



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2015 Rhif 1992 (Cy. 302)

2015 No. 1992 (W. 302)

ANIFEILIAID, CYMRU

ANIMALS, WALES

**Gorchymyn Defaid a Geifr
(Cofnodion, Adnabod a Symud)
(Cymru) 2015**

**The Sheep and Goats (Records,
Identification and Movement)
(Wales) Order 2015**

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 dirymu ac yn disodli Gorchymyn Defaid a Geifr (Cofnodion, Adnabod a Symud) (Cymru) 2009 (O.S. 2009/3364 (Cy. 296)) ("Gorchymyn 2009"). Mae'n gwneud darpariaeth ar gyfer gweinyddu a gorfodi, yng Nghymru, Reoliad y Cyngor (EC) Rhif 21/2004 (sy'n sefydlu system ar gyfer adnabod a chofrestru anifeiliaid defeidiog a gafraidd ac sy'n diwygio Rheoliad (EC) Rhif 1782/2003 a Chyfarwyddebau 92/102/EEC a 64/432/EEC).

This Order revokes and replaces the Sheep and Goats (Records, Identification and Movement) (Wales) Order 2009 (S.I. 2009/3364 (W. 296)) ("the 2009 Order"). It makes provision for the administration and enforcement in Wales of Council Regulation (EC) No. 21/2004 (establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No.1782/2003 and Directives 92/102/EEC and 64/432/EEC).

Mae Rhan 2 yn darparu bod rhaid i'r dyfeisiau adnabod a ddefnyddir er mwyn cydymffurfio â'r Gorchymyn hwn fod o fath a gymeradwywyd gan Weinidogion Cymru, ac yn nodi rhai darpariaethau cyffredinol o ran gosod dyfeisiau adnabod.

Part 2 provides that identification devices used to comply with this Order must be of a type approved by the Welsh Ministers and sets out some general provisions in relation to the application of identification devices.

Mae Rhan 3 yn darparu ar gyfer moddion adnabod defaid a geifr, gan gynnwys gofyniad i osod tag clust electronig er mwyn adnabod defaid y bwriedir eu cigyddu cyn eu bod yn 12 mis oed. Os gosodwyd tag clust anelectronig cyn 1 Ionawr 2016 ar ddefaid y bwriedid eu cigyddu cyn cyrraedd 12 mis oed, ni fydd rhaid newid y tag hwnnw am un electronig tan 30 Mehefin 2017.

Part 3 provides for the means of identification of sheep and goats, including the requirement that a sheep intended for slaughter before the age of 12 months must be identified with an electronic eartag. If sheep intended for slaughter before the age of 12 months were identified before 1 January 2016 with a non-electronic eartag then this need not be replaced with an electronic eartag until 30 June 2017.

Mae Rhan 4 yn gwneud darpariaeth ar gyfer tynnu neu amnewid marciau adnabod ar anifeiliaid a adnabuwyd o dan Ran 3.

Part 4 makes provision for the removal or replacement of identification marks on animals identified under Part 3.

Mae Rhan 5 yn gwneud darpariaethau ar gyfer adnabod geifr nas adnabuwyd o dan Ran 3.

Part 5 makes provision for the identification of goats not identified under Part 3.

Mae Rhan 6 yn gwneud darpariaethau ar gyfer amnewid marciau adnabod ar bob anifail a adnabuwyd cyn 1 Ionawr 2016 ac ar eifr a adnabuwyd yn unol â Rhan 5.

Part 6 makes provision for the replacement of identification marks on all animals identified before 1 January 2016 and on goats identified in accordance with Part 5.

Mae Rhan 7 yn darparu ar gyfer cadw cofrestr daliad gyfoes gan bob ceidwad, ac yn nodi pa wybodaeth y mae'n rhaid ei chofnodi yn y gofrestr a pha bryd.

Mae Rhan 8 yn ei gwneud yn ofynnol bod gweithredwyr pwynt cofnodi canolog yn adrodd yn electronig am symudiadau anifeiliaid, ac yn caniatáu i geidwaid eraill wneud hynny.

Mae Rhan 9 yn nodi'r gofyniad bod ceidwaid yn cadw stocrestr flynyddol ac yn cyflenwi gwybodaeth am eu daliad i Weinidogion Cymru, a'r terfynau amser ar gyfer gwneud hynny.

Mae Rhan 10 yn darparu ar gyfer dyrannu rhifau lot i anifeiliaid mewn marchnad ac yn gwahardd prynu neu werthu anifeiliaid oni phrynrir neu werthir yr holl anifeiliaid sydd yn y lot. Mae'n esemptio marchnadoedd a lladd-dai o'r angen i ailadnabod anifeiliaid sydd a'u nodau adnabod yn eisiau, ac yn darparu ar gyfer cytuno ar drefniadau i ganiatáu i bwyntiau cofnodi canolog beidio â chofnodi'n electronig os yw'r pŵer neu'r offer yn methu.

Mae Rhan 11 yn gwneud darpariaeth ar gyfer gofynion adnabod anifeiliaid a ddygir i mewn i Gymru o Aelod-wladwriaethau eraill, rhannau eraill o'r Deyrnas Unedig, Tiriogaethau Dibynnol y Goron a thrydydd gwledydd.

Mae Rhan 12 yn cynnwys darpariaethau amrywiol a darpariaethau gorfodi gan gynnwys y gofynion ynghylch anifeiliaid sydd i'w hallforio. Mae erthygl 37 yn nodi amddiffyniad rhag cyhuddiad o fethu ag adnabod anifail yn gywir mewn achos o driniaeth filfeddygol frys. Mae erthygl 38 yn rhoi nifer o bwerau i arolygwyr ac mae erthygl 39 yn galluogi arolygwyr i wahardd symud diadell o ddefaid neu eifre o eifr i ddaliad neu allan ohono. Mae erthyglau 40 a 41 yn ymwneud â darparu gwybodaeth ffug neu gamarweiniol ac addasu marciau adnabod. Mae erthygl 42 yn ymwneud â throseddau gan gyrff corfforaethol, ac erthygl 43 yn ymwneud â throseddau gan bartneriaethau a chymdeithasau anghorfforedig. Gorfodir y Gorchymyn gan awdurdod lleol neu, os cyfarwyddir felly, gan Weinidogion Cymru (erthygl 44).

O dan adran 73 o Ddeddf Iechyd Anifeiliaid 1981 mae torri'r Gorchymyn yn drosedd, y gellir ei chosbi yn unol ag adran 75 o'r Ddeddf honno.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, paratowyd Aseidiad Effaith Rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn. Gellir cael copi gan Lywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ.

Part 7 makes provision for every keeper to keep an up-to-date holding register, setting out the information which must be entered in the register and when.

Part 8 requires operators of central points of recording to report movements of animals electronically and allows other keepers to do so.

Part 9 sets out the requirement for keepers to keep an annual inventory and supply information to the Welsh Ministers about their holding and the time limits for doing so.

Part 10 provides for the allocation of lot numbers to animals at a market and prohibits the buying or selling of animals unless all animals from a lot are bought or sold. It exempts markets and slaughterhouses from the need to re-identify animals with missing identification marks, and provides for arrangements to be agreed to allow central points of recording not to record electronically in the event of a power or equipment failure.

Part 11 makes provision for the identification requirements of animals brought into Wales from other member States, other parts of the United Kingdom, the Crown Dependencies and from third countries.

Part 12 contains miscellaneous and enforcement provisions including the requirements relating to animals which are to be exported. Article 37 sets out a defence to the failure to identify an animal correctly in the case of emergency veterinary treatment. Article 38 confers various powers on inspectors and article 39 enables inspectors to prohibit the movement of a flock of sheep or a herd of goats to or from a holding. Articles 40 and 41 relate to the provision of false or misleading information and the alteration of identification marks. Article 42 relates to offences committed by bodies corporate and article 43 relates to offences committed by partnerships and unincorporated associations. The Order is enforced by the local authority or the Welsh Ministers if so directed (article 44).

Breach of the Order is an offence under section 73 of the Animal Health Act 1981, punishable in accordance with section 75 of that Act.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a Regulatory Impact Assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Welsh Government, Cathays Park, Cardiff CF10 3NQ.

2015 Rhif 1992 (Cy. 302)

2015 No. 1992 (W. 302)

ANIFEILIAID, CYMRU

ANIMALS, WALES

**Gorchymyn Defaid a Geifr
(Cofnodion, Adnabod a Symud)
(Cymru) 2015**

**The Sheep and Goats (Records,
Identification and Movement)
(Wales) Order 2015**

Gwnaed 8 Rhagfyr 2015

Made 8 December 2015

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 11 Rhagfyr 2015

Laid before the National Assembly for Wales
11 December 2015

Yn dod i rym yn unol ag erthygl 1(3)

*Coming into force in accordance with article
1(3)*

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddir gan adrannau 1, 8(1), ac 83(2) o Ddeddf Iechyd Anifeiliaid 1981(1).

The Welsh Ministers make the following Order in exercise of the powers conferred by sections 1, 8(1), and 83(2) of the Animal Health Act 1981(1).

RHAN 1

PART 1

Rhagymadrodd

Introduction

Enwi, cymhwyso a chychwyn

Title, application and commencement

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Defaid a Geifr (Cofnodion, Adnabod a Symud) (Cymru) 2015.

1.—(1) The title of this Order is the Sheep and Goats (Records, Identification and Movement) (Wales) Order 2015.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

(2) This Order applies in relation to Wales.

(3) Daw'r Gorchymyn hwn i rym ar 1 Ionawr 2016 ac eithrio Rhan 8 a ddaw i rym ar 18 Ionawr 2016.

(3) This Order comes into force on 1 January 2016 except for Part 8 which comes into force on 18 January 2016.

Dehongli

Interpretation

2.—(1) Yn y Gorchymyn hwn—

2.—(1) In this Order—

Ystyr "Aelod-wladwriaeth" ("*member State*") yw un o Aelod-wladwriaethau'r Undeb Ewropeaidd;

"animal" ("*anifail*") means any animal of the ovine or caprine species;

(1) 1981 p. 22. Mae swyddogaethau o dan y Ddeddf yn arferadwy gan Weinidogion Cymru (o ran Cymru) yn rhinwedd Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672); Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 2004 (O.S. 2004/3044); ac adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32), a pharagraff 30 o Atodlen 11 i'r Ddeddf honno.

(1) 1981 c. 22. Functions under the Act are exercisable by the Welsh Ministers (in relation to Wales) by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); the National Assembly for Wales (Transfer of Functions) Order 2004 (S.I. 2004/3044); and section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

ystyr “allforio” (“*export*”) yw anfon i Aelod-wladwriaeth arall neu i drydedd wlad;

ystyr “anifail” (“*animal*”) yw unrhyw anifail o’r rhywogaethau defediog neu afraidd;

ystyr “annarllenadwy” (“*illegible*”), mewn perthynas â dyfais adnabod electronig, yw annarllenadwy naill ai’n electronig neu’n weledol;

ystyr “arolygydd” (“*inspector*”) yw person a benodwyd yn arolygydd at ddibenion y Gorchymyn hwn gan Weinidogion Cymru neu gan awdurdod lleol;

ystyr “awdurdod lleol” (“*local authority*”) mewn perthynas ag ardal yw’r cyngor sir neu’r cyngor bwrdeistref sirol ar gyfer yr ardal honno;

ystyr “canolfan gasglu” (“*collection centre*”) yw mangre a ddefnyddir fel derbynfa dros dro ar gyfer anifeiliaid y bwriedir eu symud i rywle arall (ond nid yw’n cynnwys marchnad neu le arall a ddefnyddir ar gyfer gwerthu neu farchnata anifeiliaid onid oes bwriad i gigydda’r holl anifeiliaid sydd yno ar unwaith);

ystyr “canolfan grynhoi” (“*assembly centre*”) yw unrhyw ddaliad lle mae defaid neu eifr sy’n tarddu o wahanol ddaliadau yn cael eu dwyn ynghyd i ffurfio llwythi o anifeiliaid y bwriedir eu hallforio, neu unrhyw ddaliad a ddefnyddir yng nghwrs allforio;

mae i “ceidwad” yr ystyr a roddir i “keeper” yn Erthygl 2 o Reoliad y Cyngor;

ystyr “cod adnabod” (“*identification code*”) yw’r cod a nodir ar fodd adnabod yn unol â’r gofynion o dan y Gorchymyn hwn neu o dan y Gorchymynion blaenorol;

ystyr “cofrestr” (“*register*”) yw’r gofrestr sy’n ofynnol gan Erthygl 5 o Reoliad y Cyngor;

ystyr “Cyfarwyddeb y Cyngor 92/102/EEC” (“*Council Directive 92/102/EEC*”) yw Cyfarwyddeb y Cyngor 92/102/EEC ynglŷn ag adnabod a chofrestru anifeiliaid(1);

mae i “daliad” yr ystyr a roddir i “holding” yn Erthygl 2 o Reoliad y Cyngor;

ystyr “dogfen symud” (“*movement document*”) yw’r ddogfen symud sy’n ofynnol gan Erthygl 6 o Reoliad y Cyngor;

ystyr “dull adnabod” (“*method of identification*”) yw tag clust, tag egwyd neu datw a osodir mewn Aelod-wladwriaeth arall neu drydedd wlad;

