

**CYNULLIAD CENEDLAETHOL CYMRU****NATIONAL ASSEMBLY FOR WALES****OFFERYNNAU STATUDOL****STATUTORY INSTRUMENTS****2000 Rhif 2335 (Cy. 152)****2000 No. 2335 (W. 152)****ANIFEILIAID, CYMRU****ANIMALS, WALES****IECHYD ANIFEILIAID****ANIMAL HEALTH****Rheoliadau Adnabod Defaid a Geifr (Cymru) 2000****The Sheep and Goats Identification (Wales) Regulations 2000****NODYN ESBONIADOL****EXPLANATORY NOTE***(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)**(This note does not form part of the Regulations)*

Mae'r Rheoliadau hyn, sy'n gweithredu'r darpariaethau ynghylch defaid a geifr yng Nghyfarwydddeb y Cyngor 92/102/EEC ar adnabod a chofrestru anifeiliaid (OJ Rhif L355, 5.12.92, t.32), yn gwneud darpariaeth ar gyfer cofnodion a dogfennau eraill ynghylch defaid a geifr a marcio defaid a geifr. Maent yn diddymu Gorchymyn Defaid a Geifr (Cofnodion, Adnabod a Symud) 1996, O.S. 1996/28 i'r graddau y mae'n gymwys i Gymru.

These Regulations, which implement the provisions relating to sheep and goats of Council Directive 92/102/EEC on the identification and registration of animals (OJ No.L355, 5.12.92, p.32), make provision for records and other documentation concerning sheep and goats and the marking of sheep and goats. They revoke the Sheep and Goats (Records, Identification and Movement) Order 1996, S. I. 1996/28 in so far as it applies to Wales.

Hysbysu

Mae'r Rheoliadau yn ei gwneud yn ofynnol i unrhyw berson sy'n cadw defaid neu eifr hysbysu Cynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol") (rheoliad 3).

Notification

The Regulations require any person who keeps sheep or goats to notify the National Assembly for Wales ("the National Assembly") (regulation 3).

Cofnodion

Mae'r Rheoliadau yn ei gwneud yn ofynnol i unrhyw un sy'n cadw defaid neu eifr gadw cofnodion ynglŷn â symudiadau ac, yn achos ceidwaid sy'n gynhyrchwyr cig defaid at ddibenion Rheoliad y Cyngor 3493/90/EEC (sy'n gosod rheolau cyffredinol ynghylch rhoi premiwm i gynhyrchwyr cig defaid a chig geifr (O.J. L337, 4.12.90, t.7)) gadw cofnodion ychwanegol yn ymwneud â digwyddiadau penodedig (rheoliadau 4 a 5).

Records

The Regulations require anyone keeping sheep or goats to keep movement records and, in the case of keepers who are sheepmeat producers for the purposes of Council Regulation 3493/90/EEC (laying down general rules for the grant of premium to sheepmeat and goatmeat producers (O.J. L337, 4.12.90, p.7)) additional records relating to specified events (regulations 4 and 5).

Marcio anifeiliaid

Mae'r Rheoliadau yn gwneud darpariaeth ar gyfer marcio defaid a geifr, naill ai â thag clust neu a thatŵ. Yn ddarostyngedig i eithriadau a darpariaethau trosiannol penodol, o 1 Ionawr 2001 ymlaen, mae'n ofynnol marcio pob anifail a enir neu a symudir gyntaf oddi ar y daliad genedigol ar ôl y dyddiad hwnnw, a'r holl ddefaid a geifr a fewnforir i Gymru o'r tu allan i'r Undeb Ewropeaidd (rheoliadau 6 i 8). Mae'r Rheoliadau yn gwahardd dod â defaid neu eifr i Gymru o Aelod-wladwriaeth arall neu o ran arall o'r Deyrnas Unedig, Ynysoedd y Sianel neu Ynys Manaw ("yr Ynysoedd Prydain") oni bai eu bod wedi'u marcio (rheoliadau 9 ac 10).

Mae'r Rheoliadau yn ei gwneud yn ofynnol marcio defaid a geifr pan anfonir hwy i gyrchfan y tu allan i Brydain Fawr (rheoliad 11) ac i gyrchfan o fewn Prydain Fawr (rheoliad 12). Maent yn darparu hefyd ar gyfer cario dogfennau pan symudir defaid neu eifr o fewn Prydain Fawr (rheoliad 13). Mae'r Rheoliadau yn darparu ar gyfer tynnu tagiau clust a thatŵs, a rhoi rhai newydd yn eu lle, rhoi tagiau clust a thatŵs ychwanegol ac maent yn gwahardd newid tagiau clust a thatŵs (rheoliadau 14 i 16).

Gorfodi a Thramgwyddau

Mae'r Rheoliadau yn darparu ar gyfer pwerau i arolygwyr (rheoliad 17), tramgwyddau (rheoliad 18) a chosbau (rheoliad 19).

Yr Awdurdodau Lleol sy'n gorfodi'r Rheoliadau ar wahân i rheoliad 5, a orfodir gan y Cynulliad Cenedlaethol.

Diwygiadau

Mae'r Rheoliadau yn diwygio Rheoliadau Premiwm Blynyddol Defaid 1992 i ddarparu ar gyfer adennill premiwm oddi wrth gynhyrchwyr sydd wedi torri rheoliad 5 o'r Rheoliadau hyn.

Arfarniad Rheoleiddio

Mae Arfarniad Rheoleiddio wedi'i baratoi yn unol ag adran 65 o Ddeddf Llywodraeth Cymru 1998. Gellir cael copïau oddi wrth Gynulliad Cenedlaethol Cymru, Adran Polisi Amaethyddol 3, Parc Cathays, Caerdydd, CF10 3NQ.

Marking animals

The Regulations make provision for marking sheep and goats, either by an eartag or by a tattoo. Subject to certain exceptions and transitional provisions, from 1 January 2001 marking is required for all animals born or first moved off the holding of birth after that date, and for all sheep and goats imported into Wales from outside the European Union (regulations 6 to 8). The Regulations prohibit bringing sheep or goats into Wales from another Member State or from another part of the United Kingdom, Channel Islands or Isle of Man ("the British Islands") unless they are marked (regulations 9 and 10).

The Regulations require the marking of sheep and goats when they are consigned to a destination outside Great Britain (regulation 11) and to a destination within Great Britain (regulation 12). They also provide for documentation to be carried when sheep or goats are moved within Great Britain (regulation 13).

The Regulations provide for the removal and replacement of eartags and tattoos, the application of additional eartags and tattoos and prohibit the alteration of eartags and tattoos (regulations 14 to 16).

Enforcement and Offences

The Regulations provide for powers for inspectors (regulation 17), offences (regulation 18) and penalties (regulation 19).

Local Authorities enforce the Regulations apart from regulation 5, which is enforced by the National Assembly.

Amendments

The Regulations amend the Sheep Annual Premium Regulations 1992 to provide for the recovery of premium from producers who have breached regulation 5 of these Regulations.

Regulatory Appraisal

A Regulatory Appraisal has been prepared in accordance with section 65 of the Government of Wales Act 1998. Copies can be obtained from the National Assembly for Wales, Agriculture Policy Division 3, Cathays Park, Cardiff, CF10 3NQ.

