



OFFERYNNAU STATUDOL
CYMRU

WELSH
STATUTORY INSTRUMENTS

2008 Rhif 789 (Cy.83)

2008 No. 789 (W.83)

ANIFEILIAID, CYMRU

ANIMALS, WALES

IECHYD ANIFEILIAID

ANIMAL HEALTH

**Gorchymyn Cludo Anifeiliaid
(Glanhau a Diheintio) (Cymru)
(Rhif 3) (Diwygio)
2008**

**The Transport of Animals
(Cleansing and Disinfection)
(Wales) (No 3) (Amendment)
Order 2008**

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 Cludo Anifeiliaid (Glanhau a Diheintio) (Cymru) (Rhif 3) 2003 (OS 2003/1968) (Cy.213) fel —

This Order amends the Transport of Animals (Cleansing and Disinfection) (Wales) (No 3) Order 2003 (SI 2003/1968) (W.213) so that —

- (a) nad yw gofynion glanhau a diheintio erthygl 3 o'r Gorchymyn hwnnw yn gymwys i deithiau penodol a wneir o fewn menter ffermio unigol, rhwng yr un ddau bwynt ac yn ôl ac ymlaen i sioeau da byw; a
- (b) y dileir y rhwymedigaeth yn erthygl 3(6) o'r Gorchymyn hwnnw symud ymaith unrhyw anifail sy'n marw wrth iddo gael ei gludo, ac unrhyw sarn (llesodr) fudr a charthion o'r cyfrwng cludo.

- (a) the cleansing and disinfection requirements of article 3 of that Order do not apply to certain journeys made within a single farming enterprise, between the same two points and to and from livestock shows; and
- (b) the obligation in article 3(6) of that Order to remove from the means of transport any animal that dies during transportation, and any soiled litter and excreta, is removed.

Ni luniwyd asesiad effaith reoleiddiol ar gyfer yr offeryn hwn.

A regulatory impact assessment has not been produced for this instrument.

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2008**

**The Transport of Animals
(Cleansing and Disinfection)
(Wales) (No 3) (Amendment)
Order 2008**

Gwnaed 19 Mawrth 2008
Yn dod i rym 15 Ebrill 2008

Made 19 March 2008
Coming into force 15 April 2008

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd gan adrannau 7 a 37 o Ddeddf Iechyd Anifeiliaid 1981 ac a freiniwyd ynddynt bellach(1), yn gwneud y Gorchymyn a ganlyn:

The Welsh Ministers, in exercise of the powers conferred by sections 7 and 37 of the Animal Health Act 1981 and now vested in them(1), make the following Order:

Enwi a chychwyn

1. Enw'r Gorchymyn hwn yw Gorchymyn Cludo Anifeiliaid (Glanhau a Diheintio) (Cymru) (Rhif 3) (Diwygio) 2008. Mae'n gymwys o ran Cymru ac yn dod i rym ar 15 Ebrill 2008.

Title and commencement

1. The title of this Order is the Transport of Animals (Cleansing and Disinfection) (Wales) (No 3) (Amendment) Order 2008. It applies in relation to Wales and comes into force on 15 April 2008.

Diwygio

2. Mae Gorchymyn Cludo Anifeiliaid (Glanhau a Diheintio) (Cymru) (Rhif 3) 2003(2) wedi'i ddiwygio fel a ganlyn —

(a) yn erthygl 3, ar ôl paragraff (1), mewnosoder—

"(1A) Nid yw'r erthygl hon yn gymwys yn yr amgylchiadau a nodir yn atodlen 1A.";

(b) yn erthygl 3, hepgorer paragraff (6);

(c) mewnosoder yr Atodlen a ganlyn —

Amendment

2. The Transport of Animals (Cleansing and Disinfection) (Wales) (No 3) Order 2003(2) is amended as follows —

(a) in article 3, after paragraph (1), insert —

"(1A) This article does not apply in the circumstances set out in schedule 1A.";

(b) in article 3, omit paragraph (6);

(c) insert the following Schedule —

(1) 1981 p.22. Trosglwyddwyd swyddogaethau'r Gweinidog a'r Ysgrifennydd Gwladol i Gynulliad Cenedlaethol Cymru gan O.S. 1999/672 ac O.S. 2004/3044. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weiniogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006.

(2) O.S. 2003/1968 (Cy.213).

(1) 1981 c.22. Functions of the Minister and Secretary of State transferred to the National Assembly for Wales by S.I. 1999/672 and S.I. 2004/3044. Functions of the National Assembly for Wales transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

(2) S.I. 2003/1968 (W.213).

