



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2003 Rhif 168 (Cy.28)

2003 No. 168 (W.28)

ANIFEILIAID, CYMRU

ANIMALS, WALES

IECHYD ANIFEILIAID

ANIMAL HEALTH

**Gorchymyn Rheoli Clefydau
(Mesurau Dros Dro) (Cymru) (Rhif 2)
(Diwygio) 2003**

**The Disease Control (Interim
Measures) (Wales) (No.2)
(Amendment) Order 2003**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Rheoli Clefydau (Mesurau Dros Dro) (Cymru) (Rhif 2) 2002 (O.S. 2002/2304 (Cy.229), fel y'i diwygiwyd gan O.S. 2002/2480 (Cy.243)).

This Order amends the Disease Control (Interim Measures) (Wales) (No.2) Order 2002 (S.I. 2002/2304 (W.229), as amended by S.I. 2002/2480 (W.243)).

Mae'n newid y dyddiad pan beidia'r Gorchymyn â bod yn effeithiol i 1 Ebrill 2003 (erthygl 2(2)).

It changes the date on which the Order ceases to have effect to 1st April 2003 (article 2(2)).

Mae'r Gorchymyn yn newid yr amodau sy'n ymwneud ag anifeiliaid a gymerir o safle mewn cyfrwng cludo sydd wedi gollwng anifeiliaid eraill ar y safle hwnnw (erthygl 2(3)(a)).

The Order changes the conditions relating to animals taken from premises in a means of transport which has dropped off other animals in those premises (article 2(3)(a)).

Mae'n cywiro camgymeriad sy'n ymwneud â'r amser erbyn pryd y mae'n rhaid llofnodi datganiad (erthygl 2(3)(b)).

It corrects an error relating to the time within which a declaration has to be signed (article 2(3)(b)).

O ran anifeiliaid a fewnforir, mae'n cyfyngu'r symudiadau nad ydynt yn ysbarduno'r cyfnod segur i symudiad i'r safle cyntaf wedi'r mewnforio (erthygl 2(3)(c)).

In the case of imported animals, it restricts the movements which do not trigger the standstill period to the movement to the first premises following importation (article 2(3)(c)).

Mae'n newid y darpariaethau ar drwyddedau penodol, ac mae'n gwneud darpariaeth newydd ar gyfer dogfennau symud pan symudir anifeiliaid o dan drwydded gyffredinol sy'n gwneud dogfen symud yn ofynnol(erthygl 2(4)).

It changes the provisions on specific licences, and makes new provision for movement documents where animals are moved under a general licence which requires a movement document (article 2(4)).

Nid oes arfarniad rheoliadol wedi'i baratoi ar gyfer y Gorchymyn hwn.

A regulatory appraisal has not been prepared for this Order.

2003 Rhif 168 (Cy.28)**2003 No. 168 (W.28)****ANIFEILIAID, CYMRU****ANIMALS, WALES****IECHYD ANIFEILIAID****ANIMAL HEALTH****Gorchymyn Rheoli Clefydau
(Mesurau Dros Dro) (Cymru) (Rhif
2) (Diwygio) 2003****The Disease Control (Interim
Measures) (Wales) (No.2)
(Amendment) Order 2003***Wedi'i wneud* 30 Ionawr 2003*Made* 30th January 2003*Yn dod i rym* 31 Ionawr 2003*Coming into force* 31st January 2003

Mae Cynulliad Cenedlaethol Cymru a'r Ysgrifennydd Gwladol, a hwythau'n gweithredu ar y cyd wrth arfer y pwerau a roddwyd iddynt gan adrannau 1, 8 ac 83(2) o Ddeddf Iechyd Anifeiliaid 1981(a), yn gwneud y Gorchymyn canlynol:

The National Assembly for Wales and the Secretary of State, acting jointly in exercise of the powers conferred on them by sections 1, 8 and 83(2) of the Animal Health Act 1981(a), make the following Order:

Enwi, cymhwyso a chychwyn

1. Enw'r Gorchymyn hwn yw Gorchymyn Rheoli Clefydau (Mesurau Dros Dro) (Cymru) (Rhif 2) (Diwygio) 2003; mae'n gymwys i Gymru yn unig ac yn dod i rym ar 31 Ionawr 2003.

Title, application and commencement

1. This Order may be cited as the Disease Control (Interim Measures) (Wales) (No.2) (Amendment) Order 2003; it applies in relation to Wales only and comes into force on 31st January 2003.

