



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2013 Rhif 821 (Cy. 97)

2013 No. 821 (W. 97)

ANIFEILIAID, CYMRU

ANIMALS, WALES

IECHYD ANIFEILIAID

ANIMAL HEALTH

**Rheoliadau Adnabod Gwartheg
(Cymru) (Diwygio) 2013**

**The Cattle Identification (Wales)
(Amendment) Regulations 2013**

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Adnabod Gwartheg (Cymru) 2007 (O.S. 2007/842) (Cy.74).

These Regulations amend the Cattle Identification (Wales) Regulations 2007 (S.I. 2007/842) (W.74).

Mae rheoliadau 3 a 4 yn diweddu'r cyfeiriadau at ddeddfwriaeth yr UE. Mae rheoliad 5 yn egluro swyddogaeth yr awdurdod cymwys mewn perthynas ag anifeiliaid sydd heb eu hadnabod.

Regulations 3 and 4 update references to EU legislation. Regulation 5 clarifies the role of the competent authority in relation to unidentified animals.

Mae rheoliad 6 yn gwneud darpariaeth i ychwanegu system ffôn awtomataidd newydd at y rhestr o ddulliau y caiff ceidwaid eu defnyddio i gofrestru anifeiliaid gyda Gweinidogion Cymru.

Regulation 6 makes provision to add a new automated telephony system to the list of methods by which keepers may register animals with the Welsh Ministers.

Mae rheoliad 7 yn gwneud darpariaeth i gael gwared ar yr angen i feddianwyr lladd-dai nodi manylion penodol ym mhasbortau'r anifeiliaid y maent wedi eu cigydda.

Regulation 7 makes provision to remove the need for the occupiers of slaughterhouses to enter certain details into the passports of animals they have slaughtered.

Mae rheoliad 8 yn gwneud darpariaeth i ganiatáu i geidwaid adrodd ar symudiadau anifeiliaid drwy ddefnyddio'r system ffôn awtomataidd newydd fel dull o hysbysu a hefyd i adrodd am farwolaethau anifeiliaid drwy ddefnyddio dulliau electronig yn ogystal ag ar bapur, ac eithrio yn achos anifeiliaid a gigyddir y tu allan i ladd-dy ac a anfonir i ladd-dy er mwyn eu trin. Rhaid dychwelyd pasbort anifail i Weinidogion Cymru o fewn saith niwrnod i'r farwolaeth onid yw arolygydd wedi ei gadw.

Regulation 8 makes provision to allow keepers to report animal movements by using the new automated telephony system as a method of notification and also to report animal deaths using electronic methods as well as paper, except in the case of animals slaughtered outside a slaughterhouse that are sent to a slaughterhouse for dressing. An animal's passport must be returned to the Welsh Ministers within seven days of the death unless it has been retained by an inspector.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar wneud Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol gwneud asesiad effaith rheoleiddiol o'r costau a'r buddiannau sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

2013 Rhif 821 (Cy. 97)

ANIFEILIAID, CYMRU

IECHYD ANIFEILIAID

**Rheoliadau Adnabod Gwartheg
(Cymru) (Diwygio) 2013**

Gwnaed 9 Ebrill 2013

*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 10 Ebrill 2013

Yn dod i rym 1 Mai 2013

Mae Gweinidogion Cymru wedi eu dynodi at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(1) o ran polisi amaethyddol cyffredin yr Undeb Ewropeaidd(2) ac o ran mesurau yn y meysydd milfeddygol a ffotoiechydol ar gyfer amddiffyn iechyd y cyhoedd(3).

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddwyd gan adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972.

Enwi, cymhwyso a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Adnabod Gwartheg (Cymru) (Diwygio) 2013; maent yn gymwys o ran Cymru ac yn dod i rym ar 1 Mai 2013.

Diwygio Rheoliadau Adnabod Gwartheg (Cymru) 2007

2. Mae Rheoliadau Adnabod Gwartheg (Cymru) 2007(4) wedi eu diwygio yn unol â rheoliadau 3 i 8.

3. Yn rheoliad 2 (dehongli), ym mharagraff (1) yn y man priodol yn nhrefn yr wyddor mewnosoder—

(1) 1972 p. 68. Diwygiwyd adran 2(2) gan adran 27(1)(a) o Ddeddf Diwygio Deddfwriaethol a Rheoleiddiol 2006 (p. 51) ac adran 3(3) o Ddeddf yr Undeb Ewropeaidd (Diwygio) 2008 (p. 7) a Rhan 1 o'r Atodlen iddi.

