



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2001 Rhif 4048 (Cy.339)

2001 No. 4048 (W.339)

ANIFEILIAID, CYMRU

ANIMALS, WALES

IECHYD ANIFEILIAID

ANIMAL HEALTH

**Rheoliadau Monitro BSE
(Diwygio) (Cymru) 2001**

**The BSE Monitoring (Wales)
(Amendment) Regulations 2001**

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 Monitro BSE (Cymru) 2001 (O.S. 2001/2360 (Cy. 197)).

These regulations make amendments to The BSE Monitoring (Wales) Regulations 2001 (S.I. 2001/2360 (W. 197)).

Mae'r diwygiadau'n rhoi eu heffaith i'r rhwymedigaethau a geir yn erthygl 1.1 o Reoliad y Comisiwn (EC) Rhif 1248/2001 (OJ Rhif L173, 27.6.2001, t.12) sy'n diwygio Atodiad III i Reoliad (EC) Rhif 999/2001 (OJ Rhif L147, 31.5.2001, t.1) ynghylch arolygu epidemiolegol a phrofi enseffalopathïau sbyngffurf buchol.

The amendments give effect to the obligations in article 1.1 of Commission Regulation (EC) No. 1248/2001 (OJ No. L173, 27.6.2001, p.12) amending Annex III to Regulation (EC) No. 999/2001 (OJ No. L147, 31.5.2001, p.1) as regards epidemio-surveillance and testing of transmissible spongiform encephalopathies.

Mae'r rhain yn ei gwneud yn ofynnol i'r Aelod-wladwriaethau sicrhau bod categorïau penodol o anifeiliaid buchol dros 24 mis oed yn cael eu harchwilio yn unol â'r isafswm gofynion sydd wedi'i bennu ar gyfer monitro BSE. Mae diffiniad "anifail buchol hysbysadwy" wedi'i ddiwygio yn sgil hyn er mwyn adlewyrchu'r newid yn oedran yr anifeiliaid y mae'r rhwymedigaeth yn gymwys iddynt.

These require member states to ensure that certain categories of bovine animals over 24 months of age are examined in accordance with the prescribed minimum requirements for monitoring BSE. The definition of "a notifiable bovine animal" has been amended as a consequence to reflect the change in age of animals to which the obligation applies.

Mae diwygiad yn cael ei wneud hefyd i baragraffau (1) a (4) o reoliad 3 i ddileu'r ymadrodd diangen "neu garcas anifail o'r fath," ac mae paragraff (2) wedi'i amnewid yn sgil hynny. Mae rheoliad 4 a'r diffiniad o "safle" wedi'u diwygio er mwyn rhoi pŵer i arolygwyr fynd i bob safle lle mae carcassau anifeiliaid neu rannau o garcasau o'r fath yn cael eu cadw.

An amendment is also made to paragraphs (1) and (4) of regulation 3 to delete the superfluous phrase "or the carcase of such an animal," and paragraph (2) has been substituted as a result. Regulation 4 and the definition of "premises" have been amended to provide inspectors with the power to enter all premises where bovine animal carcasses or parts of such carcasses are kept.

O ganlyniad i'r diffiniad o "anifail buchol hysbysadwy" mae diwygiadau'n cael eu gwneud i

Consequential amendments to the definition of "notifiable bovine animal" are made to the Cattle

Reoliadau Adnabod Gwartheg 1998 (O.S. 1998/871, a ddiwygiwyd gan O.S. 1998/2969, O.S. 1999/1339 ac O.S. 2001/2360) (Cy. 197) a Rheoliadau Gwartheg (Adnabod Anifeiliaid Hŷn) (Cymru) 2000 (O.S. 2000/3339 (Cy. 217), a ddiwygiwyd gan O.S. 2001/2360 (Cy. 197)).