2000 Rhif 2335 (Cy. 152)**ANIFEILIAID, CYMRU****IECHYD ANIFEILIAID****Rheoliadau Adnabod Defaid a Geifr (Cymru) 2000***Wedi'u gwneud 30 Awst 2000**Yn dod i rym –**Pob rheoliad ac**eithrio rheoliadau 7, 8, 11**a 14* *1 Medi 2000**Rheoliadau 7,8, 11**a 14* *1 Ionawr 2001***TREFN Y RHEOLIADAU**

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2. Dehongli
3. Hysbysu daliadau lle cedwir defaid neu eifr
4. Cofnodion ynghylch defaid
5. Cofnodion ychwanegol ar gyfer cynhyrchwyr cig defaid penodedig
6. Tagiau clust a thatŵs
7. Marcio anifeiliaid a anwyd yng Nghymru
8. Marcio anifeiliaid a fewnforir i Gymru o'r tu allan i'r Undeb Ewropeaidd
9. Gofynion marcio ar gyfer anifeiliaid a ddygir i Gymru o Aelod-wladwriaeth arall
10. Gofynion marcio ar gyfer anifeiliaid a ddygir i Gymru o ran arall o Ynysoedd Prydain
11. Gofynion marcio anifeiliaid i'w hanfon i gyrchfan y tu allan i Brydain Fawr
12. Gofynion marcio ar gyfer symud defaid a geifr i gyrchfan o fewn Prydain Fawr
13. Gofynion dogfennol ar gyfer symud defaid a geifr i gyrchfan o fewn Prydain Fawr

2000 No. 2335 (W. 152)**ANIMALS, WALES****ANIMAL HEALTH****The Sheep and Goats Identification (Wales) Regulations 2000***Made 30th August 2000**Coming into force –**All regulations except**for regulations 7,8, 11**and 14* *1 September 2000**Regulations 7, 8, 11**and 14* *1 January 2001***ARRANGEMENT OF REGULATIONS**

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14. Tynnu ac amnewid tagiau clust
15. Tagiau clust a thatws ychwanegol
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17. Pwerau Arolygwyr
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22. Diwygiad i Reoliadau Premiwm Blynyddol Defaid 1992
23. Diddymu

Mae Cynulliad Cenedlaethol Cymru, gan ei fod wedi'i ddynodi(a) at ddibenion adran 2(2) o Ddeddf Cymunedau Ewrop 1972(b) mewn perthynas â pholisi amaethyddol cyffredin y Gymuned Ewropeaidd, drwy arfer y pwerau a roddwyd iddo gan adran 2(2), yn gwneud y Rheoliadau canlynol:

Teitl, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Adnabod Defaid a Geifr (Cymru) 2000 a deuant i rym –

- (a) yn achos pob rheoliad ac eithrio rheoliadau 7, 8, 11 a 14, ar 1 Medi 2000; a
 - (b) yn achos rheoliadau 7, 8, 11 a 14, ar 1 Ionawr 2001.
- (2) Mae'r Rheoliadau hyn yn gymwys i Gymru yn unig.

Dehongli

2.-(1) Yn y Rheoliadau hyn -

ystyr "arolygydd" ("*inspector*") yw person a benodir i fod yn arolygydd at ddibenion y Rheoliadau hyn gan y Cynulliad Cenedlaethol neu awdurdod lleol;

ystyr "awdurdod lleol" ("*local authority*") mewn perthynas â sir neu fwrdeistref sirol, yw cyngor y sir neu'r fwrdeistref sirol honno;

ystyr "canolfan gasglu" ("*collection centre*") yw unrhyw safle, gan gynnwys daliadau, lle caiff anifeiliaid sy'n deillio o ddaliadau gwahanol eu grwpio gyda'i gilydd i ffurfio llwythi y bwriedir eu hanfon o'r safle hwnnw;

ystyr "ceidwad" ("*keeper*") yw unrhyw berson sydd â gofal am ddefaid a geifr a rheolaeth arnynt, hyd yn oed dros dro;

ystyr "Cynulliad Cenedlaethol" ("*National*

14. Removal and replacement of eartags
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16. Alteration of eartags and tattoos
17. Powers of Inspectors
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19. Time limits for prosecutions
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22. Amendment to the Sheep Annual Premium Regulations 1992
23. Revocation

The National Assembly for Wales, being designated (a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by section 2(2), makes the following Regulations:

Title, commencement and application

1.-(1) These Regulations may be cited as the Sheep and Goats Identification (Wales) Regulations 2000 and shall come into force –

- (a) as respects all regulations except for regulations 7, 8, 11 and 14, on 1 September 2000; and
- (b) as respects regulations 7, 8, 11 and 14, on 1 January 2001.

(2) These Regulations apply to Wales only.

Interpretation

2.-(1) In these Regulations -

"collection centre" ("*canolfan gasglu*") means any site, including holdings, at which animals originating from different holdings are grouped together to form consignments intended for despatch from that site;

"flockmark" ("*marc diadell*") means the flockmark allocated by the National Assembly pursuant to regulation 3;

"herdmark" ("*marc gyr*") means the herdmark allocated by the National Assembly pursuant to regulation 3;

"holding" ("*daliad*") means any establishment, construction or, in the case of an open air farm, any place in which sheep or goats are held, kept or handled;

"inspector" ("*arolygydd*") means a person appointed to be an inspector for the purposes of these Regulations

(a) O.S. 1999/2788.

(b) 1972 p.68.

(a) S.I. 1999/2788.

(b) 1972 c.68.

Assembly”) yw Cynulliad Cenedlaethol Cymru;

ystyr “daliad” (“*holding*”) yw unrhyw sefydliad, adeilad neu, yn achos fferm awyr agored, unrhyw le y caiff defaid neu eifr eu dal, eu cadw neu eu trafod;

ystyr “dyddiad perthnasol” (“*relevant date*”) yw 1 Ionawr 2001;

ystyr “marc diadell” (“*flockmark*”) yw’r marc diadell a ddyrennir gan y Cynulliad Cenedlaethol yn unol â rheoliad 3;

ystyr “marc gyr” (“*herdmark*”) yw’r marc gyr a ddyrennir gan y Cynulliad Cenedlaethol yn unol â rheoliad 3.

ystyr “rhif adnabod unigol unigryw” (“*unique individual identification number*”) yw cyfuniad unigryw o’r llythrennau “UK” ac wedyn marc gyr neu farc diadell y daliad geni, ac wedyn rhif adnabod unigol a grewyd gan y ceidwad;

ystyr “triniaeth filfeddygol” (“*veterinary treatment*”) yw unrhyw driniaeth neu weithdrefn arall sy’n cael ei chyflawni gan filfeddyg neu o dan ei oruchwyliaeth ac mae’n cynnwys disbaddu.

(2) Mae unrhyw gyfeiriad yn y Rheoliadau hyn at reoliad â rhif (heb gyfeiriad cyfatebol at offeryn penodol) yn gyfeiriad at y rheoliad sy’n dwyn y rhif hwnnw yn y Rheoliadau hyn.

(3) Bydd y Rheoliadau hyn yn gymwys i ddefaid a geifr byw yn unig.