**Diwygio Gorchymyn Rheoli Clefydau (Mesurau
Dros Dro) (Cymru) (Rhif 2) 2002****Amendment of the Disease Control (Interim
Measures) (Wales) (No.2) Order 2002**

2.-(1) Diwygir Gorchymyn Rheoli Clefydau (Mesurau Dros Dro) (Cymru) (Rhif 2) 2002(b) yn unol â'r erthygl hon.

2.-(1) The Disease Control (Interim Measures) (Wales) (No.2) Order 2002(b) is amended in accordance with this article.

(2) Yn erthygl 1, rhodder "1 Ebrill 2003" yn lle "1 Chwefror 2003".

(2) In article 1, "1st April 2003" is substituted for "1st February 2003".

(3) Yn erthygl 3-

(3) In article 3-

(a) ar ôl paragraff (2)(b)(xxi) ychwaneger y canlynol-

(a) after paragraph (2)(b)(xxi) the following is added-

(a) 1981 p.22. Trosglwyddwyd swyddogaethau a roddwyd o dan Ddeddf 1981 i "the Ministers" (fel y'u diffinnir yn adran 86 o'r Ddeddf honno) i'r graddau yr oeddent yn arferadwy gan Ysgrifennydd Gwladol Cymru mewn perthynas â Chymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672). Trosglwyddwyd swyddogaethau "the Ministers" a oeddent yn arferadwy gan Ysgrifennydd Gwladol yr Alban i'r Gweinidog Amaethyddiaeth, Pysgodfeydd a Bwyd gan Orchymyn Trosglwyddo Swyddogaethau (Amaethyddiaeth a Bwyd) 1999, O.S.1999/3141. Cafodd pob un o swyddogaethau'r Gweinidog Amaethyddiaeth, Pysgodfeydd a Bwyd eu trosglwyddo ymhellach wedyn i'r Ysgrifennydd Gwladol gan Orchymyn y Weinyddiaeth Amaethyddiaeth Pysgodfeydd a Bwyd (Diddymu) 2002 (O.S.2002/794).

(a) 1981 c.22. Functions conferred under the 1981 Act on "the Ministers" (as defined in section 86 of that Act) were transferred so far as exercisable by the Secretary of State for Wales in relation to Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672). The function of "the Ministers" exercisable by the Secretary of State for Scotland were transferred to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999, S.I. 1999/3141. All functions of the Minister of Agriculture, Fisheries and Food were then further transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

(b) O.S. 2002/2304 (Cy.229), fel y'i diwygiwyd gan O.S. 2002/2480 (Cy.243).

(b) S.I. 2002/2304 (W.229), as amended by S.I. 2002/2480 (W.243).

"(xxii) symudiad anifail sydd ar gyfrwng cludo sy'n mynd ar safle i ollwng anifeiliaid eraill, ar yr amod nad yw wedi ymadael â'r cyfrwng cludo tra bu ar y safle.";

(b) ym mharagraff (3)(e)(iv) rhodder y gair "diweddaraf" yn lle "cynharaf";

(c) yn lle paragraff (3)(ng) rhodder y paragraff canlynol-

"(ng) anifail o'i bwynt mynediad i'r Deyrnas Unedig ar ôl cael ei fewnforio o Aelod-wladwriaeth arall;".

(4) Yn lle erthygl 8 rhodder yr erthygl ganlynol-

"Cyfleusterau glanhau a diheintio

8. Pan symudir anifeiliaid o dan drwydded, rhaid i feddiannydd y safle y symudir hwynt iddo ddarparu cyfleusterau, cyfarpar a deunyddiau digonol ar gyfer unrhyw waith glanhau a diheintio sy'n ofynnol o dan y drwydded.

Trwyddedau penodol

8A.-(1) Rhaid i anifail a symudir o dan drwydded benodol-

(a) gael ei symud ar hyd y llwybr mwyaf uniongyrchol sydd ar gael i'r gyrchfan a bennir yn y drwydded, a

(b) bod y drwydded gydag ef drwy gydol y symudiad.

(2) Rhaid i bob anifail a symudir o dan awdurdod trwydded benodol gael ei gadw ar wahân, drwy gydol y symudiad, i unrhyw anifail nas symudir o dan awdurdod y drwydded honno.