“assembly centre” (“*canolfan grynhoi*”) means any holding at which sheep or goats originating from different holdings are grouped together to form consignments of animals intended for export or which is used in the course of export;

“central point of recording” (“*pwytyn cofnodi canolog*”) means a holding approved by the Welsh Ministers under Section C.2 of the Annex to the Council Regulation for recording the identities of animals arriving at that holding;

“collection centre” (“*canolfan gasglu*”) means premises used for the intermediate reception of animals intended to be moved elsewhere (but does not include a market or other place used for the sale or trading of animals unless all the animals there are intended for immediate slaughter);

“Council Directive 92/102/EEC” (“*Cyfarwyddeb y Cyngor 92/102/EEC*”) means Council Directive 92/102/EEC on the identification and registration of animals(1);

“the Council Regulation” (“*Rheoliad y Cyngor*”) means Council Regulation (EC) No. 21/2004 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No. 1782/2003 and Directives 92/102/EEC and 64/432/EEC(2) as amended from time to time;

“export” (“*allforio*”) means sending to another member State or a third country;

“flockmark” (“*nod diadell*”) means the number allocated by the Welsh Ministers in respect of a flock of sheep on a holding;

“holding” (“*daliad*”) has the meaning given in Article 2 of the Council Regulation;

“identification code” (“*cod adnabod*”) means the code set out on a means of identification as required under this Order or under the previous Orders;

“identification device” (“*dyfais adnabod*”) means an eartag, electronic eartag, pastern tag, electronic pastern tag or bolus;

“identification mark” (“*marc adnabod*”) means a method of identification applied in another member State, a means of identification or an older means of identification;

“illegible” (“*annarllenadwy*”) means, in relation to an electronic identification device, unreadable either electronically or visually;

(1) OJ Rhif L 355, 5.12.92, t. 32 a ddiddymwyd gan Gyfarwyddeb 2008/71/EC. Bydd yr anifeiliaid hynaf yn parhau i gael eu hadnabod yn unol â’r Gorchymyn hwn.

(1) OJ No L 355, 5.12.92, p. 32 repealed by Directive 2008/71/EC. Older animals will still be identified in accordance with this Order.
(2) OJ No L 5, 9.1.04, p. 8.

ystyr “dyfais adnabod” (“*identification device*”) yw tag clust, tag clust electronig, tag egwyd, tag egwyd electronig neu folws;

ystyr “y Gorchmynion blaenorol” (“*the previous Orders*”) yw—

- (a) Gorchmynyn Defaid a Geifr (Cofnodion, Adnabod a Symud) (Cymru) 2009(1);
- (b) Gorchmynyn Defaid a Geifr (Cofnodion, Adnabod a Symud) (Cymru) 2008(2);
- (c) Gorchmynyn Defaid a Geifr (Cofnodion, Adnabod a Symud) (Cymru) 2006(3);
- (d) Gorchmynyn Adnabod a Symud Defaid a Geifr (Mesurau Dros Dro) (Cymru) (Rhif 2) 2002(4);
- (e) Gorchmynyn Adnabod a Symud Defaid a Geifr (Mesurau Dros Dro) (Cymru) 2002(5);
- (f) Rheoliadau Adnabod a Symud Defaid a Geifr (Mesurau Dros Dro) (Cymru) 2002(6);
- (g) Gorchmynyn Defaid a Geifr (Cofrestru, Adnabod a Symud) (Lloegr) 2009(7);
- (h) Gorchmynyn Defaid a Geifr (Cofrestru, Adnabod a Symud) (Lloegr) 2007(8);
- (i) Gorchmynyn Defaid a Geifr (Cofrestru, Adnabod a Symud) (Lloegr) 2005(9);
- (j) Gorchmynyn Adnabod a Symud Defaid a Geifr (Mesurau Dros Dro) (Lloegr) (Rhif 2) 2002(10);
- (k) Gorchmynyn Adnabod a Symud Defaid a Geifr (Mesurau Dros Dro) (Lloegr) 2002(11);
- (l) Gorchmynyn Adnabod Defaid a Geifr (Lloegr) 2000(12);
- (m) Gorchmynyn Defaid a Geifr (Cofrestru, Adnabod a Symud) (Gogledd Iwerddon) 2009(13);
- (n) Gorchmynyn Defaid a Geifr (Cofrestru, Adnabod a Symud) (Gogledd Iwerddon) 2005(14);

-
- (1) O.S. 2009/3364 (Cy. 296).
 - (2) O.S. 2008/130 (Cy. 17).
 - (3) O.S. 2006/1036 (Cy. 106), a ddiwygiwyd gan O.S. 2006/2926 (Cy. 261).
 - (4) O.S. 2002/2302 (Cy. 227), a ddiwygiwyd gan O.S. 2003/167 (Cy. 27), O.S. 2003/946 (Cy. 127) ac O.S. 2003/1966 (Cy. 211).
 - (5) O.S. 2002/1357 (Cy. 133).
 - (6) O.S. 2002/274 (Cy. 30), a ddiwygiwyd gan O.S. 2002/811 (Cy. 91).
 - (7) O.S. 2009/3219, a ddiwygiwyd gan O.S. 2014/331.
 - (8) O.S. 2007/3493.
 - (9) O.S. 2005/3100, a ddiwygiwyd gan O.S. 2006/2987.
 - (10) O.S. 2002/2153, a ddiwygiwyd gan O.S. 2003/29, 2003/502 a 2003/1728.
 - (11) O.S. 2002/240, a ddiwygiwyd gan O.S. 2002/764 a 2002/1349.
 - (12) O.S. 2000/2027, a ddiwygiwyd gan O.S. 2001/281.
 - (13) Rh.St. (GI) 2009/411.
 - (14) Rh.St. (GI) 2005/535, a ddiwygiwyd gan Rh.St. (GI) 2006/508.

“inspector” (“*arolygydd*”) means a person appointed to be an inspector for the purposes of this Order by the Welsh Ministers or a local authority;

“keeper” (“*ceidwad*”) has the meaning given in Article 2 of the Council Regulation;

“local authority” (“*awdurdod lleol*”) means in relation to an area the county council or county borough council for that area;

“market” (“*marchnad*”) means a market place, sale yard or any other premises or place to which animals are brought from any other place to be exposed for sale and includes any place, lairage or parking area adjoining a market and used in connection with it;

“market operator” (“*gweithredwr marchnad*”) means a person responsible for managing the reception or the sale of animals in a market or a duly authorised representative of such a person;

“means of identification” (“*modd adnabod*”) means an identification device or a tattoo;

“member State” (“*Aelod-wladwriaeth*”) means a member State of the European Union;

“method of identification” (“*dull adnabod*”) means an eartag, pastern tag or tattoo applied in another member State or third country;

“movement document” (“*dogfen symud*”) means the movement document required by Article 6 of the Council Regulation;

“the previous Orders” (“*y Gorchmynion blaenorol*”) means—

- (a) the Sheep and Goats (Records, Identification and Movement) (Wales) Order 2009(1);
- (b) the Sheep and Goats (Records, Identification and Movement) (Wales) Order 2008(2);
- (c) the Sheep and Goats (Records, Identification and Movement) (Wales) Order 2006(3);
- (d) the Sheep and Goats Identification and Movement (Interim Measures) (Wales) (No. 2) Order 2002(4);
- (e) the Sheep and Goats Identification and Movement (Interim Measures) (Wales) Order 2002(5);

-
- (1) S.I. 2009/3364 (W. 296).
 - (2) S.I. 2008/130 (W. 17).
 - (3) S.I. 2006/1036 (W. 106), amended by S.I. 2006/2926 (W. 261).
 - (4) S.I. 2002/2302 (W. 227), amended by S.I. 2003/167 (W. 27), S.I. 2003/946 (W. 127) and S.I. 2003/1966 (W. 211).
 - (5) S.I. 2002/1357 (W. 133).

- (o) Gorchymyn Adnabod a Symud Defaid a Geifr (Gogledd Iwerddon) 2004(1);
- (p) Gorchymyn Adnabod a Symud Defaid a Geifr (Gogledd Iwerddon) 1997(2);
- (q) Gorchymyn Defaid a Geifr (Cofrestru, Adnabod a Symud) (Yr Alban) 2009(3);
- (r) Rheoliadau Defaid a Geifr (Adnabod ac Orlheinadwyedd) (Yr Alban) 2006(4);
- (s) Gorchymyn Symud Defaid a Geifr (Mesurau Dros Dro) (Yr Alban) 2002(5);
- (t) Rheoliadau Adnabod Defaid a Geifr (Yr Alban) 2000(6);

ystyr “gweithredwr lladd-dy” (“*slaughterhouse operator*”) yw person sy'n rhedeg busnes lladd-dy neu gynrychiolydd i berson o'r fath a awdurdodwyd yn briodol;

ystyr “gweithredwr marchnad” (“*market operator*”) yw person sy'n gyfrifol am reoli derbyn neu werthu anifeiliaid mewn marchnad neu gynrychiolydd i berson o'r fath a awdurdodwyd yn briodol;

ystyr “marc adnabod” (“*identification mark*”) yw dull adnabod a osodwyd mewn Aelod-wladwriaeth arall, modd adnabod neu fodd adnabod hŷn;

ystyr “marchnad” (“*market*”) yw marchnadfa, iard arwerthu neu unrhyw fangre neu le arall y dygir anifeiliaid iddi neu iddo o unrhyw le arall i'w dangos ar gyfer eu gwerthu, ac mae'n cynnwys unrhyw le, gwalfa neu faes parcio cyfagos i farchnad, a ddefnyddir mewn cysylltiad â'r farchnad;

ystyr “modd adnabod” (“*means of identification*”) yw dyfais adnabod neu datŵ;

ystyr “nod diadell” (“*flockmark*”) yw'r rhif a ddyrannwyd gan Weinidogion Cymru o ran diadell o ddefaid ar ddaliad;

ystyr “pwynt cofnodi canolog” (“*central point of recording*”) yw daliad a gymeradwywyd gan Weinidogion Cymru o dan Adran C.2 o'r Atodiad i Reoliad y Cyngor ar gyfer cofnodi manylion adnabod anifeiliaid sy'n cyrraedd y daliad hwnnw;

ystyr “Rheoliad y Cyngor” (“*the Council Regulation*”) yw Rheoliad y Cyngor (EC) Rhif 21/2004 sy'n sefydlu system ar gyfer adnabod a

- (f) the Sheep and Goats Identification and Movement (Interim Measures) (Wales) Regulations 2002(1);
- (g) the Sheep and Goats (Records, Identification and Movement) (England) Order 2009(2);
- (h) the Sheep and Goats (Records, Identification and Movement) (England) Order 2007(3);
- (i) the Sheep and Goats (Registration, Identification and Movement) (England) Order 2005(4);
- (j) the Sheep and Goats Identification and Movement (Interim Measures) (England) (No. 2) Order 2002(5);
- (k) the Sheep and Goats Identification and Movement (Interim Measures) (England) Order 2002(6);
- (l) the Sheep and Goats Identification (England) Order 2000(7);
- (m) the Sheep and Goats (Records, Identification and Movement) Order (Northern Ireland) 2009(8);
- (n) the Sheep and Goats (Records, Identification and Movement) Order (Northern Ireland) 2005(9);
- (o) the Identification and Movement of Sheep and Goats Order (Northern Ireland) 2004(10);
- (p) the Identification and Movement of Sheep and Goats Order (Northern Ireland) 1997(11);
- (q) the Sheep and Goats (Records, Identification and Movement) (Scotland) Order 2009(12);
- (r) the Sheep and Goats (Identification and Traceability) (Scotland) Regulations 2006(13);
- (s) the Sheep and Goats Movement (Interim Measures) (Scotland) Order 2002(14);
- (t) the Sheep and Goats Identification (Scotland) Regulations 2000(15);

(1) Rh.St. (GI) 2004 Rhif 491.
 (2) Rh.St. (GI) 1997 Rhif 173, a ddiwygiwyd gan Rh.St. (GI) 1998 Rhif 393.
 (3) O.S.A. 2009/414.
 (4) O.S.A. 2006/73, a ddiwygiwyd gan O.S.A. 2006/594 ac O.S.A. 2007/559.
 (5) O.S.A. 2002/38, a ddiwygiwyd gan O.S.A. 2002/221.
 (6) O.S.A. 2000/418, a ddiwygiwyd gan O.S.A. 2002/531 ac O.S.A. 2002/39.