(2) O.S. 2010/2690.

(3) O.S. 2008/1792.

(4) O.S. 2007/842 (Cy.74) a ddiwygiwyd gan O.S. 2007/3004 (Cy.260).

2013 No. 821 (W. 97)

ANIMALS, WALES

ANIMAL HEALTH

**The Cattle Identification (Wales)
(Amendment) Regulations 2013**

Made 9 April 2013

*Laid before the National
Assembly for Wales* 10 April 2013

Coming into force 1 May 2013

The Welsh Ministers are designated for the purposes of section 2(2) of the European Communities Act 1972(1) in relation to the common agricultural policy of the European Union(2) and in relation to measures in the veterinary and phytosanitary fields for the protection of public health(3).

The Welsh Ministers make these Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972.

Title, application and commencement

1. The title of these Regulations is the Cattle Identification (Wales) (Amendment) Regulations 2013; they apply in relation to Wales and come into force on 1 May 2013.

Amendment of the Cattle Identification (Wales) Regulations 2007

2. The Cattle Identification (Wales) Regulations 2007(4) are amended in accordance with regulations 3 to 8.

3. In regulation 2 (interpretation), in paragraph (1) in the appropriate place in the alphabetical order insert—

(1) 1972 c. 68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and section 3(3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c. 7).

(2) S.I. 2010/2690.

(3) S.I. 2008/1792.

(4) S.I. 2007/842 (W.74) amended by S.I. 2007/3004 (W.260).

"ystyr "Rheoliad y Comisiwn (EC) Rhif 494/98" ("Commission Regulation (EC) No 494/98") yw Rheoliad y Comisiwn (EC) Rhif 494/98 sy'n gosod rheolau manwl ar gyfer gweithredu Rheoliad y Cyngor (EC) Rhif 820/97 o ran cymhwyso y lefel isaf o sancsiynau gweinyddol yn fframwaith y system ar gyfer adnabod a chofrestru anifeiliaid buchol(1);".

4. Yn rheoliad 10 (pwerau arolygwyr), yn lle paragraff (1)(c) rhodder—

"(c) Rheoliad y Comisiwn (EC) Rhif 494/98;".

5. Yn rheoliad 12 (cigydda anifeiliaid heb eu marcio), hepgorer "awdurdod milfeddygol a'r".

Atodlen 2 (cofrestru gwartheg)

6. Ym mharagraff 2(3) o Atodlen 2, ar ôl paragraff (a) mewnosoder—

"(aa) drwy ddefnyddio gwasanaeth ffôn awtomataidd Gweinidogion Cymru;".

Atodlen 3 (pasbortau gwartheg)

7. Ym mharagraff 11 o Atodlen 3, ar ôl is-baragraff (2) mewnosoder—

"(2A) Ond nid yw is-baragraff (2) yn gymwys i feddiannydd lladd-dy."

Atodlen 4 (hysbysiad o symud neu farwolaeth)

8. Yn Atodlen 4—

(a) ym mharagraff 1(1), ar ôl paragraff (a) mewnosoder—

"(aa) drwy ddefnyddio gwasanaeth ffôn awtomataidd Gweinidogion Cymru;"; a

(b) ym mharagraff 2—

(i) yn lle is-baragraffau (1) i (3) rhodder—

"(1) Pan gigyddir anifail mewn lladd-dy, rhaid i feddiannydd y lladd-dy hysbysu Gweinidogion Cymru am y farwolaeth o fewn saith niwrnod—

(a) drwy ddefnyddio gwefan ryngweithiol Gweinidogion Cymru;

(b) drwy ddefnyddio gwasanaeth ffôn awtomataidd Gweinidogion Cymru;

(c) drwy ddefnyddio meddalwedd a gymeradwywyd gan Weinidogion Cymru; neu

(ch) drwy gwblhau'r manylion am y farwolaeth ym mhasbort yr anifail a'i ddychwelyd i Weinidogion Cymru,

"Commission Regulation (EC) No 494/98" ("Rheoliad y Comisiwn (EC) Rhif 494/98") means Commission Regulation (EC) No 494/98 laying down detailed rules for the implementation of Council Regulation (EC) No 820/97 as regards the application of minimum administrative sanctions in the framework of the system for the identification and registration of bovine animals(1);".

4. In regulation 10 (powers of inspectors), for paragraph (1)(c) substitute—

"(c) Commission Regulation (EC) No 494/98;".