Hysbysu daliadau lle cedwir defaid neu eifr

3.-(1) Rhaid i unrhyw berson sy’n cadw defaid neu eifr ar ddaliad, o fewn un mis ar ôl i’r rheoliad hwn ddod i rym, neu yn ôl fel y digwydd, o fewn un mis ar ôl dechrau cadw defaid neu eifr ar ôl i’r rheoliad hwn ddod i rym, hysbysu’r Cynulliad Cenedlaethol yn ysgrifenedig am y canlynol -

- (a) cyfeiriad y daliad;
- (b) enw a chyfeiriad meddiannydd y daliad; ac
- (c) rhywogaethau’r anifeiliaid (p’un ai defaid neu eifr neu’r ddau) a gedwir fel arfer ar y daliad.

(2) Rhaid i unrhyw berson sy’n cadw defaid neu eifr hysbysu’r Cynulliad Cenedlaethol yn ysgrifenedig am unrhyw newid yn y manylion a bennir ym mharagraff (1) uchod o fewn un mis o’r newid hwnnw.

(3) Wrth gael hysbysiad o dan y rheoliad hwn bydd y Cynulliad Cenedlaethol, yn ddarostyngedig i baragraff (4) isod, yn dyrannu i geidwad y defaid neu’r geifr farc diadell yn achos defaid neu farc gyr yn achos geifr.

(4) Os lladd-dy neu farchnad yw’r daliad, ni fydd y Cynulliad Cenedlaethol yn dyrannu marc diadell na

by the National Assembly or a local authority;

“keeper” (“*ceidwad*”) means any person having care and control of sheep and goats, even on a temporary basis;

“local authority” (“*awdurdod lleol*”) means in respect of a county or county borough, the council of that county or county borough;

“National Assembly” (“*Cynulliad Cenedlaethol*”) means the National Assembly for Wales;

“relevant date” (“*dyddiad perthnasol*”) means 1 January 2001;

“unique individual identification number” (“*rhif adnabod unigol unigryw*”) means a unique combination of the letters “UK” followed by the herdmark or flockmark of the holding of birth, followed by an individual identification number which has been created by the keeper;

“veterinary treatment” (“*triniaeth filfeddygol*”) means any treatment or other procedure carried on by or under the supervision of a veterinary surgeon and includes castration.

(2) Any reference in these Regulations to a numbered regulation (with no corresponding reference to a specific instrument) is a reference to the regulation bearing that number in these Regulations.

(3) These Regulations shall apply to live sheep and goats only.

Notification of holdings where sheep or goats are kept

3.-(1) Any person who keeps sheep or goats on a holding shall, within one month of the coming into force of this regulation or, as the case may be, within one month after beginning to keep sheep or goats after the coming into force of this regulation, notify the National Assembly in writing of -

- (a) the address of the holding;
- (b) the name and address of the occupier of the holding; and
- (c) the species of animals (whether sheep or goats or both) which are usually kept on the holding.

(2) Any person keeping sheep or goats shall notify the National Assembly in writing of any change in the particulars specified in paragraph (1) above within one month of such change.

(3) On receiving notification under this regulation the National Assembly shall, subject to paragraph (4) below, allocate to the keeper of the sheep or goats a flockmark in the case of sheep or a herdmark in the case of goats.

(4) Where the holding is an abattoir or market, the National Assembly shall allocate a flockmark or

marc gyr ond pan fydd yn barnu ei bod yn briodol gwneud hynny.

Cofnodion ynghylch defaid

4.-(1) Rhaid i unrhyw berson sy'n cadw defaid neu eifr ar ddaliad (heblaw marchnad, lladd-dy neu ganolfan gasglu) gofnodi ar 31 Ionawr ymhob blwyddyn neu cyn hynny, nifer y fath anifeiliaid a oedd ar y daliad hwnnw ar 1 Ionawr yn y flwyddyn honno.

(2) O fewn 36 awr o symud defaid neu eifr i ddaliad neu oddi arno, rhaid i'r ceidwad gofnodi -

- (a) dyddiad y symud;
- (b) cyfanswm yr anifeiliaid a symudwyd;
- (c) un o'r canlynol -
 - (i) y marc dros dro a roddwyd ar bob anifail o dan reoliad 12(2);
 - (ii) y marc diadell neu farc gyr (yn ôl fel y digwydd) a ddangosir ar dag clust neu datw pob anifail; neu
 - (iii) y rhif adnabod unigol unigryw a ddangosir (os oes un) ar dag clust neu datw pob anifail;

(ch) wrth symud o farchnad, y rhif lot (os oes un) a ddyrannwyd yn y farchnad; a

- (d) naill ai -
 - (i) y daliad y dygwyd yr anifeiliaid ohono, os ydynt yn cael eu symud i'r daliad, neu
 - (ii) y daliad y symudir yr anifeiliaid iddo os ydynt yn cael eu symud oddi ar y daliad.

(3) Yn achos defaid neu eifr a werthir heb gael eu symud i ddaliad neu oddi arno, rhaid i'r gwerthwr gofnodi, o fewn 36 awr o'r gwerthiant -

- (a) dyddiad y gwerthiant;
- (b) nifer yr anifeiliaid a werthwyd; ac
- (c) enw a chyfeiriad y prynwr.

(4) Yn achos dafad neu afr a farciwyd yn unol â rheoliad 8 neu a ailfarciwyd yn unol â rheoliad 14(2) neu (3), rhaid i'r ceidwad, o fewn 36 awr o farcio neu ailfarcio'r anifail (yn ôl fel y digwydd), gofnodi'r marc diadell newydd (yn achos defaid) neu farc gyr (yn achos geifr) a'r un blaenorol, os yw hwnnw'n hysbys.

(5) Rhaid i bob cofnod o dan y rheoliad hwn gael ei gadw gan y person sy'n gwneud y cofnod am gyfnod o chwe mlynedd.

herdmark only where it deems it appropriate to do so.

Records concerning sheep

4.-(1) Any person keeping sheep or goats on a holding (other than a market, abattoir or collection centre) shall record, on or before 31st January in each year, the number of such animals on that holding on 1st January of that year.

(2) Within 36 hours of sheep or goats being moved on or off a holding, the keeper shall record -

- (a) the date of movement;
- (b) the total number of animals moved;
- (c) one of the following -
 - (i) the temporary mark applied to each animal under regulation 12(2);
 - (ii) the flockmark or herdmark (as the case may be) shown on the eartag or tattoo of each animal; or
 - (iii) the unique individual identification number shown (if there is one) on the eartag or tattoo of each animal;

(d) in the case of a movement off a market, the lot number (if any) allocated at the market; and

- (e) either -
 - (i) the holding from which the animals have been brought, if they are moved on to the holding, or
 - (ii) the holding to which the animals are moved if they are moved off the holding.

(3) In the case of sheep or goats being sold without being moved on or off a holding, the vendor shall record, within 36 hours of the sale -

- (a) the date of sale;
- (b) the number of animals sold; and
- (c) the name and address of the purchaser.

(4) In the case of a sheep or a goat marked in accordance with regulation 8 or re-marked in accordance with regulation 14(2) or (3), the keeper shall, within 36 hours of marking or re-marking the animal (as the case may be), record the new flockmark (in the case of sheep) or herdmark (in the case of goats) and the previous one, if known.

(5) All records under this regulation shall be retained by the person making the record for a period of six years.