(3) Rhaid i'r person sy'n gyfrifol am unrhyw anifail a symudir o dan drwydded benodol, os myn cwnstabl neu arolygydd neu unrhyw un arall o swyddogion yr Ysgrifennydd Gwladol neu awdurdod lleol, ddangos y drwydded, a chaniatáu i gopi neu ddetholiad ohoni gael ei gymryd, a rhaid iddo hefyd, os gofynnir iddo wneud, roi ei enw a'i gyfeiriad.

(4) Pan symudir anifeiliaid o dan drwydded benodol, yna, oni bai i'r drwydded ddarparu fel arall, rhaid i feddiannydd y safle y symudir hwynt iddo-

(a) sicrhau y rhoddir y drwydded iddo ef neu i'w gynrychiolydd cyn caniatáu i'r anifeiliaid gael eu dadlwytho;

(b) yn achos lladd-dy, roi copi i'r llawfeddyg milfeddygol swyddogol; ac

(c) cadw'r drwydded am chwe mis a'i dangos i arolygydd os gofynnir amdani.

Trwyddedau cyffredinol

8B. Pan symudir anifeiliaid o dan drwydded gyffredinol, ac mae'r drwydded yn ei gwneud yn

"(xxii) of an animal which is on a means of transport which enters premises to drop off other animals, provided that it has not left the means of transport while on the premises.";

(b) in paragraph (3)(g)(iv) the word "later" is substituted for the word "sooner";

(c) for paragraph (3)(k) the following paragraph is substituted-

"(k)an animal from its point of entry into the United Kingdom following its import from another Member State;".

(4) For article 8 the following article is substituted-

"Cleansing and disinfection facilities

8. Where animals are moved under a licence, the occupier of the premises which they are moved on to shall provide adequate facilities, equipment and materials for any cleansing and disinfection required by the licence.

Specific licences

8A.-(1) An animal moved under a specific licence must-

(a) be moved by the most direct route available to the place of destination specified in the licence, and

(b) be accompanied throughout the movement by the licence.

(2) Every animal which is moved under the authority of a specific licence must be kept separate, throughout the movement, from any animal which is not being moved under the authority of that licence.

(3) The person in charge of any animal moved under a specific licence must, on demand made by a constable or by an inspector or other officer of the Secretary of State or of a local authority, produce the licence, and allow a copy thereof or an extract therefrom to be taken, and must also, if so required, furnish his or her name and address.

(4) Where animals are moved under a specific licence, then, unless the licence provides otherwise, the occupier of premises which they are moved on to must-

(a) ensure that he or she or his or her representative is given the licence before allowing the animals to be unloaded;

(b) in the case of a slaughterhouse, give a copy to the official veterinary surgeon; and

(c) keep the licence for six months and produce it to an inspector on request.

General licences

8B. Where animals are moved under a general licence, and that licence requires the person

ofynnol i'r person sy'n symud yr anifeiliaid fod â dogfen symud, rhaid i feddiannydd y safle y symudir hwynt iddo-

- (a) sicrhau y rhoddir iddo ef neu i'w gynrychiolydd y copi uchaf o'r ddogfen symud cyn caniatáu dadlwytho'r anifeiliaid;
- (b) llenwi'r copi uchaf i ddangos ei fod ef wedi cael yr anifeiliaid, ei lofnodi, a'i anfon i'r awdurdod lleol yn ddi-oed; a
- (c) cadw copi o'r ddogfen wedi ei llenwi am chwe mis.

Copïau o drwyddedau

8C. Pan fydd arolygydd awdurdod lleol yn dyroddi trwydded o dan erthygl 3(1)(a), rhaid iddo gadw copi o'r drwydded am chwe mis."

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru
29 Ionawr 2003

moving the animals to have a movement document, the occupier of premises which they are moved on to must-

- (a) ensure that he or she or his or her representative is given the top copy of the movement document before allowing the animals to be unloaded;
- (b) complete the top copy to indicate that he or she has received the animals, sign it, and send it to the local authority without delay; and
- (c) keep a copy of the completed document for six months.

Copies of licences

8C. Where an inspector of a local authority issues a licence under article 3(1)(a), he or she must retain a copy of the licence for six months."

Signed on behalf of the National Assembly for Wales
29th January 2003

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the
National Assembly

30 Ionawr 2003

30th January 2003

Whitty

Yr Is-Ysgrifennydd Seneddol
Adran yr Amgylchedd, Bwyd a Materion Gwledig

Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

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