(1) S.I. 2002/274 (W. 30), amended by S.I. 2002/811 (W. 91).
 (2) S.I. 2009/3219, amended by S.I. 2014/331.
 (3) S.I. 2007/3493.
 (4) S.I. 2005/3100, amended by S.I. 2006/2987.
 (5) S.I. 2002/2153, amended by S.I. 2003/29, 2003/502 and 2003/1728.
 (6) S.I. 2002/240, amended by S.I. 2002/764 and 2002/1349.
 (7) S.I. 2000/2027, amended by S.I. 2001/281.
 (8) S.R. (NI) 2009/411.
 (9) S.R. (NI) 2005/535, amended by S.R. (NI) 2006/508.
 (10) S.R. (NI) 2004 No.491.
 (11) S.R. (NI) 1997 No.173, amended by S.R. (NI) 1998 No.393.
 (12) S.S.I. 2009/414.
 (13) S.S.I. 2006/73, amended by S.S.I. 2006/594 and S.S.I. 2007/559.
 (14) S.S.I. 2002/38, amended by S.S.I. 2002/221.
 (15) S.S.I. 2000/418, amended by S.S.I. 2002/531 and S.S.I. 2002/39.

chofrestru defaid a geifr ac sy'n diwygio Rheoliad (EC) Rhif 1782/2003 a Chyfarwyddebau 92/102/EEC a 64/432/EEC(1) fel y'i diwygir o bryd i'w gilydd;

ystyr “rhif unigryw” (“*unique number*”) yw rhif sy'n unigryw i anifail mewn diadell neu eifre ac nad yw'n cynnwys mwy na 6 digid.

(2) Mae i ymadroddion nas diffinnir ym mharagraff (1) a ddefnyddir yn y Gorchymyn hwn ac y defnyddir yr ymadroddion Saesneg sy'n cyfateb iddynt yn Rheoliad y Cyngor yr un ystyron yn y Gorchymyn hwn ag sydd i'r ymadroddion Saesneg cyfatebol yn y Rheoliad hwnnw.

Awdurdod cymwys

3. Gweinidogion Cymru yw'r awdurdod cymwys at ddibenion Rheoliad y Cyngor.

Awdurdodiadau

4. Rhaid i unrhyw awdurdodiadau neu gymeradwyaethau a ddyroddir o dan y Gorchymyn hwn neu o dan Reoliad y Cyngor fod mewn ysgrif, caniateir eu gwneud yn ddarostyngedig i amodau a chaniateir eu diwygio, eu hatal neu eu dirymu drwy hysbysiad ar unrhyw adeg.

RHAN 2

Dyfeisiau adnabod

Cymeradwyo dyfeisiau adnabod

5. Rhaid i ddyfeisiau adnabod a ddefnyddir i gydymffurfio â'r Gorchymyn hwn fod o fodel a gymeradwywyd gan Weinidogion Cymru.

Tagiau ychwanegol a dyfeisiau adnabod sydd â gwybodaeth ychwanegol

6.—(1) Ar gais ceidwad, caiff gweithgynhyrchydd dyfeisiau adnabod, yn ddarostyngedig i erthygl 6(2), ychwanegu gwybodaeth atodol at ddyfais adnabod neu ddyfais amnewid ar yr amod—

- (a) bod yr wybodaeth atodol yn gwbl wahanol i'r cod adnabod; a
- (b) bod y cod adnabod yn parhau'n ddarllenadwy ac y gellir ei weld yn eglur bob amser.

(2) Caiff ceidwad osod tag ychwanegol ar anifail ond rhaid iddo beidio â chynnwys y llythrennau “UK” nac ychwaith ddwyn nod diadell neu nod geifre, onid awdurdodir hynny gan Weinidogion Cymru.

“register” (“*cofrestr*”) means the register required by Article 5 of the Council Regulation;

“slaughterhouse operator” (“*gweithredwr lladd-dy*”) means a person carrying on the business of a slaughterhouse or the duly authorised representative of such a person;

“unique number” (“*rhif unigryw*”) means a number that is unique to an animal in a flock or herd and contains no more than 6 digits.

(2) Expressions not defined in paragraph (1) which are used in this Order and which are also used in the Council Regulation have the same meaning in this Order as they have in that Regulation.

Competent authority

3. The Welsh Ministers are the competent authority for the purposes of the Council Regulation.

Authorisations

4. Any authorisations or approvals issued under this Order or the Council Regulation must be in writing, may be made subject to conditions, and may be amended, suspended or revoked by notice at any time.

PART 2

Identification devices

Approval of identification devices

5. Identification devices used to comply with this Order must be of a model approved by the Welsh Ministers.

Additional tags and identification devices with additional information

6.—(1) At the request of a keeper, a manufacturer of identification devices may, subject to article 6(2), add supplementary information to an identification device or replacement device provided that—

- (a) the supplementary information is distinct from the identification code; and
- (b) the identification code remains legible and clearly distinguishable at all times.

(2) A keeper may apply an additional tag to an animal but it must not contain the letters “UK” or bear a flockmark or herdmark, unless authorised by the Welsh Ministers.

(1) OJ Rhif L 5, 9.1.04, t. 8.

Lliw dyfeisiau adnabod

7.—(1) Rhaid i bob dyfais adnabod, heblaw dyfeisiau amnewid a bolysau, fod yn felyn ac ni chaiff ceidwad osod dyfais adnabod felyn nad yw'n electronig.

(2) Ni chaiff neb osod dyfais adnabod goch ar unrhyw anifail, heblaw dyfais adnabod amnewid.

(3) Pan fo ceidwad yn ailadnabod anifail ac nad yw'r anifail hwnnw ar ei ddaliad genedigol, neu pan nad yw'r ceidwad yn gwybod y daliad genedigol, rhaid iddo ddefnyddio dyfais adnabod amnewid goch ond nid yw'r gofyniad bod rhaid defnyddio dyfais adnabod goch yn gymwys i ddefnyddio bolysau.

(4) Pan adwaenir anifail drwy gyfrwng bolws ac ail ddyfais adnabod rhaid i'r ail ddyfais honno fod yn ddu ac ni chaniateir defnyddio dyfais adnabod ddu ac eithrio mewn cyfuniad â bolws.

(5) Rhaid i'r arwyddnodau ar bob dyfais adnabod fod o liw gwahanol i gefndir y ddyfais a bod yn eglur a darllenadwy bob amser pan fo'r ddyfais ynghlwm wrth anifail.

(6) Caniateir defnyddio mecanwaith o unrhyw liw i osod tagiau clust melyn, coch neu ddu.

Dinistrio dyfeisiau adnabod

8.—(1) Rhaid i weithredwr lladd-dy, iard gelanedd, cynel helgwn neu safle rendro, ac unrhyw berson arall sy'n gwaredu'n derfynol garcas anifail a adnabuwyd, ddinistrio pob dyfais adnabod sydd ar yr anifeiliaid a gigyddir neu a waredir rywfodd arall ganddynt, mewn modd diogel a fydd yn atal aildefnyddio'r dyfeisiau adnabod.

(2) Mae dinistrio diogel yn cynnwys rendro unrhyw ddyfais adnabod.

RHAN 3

Adnabod anifeiliaid

Adnabod anifeiliaid ar neu ar ôl 1 Ionawr 2016

9.—(1) Mae'r erthygl hon yn gymwys i'r canlynol—

- (a) anifeiliaid a anwyd cyn 1 Ionawr 2016 na chawsant eu hadnabod cyn y dyddiad hwnnw ac sydd ar eu daliad genedigol;
- (b) defaid a anwyd ar neu ar ôl 1 Ionawr 2016; ac
- (c) geifr a anwyd ar neu ar ôl 1 Ionawr 2016 y mae eu ceidwaid yn dewis eu hadnabod yn electronig.

(2) Rhaid i geidwad gydymffurfio ag Erthygl 4(1) (y paragraff cyntaf), Erthygl 4(2)(a) a (b) ac Erthygl 9(3)

Colour of identification devices

7.—(1) All electronic identification devices, other than replacement devices and boluses, must be yellow and no keeper may apply a yellow identification device that is not electronic.

(2) No person may attach a red identification device to any animal, other than a replacement identification device.

(3) Where a keeper re-identifies an animal and that animal is not on its holding of birth, or the keeper does not know the holding of birth, they must use a red replacement identification device but the requirement to use a red identification device does not apply to the use of boluses.

(4) Where an animal is identified by means of a bolus and a second identification device that second device must be black and a black identification device may only be used in combination with a bolus.

(5) The characters on all identification devices must be a different colour from the background of the device and must be clearly legible at all times when the device is attached to an animal.

(6) The fixing mechanism of a yellow, red or black eartag may be of any colour.

Destruction of identification devices

8.—(1) The operator of a slaughterhouse, knackers yard, hunt kennels or rendering plant and any other person who finally disposes of an identified animal carcass must destroy in a secure manner which prevents reuse of all identification devices on animals they slaughter or otherwise dispose of.

(2) Secure destruction includes the rendering of any identification device.

PART 3

Identification of animals

Identification of animals on or after 1 January 2016

9.—(1) This article applies to—

- (a) animals born before 1 January 2016 that are not identified before that date and are on their holding of birth;
- (b) sheep born on or after 1 January 2016; and
- (c) goats born on or after 1 January 2016 whose keepers choose to identify them electronically.

(2) A keeper must comply with Article 4(1) (first paragraph), Article 4(2)(a) and (b) and Article 9(3) of

o Reoliad y Cyngor a'r erthygl hon, onid yw'r dull adnabod amgen a nodir yn erthygl 10 wedi ei awdurdodi.

(3) At ddibenion Erthygl 4(1) o Reoliad y Cyngor, y terfynau amser ar gyfer adnabod anifail yw—

- (a) 9 mis o'r dyddiad geni, yn achos anifail a gedwir o dan amodau ffermio llai dwys neu ar faes; neu
- (b) 6 mis o'r dyddiad geni, yn achos unrhyw anifail arall.

(4) Ni chaniateir i anifail gael ei adnabod drwy ddefnyddio bolws mewn cyfuniad â thatw.

(5) Rhaid i'r cod adnabod ar fodd adnabod at ddibenion Adran A.2 o'r Atodiad i Reoliad y Cyngor fod fel a ganlyn—

- (a) y llythrennau "UK" neu, ar ddyfais adnabod electronig, y rhifau "826"; a
- (b) rhif 12 digid a bennir gan Weinidogion Cymru;

a rhaid iddo fod yn union yr un fath ar y modd adnabod cyntaf ac ar yr ail fodd adnabod.

Adnabod anifeiliaid a fwriedir ar gyfer eu cigydda

10.—(1) Ar gyfer anifeiliaid y bwriedir eu cigydda cyn 12 mis oed ac na fwriedir eu hallforio, awdurdodir y dull adnabod yn Adran A.7 o'r Atodiad i Reoliad y Cyngor, a rhaid i'r dull adnabod hwnnw fod yn electronig yn achos defaid.

(2) Rhaid i'r cod adnabod at ddibenion Adran A.7 o'r Atodiad i Reoliad y Cyngor fod fel a ganlyn, sef y llythrennau "UK" ac wedyn nod y ddiadell neu nod yr eifre; ni chaniateir i unrhyw rif arall a ddyroddir gan yr awdurdod cymwys gael ei gofnodi yn weledol ar y tag clust hwn.

(3) Pan fwriedir cigydda ar ôl 12 mis oed neu allforio anifail a adnabuwyd o dan baragraff (1) rhaid i'r anifail hwnnw gael ei adnabod yn unol ag erthygl 9 a rhaid tynnu'r tag clust gwreiddiol oddi arno.

(4) Caiff ceidwad ailadnabod, o dan erthygl 9, unrhyw anifail a adnabuwyd o dan yr erthygl hon ac nid oes angen iddo gigydda'r anifail hwnnw cyn 12 mis oed ar yr amodau canlynol yn unig—

- (a) os yw'r anifail ar ei ddaliad genedigol; neu
- (b) os oes gan y ceidwad gofnod cyflawn o holl symudiadau'r anifail.

(5) Pan ailadnabyddir anifail o dan baragraff (4)(b) rhaid i'r ceidwad groesgyfeirio'r hen god adnabod a'r cod adnabod newydd yng nghofrestr y daliad.

the Council Regulation and this article unless the alternative identification method set out in article 10 is authorised.

(3) For the purpose of Article 4(1) of the Council Regulation, the time limits for identifying an animal are—

- (a) 9 months from the date of birth, in the case of an animal kept in extensive or free range farming conditions; or
- (b) 6 months from the date of birth, in the case of any other animal.

(4) No animal may be identified by the use of a bolus in combination with a tattoo.

(5) The identification code on a means of identification for the purposes of Section A.2 of the Annex to the Council Regulation must be—

- (a) the letters "UK" or, on an electronic identification device, the numbers "826"; and
- (b) a 12 digit number specified by the Welsh Ministers;

and must be identical on the first and second means of identification.

Identification of animals intended for slaughter

10.—(1) For animals intended for slaughter before the age of 12 months and not intended for export, the identification method in Section A.7 of the Annex to the Council Regulation is authorised, and that identification method must be electronic in the case of sheep.

(2) The identification code for the purposes of Section A.7 of the Annex to the Council Regulation must be the letters "UK" followed by the flockmark or herdmark; no other number issued by the competent authority may be visibly recorded on this eartag.

(3) Where it is intended to slaughter after the age of 12 months or to export an animal identified under paragraph (1) that animal must be identified in accordance with article 9 and the original eartag removed.

(4) A keeper may re-identify under article 9 an animal identified under this article and need not slaughter that animal before the age of 12 months only if—

- (a) the animal is on its holding of birth; or
- (b) the keeper has a complete record of all the animal's movements.