Cofnodion ychwanegol ar gyfer cynhyrchwyr cig defaid penodedig

5.-(1) Yn ychwanegol at y cofnodion sy'n ofynnol o dan y rheoliad blaenorol, rhaid i geidwad sy'n gynhyrchydd cig defaid at ddibenion Rheoliad y Cyngor 3493/90/EEC (sy'n gosod rheolau cyffredinol ynghylch rhoi premiwm i gynhyrchwyr(a) cig defaid a chig geifr) gadw'r cofnodion a bennir yn y rheoliad hwn.

(2) Ar 31 Ionawr ymhob blwyddyn neu cyn hynny, rhaid i'r ceidwad gofnodi cyfanswm y defaid benyw a oedd ar y daliad ar 1 Ionawr yn y flwyddyn honno, a oedd naill ai dros 12 mis oed neu wedi bwrw oen, ar y dyddiad y gwnaed y cofnod.

(3) O fewn 14 diwrnod o unrhyw un o'r digwyddiadau canlynol -

- (a) bod unrhyw ddefaid benyw a oedd naill ai dros 12 mis oed neu a oedd wedi bwrw oen yn cael eu symud yn fwriadol i'r daliad neu oddi arno;
- (b) bod dafad fenyw sydd heb fwrw oen yn cyrraedd 12 mis oed;
- (c) bod dafad o dan 12 mis oed yn bwrw oen;
- (ch) darganfod bod dafad fenyw a oedd naill ai dros 12 mis oed neu a oedd wedi bwrw oen wedi cael ei cholli o'r daliad, naill ai am ei bod wedi marw neu am ei bod ar grwydr o'r daliad,

rhaid i'r ceidwad gofnodi cyfanswm y defaid benyw ar y daliad sydd wedi bwrw oen neu sydd dros 12 mis oed, dyddiad y cofnod a'r rhesymau y mae cyfanswm y defaid hynny ar y daliad wedi newid.

(4) Rhaid i bob cofnod o dan y rheoliad hwn gael ei gadw gan y person sy'n gwneud y cofnod am gyfnod o bedair blynedd.

Tagiau clust a thatŵs

6.-(1) Bydd unrhyw dag clust a gysylltir o dan y Rheoliadau hyn -

- (a) naill ai'n fetel neu'n blastig neu'n gyfuniad o fetel a phlastig;
- (b) yn un na ellir ymyrryd ag ef;
- (c) wedi'i brintio neu wedi'i stampio â'r llythrennau a'r rhif sy'n ofynnol o dan y Rheoliadau hyn drwy ddull sy'n sicrhau eu bod yn hawdd eu darllen drwy gydol oes yr anifail;
- (ch) yn un na ellir ei aildefnyddio; a
- (d) o fath nad yw'n ymyrryd â lles yr anifail.

(2) Rhaid peidio â lliwio tag clust a gysylltir o dan y Rheoliadau hyn yn goch oni bai ei fod yn dag clust newydd a gysylltwyd o dan ddarpariaethau rheoliad

Additional records for specified sheepmeat producers

5.-(1) In addition to the records required under the preceding regulation, a keeper who is a sheepmeat producer for the purposes of Council Regulation 3493/90/EEC (laying down general rules for the grant of premium to sheepmeat and goatmeat producers(a)) shall keep the records specified in this regulation.

(2) On or before 31st January each year, the keeper shall record the total number of female sheep on the holding on 1st January that year which either were over 12 months old or had given birth, and the date the entry was made.

(3) Within 14 days of any of the following events -

- (a) the intentional movement on or off the holding of female sheep which were either over 12 months old or which had given birth;
- (b) a female sheep which has not given birth reaching the age of 12 months;
- (c) a sheep under 12 months old giving birth;
- (d) the discovery that a female sheep which was either over 12 months old or which had given birth has been lost from the holding, either because it has died or because it is missing from the holding,

the keeper shall record the total number of female sheep on the holding which have given birth or which are over 12 months old, the date of the entry and the reasons that the total number of such sheep on the holding has changed.

(4) All records under this regulation shall be retained by the person making the record for a period of four years.

Eartags and tattoos

6.-(1) Any eartag attached under these Regulations shall be -

- (a) either metal or plastic or a combination of metal and plastic;
- (b) tamper-proof;
- (c) printed or stamped with the letters and number required under these Regulations by a method that ensures that they are easy to read for the animal's lifetime;
- (d) incapable of re-use; and
- (e) such that it does not interfere with the well-being of the animal.

(2) An eartag attached under these Regulations shall not be coloured red unless it is a replacement eartag attached under the provisions of regulation

(a) OJ Rhif L337, 4.12.90, t.7.

(a) OJ No. L337, 4.12.90, p.7.

14(3)(a).

(3) Rhaid cynllunio unrhyw datw a roddir o dan y Rheoliadau hyn i fod yn ddarllenadwy drwy gydol oes yr anifail.

Marcio anifeiliaid a anwyd yng Nghymru

7.-(1) Yn ddarostyngedig i weddill darpariaethau'r rheoliad hwn, rhaid i geidwad unrhyw ddafad neu afr a enir yng Nghymru ar y dyddiad perthnasol neu ar ôl hynny, neu sy'n dal i fod ar ei daliad genedigol ar y dyddiad hwnnw, ei marcio cyn gynted â phosibl, a beth bynnag cyn iddi gael ei symud o'i daliad genedigol, â thag clust neu datw sy'n cynnwys -

- (a) yn achos tag clust, y llythrennau "UK" ac wedyn marc diadell neu farc gyr y daliad genedigol; neu
- (b) yn achos tatw, marc diadell neu farc gyr y daliad genedigol.

(2) Mewn unrhyw achos sy'n ymwneud â symud defaid neu eifr sydd heb eu marcio yn unol â'r rheoliad hwn oddi ar ddaliad, bydd yn amddiffyniad mewn unrhyw achos o dan y rheoliad hwn i'r person sy'n symud yr anifeiliaid brofi bod yr anifeiliaid-

- (a) yn achos geifr, wedi'u symud o'r daliad genedigol i safle er mwyn rhoi tatw arnynt; neu
- (b) yn achos defaid neu eifr (neu'r ddau) wedi'u symud o'r daliad genedigol i safle er mwyn iddynt gael triniaeth filfeddygol; ac
- (c) yn y ddau achos, wedi'u dychwelyd i'w daliad genedigol cyn gynted â'u bod wedi cael tatw neu driniaeth filfeddygol (yn ôl fel y digwydd).

(3) Gall tag clust neu datw gynnwys gwybodaeth sy'n ychwanegol at yr hyn sy'n ofynnol o dan y rheoliad hwn.

(4) Ni fydd paragraff (1) uchod yn gymwys mewn perthynas â defaid neu eifr a gafodd eu marcio cyn y dyddiad perthnasol â thag clust neu datw yn dynodi marc diadell enedigol neu farc gyr genedigol, neu a oedd wedi'u marcio â thag clust yn dwyn marc cymdeithas fridio a gofrestrwyd yn unol â pharagraff (6) isod, ac a oedd ar y daliad genedigol ar y dyddiad perthnasol hwnnw.

(5) Am gyfnod o flwyddyn gan ddechrau gyda'r dyddiad perthnasol -

- (a) caiff ceidwad farcio anifeiliaid â thag sy'n dwyn marc diadell neu farc gyr y daliad heb y rhagddodiad "UK";
- (b) caiff ceidwad farcio anifeiliaid â thag nad yw'n dwyn y marc diadell neu'r marc gyr ar yr amod bod y tag yn dwyn marc cymdeithas fridio sydd wedi'i gofrestru yn unol â pharagraff (6) isod.