Identification Regulations 1998 (S.I. 1998/871, amended by S.I. 1998/2969, S.I. 1999/1339 and S.I. 2001/2360) (W. 197) and the Cattle (Identification of Older Animals) (Wales) Regulations 2000 (S.I. 2000/3339 (W. 217), amended by S.I. 2001/2360 (W. 197)).

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(Diwygio) (Cymru) 2001****The BSE Monitoring (Wales)
(Amendment) Regulations 2001**

Wedi'u gwneud *20 Rhagfyr 2001*
Yn dod i rym *7 Ionawr 2002*

Made *20th December 2001*
Coming into force *7th January 2002*

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

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 that section, hereby makes the following Regulations -

Teitl, cychwyn a chymhwyso**Title, extent and commencement**

1. Enw'r Rheoliadau hyn yw Rheoliadau Monitro BSE (Diwygio) (Cymru) 2001, maent yn gymwys i Gymru a deuant i rym ar 7 Ionawr 2002.

1. These Regulations may be cited as The BSE Monitoring (Wales) (Amendment) Regulations 2001, they apply to Wales and come into force on 7th January 2002.

Diwygio Rheoliadau Monitro BSE (Cymru) 2001**Amendment of The BSE Monitoring (Wales)
Regulations 2001**

2. -(1) Diwygir Rheoliadau Monitro BSE (Cymru) 2001(c) yn unol â'r darpariaethau canlynol yn y rheoliad hwn.

2.-(1) The BSE Monitoring (Wales) Regulations 2001(c) shall be amended in accordance with the following provisions of this regulation.

(2) Diwygir rheoliad 2(1) fel a ganlyn -

(2) Regulation 2(1) shall be amended as follows -

(a) ar ôl diffiniad "milfeddyg" rhoddir y diffiniad canlynol -

(a) after the definition of "bovine animal" there shall be inserted the following definition -

"ystyr "Rheoliad y Comisiwn" ("*the Commission Regulation*") yw Rheoliad y Comisiwn (EC) Rhif 1248/2001(ch) sy'n diwygio Atodiadau III, X ac XI i Reoliad (EC) Rhif 999/2001(d) ynghylch arolygu epidemiolegol a phrofi enseffalopathïau sbyngffurf buchol;"

"the Commission Regulation" ("*Rheoliad y Comisiwn*") means Commission Regulation (EC) No. 1248/2001(d) amending Annexes III, X and XI to Regulation (EC) No. 999/2001(e) as regards epidemio-surveillance and testing of transmissible spongiform encephalopathies;"

(b) diddymir diffiniad "Penderfyniadau'r

(b) the definition of "the Commission Decisions"

(a) O.S. 1999/2788.

(a) S.I. 1999/2788.

(b) 1972 p.68.

(b) 1972 c.68.

(c) O.S. 2001/2360 (Cy. 197).

(c) S.I. 2001/2360 (W. 197).

(ch) OJ Rhif L173, 27.6.2001, t.12.

(d) OJ No. L 173, 27.6.2001, p.12.

(d) OJ Rhif L 147, 31.5.2001, t.1.

(e) OJ No. L 147, 31.5.2001, p.1.

Comisiwn";

- (c) yn lle diffiniad "anifail buchol hysbysadwy" rhoddir y diffiniad canlynol -

"ystyr "anifail buchol hysbysadwy" ("*a notifiable bovine animal*") yw anifail buchol dros 24 mis oed sydd wedi marw neu sydd wedi'i ladd ond na chafodd -

- (a) ei ladd er mwyn ei ddifa yn unol â Rheoliad y Comisiwn (EC) Rhif 716/1996(a);
(b) ei ladd yn fframwaith epidemic megis clwy'r traed a'r genau; neu
(c) ei gigydda i bobl ei fwyta;" ac

- (ch) yn niffiniad "safle", ar ôl y geiriau "i'r cyhoedd," mewnosodir y geiriau canlynol-

"gan gynnwys unrhyw le y gall carcasiau anifeiliaid buchol neu rannau o garcasiau o'r fath gael eu cadw".