"ATODLEN 1A

AMGYLCHIADAU PAN NA FO ERTHYGL 3 YN GYMWYS

Teithiau a wneir o fewn menter ffermio unigol

1. Cludo anifeiliaid o fewn menter ffermio unigol o dan un berchenogaeth.

Teithiau rhwng yr un ddau bwynt

2.—(1) Cludo anifeiliaid —

- (a) rhwng yr un ddau bwynt;
- (b) yn ystod un diwrnod; ac
- (c) mewn cyfrwng cludo a ddefnyddir at y diben hwnnw yn unig,

os cydymffurfir ag erthygl 3 o ran y teithiau cyntaf ac olaf yn ystod diwrnod.

(2) Yn y paragraff hwn, mae cludo anifeiliaid yn digwydd yn ystod un diwrnod hyd yn oed os —

- (a) dechreuir y daith olaf ond nas cwblheir ar y diwrnod dan sylw; a
- (b) yn achos anifail carnog a fu'n cymryd rhan mewn digwyddiad a ddigwyddodd neu'n sy'n parhau i ddigwydd yn noswaith y diwrnod dan sylw, yw'r daith olaf yn dechrau cyn gynted ag y bo'n ymarferol ar ôl diwedd y digwyddiad hwnnw, p'un a yw'n dechrau cyn hanner nos ai peidio.

(3) Nid yw'r paragraff hwn yn gymwys i deithiau rhwng dwy set o safleoedd gwerthu.

Teithiau yn ôl ac ymlaen i sioeau da byw

3. Cludo anifeiliaid o'u mangre tarddiad i sioe da byw ac yn ôl, mewn amgylchiadau heblaw'r amgylchiadau a nodir ym mharagraff 2, os—

- (a) yw'r cyfrwng cludo a ddefnyddir i gludo'r anifeiliaid hynny yn mynd yn uniongyrchol o'r safle tarddiad i'r sioe ac nad yw'n ymadael â'r sioe cyn y daith yn ôl;
- (b) yr unig anifeiliaid ar y cyfrwng cludo yn y sioe yw'r anifeiliaid a gludodd i'r sioe;
- (c) defnyddir y cyfrwng cludo yn unig i gludo, ar y daith yn ôl, anifeiliaid a gludwyd ynddo i'r sioe; ac

"SCHEDULE 1A

CIRCUMSTANCES IN WHICH ARTICLE 3 DOES NOT APPLY

Journeys made within a single farming enterprise

1. The transport of animals within a single farming enterprise in one ownership.

Journeys between the same two points

2.—(1) The transport of animals —

- (a) between the same two points;
- (b) over the course of a single day; and
- (c) in a means of transport used exclusively for that purpose,

if article 3 is complied with in relation to the first and last journeys of the day.

(2) In this paragraph, the transport of animals takes place over the course of a single day even if —

- (a) the last journey is begun but not completed on the day in question; and
- (b) in the case of a hoofed animal which has been participating in an event taking place during, or continuing into, the evening of the day in question, the last journey begins as soon as practicable after the end of that event, whether or not it begins before midnight.

(3) This paragraph does not apply to journeys between two sets of sale premises.

Journeys to and from livestock shows

3. The transport of animals from their premises of origin to a livestock show and back, in circumstances other than those set out in paragraph 2, if —

- (a) the means of transport used to transport those animals goes directly from the premises of origin to the show and does not leave the show before the return journey;
- (b) the only animals on the means of transport at the show are the animals it transported to the show;
- (c) the means of transport is only used to transport on the return journey animals that were transported in it to the show; and

(ch) dychwelir y cyfrwng cludo o'r sioe yn uniongyrchol i'r safle tarddiad.

(d) the means of transport is returned from the show directly to the premises of origin.

Dadlwytho dros dro.

4. Pan fo anifeiliaid wedi cael eu dadlwytho o gyfrwng cludo yn unig er mwyn cael bwyd neu ddŵr, neu at ryw ddiben dros dro arall, ac yna eu hail-lwytho."

Temporary unloading

4. Where animals have been unloaded from a means of transport solely to be fed or watered, or for some other temporary purpose, and then reloaded."

Elin Jones

Y Gweinidog dros Faterion Gwledig, un o Weinidogion Cymru

Minister for Rural Affairs, one of the Welsh Ministers

19 Mawrth 2008

19 March 2008

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