14(3)(a).

(3) Any tattoo applied under these Regulations shall be designed to be legible for the life of the animal.

Marking animals born in Wales

7.-(1) Subject to the remaining provisions of this regulation, the keeper of any sheep or goat born in Wales on or after the relevant date, or which is still on its holding of birth on that date, shall mark it as soon as possible, and in any case before it is moved from the holding of birth, with an eartag or tattoo consisting of -

- (a) in the case of an eartag, the letters "UK" followed by the flockmark or herdmark of the holding of birth; or
- (b) in the case of a tattoo, the flockmark or herdmark of the holding of birth.

(2) In any case relating to the movement off a holding of sheep or goats which have not been marked in accordance with this regulation, it shall be a defence in any proceedings under this regulation for the person moving the animals to prove that the animals -

- (a) in the case of goats, were moved from the holding of birth to premises for the purpose of being tattooed; or
- (b) in the case of sheep or goats (or both), were moved from the holding of birth to premises for the purpose of receiving veterinary treatment; and
- (c) in each case, were returned to their holding of birth as soon as they had been tattooed or had received the veterinary treatment (as the case may be).

(3) An eartag or tattoo may include information additional to that required under this regulation.

(4) Paragraph (1) above shall not apply in relation to sheep or goats which before the relevant date were marked with an eartag or tattoo indicating the flockmark or herdmark of birth, or were marked with an eartag bearing a breed society mark registered pursuant to paragraph (6) below, and which were on the holding of birth at that relevant date.

(5) For a period of one year commencing with the relevant date -

- (a) a keeper may mark animals with a tag which bears the flockmark or herdmark of the holding without the prefix "UK";
- (b) a keeper may mark animals with a tag which does not bear the flockmark or herdmark provided that the tag bears a breed society mark which has been registered pursuant to paragraph (6) below.

(6) Rhaid i'r Cynulliad Cenedlaethol gadw cofrestr o farciau a roddir gan gymdeithasau bridio a nodi yn y gofrestr honno unrhyw farc y mae cymdeithas fridio yn gwneud cais iddo gael ei gofrestru o dan y paragraff hwn.

Marcio anifeiliaid a fewnforir i Gymru o'r tu allan i'r Undeb Ewropeaidd

8.-(1) Os mewnforir dafad neu afr i Gymru o'r tu allan i'r Undeb Ewropeaidd, rhaid iddi gael ei marcio gan geidwad daliad y gyrchfan o fewn 30 diwrnod ar ôl cyrraedd y daliad hwnnw a beth bynnag cyn iddi gael ei symud o'r daliad hwnnw, â thag clust neu datw sy'n cynnwys -

- (a) yn achos tag clust, y llythrennau "UK" ac wedyn marc diadell neu farc gyr daliad y gyrchfan a'r llythyren "F"; neu
- (b) yn achos tatw, marc diadell neu farc gyr daliad y gyrchfan a'r llythyren "F".

(2) Ni fydd paragraff (1) uchod yn gymwys os lladd-dy yw'r gyrchfan ar gyfer yr anifail a fewnforir, a bod yr anifail yn cael ei ladd yno o fewn 5 diwrnod heb iddo gael ei symud o'r lladd-dy.

Gofynion marcio ar gyfer anifeiliaid a ddygir i Gymru o Aelod-wladwriaeth arall

9 Ni chaiff neb fewnforio defaid na geifr o Aelod-wladwriaeth arall onid ydynt wedi'u marcio yn unol â Chyfarwyddeb y Cyngor 92/102/EEC ar adnabod a chofrestru anifeiliaid(a).

Gofynion marcio ar gyfer anifeiliaid a ddygir i Gymru o ran arall o Ynysoedd Prydain

10. Ni chaiff neb ddod â dafad na gafr i Gymru o ran arall o Ynysoedd Prydain oni fydd yr anifail wedi'i farcio yn unol â'r ddeddfwriaeth sydd mewn grym yn y rhan honno o Ynysoedd Prydain.

Gofynion marcio ar gyfer symud defaid a geifr i gyrchfan y tu allan i Brydain Fawr

11.-(1) Rhaid i unrhyw berson sy'n anfon defaid neu eifr y tu allan i Brydain Fawr sicrhau (neu, yn achos anifail a gafodd ei farcio eisoes â rhif adnabod unigol, fe gaiff sicrhau) bod pob anifail wedi'i farcio adeg ei anfon â thag clust neu datw sy'n cynnwys cyfuniad unigryw o'r llythrennau "UK", marc diadell neu farc gyr y safle sy'n ei anfon, y llythyren "X", a rhif adnabod unigol.

(2) Ni chaiff neb anfon unrhyw ddafad neu afr y tu allan i Brydain Fawr os cafodd ei farcio â thag clust neu datw yn diweddu â'r llythyren "R" sy'n dangos mai tag clust neu datw yn lle un arall ydyw.

(6) The National Assembly shall maintain a register of marks issued by breed societies and shall enter in such register any mark which a breed society applies to it to be registered under this paragraph.

Marking animals imported into Wales from outside the European Union

8.-(1) If a sheep or goat is imported into Wales from outside the European Union, it shall be marked by the keeper at the holding of destination, within 30 days of arrival on that holding and in any event before it is moved from that holding, with an eartag or tattoo consisting of -

- (a) in the case of an eartag, the letters "UK" followed by the flockmark or herdmark of the holding of destination and the letter "F"; or
- (b) in the case of a tattoo, the flockmark or herdmark of the holding of destination and the letter "F".

(2) Paragraph (1) above shall not apply if the place of destination of the imported animal is a slaughterhouse, and the animal is slaughtered there within 5 days without having been moved from the slaughterhouse.

Marking requirements for animals brought into Wales from another Member State

9. No person shall import sheep or goats from another Member State unless they are marked in accordance with Council Directive 92/102/EEC on the identification and registration of animals(a).

Marking requirements for animals brought into Wales from another part of the British Islands

10. No person shall bring a sheep or goat into Wales from another part of the British Islands unless the animal is marked in accordance with the legislation in force in that part of the British Islands.

Marking requirements for the movement of sheep and goats to a destination outside Great Britain

11.-(1) Any person consigning sheep or goats outside Great Britain shall (or, in the case of an animal already marked with an individual identification number, may) ensure that each animal is marked at the time of consignment with an eartag or tattoo consisting of a unique combination of the letters "UK", the flockmark or herdmark of the consigning premises, the letter "X", and an individual identification number.

(2) No person shall consign any sheep or goat outside Great Britain if it is marked with an eartag or tattoo ending with the letter "R" showing that it is a replacement eartag or tattoo.

(a) OJ Rhif L355, 5.12.92, t.32.

(a) O.J. No L355, 5.12.92, p.32.

Gofynion marcio ar gyfer symud defaid a geifr i gyrchfan o fewn Prydain Fawr

12.-(1) Rhaid i unrhyw berson sy'n symud defaid neu eifr o ddaliad i gyrchfan o fewn Prydain Fawr sicrhau bod yr anifeiliaid wedi'u marcio cyn iddynt gael eu symud o'r daliad yn unol â'r rheoliad hwn.