(5) Where an animal is re-identified under paragraph (4)(b) the keeper must cross-reference the old and new identification codes in the holding register.

(6) Caiff ceidwad ailadnabod gafr a adnabuwyd o dan baragraff (1) drwy ddefnyddio tag clust o'r math a ddisgrifir ym mharagraff (2) sy'n cynnwys dynodiad electronig.

Anifeiliaid a anwyd ac a adnabuwyd cyn 1 Ionawr 2016

11. Mae Rhan 3 o Orchymyn Defaid a Geifr (Cofnodion, Adnabod a Symud) (Cymru) 2009, yn y ffurf yr oedd yn bodoli ynddi yn union cyn i'r Gorchymyn hwn ddod i rym, yn parhau'n gymwys i anifeiliaid a anwyd ac a adnabuwyd cyn 1 Ionawr 2016 ac eithrio, yn achos defaid y bwriedir eu cigydda cyn cyrraedd 12 mis oed, na fwriedir eu hallforio ac a adnabuwyd cyn 1 Ionawr 2016 gan ddefnyddio'r dull yn Adran A.7 o'r Atodiad i Reoliad y Cyngor, y caniateir parhau i adnabod y defaid hynny yn unol â'r dull hwnnw tan 30 Mehefin 2017. Rhaid i'r anifail wedyn gael ei adnabod yn unol ag erthygl 9, a rhaid tynnu'r tag clust anelectronig oddi arno.

RHAN 4

Tynnu neu amnewid modd adnabod anifeiliaid a gafodd eu hadnabod o dan Ran 3

Cymhwyso Rhan 4

12. Mae'r Rhan hon yn gymwys i bob anifail a adnabuwyd o dan Ran 3.

Tynnu neu amnewid modd adnabod

13.—(1) Ni chaiff neb fynd yn groes i Erthygl 4(6) (y paragraff cyntaf) o Reoliad y Cyngor na methu â chydymffurfio â hi.

(2) Ond rhaid i geidwad amnewid modd adnabod sydd ar goll neu'n annarllenadwy, yn unol ag erthyglau 14 neu 15 yn ôl gofynion yr achos, cyn gynted â phosibl ar ôl canfod bod y modd adnabod gwreiddiol ar goll neu'n annarllenadwy, ond beth bynnag—

- (a) dim hwyrach nag 28 diwrnod ar ôl canfod bod y modd adnabod ar goll neu'n annarllenadwy, a
- (b) cyn bo'r anifail yn cael ei symud o'r daliad.

(3) Pan ddisodlir marc adnabod gan farc adnabod sy'n dwyn cod adnabod gwahanol, a'r hen god adnabod yn hysbys, rhaid i'r ceidwad groesgyfeirio'r hen god adnabod a'r cod adnabod newydd yng nghofrestr y daliad.

(4) Mae'n amddiffyniad pan fo unrhyw berson, a gyhuddir o drosedd o fynd yn groes i baragraffau (1) neu (2) neu o fethu â chydymffurfio â hwy, yn profi—

- (a) bod y modd adnabod wedi ei dynnu i atal poen ddiangen i anifail; a

(6) A keeper may re-identify a goat identified under paragraph (1) by using an eartag of the kind described in paragraph (2) which includes an electronic identifier.

Animals born and identified before 1 January 2016

11. Part 3 of the Sheep and Goats (Records, Identification and Movement) (Wales) Order 2009, in the form in which it existed immediately before the coming into force of this Order, continues to apply to animals born and identified before 1 January 2016, save that sheep intended for slaughter before the age of 12 months and not intended for export and identified before 1 January 2016 using the method in Section A.7 of the Annex to the Council Regulation may continue to be identified in accordance with that method until 30 June 2017. The animal must then be identified in accordance with article 9 and the original non-electronic eartag removed.

PART 4

Removal or replacement of means of identification of animals identified under Part 3

Application of Part 4

12. This Part applies to all animals identified under Part 3.

Removal or replacement of means of identification

13.—(1) No person may contravene or fail to comply with Article 4(6) (first paragraph) of the Council Regulation.

(2) But a keeper must replace a lost or illegible means of identification, in accordance with articles 14 or 15 as the case may require, as soon as possible after the original means of identification is discovered to be lost or illegible, but in any event—

- (a) no later than 28 days after it was discovered to be lost or illegible, and
- (b) before the animal is moved from the holding.

(3) Where an identification mark is replaced with an identification mark bearing a different identification code and the old identification code is known the keeper must cross-reference the old and new identification codes in the holding register.

(4) It is a defence for any person charged with an offence of contravening or failing to comply with paragraphs (1) or (2) to prove that—

- (a) the means of identification was removed to prevent unnecessary pain to an animal; and

- (b) bod modd adnabod amnewid sy'n dwyn yr un cod adnabod wedi ei osod ar yr anifail cyn gynted â phosibl.

Amnewid modd adnabod anifeiliaid a adnabuwyd yn unol ag erthygl 9 neu erthygl 11

14.—(1) Pan fo anifail, a adnabuwyd yn unol ag erthygl 9 neu erthygl 11, yn colli un modd adnabod, neu pan fo'r modd adnabod hwnnw'n mynd yn annarllenadwy, mae'r modd adnabod yn cael ei amnewid yn unol â'r erthygl hon os disodlir ef gan un sy'n dwyn yr un rhif 12 digid, neu os tynnir ymaith y ddyfais adnabod sy'n weddill ac ailadnabyddir yr anifail yn unol ag erthygl 9 neu erthygl 11.

(2) Pan fo anifail, a adnabuwyd yn unol ag erthygl 9 neu erthygl 11, yn colli'r ddau fodd adnabod, neu'r ddau fodd adnabod yn mynd yn annarllenadwy, mae'r anifail yn cael ei ailadnabod yn unol â'r erthygl hon os ailadnabyddir yr anifail yn unol ag erthygl 9 neu erthygl 11.

Amnewid modd adnabod a gollwyd neu sy'n annarllenadwy, ar gyfer anifeiliaid a adnabuwyd yn unol ag erthygl 10 neu erthygl 11

15.—(1) Pan fo anifail a adnabuwyd yn unol ag erthygl 10 neu erthygl 11 yn colli ei dag clust neu'r tag clust hwnnw'n mynd yn annarllenadwy a'r anifail ar ei ddaliad genedigol, mae'n cael ei ailadnabod yn unol â'r erthygl hon os amnewidir y tag clust am un sy'n dwyn yr un nod diadell neu'r un nod geifre.

(2) Pan fo anifail a adnabuwyd yn unol ag erthygl 10 neu erthygl 11 yn colli ei dag clust neu'r tag clust hwnnw'n mynd yn annarllenadwy ac nad yw'r anifail ar ei ddaliad genedigol, neu os nad yw'r ceidwad yn gwybod a yw'r anifail ar ei ddaliad genedigol ai peidio, mae'r anifail yn cael ei ailadnabod yn unol â'r erthygl hon os amnewidir y tag clust am dag clust coch sy'n dwyn nod y ddiadell neu nod yr eifre ar gyfer y daliad y mae'r anifail arno bellach.

RHAN 5

Adnabod geifr a anwyd ar neu ar ôl 1 Ionawr 2016

Adnabod geifr

16.—(1) Pan fo gafr ar ei daliad genedigol ac na chafodd ei hadnabod cyn 1 Ionawr 2016 rhaid i'r ceidwad, os nad yw'r afr wedi ei hadnabod yn unol â Rhan 3, ei hadnabod o fewn y terfynau amser a bennir yn erthygl 9(3), gyda naill ai—

- (a) dau dag clust;

- (b) a replacement means of identification bearing the same identification code was applied to the animal as soon as possible.

Replacement of the means of identification for animals identified according to article 9 or article 11

14.—(1) Where an animal identified according to article 9 or article 11 loses one means of identification, or that means of identification becomes illegible, the means of identification is replaced in accordance with this article if it is replaced with one bearing the same 12 digit number or the remaining identification device is removed and the animal is re-identified according to article 9 or article 11.

(2) Where an animal identified according to article 9 or article 11 loses both means of identification, or both means of identification become illegible, it is re-identified according to this article if it is re-identified according to article 9 or article 11.

Replacement of lost or illegible means of identification for animals identified according to article 10 or article 11

15.—(1) Where an animal identified according to article 10 or article 11 loses its eartag or that eartag becomes illegible and is on its holding of birth it is re-identified according to this article if the eartag is replaced with an eartag bearing the same flockmark or herdmark.

(2) Where an animal identified according to article 10 or article 11 loses its eartag or that eartag becomes illegible and is not on its holding of birth, or if the keeper does not know if it is on its holding of birth, it is re-identified according to this article if the eartag is replaced with a red eartag bearing the flockmark or herdmark of the holding the animal is now on.

PART 5

Identification of goats born on or after 1 January 2016

Identification of goats

16.—(1) Where a goat is on its holding of birth and has not been identified before 1 January 2016 the keeper must, if they have not identified it in accordance with Part 3, identify it within the time limits specified in article 9(3), with either—

- (a) two eartags;

- (b) tag clust a thag egwyd; neu
- (c) tag clust a thatŵ.

(2) Rhaid i'r cod adnabod ar fodd adnabod fod fel a ganlyn—

- (a) y llythrennau “UK”; a
- (b) rhif 12 digid yn unol â chynllun rhifo a ragnodir gan Weinidogion Cymru;

a rhaid iddo fod yn union yr un fath ar y modd adnabod cyntaf a'r ail fodd adnabod.

Ailadnabod geifr

17. Caniateir i eifr a adnabuwyd yn unol ag erthygl 16 gael eu hailadnabod yn unol ag erthygl 9.

- (b) an eartag and a pastern tag; or
- (c) an eartag and a tattoo.

(2) The identification code on a means of identification must be—

- (a) the letters “UK”; and
- (b) a 12 digit number in accordance with a numbering scheme prescribed by the Welsh Ministers;

and must be identical on the first and second means of identification.

Re-identification of goats

17. Goats identified in accordance with article 16 may be re-identified in accordance with article 9.

RHAN 6

Tynnu neu amnewid marciau adnabod ar anifeiliaid a adnabuwyd cyn 1 Ionawr 2016

Cymhwyso Rhan 6

18. Mae'r Rhan hon yn gymwys i bob anifail a adnabuwyd cyn 1 Ionawr 2016 ac i eifr a adnabuwyd yn unol ag erthygl 16.

Tynnu neu amnewid marciau adnabod

19.—(1) Ni chaiff neb fynd yn groes i Erthygl 4(6) (y paragraff cyntaf) o Reoliad y Cyngor na methu â chydymffurfio â hi.

(2) Ond rhaid i geidwad amnewid marc adnabod sydd ar goll neu'n annarllenadwy, yn unol ag erthygl 20, erthygl 21 neu erthygl 22 (pa erthygl bynnag sy'n gymwys) cyn gynted â phosibl ar ôl canfod bod y marc adnabod gwreiddiol ar goll neu'n annarllenadwy, ond beth bynnag—

- (a) dim hwyrach nag 28 diwrnod ar ôl canfod bod y marc adnabod ar goll neu'n annarllenadwy; a
- (b) cyn bo'r anifail yn cael ei symud o'r daliad.

(3) Pan ddisodlir marc adnabod gan farc adnabod sy'n dwyn cod adnabod gwahanol, ac nad yw'r anifail ar ei ddaliad genedigol a'r hen god adnabod yn hysbys rhaid i'r ceidwad groesgyfeirio'r hen god adnabod a'r cod adnabod newydd yng nghofrestr y daliad.

(4) Mae'n amddiffyniad pan fo unrhyw berson, a gyhuddir o drosedd o fynd yn groes i baragraffau (1) neu (2) neu o fethu â chydymffurfio â hwy, yn profi—

- (a) bod y marc adnabod wedi ei dynnu i atal poen ddiangen i anifail; a

PART 6

Removal or replacement of identification marks on animals identified before 1 January 2016

Application of Part 6

18. This Part applies to all animals identified before 1 January 2016 and to goats identified in accordance with article 16.

Removal or replacement of identification marks

19.—(1) No person may contravene or fail to comply with Article 4(6) (first paragraph) of the Council Regulation.

(2) But a keeper must replace a lost or illegible identification mark, in accordance with article 20, article 21 or article 22 (whichever article is applicable) as soon as possible after the original identification mark is discovered to be lost or illegible, but in any event—

- (a) no later than 28 days after it was discovered to be lost or illegible; and
- (b) before the animal is moved from the holding.

(3) Where an identification mark is replaced with an identification mark bearing a different identification code and the animal is not on its holding of birth and the old identification code is known the keeper must cross-reference the old and new identification codes in the holding register.

(4) It is a defence for any person charged with an offence of contravening or failing to comply with paragraphs (1) or (2) to prove that—

- (a) the identification mark was removed to prevent unnecessary pain to an animal; and

- (b) bod modd adnabod amnewid sy'n dwyn yr un cod adnabod wedi ei osod ar yr anifail cyn gynted â phosibl.

(5) Caiff ceidwad dynnu marciau adnabod ac ailadnabod yr anifail yn unol ag erthygl 9 ar unrhyw adeg.