5. In regulation 12 (slaughter of unmarked animals), omit "the veterinary authority and".

Schedule 2 (registration of cattle)

6. In paragraph 2(3) of Schedule 2, after paragraph (a) insert—

"(aa) using the Welsh Ministers' automated telephony service;".

Schedule 3 (cattle passports)

7. In paragraph 11 of Schedule 3, after sub-paragraph (2) insert—

"(2A) But sub-paragraph (2) does not apply to the occupier of a slaughterhouse."

Schedule 4 (notification of movement or death)

8. In Schedule 4—

(a) in paragraph 1(1), after paragraph (a) insert—

"(aa) using the Welsh Ministers automated telephony service;"; and

(b) in paragraph 2—

(i) for sub-paragraphs (1) to (3) substitute—

"(1) When an animal is slaughtered at a slaughterhouse, the occupier of the slaughterhouse must notify the Welsh Ministers of the death within seven days—

(a) using the Welsh Ministers' interactive website;

(b) using the Welsh Ministers' automated telephony service;

(c) using software approved by the Welsh Ministers; or

(d) by completing the death details in the animal's passport and returning it to the Welsh Ministers,

(1) OJ Rhif L 60, 28.2.1998, t.78, a ddiwygiwyd gan Reoliad y Comisiwn (EU) Rhif 1053/2010 (OJ Rhif L 303, 19.11.2010, t.1).

(1) OJ No L 60, 28.2.1998, p.78, amended by Commission Regulation (EU) No 1053/2010 (OJ No L 303, 19.11.2010, p.1).

a rhaid iddo ddychwelyd pasbort yr anifail i Weinidogion Cymru o fewn saith niwrnod.

(2) Os cigyddir anifail y tu allan i ladd-dy ond ei fod yn cael ei anfon i ladd-dy er mwyn ei drin, rhaid i'r ceidwad lenwi'r manylion am y farwolaeth yn y pasbort a'i anfon gyda'r anifail i'r lladd-dy, a rhaid i feddiannydd y lladd-dy hysbysu'r farwolaeth drwy ddychwelyd y pasbort i Weinidogion Cymru o fewn saith niwrnod ar ôl marwolaeth yr anifail.

(3) Yn unrhyw achos arall, pan fydd anifail yn marw neu'n cael ei ladd rhaid i'r ceidwad hysbysu Gweinidogion Cymru am y farwolaeth o fewn saith niwrnod—

- (a) drwy ddefnyddio gwefan ryngweithiol Gweinidogion Cymru;
- (b) drwy ddefnyddio gwasanaeth ffôn awtomataidd Gweinidogion Cymru;
- (c) drwy ddefnyddio meddalwedd a gymeradwywyd gan Weinidogion Cymru; neu
- (ch) drwy gwblhau'r manylion am y farwolaeth ym mhasbort yr anifail a'i ddychwelyd i Weinidogion Cymru,

a rhaid iddo ddychwelyd pasbort yr anifail i Weinidogion Cymru o fewn saith niwrnod.

(3A) Ond pan fo arolygydd wedi cymryd ac wedi cadw pasbort anifail o dan reoliad 10(3)(ch), nid yw gofyniad o dan y paragraff hwn i ddychwelyd y pasbort i Weinidogion Cymru yn gymwys cyhyd ag y mae'r pasbort yn cael ei gadw yn y fath fodd.",
a

- (ii) hepgorer is-baragraff (5).

and must return the animal's passport to the Welsh Ministers within seven days.

(2) If an animal is slaughtered outside a slaughterhouse but sent to a slaughterhouse for dressing, the keeper must complete the death details in the passport and send it with the animal to the slaughterhouse, and the occupier of the slaughterhouse must notify the death by returning the passport to the Welsh Ministers within seven days of the death of the animal.

(3) In any other case, when an animal dies or is killed the keeper must notify the Welsh Ministers of the death within seven days—

- (a) using the Welsh Ministers interactive website;
- (b) using the Welsh Ministers automated telephony service;
- (c) using software approved by the Welsh Ministers; or
- (d) by completing the death details in the animal's passport and returning it to the Welsh Ministers,

and must return the animal's passport to the Welsh Ministers within seven days.

(3A) But where an animal's passport has been taken and retained by an inspector under regulation 10(3)(d), a requirement under this paragraph to return the passport to the Welsh Ministers does not apply for so long as the passport is so retained.”,
and

- (ii) omit sub-paragraph (5).

Alun Davies

Y Gweinidog Cyfoeth Naturiol a Bwyd, un o Weinidogion Cymru

9 Ebrill 2013

Minister for Natural Resources and Food, one of the Welsh Ministers

9 April 2013

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