(2) Yn ddarostyngedig i baragraffau (3) a (4) isod, rhaid i bob anifail gael ei farcio â marc dros dro sy'n ddigon amlwg i'r anifail gael ei adnabod at ddibenion y ddogfen sy'n ofynnol o dan reoliad 13 ac a fydd yn para o leiaf nes i'r anifail gyrraedd ei gyrchfan.

(3) Yn achos anifail a farciwyd â rhif adnabod unigol unigryw, neu â'r marc diadell neu'r marc gyr, bydd y gofyniad i'w farcio â marc dros dro yn ddewisol, ond os caiff yr anifail ei farcio â marc dros dro, rhaid i'r marc gael ei gofnodi yn y cofnodion symud a wneir o dan reoliad 4 ac yn y ddogfen gludo sy'n cael ei chario o dan reoliad 13.

(4) Ni fydd y gofyniad i roi marc dros dro, sy'n cael ei osod o dan baragraff (2) uchod, yn gymwys yn achos anifeiliaid -

- (a) sy'n cael eu symud er mwyn cael triniaeth filfeddygol;
- (b) sy'n cael eu symud er mwyn eu dipio neu eu cneifio;
- (c) sy'n cael eu symud i sioe os ydynt i ddychwelyd i'r un daliad;
- (ch) sy'n cael eu symud i ddaliad cyfagos lle mae'r defaid neu'r geifr yn aros o dan yr un berchenogaeth; neu
- (d) sydd wrthi'n cael eu mewnfario i Gymru o'r tu allan i'r Undeb Ewropeaidd tra bônt yn cael eu cludo i ddaliad y gyrchfan.

Gofynion dogfennol ar gyfer symud defaid a geifr i gyrchfan o fewn Prydain Fawr

13.-(1) Rhaid i unrhyw berson sy'n symud defaid neu eifr o ddaliad i gyrchfan ym Mhrydain Fawr sicrhau bod dogfen yn cyd-fynd â'r anifeiliaid, a'r ddogfen honno -

- (a) yn enwi'r daliad y mae'r anifeiliaid yn ymadael ag ef a'r daliad y symudir hwy iddo;
- (b) yn rhoi dyddiad y symud a chyfanswm yr anifeiliaid a symudir;
- (c) yn cofnodi'r marc dros dro a roddir ar bob anifail o dan reoliad 12(2) neu, os nad oes gan yr anifail farc dros dro, rhif adnabod unigol unigryw neu'r marc diadell neu'r marc gyr;
- (ch) os yw'r anifeiliaid yn cael eu symud o farchnad, yn cofnodi rhifau lot yr anifeiliaid; a
- (d) wedi'i llofnodi gan berchennog yr anifeiliaid

Marking requirements for the movement of sheep and goats to a destination within Great Britain

12.-(1) Any person moving sheep or goats from a holding to a destination within Great Britain shall ensure that the animals are marked before being moved from the holding in accordance with this regulation.

(2) Subject to paragraphs (3) and (4) below, every animal shall be marked with a temporary mark which is sufficiently distinctive for the animal to be identified for the purposes of the document required under regulation 13 and which will last at least until the animal reaches its destination.

(3) In the case of an animal marked with a unique individual identification number, or the flockmark or herdmark, the requirement to mark it with a temporary mark shall be optional, but if the animal is marked with a temporary mark, the mark shall be recorded in the movement records made under regulation 4 and the transport document carried under regulation 13.

(4) The requirement to apply a temporary mark, that is imposed under paragraph (2) above, shall not apply in the case of animals -

- (a) moved for the purposes of veterinary treatment;
- (b) moved for the purposes of dipping or shearing;
- (c) moved to a show if they are due to return to the same holding;
- (d) being moved to an adjacent holding where the sheep or goats remain under the same ownership; or
- (e) in the process of being imported into Wales from outside the European Union while they are being taken to the holding of destination.

Documentation requirements for the movement of sheep and goats to a destination within Great Britain

13.-(1) Any person moving sheep or goats from a holding to a destination in Great Britain shall ensure that the animals are accompanied by a document which -

- (a) identifies the holding of departure and the holding to which they are being moved;
- (b) gives the date of movement and the total number of animals being moved;
- (c) records the temporary mark applied to each animal under regulation 12(2) or, if the animal does not have a temporary mark, a unique individual identification number or the flockmark or herdmark;
- (d) if the movement is from a market, records the lot numbers of the animals; and
- (e) is signed by the owner of the animals or the

neu asiant y perchennog;

a rhaid i'r person sy'n symud yr anifeiliaid sicrhau bod y ddogfen yn cael ei throsglwyddo i feddiannydd daliad y gyrchfan pan fydd yr anifeiliaid yn cyrraedd yno.

(2) Ni fydd y gofyniad i gael dogfen i gyd-fynd â'r anifeiliaid a osodir o dan baragraff (1) uchod yn gymwys yn achos -

- (a) symud rhwng daliadau lle meddiennir y ddau ddaliad gan yr un person;
- (b) symud rhwng daliad ac unrhyw dir y mae hawl i bori ar y cyd â pherchnogion eraill yn arferadwy mewn perthynas ag ef; neu

(c) symud at ddibenion triniaeth filfeddygol, eu dipio neu eu cneifio, neu i sioe os yw'r anifeiliaid i ddychwelyd i'r un daliad, neu yn achos geifr, er mwyn cael tatŵ.

Tynnu ac amnewid tagiau clust

14.-(1) Ac eithrio o dan awdurdod un o swyddogion y Cynulliad Cenedlaethol, ni chaiff neb -

- (a) tynnu tag clust a gafodd ei gysylltu wrth anifail yn unol â'r Rheoliadau hyn, nac amnewid tag clust o'r fath, oni bai bod y tag wedi mynd yn annarllenadwy, neu fod rhaid ei dynnu er lles yr anifail, neu ei fod wedi mynd ar goll; neu
- (b) tynnu tatŵ a roddwyd ar anifail yn unol â'r Rheoliadau hyn, neu amnewid tatŵ o'r fath, oni bai bod y tatŵ wedi mynd yn annarllenadwy.

(2) Wrth amnewid tag clust neu datŵ yn unol â pharagraff (1) uchod, rhaid i'r ceidwad ailfarciro'r anifail â thag clust neu datŵ gyda'r rhif gwreiddiol neu â thag clust neu datŵ sy'n dwyn marc diadell neu farc gyr y daliad lle mae'r anifail yn byw arno, ar yr amod bod y marc adnabod gwreiddiol yn hysbys a bod yna groes-gyfeiriad rhwng y marc adnabod gwreiddiol a'r marc adnabod newydd yn y gofrestr sy'n ofynnol o dan reoliad 4.

(3) Os nad yw'n bosibl ailfarciro'r anifail yn unol â'r paragraff blaenorol, rhaid i'r ceidwad ailfarciro'r anifail â naill ai -

- (a) tag clust lliw coch sy'n cynnwys y llythrennau "UK" ac wedyn marc diadell neu farc gyr safle'r daliad lle mae'n cael ei dagio ac wedyn y llythyren "R"; neu
- (b) tatŵ sy'n cynnwys marc diadell neu farc gyr safle'r daliad lle mae'n cael ei dagio ac wedyn y llythyren "R".

(4) Ni fydd paragraffau (2) a (3) uchod yn gymwys yn achos anifail mewn marchnad neu ladd-dy.

owner's agent;

and the person moving the animals shall ensure that the document is handed on arrival of the animals to the occupier of the holding of destination.