Amnewid marc adnabod sengl ar anifail sydd â dau dag

20. Mae anifail yn cael ei ailadnabod yn unol â'r erthygl hon os rhoddir, yn lle'r modd adnabod sydd ar goll neu sy'n annarllenadwy—

- (a) modd adnabod sy'n dwyn yr un rhif unigryw â'r modd adnabod sydd ar goll neu sy'n annarllenadwy;
- (b) dau fodd adnabod anelectronig, ill dau yn dwyn yr un rhif; neu
- (c) y modd adnabod a bennir yn Erthygl 4(1) (y paragraff cyntaf), Erthygl 4(2)(a) a (b) ac Erthygl 9(3) o Reoliad y Cyngor.

Amnewid marc adnabod sengl ar anifail sydd ag un tag

21.—(1) Mae'r erthygl hon yn gymwys pan fo'r modd adnabod neu'r modd adnabod hŷn ar anifail sydd â ffurf adnabod sengl ar goll neu'n annarllenadwy.

(2) Yn yr erthygl hon ystyr “anifail sydd â ffurf adnabod sengl” (“*single-identified animal*”) yw anifail a adnabuwyd ag un modd adnabod hŷn yn unig a hwnnw'n cynnwys rhif unigryw a osodwyd o dan y Gorchmynion blaenorol.

(3) Pan fo ceidwad yn amnewid tag sydd ar goll neu'n annarllenadwy ar anifail a anwyd ar ôl 9 Gorffennaf 2005 rhaid i fodd adnabod newydd neu fodd adnabod amnewid fod yn dag adnabod ac nid yn datŵ.

(4) Os yw'r anifail ar ei ddaliad genedigol rhaid i'r ceidwad osod yn lle'r modd adnabod sydd ar goll neu'n annarllenadwy—

- (a) modd adnabod sy'n dwyn yr un rhif unigryw â'r modd adnabod sydd ar goll neu sy'n annarllenadwy;
- (b) modd adnabod newydd;
- (c) dau fodd adnabod anelectronig, ill dau yn dwyn yr un rhif; neu
- (d) y modd adnabod a bennir yn Erthygl 4(1) (y paragraff cyntaf), Erthygl 4(2)(a) a (b) ac Erthygl 9(3) o Reoliad y Cyngor.

(5) Os nad yw'r anifail ar ei ddaliad genedigol, caiff y ceidwad osod yn lle'r modd adnabod sydd ar goll neu'n annarllenadwy—

- (b) a replacement means of identification bearing the same identification code was applied to the animal as soon as possible.

(5) A keeper may at any time remove identification marks and re-identify the animal in accordance with article 9.

Replacement of a single identification mark on a double-tagged animal

20. An animal is re-identified according to this article if the missing or illegible means of identification is replaced with—

- (a) means of identification bearing the same unique number as the lost or illegible means of identification;
- (b) two non-electronic means of identification, both bearing the same number; or
- (c) the means of identification specified in Article 4(1) (first paragraph), Article 4(2)(a) and (b) and Article 9(3) of the Council Regulation.

Replacement of an identification mark on a single tagged animal

21.—(1) This article applies where the means of identification or older means of identification on a single-identified animal is lost or illegible.

(2) In this article “single-identified animal” (“*anifail sydd â ffurf adnabod sengl*”) means an animal identified with only one older means of identification containing a unique number applied under the previous Orders.

(3) If a keeper is replacing a lost or illegible tag on an animal born after 9 July 2005 a new or replacement means of identification must be an identification tag and not a tattoo.

(4) If the animal is on its holding of birth the keeper must replace the missing or illegible means of identification with a—

- (a) means of identification bearing the same unique number as the lost or illegible means of identification;
- (b) a new means of identification;
- (c) two non-electronic means of identification, both bearing the same number; or
- (d) the means of identification specified in Article 4(1) (first paragraph), Article 4(2)(a) and (b) and Article 9(3) of the Council Regulation.

(5) If the animal is not on its holding of birth, the keeper may replace the missing or illegible means of identification with—

- (a) modd adnabod sy'n dwyn yr un rhif unigryw â'r modd adnabod sydd ar goll neu sy'n annarllenadwy;
- (b) modd adnabod amnewid;
- (c) dau fodd adnabod anelectronig, ill dau yn dwyn yr un rhif; neu
- (d) y modd adnabod a bennir yn Erthygl 4(1) (y paragraff cyntaf), Erthygl 4(2)(a) a (b) ac Erthygl 9(3) o Reoliad y Cyngor.

(6) Os caiff anifail ei ailadnabod gyda modd adnabod y cyfeirir ato ym mharagraff (5)(b) i (d) rhaid i'r ceidwad gofnodi gwybodaeth am y modd adnabod amnewid gan gynnwys y cod adnabod llawn sydd ar y modd adnabod amnewid, a chofnodi'r llythrennau neu'r nod diadell neu'r nod geifre a oedd ar y modd adnabod gwreiddiol, os ydynt yn hysbys, yng nghoffrestr y daliad.

Ailadnabod anifeiliaid a adnabuwyd o dan y Gorchmynion blaenorol â modd adnabod nad yw'n cynnwys rhif unigryw

22.—(1) Mae'r erthygl hon yn gymwys i anifeiliaid a adnabuwyd o dan y Gorchmynion blaenorol â modd adnabod nad yw'n cynnwys rhif unigryw.

(2) Os yw—

- (a) y modd adnabod yn mynd ar goll neu'n annarllenadwy; neu
- (b) yr anifail yn cael ei symud o ddaliad;

rhaid i'r anifail gael ei ailadnabod yn unol â pharagraffau (3) neu (4).

(3) Os yw'r anifail ar ei ddaliad genedigol rhaid i'r ceidwad ailadnabod yr anifail ag—

- (a) modd adnabod newydd;
- (b) dau fodd adnabod anelectronig, ill dau yn dwyn yr un rhif; neu
- (c) y modd adnabod a bennir yn Erthygl 4(1) (y paragraff cyntaf), Erthygl 4(2)(a) a (b) ac Erthygl 9(3) o Reoliad y Cyngor.

(4) Os nad yw'r anifail ar ei ddaliad genedigol rhaid i'r ceidwad ailadnabod yr anifail gydag—

- (a) modd adnabod newydd;
- (b) dau fodd adnabod anelectronig, ill dau yn dwyn yr un rhif; neu
- (c) y modd adnabod a bennir yn Erthyglau 4(1)(y paragraff cyntaf), 4(2)(a) a (b) ac Erthygl 9(3) o Reoliad y Cyngor.

(5) Os caiff anifail ei ailadnabod â'r modd adnabod y cyfeirir ato ym mharagraff (4) rhaid i'r ceidwad gofnodi gwybodaeth am y modd adnabod amnewid gan gynnwys y cod adnabod llawn sydd ar y modd adnabod amnewid a chofnodi'r llythrennau neu nod

- (a) means of identification bearing the same unique number as the lost or illegible means of identification;
- (b) a replacement means of identification;
- (c) two non-electronic means of identification, both bearing the same number; or
- (d) the means of identification specified in Article 4(1) (first paragraph), Article 4(2)(a) and (b) and Article 9(3) of the Council Regulation.

(6) If an animal is re-identified by the means of identification referred to in paragraph (5)(b) to (d) the keeper must record information about the replacement including the full identification code on the replacement and record the letters or flockmark or herdmark on the original means of identification, if known, within the holding register.

Re-identification of animals identified under the previous Orders with a means of identification that does not contain a unique number

22.—(1) This article applies to animals identified under the previous Orders with a means of identification that does not contain a unique number.

(2) If—

- (a) the means of identification becomes lost or illegible; or
- (b) the animal is moved from a holding;

the animal must be re-identified in accordance with paragraphs (3) or (4).

(3) If the animal is on its holding of birth the keeper must re-identify the animal with—

- (a) a new means of identification;
- (b) two non-electronic means of identification both bearing the same number; or
- (c) the means of identification specified in Article 4(1)(first paragraph), Article 4(2)(a) and (b) and Article 9(3) of the Council Regulation.

(4) If the animal is not on its holding of birth the keeper must re-identify the animal with—

- (a) a new means of identification;
- (b) two non-electronic means of identification both bearing the same number; or
- (c) the means of identification specified in Article 4(1) (first paragraph), Article 4(2)(a) and (b) and Article 9(3) of the Council Regulation.

(5) If an animal is re-identified by the means of identification referred to in paragraph (4) the keeper must record information about the replacement including the full identification code on the replacement and record the letters or flockmark or

diadell neu nod geifre sydd ar y modd adnabod gwreiddiol, os ydynt yn hysbys, yng nghofrestr y daliad.

(6) Os ailadnabyddir anifail yn unol â pharagraffau (3) neu (4) rhaid i'r cod adnabod ar fodd adnabod newydd fod fel a ganlyn—

- (a) y llythrennau “UK”; a
- (b) rhif 12 digid yn unol â chynllun rhifo a ragnodir gan Weinidogion Cymru.

RHAN 7

Cofrestr daliadau

Cofrestr y daliad

23.—(1) Cyflawnir trosedd os yw ceidwad, ac eithrio cludwr, yn methu â chydymffurfio ag Erthygl 5(1), (3) a (5) o Reoliad y Cyngor.

(2) Pan symudir anifail i'w ddaliad neu ohono, rhaid i'r ceidwad gofnodi—

- (a) yr wybodaeth sy'n ofynnol gan Adran B o'r Atodiad i Reoliad y Cyngor; a
- (b) nifer yr anifeiliaid a symudwyd.

(3) Rhaid i'r wybodaeth y cyfeirir ati ym mharagraff (2) mewn cysylltiad ag anifeiliaid a symudir i ddaliad gael ei chofnodi gan y ceidwad gyda chofnod yn y gofrestr ond, fel dewis arall, caniateir i god adnabod unigol pob anifail gael ei gofnodi drwy gadw copi deublyg neu gopi ardystiedig o'r dogfennau symud yn nhrefn eu dyddiadau a chroesgyfeirio'r rheini â'r cofnodion symud perthnasol yng nghofrestr y daliad.

(4) Rhaid i'r wybodaeth y cyfeirir ati ym mharagraff (2) mewn cysylltiad ag anifeiliaid a symudir o ddaliad gael ei chofnodi gan y ceidwad drwy naill ai—

- (a) ei chofnodi yn y gofrestr; neu
- (b) cadw copi deublyg neu gopi ardystiedig o'r ddogfen symud a chadw'r copi deublyg neu'r copi ardystiedig hwnnw gyda'r gofrestr yn eu trefn gronolegol ar y cyd ag unrhyw ddogfennau symud eraill a gedwir.

(5) Cyflawnir trosedd os cedwir y gofrestr mewn ffurf ac eithrio ffurf a gymeradwywyd gan Weinidogion Cymru.

(6) Rhaid i'r ceidwad lenwi'r gofrestr—

- (a) yn achos symud anifail i ddaliad neu ohono ac eithrio drwy bwynt cofnodi canolog, o fewn 36 awr ar ôl ei symud;
- (b) yn achos symud anifail i ddaliad neu ohono drwy bwynt cofnodi canolog, o fewn 48 awr ar ôl ei symud;

herdmark on the original means of identification, if known, within the holding register.

(6) If an animal is re-identified in accordance with paragraphs (3) or (4) the identification code on a new means of identification must be—

- (a) the letters “UK”; and
- (b) a 12 digit number in accordance with a numbering scheme prescribed by the Welsh Ministers.

PART 7

Holding registers

Holding register

23.—(1) It is an offence for a keeper, other than a transporter, to fail to comply with Article 5(1), (3) and (5) of the Council Regulation.

(2) When an animal is moved onto or from its holding, the keeper must record—

- (a) the information required by Section B of the Annex to the Council Regulation; and
- (b) the number of animals moved.

(3) The information referred to in paragraph (2) in respect of animals moving onto a holding must be recorded by the keeper by entering it in the register but the individual identification codes of each animal may, alternatively, be recorded by retaining a duplicate or certified copy of the movement documents in date order and cross-referencing them to the relevant movement records in the holding register.

(4) The information referred to in paragraph (2) in respect of animals moving off a holding must be recorded by the keeper by either—

- (a) entering it in the register; or
- (b) retaining a duplicate or certified copy of the movement document and keeping such duplicate or copy with the register in chronological order with any other movement documents retained.

(5) It is an offence to keep the register in a form other than that approved by the Welsh Ministers.

(6) The keeper must complete the register—

- (a) in the case of the movement of an animal onto or from a holding other than via a central point of recording, within 36 hours of the movement;
- (b) in the case of a movement of an animal onto or from a holding via a central point of recording, within 48 hours of the movement;

- (c) yn achos amnewid marc adnabod, o fewn 36 awr ar ôl ei amnewid;
- (d) yn achos cod adnabod anifail, blwyddyn ei eni, dyddiad ei adnabod ac, os yw'n hysbys, ei frîd a'i genotype, o fewn 36 awr ar ôl ei adnabod;
- (e) yn achos marwolaeth anifail, o fewn 36 awr ar ôl darganfod ei farwolaeth.

