. The Treaty is extended to oil under the conditions set by this Article.
2. "Network Energy" as mentioned in Article 2 paragraph 2 of the Treaty shall be understood as to include the oil sector, i.e. supply, trade, processing and transmission of crude oil and petroleum products falling within the scope of European Community Directive 2006/67/EC and the related pipe-lines, storage, refineries and import/export facilities.
3. For the implementation of Title II of the Treaty in relation with the oil sector, the relevant elements of the *acquis communautaire* and their timetable for implementation shall be defined pursuant Article 100 (ii) of the Treaty by 30 June 2010.
4. Paragraphs 1 and 2 of this Article do not apply to Articles 21 to 23 and to Articles 43 to 46 of the Treaty.

#### Article 2

An Oil Forum shall advise the Energy Community on matters related with the oil sector. The principles set in Article 63 to 65 of the Treaty shall apply to the Oil Forum. The Oil Forum shall meet annually in the second semester.

The Oil Forum shall meet in Belgrade, Serbia.

**Article 3**

This Decision enters into force on the day of its adoption and is addressed to the Parties.

For the Ministerial Council



Presidency

Tirana, 11 December 2008