(2) The requirement for an accompanying document imposed under paragraph (1) above shall not apply in the case of -

- (a) movement between holdings where both holdings are occupied by the same person;
- (b) movement between a holding and any land in respect of which a right of grazing in common with other proprietors is exercisable; or
- (c) movement for the purposes of veterinary treatment, dipping or shearing, to a show if the animals are due to return to the same holding, or, in the case of goats, for the purpose of being tattooed.

Removal and replacement of eartags

14.-(1) Except under the authority of an officer of the National Assembly, no person shall -

- (a) remove an eartag which has been attached to an animal in accordance with these Regulations, or replace such a tag, unless the tag has become illegible, has to be removed for welfare purposes or has been lost; or
- (b) remove a tattoo applied to an animal in accordance with these Regulations, or replace such a tattoo, unless the tattoo has become illegible.

(2) When replacing an eartag or tattoo pursuant to paragraph (1) above, the keeper shall re-mark the animal with an eartag or tattoo with the original number or with an eartag or tattoo bearing the flockmark or herdmark of the holding on which the animal is residing, providing that the original identification mark is known and that the original and new identification marks are cross-referenced in the register required under regulation 4.

(3) If it is not possible to re-mark the animal in accordance with the preceding paragraph, the keeper shall re-mark the animal with either -

- (a) an eartag coloured red and consisting of the letters "UK" followed by the flockmark or herdmark of the premises of the holding on which it is being tagged followed by the letter "R"; or
- (b) a tattoo consisting of the flockmark or herdmark of the premises of the holding on which it is being tagged followed by the letter "R".

(4) Paragraphs (2) and (3) above shall not apply in the case of an animal at a market or abattoir.

Tagiau clust a thatŵs ychwanegol

15. Ni chaiff neb roi unrhyw dag clust neu datŵ ar ddafad neu afr sy'n dwyn marc diadell neu farc gyr ac eithrio yn unol â darpariaethau'r Rheoliadau hyn.

Newid tagiau clust a thatŵs

16. Ni chaiff neb newid, dileu, na difwyno'r wybodaeth ar dag clust neu datŵ a roddir ar anifail o dan y Rheoliadau hyn.

Pwerau arolygwyr

17. (1) O ddangos dogfen sydd wedi'i dilysu'n briodol ac sy'n dangos ei awdurdod os gofynnir iddo wneud hynny, bydd gan arolygydd hawl i fynd ar unrhyw dir neu safle (heblaw safle teuluol nad yw'n cael ei ddefnyddio mewn cysylltiad â'r Rheoliadau hyn) ar unrhyw adeg rhesymol er mwyn darganfod a oes unrhyw un o'r Rheoliadau yn cael ei dorri neu wedi cael ei dorri; ac yn y rheoliad hwn mae "safle" yn cynnwys unrhyw le, gosodiad, cerbyd, llong, cwch, bad, hofranlong neu awyren.

- (2) Bydd gan arolygydd bŵer –
- (a) i gasglu, corlannu ac archwilio unrhyw ddafad neu afr, a gall ei gwneud yn ofynnol i'r ceidwad drefnu eu casglu, eu corlannu a'u caethiwo;
 - (b) i archwilio unrhyw gofnodion ar ba ffurf bynnag, a chymryd copïau o'r cofnodion hynny;
 - (c) i fynd ag unrhyw ddogfennau a chofnodion y mae'n ofynnol eu cadw o dan y Rheoliadau hyn a'u cadw;
 - (ch) i gael mynd at unrhyw gyfrifiadur ac unrhyw gyfarpar neu ddeunydd cysylltiedig sy'n cael eu defnyddio neu sydd wedi'u defnyddio mewn cysylltiad ag unrhyw gofnodion o'r fath a grybwyllir yn is-baragraffau (b) ac (c) uchod a'u harchwilio a gwirio eu gweithrediad, a gall ei gwneud yn ofynnol i unrhyw berson sy'n gofalu am y cyfrifiadur, y cyfarpar neu'r deunydd, neu sydd fel arall yn ymwneud â'u gweithredu, roi unrhyw gymorth iddo ef neu iddi hi y gall yn rhesymol ofyn amdano;
 - (d) i'w gwneud yn ofynnol, pan fydd cofnodion yn cael eu cadw drwy gyfrwng cyfrifiadur, i'r cofnodion hynny gael eu cynhyrchu ar ffurf weladwy a darllenadwy er mwyn mynd â hwy oddi yno.

Tramgwyddau

18.-(1) Bydd unrhyw berson sy'n methu â chydymffurfio ag unrhyw un o ofynion y Rheoliadau hyn yn euog o dramgwydd.

- (2) Os bydd unrhyw berson –

Additional eartags and tattoos

15. No person shall affix to a sheep or goat any eartag or tattoo bearing a flockmark or herdmark except in accordance with the provisions of these Regulations.

Alteration of eartags and tattoos

16. No person shall alter, obliterate or deface the information on an eartag or tattoo applied under these Regulations.

Powers of inspectors

17. (1) An inspector shall, on producing, if required to do so, some duly authenticated document showing his or her authority, have the right at all reasonable hours to enter any land or premises (other than domestic premises not being used in connection with these Regulations) for the purposes of ascertaining whether there is or has been any contravention of these Regulations; and in this regulation "premises" includes any place, installation, vehicle, ship, boat, craft, hovercraft or aircraft.

- (2) An inspector shall have power to –
- (a) collect, pen and inspect any sheep or goat, and may require the keeper to arrange for its collection, penning and securing;
 - (b) examine any records in whatever form, and take copies of those records;
 - (c) remove and retain any documents and records required to be kept under these Regulations;
 - (d) have access to, and inspect and check the operation of, any computer and any associated apparatus or material which is or has been used in connection with any such records mentioned in sub-paragraphs (b) and (c) above, and may require any person having charge of, or otherwise concerned with the operation of, the computer, apparatus or material to afford him or her such assistance as he or she may reasonably require;
 - (e) require, where records are kept by means of a computer, those records to be produced in a visible and legible form in which they may be taken away.

Offences

18.-(1) Any person who fails to comply with any requirement of these Regulations shall be guilty of an offence.

- (2) If any person –

- (a) yn rhwystro arolygydd wrth arfer pŵer a roddwyd i'r arolygydd gan reoliad 17; neu
- (b) yn methu heb esgus rhesymol â rhoi i'r cyfryw arolygydd unrhyw gymorth neu wybodaeth y gall yr arolygydd yn rhesymol ofyn iddo neu iddi eu rhoi at ddibenion swyddogaethau'r arolygydd o dan reoliad 17;

bydd y person hwnnw yn euog o dramgwydd.

Cosbau

19.-(1) Bydd person sy'n euog o dramgwydd o dan baragraff (1) o reoliad 18 yn agored, o'i gollfarnu'n ddiannod, i ddirwy heb fod yn fwy na'r uchafswm statudol.

(2) Bydd unrhyw berson sy'n euog o dramgwydd o dan baragraff (2) o reoliad 18 yn agored, o'i gollfarnu'n ddiannod, i ddirwy heb fod yn fwy na lefel 3 ar y raddfa safonol.

Terfynau amser ar gyfer erlyniadau

20.-(1) Yn ddarostyngedig i baragraff (2), gellir cychwyn achos am dramgwydd o dan reoliad 18 o fewn y cyfnod o chwe mis o'r dyddiad y daw tystiolaeth, sydd ym marn yr erlynydd yn ddigon i gyfiawnhau achos, yn hysbys iddo ef neu iddi hi.

