

**CYNULLIAD CENEDLAETHOL CYMRU****NATIONAL ASSEMBLY FOR WALES****OFFERYNNAU STATUDOL****STATUTORY INSTRUMENTS****2001 Rhif 3831 (Cy.317)****2001 No. 3831 (W.317)****BWYD, CYMRU****FOOD, WALES****Rheoliadau Cig (Hylendid ac Archwilio) (Taliadau) (Rhif 2)(Diwygio) (Cymru) 2001****The Meat (Hygiene and Inspection) (Charges) (Amendment) (No.2)(Wales) Regulations 2001****NODYN ESBONIADOL****EXPLANATORY NOTE***(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)**(This note does not form part of the Regulations)*

1. Mae'r Rheoliadau hyn, sy'n gymwys i Gymru yn unig, yn diwygio Rheoliadau Cig (Hylendid ac Archwilio) (Taliadau) 1998 (OS 1998/2095) fel y maent yn gymwys i Gymru. Gweithredodd y Rheoliadau hynny, ym Mhrydain Fawr, y darpariaethau ynghylch taliadau archwiliadau cig a geir yng Nghyfarwyddeb y Cyngor 85/73/EEC, y ceir testun diwygiedig a chyfnerthedig ohoni yn atodiad i Gyfarwyddeb y Cyngor 96/43/EC (OJ Rhif L162, 1.7.96, t.1).

1. These Regulations, which apply to Wales only, amend the Meat (Hygiene and Inspection)(Charges) Regulations 1998 (SI 1998/2095) in their application to Wales. Those Regulations implemented in Great Britain the provisions relating to charges for meat inspections of Council Directive 85/73/EEC, an amended and consolidated text of which is annexed to Council Directive 96/43/EC (OJ No. L162, 1.7.96, p.1).

2. Effaith y diwygiadau yw caniatáu i daliadau gael eu gwneud am gynnal archwiliadau iechyd mewn canolfannau ail-becynnu (fel y'i diffinnir yn rheoliad 2(1) o Reoliadau Cig Ffres (Hylendid ac Archwilio) 1995 (OS 1995/539, fel y'u diwygiwyd)).

2. The amendments have effect to permit charges to be made for the carrying out of health inspections at re-packaging centres (as defined in regulation 2(1) of the Fresh Meat (Hygiene and Inspection) Regulations 1995 (SI 1995/539, as amended)).

3. Mae'r diwygiadau hefyd yn caniatáu i'r Asiantaeth Safonau Bwyd dynnu gwasanaethau archwilio yn ôl os yw meddiannydd safle trwyddedig yn methu â chydymffurfio â gorchymyn llys sy'n ei gwneud yn ofynnol i daliadau archwilio cael eu talu y mae'r meddiannydd yn gorfod eu talu o dan OS 1998/2095.

3. The amendments also allow the Food Standards Agency to withdraw inspection services where the occupier of licensed premises fails to comply with a court order requiring payment of inspection charges for which the occupier is liable under SI 1998/2095.

4. Mae arfarniad rheoliadol yn unol ag adran 65 o Ddeddf Llywodraeth Cymru 1998 wedi'i baratoi mewn perthynas â'r Rheoliadau hyn ac wedi'i osod yn llyfrgell Cynulliad Cenedlaethol Cymru. Gellir cael copïau oddi wrth yr Asiantaeth Safonau Bwyd, Y Llawr Cyntaf, Southgate House, Wood Street Cardiff CF10 1EW.

4. A regulatory appraisal pursuant to section 65 of the Government of Wales Act 1998 has been prepared in respect of these Regulations and placed in the library of the National Assembly for Wales. Copies may be obtained from the Food Standards Agency, 1st Floor, Southgate House, Wood Street Cardiff CF 10 1EW.

2001 Rhif 3831 (Cy.317)**2001 No. 3831 (W.317)****BWYD, CYMRU****FOOD, WALES****Rheoliadau Cig (Hylendid ac Archwilio) (Taliadau) (Rhif 2) (Diwygio) (Cymru) 2001****The Meat (Hygiene and Inspection) (Charges) (Amendment) (No.2) (Wales) Regulations 2001***Wedi'u gwneud* 29 Tachwedd 2001*Made* 29th November 2001*Yn dod i rym* 18 Rhagfyr 2001*Coming into force* 18th December 2001

Drwy arfer y pwerau a roddir gan adrannau 17(1), 45 a 48(1) o Ddeddf Diogelwch Bwyd 1990 (a) sydd bellach yn arferadwy mewn perthynas â Chymru gan Gynulliad Cenedlaethol Cymru(b), ar ôl ymgynghori yn unol ag adran 48(4) o'r Ddeddf honno ag unrhyw gyrff y mae'n ymddangos eu bod yn cynrychioli buddianau y mae'r Rheoliadau hyn yn debygol o effeithio'n sylweddol arnynt; ac (i'r graddau y mae'r Rheoliadau hyn yn gosod taliadau mewn perthynas â monitro gofynion Rheoliadau Lles Anifeiliaid (Cigydda neu Ladd) 1995(c)), gan ei fod wedi'i ddynodi(ch) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(d) mewn perthynas â pholisi amaethyddol cyffredin y Gymuned Ewropeaidd, mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau Canlynol:

In exercise of the powers conferred by sections 17(1), 45 and 48(1) of the Food Safety Act 1990(a) which are now exercisable in relation to Wales by the National Assembly for Wales(b), after consultation in accordance with section 48(4) of that Act with such organisations as appear to be representative of interests likely to be substantially affected by these Regulations; and (in so far as these Regulations impose charges in relation to the monitoring of the requirements of the Welfare of Animals (Slaughter or Killing) Regulations 1995(c)), being designated(d) for the purposes of section 2(2) of the European Communities Act 1972 (e) in relation to the common agricultural policy of the European Community, the National Assembly for Wales makes the following Regulations:

Teitl, cymhwyso a chychwyn

1. Bydd y Rheoliadau hyn, y gellir cyfeirio atynt fel Rheoliadau Cig (Hylendid ac Archwilio) (Taliadau) (Diwygio) (Rhif 2) (Cymru) 2001, yn gymwys i Gymru yn unig a deuant i rym ar 18 Rhagfyr 2001.