- (3) Yn lle paragraff (2) o reoliad 2 rhoddir y paragraff canlynol -

"(2) Mae i'r ymadroddion yn y Rheoliadau hyn nad ydynt wedi'u diffinio ym mharagraff (1) uchod ac sydd i'w gweld yn Rheoliadau'r Comisiwn yr un ystyr yn y Rheoliadau hyn ag sydd iddynt at ddibenion Rheoliad y Comisiwn y maent i'w gweld ynddo."

- (4) Yn rheoliad 3 -

- (a) yn lle'r pennawd rhoddir y canlynol-

"Gofynion sy'n ymwneud ag anifeiliaid buchol dros 24 mis oed";

- (b) ym mharagraff (1) a pharagraff (4) diddymir yr ymadrodd "neu garcas anifail o'r fath,";

- (c) yn lle paragraff (2) rhoddir y paragraff canlynol -

"(2) Rhaid i unrhyw filfeddyg neu berson arall sydd, yng nghwrs ei ddyletswyddau yn archwilio neu'n arolygu unrhyw anifail buchol hysbysadwy, cyn gynted ag y bo'n ymarferol, ac o fewn 24 awr beth bynnag o'r adeg y bydd yr anifail yn marw neu y mae'r carcass yn cael ei archwilio neu ei arolygu, roi gwybod am y ffaith i'r Cynulliad Cenedlaethol neu, os yw'r Cynulliad Cenedlaethol wedi penodi asiant i dderbyn hysbysiadau ar ei ran o dan y rheoliad hwn, i'r asiant hwnnw."

- (5) Ym mharagraff (1) o reoliad 4 (Pwerau mynediad, pwerau archwilio a chwilio a samplu etc.) dileir y canlynol "(gan gynnwys unrhyw safle, neu unrhyw ran o safle, sy'n cael eu meddiannu fel annedd breifat)".

- (6) Ym mharagraff (2) o reoliad 4 (Pwerau

is revoked;

- (c) for the definition of "a notifiable bovine animal" there shall be substituted the following definition -

"a notifiable bovine animal" ("*anifail buchol hysbysadwy*") means a bovine animal over 24 months of age which has died or has been killed but which was not -

- (a) killed for destruction pursuant to Commission Regulation (EC) No. 716/1996(a);
(b) killed in the framework of an epidemic such as foot and mouth disease; or
(c) slaughtered for human consumption;" and

- (d) in the definition of "premises", after the words "the public," there shall be inserted the following words -

"including any place where bovine animal carcasses or parts of such carcasses may be kept".

- (3) For paragraph (2) of regulation 2 there shall be substituted the following paragraph -

"(2) Expressions in these Regulations which are not defined in paragraph (1) above and which appear in the Commission Regulation have the same meaning in these Regulations as they have for the purposes of the Commission Regulation in which they appear."

- (4) In regulation 3 -

- (a) for the heading there shall be substituted the following -

"Requirements relating to bovine animals over 24 months of age";

- (b) in paragraph (1) and paragraph (4) the phrase "or the carcass of such an animal," shall be revoked;

- (c) for paragraph (2) there shall be substituted the following paragraph -

"(2) Any veterinary surgeon or other person who, in the course of his or her duties examines or inspects any notifiable bovine animal, shall with all practicable speed, and in any event within 24 hours from the time when the animal dies or the carcass is examined or inspected, notify the fact to the National Assembly or, where the National Assembly has appointed an agent to receive notifications under this regulation on its behalf, to that agent."

- (5) In paragraph (1) of regulation 4 (Powers of entry, examination, search and sampling etc.) the following shall be deleted "(including any premises, or part of any premises occupied as a private dwelling)".

- (6) In paragraph (2) of regulation 4 (Powers of entry,

(a) OJ Rhif L99, 20.4.1996, t.14.