(2) Ni chaiff unrhyw achos o'r fath gael ei gychwyn yn rhinwedd y rheoliad hwn fwy na deuddeg mis ar ôl i'r tramgwydd gael ei gyflawni.

- (3) At ddibenion y rheoliad hwn,
 - (a) bydd tystysgrif sydd wedi'i llofnodi gan neu ar ran yr erlynydd ac sy'n nodi'r dyddiad y daeth tystiolaeth a oedd yn ddigon ym marn yr erlynydd i gyfiawnhau achos yn dystiolaeth derfynol o'r ffaith honno, a
 - (b) bydd tystysgrif sy'n datgan hynny ac sy'n ymholni ei bod wedi'i llofnodi felly wedi'i llofnodi felly oni phrofir y gwrthwyneb.

Tramgwyddau gan gyrrff corfforaethol

21.-(1) Pan fydd corff corfforaethol yn euog o dramgwydd o dan y Rheoliadau hyn, a phan brofir bod y tramgwydd hwnnw wedi'i gyflawni gyda chydysniad neu ymoddefiad un o swyddogion y corff corfforaethol, neu y gellir priodoli'r dramgwydd i unrhyw esgeulustod ar ran y swyddog hwnnw, bydd y swyddog, yn ogystal â'r corff corfforaethol, yn euog o'r dramgwydd a bydd yn agored i achos yn ei erbyn ac fe'i cosbir yn unol â hynny.

(2) At ddibenion paragraff (1), ystyr "swyddog", mewn perthynas â chorff corfforaethol y mae ei fusnes yn cael ei reoli gan ei aelodau, yw aelod o'r corff corfforaethol hwnnw.

- (a) obstructs an inspector in the exercise of a power conferred on the inspector by regulation 17; or
- (b) fails without reasonable excuse to give such an inspector any assistance or information which that inspector may reasonably require of him or her for the purposes of the inspector's functions under regulation 17,

that person shall be guilty of an offence.

Penalties

19.-(1) A person guilty of an offence under paragraph (1) of regulation 18 shall be liable on summary conviction to a fine not exceeding the statutory maximum.

(2) Any person guilty of an offence under paragraph (2) of regulation 18 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Time limits for prosecutions

20.-(1) Proceedings for an offence under regulation 18 may, subject to paragraph (2), be commenced within the period of six months from the date on which evidence sufficient in the opinion of the prosecutor to warrant proceedings comes to his or her knowledge.

(2) No such proceedings shall be commenced by virtue of this regulation more than twelve months after the commission of the offence.

- (3) For the purpose of this regulation –
 - (a) a certificate signed by or on behalf of the prosecutor and stating the date on which evidence sufficient in his or her opinion to warrant the proceedings came to his or her knowledge shall be conclusive evidence of that fact; and
 - (b) a certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.

Offences by bodies corporate

21.-(1) Where a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or attributable to any neglect on the part of, an officer of the body corporate, that officer, as well as the body corporate, shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2) For the purposes of paragraph (1), "officer", in relation to a body corporate whose affairs are managed by its members, means a member of that body corporate.

Gorfodi

22 Ac eithrio lle ceir darpariaeth benodol wahanol, cyflawnir darpariaethau'r Rheoliadau hyn ac fe'u gorfodir gan yr awdurdod lleol (heblaw rheoliad 5, a orfodir gan y Cynulliad Cenedlaethol).

Diwygiad i Reoliadau Premiwm Blynyddol Defaid 1992

23.-(1) Diwygir Rheoliadau Premiwm Blynyddol Defaid 1992(a) yn unol â'r paragraffau canlynol.

(2) Ym mharagraff (5)(a) o reoliad 5 rhowch "regulation 5 of the Sheep and Goats Identification (Wales) Regulations 2000 (b) ("the Identification Regulations")" yn lle "article 5 of the Sheep and Goats (Records, Identification and Movement) Order 1996 ("the 1996 Order)".

(3) Rhoddir y rheoliad canlynol yn lle rheoliad 8A –

"Failure to comply with the Identification Regulations

8A. Where at any time during a marketing year a producer fails to comply with regulation 5 of the Identification Regulations, the competent authority may withhold or recover on demand the whole or any part of any premium payable or as the case may be paid to the producer in respect of that marketing year."

Diddymu

24. (1) Yn ddarostyngedig i baragraff (2) isod, diddymir Gorchymyn Defaid a Geifr (Cofnodion, Adnabod a Symud) 1996(c) i'r graddau y mae'n gymwys i Gymru.

(2) Bydd Erthygl 7 o Orchymyn Defaid a Geifr (Cofnodion, Adnabod a Symud) 1996 yn parhau mewn grym, i'r graddau y mae'n gymwys i Gymru, tan y dyddiad perthnasol.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(d).

30 Awst 2000

Dirprwy Lywydd y Cynulliad Cenedlaethol

Enforcement

22. Except where otherwise expressly provided, the provisions of these Regulations (other than regulation 5, which shall be enforced by the National Assembly) shall be executed and enforced by the local authority.

Amendment to the Sheep Annual Premium Regulations 1992

23.-(1) The Sheep Annual Premium Regulations 1992(a) shall be amended in accordance with the following paragraphs.

(2) In paragraph (5)(a) of regulation 5 substitute "regulation 5 of the Sheep and Goats Identification (Wales) Regulations 2000 (b) ("the Identification Regulations")" for "article 5 of the Sheep and Goats (Records, Identification and Movement) Order 1996 ("the 1996 Order)".

(3) The following regulation shall be substituted for regulation 8A –

"Failure to comply with the Identification Regulations

8A. Where at any time during a marketing year a producer fails to comply with regulation 5 of the Identification Regulations, the competent authority may withhold or recover on demand the whole or any part of any premium payable or as the case may be paid to the producer in respect of that marketing year."

Revocation

24. (1) Subject to paragraph (2) below, the Sheep and Goats (Records, Identification and Movement) Order 1996(c) is revoked in so far as it applies to Wales.

(2) Article 7 of the Sheep and Goats (Records, Identification and Movement) Order 1996 shall continue in force, in so far as it applies to Wales, until the relevant date.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(d).

30th August 2000

Jane Davidson

The Deputy Presiding Officer of the National Assembly

(a) O.S. 1992/2677 fel y'i diwygiwyd gan O.S. 1994/2741, 1995/2779, 1996/49 a 1997/2500.

(b) O.S. 2000/2335 (Cy. 152).

(c) O.S. 1996/28.

(d) 1998 p.38.

(a) S.I. 1992/2677 amended by S.I. 1994/2741, 1995/2779, 1996/49 and 1997/2500.

(b) S.I. 2000/2335 (W. 152).

(c) S.I. 1996/28.

(d) 1998 c.38.

CYNULLIAD CENEDLAETHOL CYMRU

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2000 Rhif 2335 (Cy. 152)

ANIFEILIAID, CYMRU

IECHYD ANIFEILIAID

Rheoliadau Adnabod Defaid a
Geifr (Cymru) 2000

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2000 No. 2335 (W. 152)

ANIMALS, WALES

ANIMAL HEALTH

The Sheep and Goats Identification
(Wales) Regulations 2000

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