(7) Pan fo'r ceidwad yn symud ei anifeiliaid i ddaliad arall ac yntau'n parhau yn geidwad yr anifeiliaid, nid oes rhaid iddo gadw'r gofrestr ar y daliad arall hwnnw ond rhaid iddo allu dangos y gofrestr o fewn amser rhesymol i Weinidogion Cymru pan ofynnir amdani.

(8) At ddibenion Erthygl 5(3) o Reoliad y Cyngor, y cyfnod pan fo rhaid sicrhau bod y gofrestr, gan gynnwys y copïau deublyg neu'r copïau ardystiedig o'r dogfennau symud os cânt eu cadw yn unol â pharagraff (4)(b), ar gael yw tair blynedd o'r diwrnod olaf y bydd anifail y cyfeirir ato yn y ddogfen naill ai'n marw neu'n ymadael â'r daliad.

(9) Pan ailadnabyddir anifail rhaid i'r ceidwad gofnodi dyddiad ei ailadnabod yn y gofrestr.

- (c) in the case of the replacement of an identification mark, within 36 hours of the replacement;
- (d) in the case of the identification code of an animal, the year of its birth, the date of its identification, and if known its breed and genotype, within 36 hours of its identification;
- (e) in the case of the death of an animal, within 36 hours of the discovery of its death.

(7) Where a keeper moves their animals to another holding but continues to be the keeper, the keeper does not have to keep the register on that holding but must be able to produce it within a reasonable time to the Welsh Ministers upon request.

(8) For the purposes of Article 5(3) of the Council Regulation, the period for which the register, including the duplicate or certified copies of the movement documents if kept in accordance with paragraph (4)(b), must be available is three years from the last day when an animal referred to on the document dies or leaves the holding.

(9) When an animal is re-identified the keeper must record in the register the date of re-identification.

RHAN 8

Dogfennau symud

Cronfa ddata ganolog a dogfen symud

24.—(1) Caiff Gweinidogion Cymru benodi person i weithredu cronfa ddata ganolog gyfrifiadurol ar gyfer cofnodi symudiadau anifeiliaid, a fydd â'r gallu i dderbyn hysbysiadau o symudiadau yn electronig.

(2) Yn y Rhan hon, ystyr "hysbysu" ("*notify*") yw hysbysu gweithredwr y gronfa ddata ganolog.

(3) Mae gweithredwyr lladd-dai, marchnadoedd, canolfannau casglu a chanolfannau crynhoi wedi eu cymeradwyo gan Weinidogion Cymru fel pwyntiau cofnodi canolog, a rhaid i'r gweithredwyr hyn hysbysu ynghylch symudiadau anifeiliaid, i mewn i'w mangreoedd ac allan ohonynt, yn electronig.

(4) Caniateir i geidwaid eraill hysbysu yn electronig ynghylch symudiadau anifeiliaid i mewn i'w mangreoedd ac allan ohonynt.

(5) Pan fo ceidwad yn hysbysu, yn electronig, ynghylch symud anifail o'i ddaliad, rhaid iddo gofnodi'r manylion sy'n ofynnol gan Adran C o'r Atodiad i Reoliad y Cyngor, ac eithrio llofnod y ceidwad, yn y gronfa ddata ganolog o fewn 3 diwrnod ar ôl y symudiad.

(6) Pan fo gweithredwr pwynt cofnodi canolog yn hysbysu yn electronig ynghylch symud anifeiliaid a adnabuwyd yn unol ag erthygl 10, rhaid i'r gweithredwr, yn ychwanegol—

PART 8

Movement documents

Central database and movement document

24.—(1) The Welsh Ministers may appoint a person to operate a computerised central database to record animal movements capable of accepting notification of movements electronically.

(2) In this Part "notify" ("*hysbysu*") means notify to the operator of the central database.

(3) Operators of slaughterhouses, markets, collection centres and assembly centres are approved as central points of recording by the Welsh Ministers and must notify movements of animals onto and off their premises electronically.

(4) Other keepers may notify movements of animals onto and off their premises electronically.

(5) When a keeper notifies a movement of an animal off their holding electronically they must enter the details required in Section C of the Annex to the Council Regulation, other than the keeper's signature, onto the central database within 3 days of the movement.

(6) When the movement of animals identified in accordance with article 10 is notified electronically by the operator of a central point of recording the operator must additionally—

- (a) cofnodi yn y gronfa ddata ganolog yr holl ddynodiadau unigol ar gyfer yr anifeiliaid hynny; a
- (b) cynnwys yn y ddogfen symud niferoedd cyfanswm yr anifeiliaid a adnabuwyd sydd â phob nod geifre neu nod diadell.

(7) Yn ddarostyngedig i baragraffau (8), (9) a (10), pan fo ceidwad yn symud anifail o'i ddaliad rhaid iddo lenwi dogfen symud yn unol ag Adran C o'r Atodiad i Reoliad y Cyngor a hynny mewn ffurf a gymeradwyir gan Weinidogion Cymru, a rhaid iddo ddarparu copi o'r ddogfen i'r cludwr.

(8) Pan fo ceidwad yn hysbysu yn electronig ynghylch symud anifail o'i ddaliad, nid oes rhaid iddo lofnodi'r ddogfen symud.

(9) Pan fo ceidwad yn hysbysu yn electronig ynghylch symudiad o'i ddaliad, a bod y cludwr, ar ei hynt, yn gallu argraffu dogfen mewn perthynas â'r holl anifeiliaid a gludir, sy'n rhoi—

- (a) yr holl wybodaeth sy'n ofynnol gan baragraff (5); a
- (b) mewn perthynas â'r anifeiliaid a symudir o farchnadoedd, canolfannau casglu a chanolfannau crynhoi ac a adnabuwyd yn unol ag erthygl 10, yr wybodaeth y cyfeirir ati ym mharagraff (6)(b),

nid oes rhaid i'r ceidwad lenwi dogfen symud.

(10) Caniateir i fanylion adnabod anifail gael eu cofnodi yn y daliad ar ben y daith os—

- (a) pwynt cofnodi canolog yw'r daliad ar ben y daith; a
- (b) cludir yr anifail yn unol ag Adran C.2(a) o'r Atodiad i Reoliad y Cyngor.

(11) Pan fo gweithredwr pwynt cofnodi canolog wedi cofnodi manylion adnabod anifail yn unol â pharagraff (10), rhaid i'r gweithredwr hysbysu ceidwad y daliad y symudwyd yr anifail ohono ynghylch manylion adnabod yr anifail, yn unol ag Adran C.2(c) o'r Atodiad i Reoliad y Cyngor.

(12) Rhaid i geidwad, y symudir anifail i'w ddaliad, gadw copi o'r ddogfen symud a ddarperir iddo gan gludwr yr anifail hwnnw, am dair blynedd—

- (a) oni hysbysir yn electronig ynghylch y symudiad o'r daliad blaenorol a'r symudiad i ddaliad y ceidwad, neu
- (b) oni fydd y ceidwad yn sganio'r ddogfen symud ac yn cadw copi electronig ohoni am dair blynedd,

a rhaid i'r ceidwad gadw unrhyw gopïau o'r fath yn eu trefn gronolegol.

- (a) enter onto the central database all individual identifiers for those animals; and

- (b) include on the movement document the total number of animals identified with each herdmark or flockmark.

(7) Subject to paragraphs (8), (9) and (10) when a keeper moves an animal off their holding they must complete a movement document in accordance with Section C of the Annex to the Council Regulation and in a form approved by the Welsh Ministers and must provide the transporter with a copy.

(8) When a keeper notifies the movement of an animal off their holding electronically they need not sign the movement document.

(9) When a keeper notifies a movement off their holding electronically and the transporter is able to print off in transit a document in relation to all the animals transported giving—

- (a) all the information required by paragraph (5); and
- (b) in relation to the animals moved from markets, collection centres and assembly centres and identified in accordance with article 10, the information referred to in paragraph (6)(b),

the keeper need not complete a movement document.

(10) The identity of an animal may be recorded at the holding of destination if—

- (a) the holding of destination is a central point of recording; and
- (b) the animal is transported in accordance with Section C.2(a) of the Annex to the Council Regulation.

(11) Where an operator of a central point of recording has recorded the identity of an animal in accordance with paragraph (10), the operator must notify the keeper of the holding from which the animal was moved of the identity of the animal in accordance with Section C.2(c) of the Annex to the Council Regulation.

(12) A keeper onto whose holding an animal is moved must keep a copy of the movement document provided by the transporter of that animal for three years unless—

- (a) the movement off the previous holding and the movement onto the keeper's holding were notified electronically, or
- (b) the keeper scans the movement document and retains an electronic copy for three years,

and the keeper must keep any copies in chronological order.

Cyflenwi dogfen symud

25.—(1) Pan symudir anifail i ddaliad, rhaid i gludwr yr anifail hwnnw roi i'r ceidwad yn y daliad hwnnw—

- (a) copi o'r ddogfen symud, neu
- (b) os, yn unol ag erthygl 24(9), nad oes dogfen symud, allbrint o'r wybodaeth y cyfeirir ati yn yr erthygl honno.

(2) Rhaid i weithredwr pwynt cofnodi canolog hysbysu gweithredwr y gronfa ddata ganolog ynghylch symudiadau anifeiliaid i mewn ac allan o'i fangre, yn electronig, o fewn 3 diwrnod ar ôl y symudiad.

(3) Pan nad yw'r daliad ar ben y daith yn bwynt cofnodi canolog, rhaid i'r ceidwad yn y daliad ar ben y daith hysbysu gweithredwr y gronfa ddata ganolog ynghylch cael yr anifeiliaid hynny, mewn unrhyw fodd a ganiateir gan Weinidogion Cymru, o fewn 3 diwrnod ar ôl cael yr anifeiliaid.

(4) Yn achos anifail a symudir o ddaliad i borthladd ac a fwriedir ar gyfer ei draddodi allan o Brydain Fawr, rhaid i'r ceidwad yn y daliad hwnnw hysbysu gweithredwr y gronfa ddata ganolog ynghylch y symudiad hwnnw, mewn unrhyw fodd a ganiateir gan Weinidogion Cymru, o fewn 3 diwrnod ar ôl symud yr anifail.

RHAN 9

Cronfa ddata ganolog

Stocrestr o anifeiliaid

26. At ddibenion Erthygl 7(2) o Reoliad y Cyngor, rhaid i geidwad sy'n cadw anifeiliaid yn barhaol wneud stocrestr flynyddol o nifer yr anifeiliaid ar ei ddaliad o fewn 30 diwrnod ar ôl dyddiad a bennir gan Weinidogion Cymru.

27. Cyflawnir trosedd os yw ceidwad yn methu â chydymffurfio ag erthygl 26.

Cyflenwi gwybodaeth

28.—(1) Ar ôl cael hysbysiad o dan Erthygl 8(2) o Reoliad y Cyngor fod person wedi dod yn geidwad mewn daliad, rhaid i Weinidogion Cymru, yn ddarostyngedig i baragraff (2), ddyrannu nod diadell mewn cysylltiad â phob diadell o ddefaid ar y daliad a nod geifre mewn cysylltiad â phob geifre o eifr ar y daliad.

(2) Os lladd-dy neu farchnad yw'r daliad, nid oes rhaid i Weinidogion Cymru ddyrannu nod diadell neu nod geifre onid ydynt o'r farn y byddai'n briodol gwneud hynny.

Supply of movement document

25.—(1) When an animal is moved onto a holding the transporter of that animal must give to the keeper at that holding—

- (a) a copy of the movement document, or
- (b) if, pursuant to article 24(9) there is no movement document, a printout of the information referred to in that article.

(2) An operator of a central point of recording must notify the central database operator of movements of animals onto and off their premises electronically within 3 days of the movement.

(3) Where a holding of destination is not a central point of recording the keeper on the holding of destination must notify the central database operator of the receipt of those animals, by any means permitted by the Welsh Ministers, within 3 days of receiving the animals.

(4) In the case of an animal moved from a holding to a port and intended for consignment outside Great Britain, the keeper at that holding must notify the central database operator of that movement, by any means permitted by the Welsh Ministers, within 3 days of moving the animal.

PART 9

Central database

Inventory of animals

26. For the purpose of Article 7(2) of the Council Regulation, a keeper who keeps animals permanently must make an annual inventory of the number of animals on that keeper's holding within 30 days of a date specified by the Welsh Ministers.

27. It is an offence for a keeper to fail to comply with article 26.

Supply of information

28.—(1) On receiving notification under Article 8(2) of the Council Regulation that a person has become the keeper on a holding, the Welsh Ministers must, subject to paragraph (2), allocate a flockmark in respect of each flock of sheep on the holding and a herdmark in respect of each herd of goats on the holding.

(2) When the holding is a slaughterhouse or a market, the Welsh Ministers must allocate a flockmark or herdmark only where the Welsh Ministers deem it appropriate to do so.

(3) Rhaid i'r ceidwad hysbysu Gweinidogion Cymru mewn ysgrifen ynghylch unrhyw newid yn yr wybodaeth a bennir yn Erthygl 8(2)(a) o Reoliad y Cyngor o fewn 30 diwrnod ar ôl newid o'r fath.