(a) OJ No. L99, 20.4.1996, p14.

mynediad, pwerau archwilio a chwilio a samplu etc.) dileir y canlynol "(heblaw unrhyw safle sy'n cael ei feddiannu fel annedd breifat)".

(7) Yn is-baragraff 4(f) o reoliad 4 yn lle'r geiriau "Phenderfyniadau'r Comisiwn" rhoddir y geiriau "Rheoliad y Comisiwn".

Diwygio'r Rheoliadau Adnabod Gwartheg

3.-(1) Diwygir Rheoliadau Adnabod Gwartheg 1998(a) drwy roi'r diffiniad canlynol yn lle diffiniad "notifiable bovine animal" -

""notifiable bovine animal" means a bovine animal over 24 months of age which has died or has been killed but which was not -

- (a) killed for destruction pursuant to Commission Regulation (EC) No. 716/1996;
- (b) killed in the framework of an epidemic such as foot and mouth disease; or
- (c) slaughtered for human consumption;".

(2) Diwygir Rheoliadau Gwartheg (Adnabod Anifeiliaid Hŷn) (Cymru) 2000(b) drwy roi'r diffiniad canlynol yn lle diffiniad "anifail buchol hysbysadwy" -

"ystyr "anifail buchol hysbysadwy" ("*notifiable bovine animal*") yw anifail buchol dros 24 mis oed sydd wedi marw neu sydd wedi'i ladd ond na chafodd -

- (a) ei ladd er mwyn ei ddifa yn unol â Rheoliad y Comisiwn (EC) Rhif 716/1996;
- (b) ei ladd yn fframwaith epidemig megis clwy'r traed a'r genau; neu
- (c) ei gigydda i bobl ei fwyta;".

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

20 Rhagfyr 2001

John Marek

Dirprwy Lywydd y Cynulliad Cenedlaethol

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- (a) O.S. 1998/871, fel y'i diwygiwyd gan O.S. 1998/2969, O.S. 1999/1339 ac O.S. 2001/2360 (Cy. 197).
 - (b) O.S. 2000/3339 (Cy. 217), fel y'i diwygiwyd gan O.S. 2001/2360 (Cy. 197).
 - (c) 1998 p.38.

examination, search and sampling etc.) the following shall be deleted "(other than any premises occupied as a private dwelling)".

(7) In subparagraph 4(h) of regulation 4 for the words "Commission Decisions" there shall be substituted the words "Commission Regulation".

Amendment of Cattle Identification Regulations

3.-(1) The Cattle Identification Regulations 1998(a) shall be amended by substituting for the definition of "notifiable bovine animal" the following definition -

""notifiable bovine animal" means a bovine animal over 24 months of age which has died or has been killed but which was not -

- (a) killed for destruction pursuant to Commission Regulation (EC) No. 716/1996;
- (b) killed in the framework of an epidemic such as foot and mouth disease; or
- (c) slaughtered for human consumption;".

(2) The Cattle (Identification of Older Animals) (Wales) Regulations 2000(b) shall be amended by substituting for the definition of "notifiable bovine animal" the following definition -

""notifiable bovine animal" ("*anifail buchol hysbysadwy*") means a bovine animal over 24 months of age which has died or has been killed but which was not -

- (a) killed for destruction pursuant to Commission Regulation (EC) No. 716/1996;
- (b) killed in the framework of an epidemic such as foot and mouth disease; or
- (c) slaughtered for human consumption;".

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

20th December 2001

The Deputy Presiding Officer of the National Assembly

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- (a) S.I. 1998/871 as amended by S.I. 1998/2969, S.I. 1999/1339 and S.I. 2001/2360 (W. 197).
 - (b) S.I. 2000/3339 (W. 217) as amended by S.I. 2001/2360 (W. 197).
 - (c) 1998 c.38.

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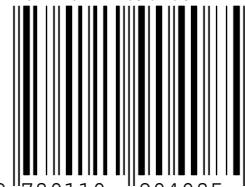
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