Title, application and commencement

1. These Regulations, which may be cited as the Meat (Hygiene and Inspection) (Charges) (Amendment) (No.2) (Wales) Regulations 2001, shall apply to Wales only and shall come into force on 18th December 2001

Diwygiadau i Reoliadau Cig (Hylendid ac Archwilio) (Taliadau) 1998

2.-(1) I'r graddau y maent yn gymwys i Gymru, mae Rheoliadau Cig (Hylendid ac Archwilio) (Taliadau) 1998(dd) yn cael eu diwygio yn unol â'r paragraffau

Amendments to the Meat (Hygiene and Inspection)(Charges) Regulations 1998

2.-(1) In so far as they extend to Wales, the Meat (Hygiene and Inspection) (Charges) Regulations 1998(f) are amended in accordance with the following

- (a) 1990 .16. Cafodd swyddogaethau "the Ministers" i'r graddau y maent yn arferadwy mewn perthynas â Chymru eu trosglwyddo I Gynulliad Cenedlaethol Cymru gan O.S. 1999/672.
- (b) Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).
- (c) O.S. 1998/2095, a ddiwygiwyd gan O.S. 2000/224; mae diwygiadau perthnasol wedi'u gwneud hefyd gan O.S. 2000/656.
- (ch) O.S. 1999/2788
- (d) 1972 p.68
- (dd) O.S. 1998/2095, a ddiwygiwyd gan O.S. 2000/224; mae diwygiadau perthnasol wedi'u gwneud hefyd gan O.S. 2000/656.

- (a) 1990 c.16. Functions of "the Ministers" so far as exercisable in relation to Wales were transferred to the National Assembly for Wales by S.I 1999/672.
- (b) The National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).
- (c) S.I 1998/2095, amended by S.I. 2000/224; relevant amendments are also made by S.I. 2000/656.
- (d) S.I. 1999/2788
- (e) 1972 c.68
- (f) S.I. 1998/2095, amended by S.I. 2000/224; relevant amendments are also made by S.I. 2000/656.

canlynol yn y rheoliad hwn.

(2) Yn y diffiniad o "occupier" ym mharagraff (1) o reoliad 2 (dehongli) mae'r geiriau ", cold store or a re-packaging centre," yn cael eu gosod yn lle'r geiriau "or a cold store,".

(3) Yn y diffiniad o "premises" ym mharagraff (1) o reoliad 2, mae'r geiriau ", cold store or re-packaging centre" yn cael eu gosod yn lle'r geiriau "or cold store".

(4) Yn y tabl ym mharagraff (2) o reoliad 2, mae'r geiriau "re-packaging centre" yn cael eu mewnosod o dan y geiriau "cold store" ym mhob un o golofnau (1) a (2).

(5) Ym mharagraff (1) o reoliad 3 (taliadau) mae'r geiriau "slaughterhouse, cutting premises, cold store and repackaging centre" yn cael eu gosod yn lle'r geiriau "slaughterhouse, cutting premises and cold store".

(6) Mae'r rheoliad canlynol yn cael ei fewnosod rhwng rheoliad (3) a rheoliad (4) (gwybodaeth) -

"Withdrawal of inspections

3A. Where the Food Standards Agency has had judgment entered against an occupier for any sum which is recoverable by the Food Standards Agency as a debt from that occupier under regulation 3(4) above and the occupier fails within a reasonable time thereafter to satisfy the judgment the Food Standards Agency may (regardless of any other legal remedy open to it) refuse to carry out any further inspections at the premises in respect of which the debt accrued until the judgment has been satisfied."

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

29 Tachwedd 2001

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

paragraphs of this regulation.

(2) In the definition of "occupier" in paragraph (1) of regulation 2 (interpretation) the words ", cold store or a re-packaging centre," are substituted for the words "or a cold store,".

(3) In the definition of "premises" in paragraph (1) of regulation 2 the words ", cold store or re-packaging centre" are substituted for the words "or cold store".

(4) In the table in paragraph (2) of regulation 2 the words "re-packaging centre" are inserted below the words "cold store" in each of columns (1) and (2).

(5) In paragraph (1) of regulation 3 (charges) the words "slaughterhouse, cutting premises, cold store and repackaging centre" are substituted for the words "slaughterhouse, cutting premises and cold store".

(6) The following regulation is inserted between regulation 3 and regulation 4 (information) -

"Withdrawal of inspections

3A. Where the Food Standards Agency has had judgment entered against an occupier for any sum which is recoverable by the Food Standards Agency as a debt from that occupier under regulation 3(4) above and the occupier fails within a reasonable time thereafter to satisfy the judgment the Food Standards Agency may (regardless of any other legal remedy open to it) refuse to carry out any further inspections at the premises in respect of which the debt accrued until the judgment has been satisfied."

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

29th November 2001

The Presiding Officer of the National Assembly

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