(4) O fewn 30 diwrnod ar ôl dod yn geidwad, rhaid i'r person hwnnw hysbysu Gweinidogion Cymru mewn ysgrifen ynghylch y newid hwnnw.

(5) Cyflawnir trosedd os yw ceidwad yn methu â chydymffurfio â pharagraffau (3) neu (4).

RHAN 10

Marchnadoedd

Marchnadoedd

29.—(1) Rhaid i weithredwr marchnad sicrhau bod yr holl anifeiliaid yn cael eu rhannu'n lotiau o un neu fwy o anifeiliaid yn union ar ôl iddynt gyrraedd y farchnad ac y dyrennir rhif lot i bob un o'r lotiau.

(2) Ni chaiff neb brynu anifail mewn marchnad onid yw'n prynu'r holl anifeiliaid eraill yn y lot y mae'r anifail yn perthyn iddi ac yn symud y lot gyfan o'r farchnad i'r un daliad.

(3) Ni chaiff neb werthu anifail mewn marchnad onid yw'n gwerthu'r holl anifeiliaid eraill yn y lot i'r un prynwr.

(4) Ni chaiff gweithredwr marchnad dderbyn anifail i farchnad oni bai—

- (a) bod yr anifail wedi ei adnabod yn unol â'r Gorchymyn hwn; a
- (b) bod dogfen symud yn dod ynghyd â'r anifail, a'r ddogfen honno wedi ei llenwi yn unol â Rhan 8.

Amnewid marciau adnabod a gollir mewn marchnadoedd

30.—(1) Nid yw gofynion yn y Gorchymyn hwn o ran amnewid marc adnabod yn gymwys i weithredwr marchnad nac i weithredwr lladd-dy.

(2) Os tynnir ymaith neu os collir marc adnabod neu os canfyddir ei fod yn annarllenadwy tra bo'r anifail mewn marchnad, rhaid i'r ceidwad sy'n prynu'r anifail yn y farchnad osod farc adnabod amnewid arno yn unol â'r Gorchymyn hwn.

Cynlluniau wrth gefn ar gyfer methiant pŵer ac offer

31.—(1) Caiff awdurdodau lleol esemptio gweithredwyr pwyntiau cofnodi canolog rhag yr angen i gofnodi'r canlynol yn electronig—

- (a) rhif unigryw anifail ar ddogfen symud;

(3) The keeper must notify the Welsh Ministers in writing of any change in the information specified in Article 8(2)(a) of the Council Regulation within 30 days of such change.

(4) Within 30 days of becoming a keeper, that person must give written notification of that change to the Welsh Ministers.

(5) It is an offence for a keeper to fail to comply with paragraphs (3) or (4).

PART 10

Markets

Markets

29.—(1) A market operator must ensure that all animals are divided into lots of one or more animals immediately upon their arrival at the market and that a lot number is allocated to each lot.

(2) No person may buy an animal at a market unless they buy all the other animals in the lot to which that animal belongs and moves the entire lot from the market to the same holding.

(3) No person may sell an animal at a market unless they also sell all the other animals in the lot to the same buyer.

(4) A market operator may not receive an animal onto a market unless—

- (a) it is identified in accordance with this Order; and
- (b) it is accompanied by a movement document which is completed in accordance with Part 8.

Replacement of identification marks lost at markets

30.—(1) The requirements in this Order to replace an identification mark do not apply to a market operator or slaughterhouse operator.

(2) If an identification mark is removed, lost or discovered to be illegible while an animal is at a market, the keeper who purchases the animal at the market must apply a replacement in accordance with this Order.

Contingency planning for power and equipment failures

31.—(1) Local authorities may exempt operators of central points of recording from the need to record electronically—

- (a) an animal's unique number on a movement document;

(b) rhif unigryw anifail yng nghofrestr daliad; neu

(c) y niferoedd o anifeiliaid mewn unrhyw lwyth sy'n dwyn nod diadell neu nod geifre penodol,

pan fo cynllun wrth gefn wedi ei gytuno rhwng yr awdurdod lleol a gweithredwr y pwynt cofnodi canolog.

(2) Caiff awdurdod lleol dynnu unrhyw esemptiad o'r fath yn ôl os nad yw'n fodlon mwyach ar delerau'r cynllun wrth gefn neu ar y modd y rhoddir y cynllun ar waith.

(3) Rhaid i gynllun wrth gefn y cytunir arno o dan baragraff (1) nodi'r amodau y mae'n rhaid i weithredwr y pwynt cofnodi canolog eu bodloni, ac o dan ba amgylchiadau y bydd yr esemptiadau ym mharagraff (1), cyhyd ag y bodlonir yr amodau hynny, yn gymwys. Rhaid i'r amodau hynny gynnwys gofyniad bod gweithredwr y pwynt cofnodi canolog yn hysbysu gweithredwr y gronfa ddata ganolog ynghylch symudiadau i mewn ac allan o'i fangre, mewn unrhyw fodd a ganiateir gan Weinidogion Cymru, o fewn 3 diwrnod ar ôl y symudiad o anifeiliaid.

(4) Rhaid i weithredwr pwynt cofnodi canolog ofyn am gydsyniad yr awdurdod lleol ymlaen llaw ar bob achlysur pan yw'n dymuno cymhwyso'r esemptiadau ym mharagraff (1) a rhaid iddo beidio â derbyn anifeiliaid heb gofnodi'r wybodaeth y cyfeirir ati ym mharagraff (1) os gwrthodir y cydsyniad hwnnw.

(5) Pan fo anifeiliaid yn cyrraedd pwynt cofnodi canolog sy'n cymhwyso'r esemptiadau ym mharagraff (1) ar ôl cael cydsyniad yr awdurdod lleol ymlaen llaw, rhaid i weithredwr y pwynt cofnodi canolog—

(a) hysbysu gweithredwr y gronfa ddata ganolog ynghylch manylion adnabod yr anifeiliaid hynny a gofnodwyd ar y ddogfen symud sy'n dod ynghyd â'r anifeiliaid, o fewn 3 diwrnod ar ôl cael yr anifeiliaid; neu

(b) os nad yw manylion adnabod yr anifeiliaid hynny wedi eu cofnodi ar ddogfen symud sy'n dod ynghyd â'r anifeiliaid, yn unol ag erthygl 24(9), rhaid i weithredwr y pwynt cofnodi canolog ddarparu cadarnhad ysgrifenedig, i'r ceidwad yn y daliad y cyrhaeddodd yr anifeiliaid ohono, fod y methiant i ddarparu manylion adnabod yr anifeiliaid unigol i'r ceidwad wedi ei gymeradwyo gan yr awdurdod lleol.

(b) an animal's unique number in a holding register; or

(c) the numbers of animals in any batch bearing a particular flockmark or herdmark,

where a contingency plan has been agreed between the local authority and the operator of the central point of recording.

(2) A local authority may withdraw any such exemption if it is no longer satisfied with the operation or terms of the contingency plan.

(3) A contingency plan agreed under paragraph (1) must set out the conditions which must be met by the operator of the central point of recording and the circumstances in which, provided those conditions are met, the exemptions in paragraph (1) will apply. Those conditions must include a requirement for the operator of the central point of recording to notify the central database operator of the movements onto and off their premises, by any means permitted by the Welsh Ministers, within 3 days of the movement of the animals.

(4) The operator of a central point of recording must seek the prior consent of the local authority on every occasion when they wish to apply the exemptions in paragraph (1) and must cease to accept animals without recording the information referred to in paragraph (1) if that consent is refused.

(5) When animals arrive at a central point of recording which is applying the exemptions in paragraph (1) with the prior consent of the local authority, the operator of the central point of recording must—

(a) notify the central database operator of the identity of those animals recorded on the movement document accompanying them within 3 days of receiving the animals; or

(b) if the identity of those animals is not recorded on a movement document accompanying them in accordance with article 24(9) the operator of the central point of recording must provide the keeper of the holding from which the animals have arrived with written confirmation that the failure to provide the identities of the individual animals to the keeper has been approved by the local authority.

RHAN 11

Anifeiliaid a ddygir i mewn i Gymru

Derbyn anifeiliaid o Aelod-wladwriaeth arall

32.—(1) Ni chaiff neb dderbyn anifail o Aelod-wladwriaeth arall onid yw'r anifail wedi ei adnabod yn unol â'r canlynol—

- (a) Rheoliad y Cyngor, yn achos anifail a anwyd ar ôl 9 Gorffennaf 2005; neu
- (b) Cyfarwyddeb y Cyngor 92/102/EEC, yn achos anifail a anwyd ar neu cyn 9 Gorffennaf 2005.

(2) Cyflawnir trosedd os tynnir ymaith neu os amnewidir dull adnabod gwreiddiol anifail sy'n tarddu o Aelod-wladwriaeth arall yn groes i Erthygl 4(5) o Reoliad y Cyngor.

Derbyn anifeiliaid o Loegr, yr Alban, Gogledd Iwerddon neu Diriogaethau Dibynnol y Goron

33. Ni chaiff neb dderbyn anifail o Loegr, yr Alban, Gogledd Iwerddon, Ynysoedd y Sianel neu Ynys Manaw onid yw'r anifail wedi ei adnabod a bod dogfen symud yn dod ynghyd â'r anifail yn unol ag—

- (a) yn achos anifail a anwyd ar ôl 9 Gorffennaf 2005, Rheoliad y Cyngor, gan gynnwys unrhyw randdirymiad a arferwyd o dan Reoliad y Cyngor; neu
- (b) yn achos anifail o Loegr, yr Alban neu Ogledd Iwerddon a anwyd ar neu cyn 9 Gorffennaf 2005, y Gorchmynion blaenorol ac unrhyw ofynion ychwanegol a osodwyd mewn deddfwriaeth sy'n gorfodi Rheoliad y Cyngor mewn perthynas â'r anifeiliaid hynny; neu
- (c) yn achos anifeiliaid o Diriogaethau Dibynnol y Goron a anwyd ar neu cyn 9 Gorffennaf 2005, Cyfarwyddeb y Cyngor 92/102/EEC.

Adnabod anifeiliaid a fewnforir o drydydd gwledydd

34.—(1) Cyflawnir trosedd os yw ceidwad yn methu â chydymffurfio ag Erthygl 4(4) o Reoliad y Cyngor a'r erthygl hon.

(2) At ddibenion Erthygl 4(4) (y paragraff cyntaf) o Reoliad y Cyngor, y cyfnod ar gyfer adnabod anifail yw 14 diwrnod.

(3) Rhaid i fodd adnabod anifeiliaid a fewnforir o drydedd wlad fod o'r un math â'r hyn a nodir yn Erthygl 4(2)(a) a (b) ac Erthygl 9(3) o Reoliad y Cyngor, a'r cod adnabod at ddibenion Adran A.2 o'r Atodiad yw—

PART 11

Animals brought into Wales

Receipt of animals from another member State

32.—(1) No person may receive an animal from another member State unless it is identified in accordance with—

- (a) the Council Regulation, in the case of an animal born after 9 July 2005; or
- (b) Council Directive 92/102/EEC, in the case of an animal born on or before 9 July 2005.

(2) It is an offence to remove or replace the original method of identification of an animal originating in another member State in contravention of Article 4(5) of the Council Regulation.

Receipt of animals from England, Scotland, Northern Ireland or the Crown Dependencies

33. No person may receive an animal from England, Scotland, Northern Ireland, the Channel Islands or the Isle of Man unless it is identified and accompanied by a movement document in accordance with—

- (a) in the case of an animal born after 9 July 2005, the Council Regulation, including any derogation exercised under the Council Regulation; or
- (b) in the case of an animal from England, Scotland or Northern Ireland born on or before 9 July 2005, the previous Orders and any additional requirements imposed in legislation enforcing the Council Regulation in relation to those animals; or
- (c) in the case of animals from the Crown Dependencies born on or before 9 July 2005, Council Directive 92/102/EEC.

Identification of animals imported from third countries

34.—(1) It is an offence for a keeper to fail to comply with Article 4(4) of the Council Regulation and this article.

(2) For the purposes of Article 4(4) (first paragraph) of the Council Regulation, the period for identifying an animal is 14 days.

(3) The means of identification for animals imported from a third country must be the same as that set out in Article 4(2)(a) and (b) and Article 9(3) of the Council Regulation and the identification code for the purposes of Section A.2 of the Annex is—

- (a) y llythrennau “UK”; a
- (b) rhif 12 digid yn unol â chynllun rhifo a ragnodir gan Weinidogion Cymru.

(4) Pan gaiff anifail ei fewnforio o drydedd wlad a'i ailadnabod yn unol â'r erthygl hon, rhaid i'r ceidwad gofnodi gwybodaeth ynghylch ychwanegu'r modd adnabod newydd yn y gofrestr, ynghyd â'r cod adnabod llawn sydd ar y modd adnabod newydd a'r cod llawn sydd ar y dull adnabod a osodwyd yn y drydedd wlad.

