

COMMISSION REGULATION (EC) No 263/2004**of 16 February 2004****extending for six months the application of Regulation (EC) No 1475/2003 on the protection of deep-water coral reefs from the effects of trawling in an area north-west of Scotland**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy ⁽¹⁾, and in particular Article 7(1) thereof,

Whereas:

- (1) Immediate threats to the conservation of the aggregations of deep-water corals known as the Darwin Mounds gave rise to the adoption of Commission Regulation (EC) No 1475/2003 of 20 August 2003 on the protection of deep-water coral reefs from the effects of trawling in an area north-west of Scotland ⁽²⁾, on the basis of the emergency procedures provided for in Article 7 of Regulation (EC) No 2371/2002.
- (2) Regulation (EC) No 2371/2002 states that the emergency measures are to last no more than six months and that the Commission may take a new decision to extend them for an additional period of no more than six months.

- (3) In order to provide for permanent protection of the habitat concerned, the Commission has submitted a proposal for a Council Regulation amending Regulation (EC) No 850/98 ⁽³⁾ as regards the protection of deep-water coral reefs from the effects of trawling in an area north-west of Scotland ⁽⁴⁾.
- (4) That Regulation might not be adopted before the expiry date of application of Regulation (EC) No 1475/2003. Meanwhile, the risks for the conservation of the Darwin Mounds persist.
- (5) It is therefore appropriate to extend for six months the emergency measures provided for in Regulation (EC) No 1475/2003,

HAS ADOPTED THIS REGULATION:

Article 1

The application of Regulation (EC) No 1475/2003 shall be extended until 22 August 2004.

*Article 2*This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 16 February 2004.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ L 358, 31.12.2002, p. 59.⁽²⁾ OJ L 211, 21.8.2003, p. 14.⁽³⁾ OJ L 125, 27.4.1998, p. 1. Regulation as last amended by Regulation (EC) No 973/2001 (OJ L 137, 19.5.2001, p. 1).⁽⁴⁾ COM(2003) 519.