Colli dulliau adnabod a osodwyd mewn trydedd wlad

35. Pan gaiff anifail ei fewnforio o drydedd wlad a'i ailadnabod wedyn yn unol ag Erthygl 4(4) o Reoliad y Cyngor, nid yw'n ofynnol i'r ceidwad amnewid dull adnabod a osodwyd yn y drydedd wlad os bydd hwnnw wedyn yn cael ei gollu neu'n mynd yn annarllenadwy.

RHAN 12

Amrywiol

Adnabod a chofnodi anifeiliaid i'w hallforio

36.—(1) Rhaid i geidwad adnabod pob anifail a draddodir i'w allforio yn unol ag Erthygl 4(2)(a) a (b) ac Erthygl 9(3) o Reoliad y Cyngor.

(2) Pan fo anifail a adnabuwyd cyn 1 Ionawr 2016 yn cael ei draddodi i'w allforio rhaid i'r ceidwad gofnodi ei fanylion adnabod unigol yng nghofrestr y daliad ac ni chaiff allforio'r anifail hwnnw cyn diwedd cyfnod o 30 diwrnod ar ôl cofnodi ei fanylion adnabod.

Amddiffyniad mewn perthynas â symud ar gyfer triniaeth filfeddygol frys

37. Mae'n amddiffyniad i unrhyw berson a gyhuddir o drosedd o fynd yn groes i unrhyw ddarpariaeth yn y Gorchymyn hwn sy'n ymwneud â symud anifail o ddaliad heb osod neu roi arno'r modd adnabod sy'n ofynnol, neu o beidio â chydymffurfio ag unrhyw ddarpariaeth o'r fath, os profir bod yr anifail wedi ei symud o'r daliad er mwyn cael triniaeth filfeddygol frys.

Pwerau arolygwyr

38.—(1) Caiff arolygydd, at unrhyw ddiben sy'n ymwneud â gorfodi'r Gorchymyn hwn—

- (a) casglu, corlannu a marcio unrhyw anifail a gwneud yn ofynnol i geidwad drefnu casglu, corlannu, marcio a diogelu unrhyw anifail;

- (a) the letters “UK”; and
- (b) a 12 digit number in accordance with a numbering scheme prescribed by the Welsh Ministers.

(4) Where an animal is imported from a third country and re-identified according to this article, the keeper must record information about the addition of the new means identification in the register together with the full identification code on the new means of identification and the full code on the method of identification applied in the third country.

Loss of methods of identification applied in a third country

35. Where an animal is imported from a third country and re-identified in accordance with Article 4(4) of the Council Regulation, the keeper is not required to replace a method of identification applied in the third country if it subsequently becomes lost or illegible.

PART 12

Miscellaneous

Identification and recording of animals for export

36.—(1) A keeper must identify all animals consigned for export in accordance with Article 4(2)(a) and (b) and Article 9(3) of the Council Regulation.

(2) Once an animal identified before 1 January 2016 is consigned for export the keeper must record its individual identity in the holding register and may not export that animal until 30 days after its identity has been recorded.

Defence related to movement for emergency veterinary treatment

37. It is a defence for any person charged with an offence of contravening or failing to comply with any provision in this Order relating to the movement of an animal from a holding without attaching or applying the required means of identification to prove that the animal was moved from the holding for the purposes of emergency veterinary treatment.

Powers of inspectors

38.—(1) An inspector may, for any purpose relating to the enforcement of this Order—

- (a) collect, pen and mark any animal and require a keeper to arrange for the collection, penning, marking and securing of any animal;

- (b) ei gwneud yn ofynnol i'r ceidwad ddangos neu wneud copi o unrhyw ddogfen neu gofnod;
- (c) symud ymaith a chadw unrhyw ddogfen neu gofnod;
- (d) cael mynediad at, a gwirio gweithrediad, unrhyw gyfrifiadur ac unrhyw gyfarpar neu ddeunydd cysylltiedig a ddefnyddir neu a ddefnyddiwyd mewn cysylltiad â chofnodion;
- (e) pan gedwir cofnod gan ddefnyddio cyfrifiadur, ei gwneud yn ofynnol cynhyrchu'r cofnod hwnnw mewn ffurf sy'n caniatáu ei symud ymaith;
- (f) ei gwneud yn ofynnol dangos unrhyw ddyfeisiau adnabod nas defnyddir, a chofnodi eu rhifau;
- (g) mynd â chynrychiolydd o'r Comisiwn Ewropeaidd gydag ef sy'n gweithredu at ddibenion Erthygl 12 o Reoliad y Cyngor, neu fynd ag unrhyw bobl neu bethau gydag ef y mae o'r farn bod eu hangen.

(2) Rhaid i berson y mae arolygydd sy'n gweithredu o dan baragraff (1) yn ei gwneud yn ofynnol iddo wneud unrhyw beth, onid oes ganddo achos rhesymol, wneud hynny yn ddi-oed, ac ar y person hwnnw y mae'r baich o brofi bod ganddo achos rhesymol o'r fath.

Pŵer i wahardd symud anifeiliaid

39.—(1) Caiff arolygydd, drwy gyflwyno hysbysiad i geidwad, wahardd symud defaid i'r daliad a bennir yn yr hysbysiad neu ohono, os bodlonir yr arolygydd fod y gwaharddiad yn angenrheidiol er mwyn gorfodi'r Gorchymyn hwn yn briodol mewn perthynas â'r ddiadell honno.

(2) Caiff arolygydd, drwy gyflwyno hysbysiad i geidwad, wahardd symud geifr i'r daliad a bennir yn yr hysbysiad neu ohono, os bodlonir yr arolygydd fod y gwaharddiad yn angenrheidiol er mwyn gorfodi'r Gorchymyn hwn yn briodol mewn perthynas â'r eifre honno.

(3) Caniateir diwygio neu ddirymu hysbysiad a gyflwynir o dan yr erthygl hon ar unrhyw adeg drwy hysbysiad bellach.

Gwybodaeth ffug

40. Ni chaiff neb roi gwybodaeth y gŵyr ei bod yn ffug neu'n gamarweiniol i berson sy'n gweithredu o dan y Gorchymyn hwn.

Addasu marciau adnabod

41. Ni chaiff neb addasu, dileu neu ddifwyno'r wybodaeth ar unrhyw farc adnabod sydd wedi ei osod ar anifail o dan y canlynol—

- (a) Rheoliad y Cyngor;

- (b) require the keeper to produce or copy any document or record;
- (c) remove and retain any document or record;
- (d) have access to, and check the operation of, any computer and any associated apparatus or material which is or has been used in connection with records;
- (e) where a record is kept by means of a computer, require the record to be produced in a form which may be taken away;
- (f) require the production of any unused identification devices, and record their numbers;
- (g) take with them a representative of the European Commission acting for the purposes of Article 12 of the Council Regulation, or any people or things they consider necessary.

(2) A person required to do anything by an inspector acting under paragraph (1) must, unless they have reasonable cause, do so without delay and proof of any such reasonable cause lies on that person.

Power to prohibit movement of animals

39.—(1) An inspector may, by serving notice on a keeper, prohibit the movement of sheep onto or from the holding specified in the notice, if the inspector is satisfied that the prohibition is necessary for the proper enforcement of this Order in relation to that flock.

(2) An inspector may, by serving notice on a keeper, prohibit the movement of goats onto or from the holding specified in the notice, if the inspector is satisfied that the prohibition is necessary for the proper enforcement of this Order in relation to that herd.

(3) A notice served under this article may be amended or revoked by further notice at any time.

False information

40. No person may furnish information which they know to be false or misleading to a person acting under this Order.

Alteration of identification marks

41. No person may alter, obliterate or deface the information on any identification mark attached to an animal under—

- (a) the Council Regulation;

- (b) y Gorchymyn hwn neu unrhyw ddarpariaeth sy'n rhoi ei effaith i Reoliad y Cyngor yn Lloegr, yr Alban neu Ogledd Iwerddon;
- (c) y Gorchymynion blaenorol; neu
- (d) Cyfarwydddeb y Cyngor 92/102/EEC, yn achos anifail a farciwyd mewn Aelod-wladwriaeth arall yn unol â'r Gyfarwydddeb honno.

- (b) this Order or any provision that gives effect to the Council Regulation in England, Scotland, or Northern Ireland;
- (c) the previous Orders; or
- (d) Council Directive 92/102/EEC, in the case of an animal marked in another member State in accordance with that Directive.

Troseddau gan gyrff corfforaethol

42.—(1) Os profir bod trosedd yn erbyn Deddf Iechyd Anifeiliaid 1981, a gyflawnwyd gan gorff corfforaethol—

- (a) wedi ei chyflawni gyda chydysyniad neu ymoddefiad swyddog; neu
- (b) i'w phriodoli i unrhyw esgeulustod ar ei ran,

bydd y swyddog yn ogystal â'r corff corfforaethol yn euog o'r drosedd ac yn agored i'w erlyn a'i gosbi yn unol â hynny.

(2) Os rheolir busnes corff corfforaethol gan ei aelodau, mae paragraff (1) yn gymwys mewn perthynas â gweithredoedd a diffyg gweithredoedd aelod mewn cysylltiad â'i swyddogaethau rheoli fel pe bai'r aelod yn gyfarwyddwr i'r corff.

(3) Ystyr "swyddog" ("*officer*"), mewn perthynas â chorff corfforaethol, yw cyfarwyddwr, aelod o'r pwyllgor rheoli, prif weithredwr, rheolwr, ysgrifennydd neu swyddog cyffelyb arall y corff, neu berson sy'n honni gweithredu mewn unrhyw swydd o'r fath.

Troseddau gan bartneriaethau a chymdeithasau anghorfforedig

43.—(1) Caniateir dwyn achos o dan y Gorchymyn hwn, am drosedd yr honnir ei bod wedi ei chyflawni gan bartneriaeth neu gymdeithas anghorfforedig, yn enw'r bartneriaeth neu'r gymdeithas.

(2) At ddibenion achos o'r fath—

- (a) bydd rheolau llys ynglŷn â chyflwyno dogfennau yn cael effaith fel pe bai'r bartneriaeth neu'r gymdeithas yn gorff corfforaethol;
- (b) bydd adran 33 o Ddeddf Cyfiawnder Troseddol 1925(1) ac Atodlen 3 i Ddeddf

Offences by bodies corporate

42.—(1) If an offence against the Animal Health Act 1981 committed by a body corporate is shown—

- (a) to have been committed with the consent or connivance of an officer; or
- (b) to be attributable to any neglect on their part,

the officer as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.

(2) If the affairs of a body corporate are managed by its members, paragraph (1) applies in relation to the acts and defaults of a member in connection with the member's functions of management as if the member were a director of the body.

(3) "Officer" ("*swyddog*"), in relation to a body corporate, means a director, member of the committee of management, chief executive, manager, secretary or other similar officer of the body, or a person purporting to act in any such capacity.

Offences by partnerships and unincorporated associations

43.—(1) Proceedings for an offence under this Order alleged to have been committed by a partnership or an unincorporated association may be brought in the name of the partnership or association.

(2) For the purposes of such proceedings—

- (a) rules of court relating to the service of documents are to have effect as if the partnership or association were a body corporate;
- (b) section 33 of the Criminal Justice Act 1925(1) and Schedule 3 to the Magistrates' Courts Act

(1) 1925 p. 86. Diddymwyd is-adrannau (1) a (2) o adran 33 gan Ddeddf Llysoedd Ynadon 1952 (p. 55), adran 132 ac Atodlen 6; diwygiwyd is-adran (3) gan Ddeddf Llysoedd 1971 (p. 23), adran 56(1) ac Atodlen 8, rhan II, paragraff 19; diwygiwyd is-adran (4) gan Ddeddf Llysoedd 2003 (p. 39), adran 109(1) a (3), Atodlen 8, paragraff 71 ac Atodlen 10, a chan Ddeddf Llysoedd Ynadon 1980 (p. 43), adran 154 ac Atodlen 7, paragraff 5; diddymwyd is-adran (5) gan Ddeddf Llysoedd Ynadon 1952, adran 132, Atodlen 6.

(1) 1925 c. 86. Subsections (1) and (2) of section 33 were repealed by the Magistrates Courts Act 1952 (c. 55), section 132 and Schedule 6; subsection (3) was amended by the Courts Act 1971 (c. 23), section 56(1) and Schedule 8, part II, paragraph 19; subsection (4) was amended by the Courts Act 2003 (c. 39), section 109(1) and (3), Schedule 8, paragraph 71 and Schedule 10, and by the Magistrates' Courts Act 1980 (c. 43), section 154 and Schedule 7, paragraph 5; subsection (5) was repealed by the Magistrates' Courts Act 1952, section 132, Schedule 6.

Llysoedd Ynadon 1980(1) yn gymwys o ran y bartneriaeth neu'r gymdeithas fel y maent yn gymwys o ran corff corfforaethol.

(3) Mae dirwy a osodir ar bartneriaeth neu gymdeithas yn dilyn euogfarn am drosedd o dan y Gorchymyn hwn i'w thalu allan o gronfeydd y bartneriaeth neu'r gymdeithas.

(4) Pan brofir bod trosedd o dan y Gorchymyn hwn, a gyflawnwyd gan bartneriaeth, wedi ei chyflawni gyda chydysniad neu ymoddefiad partner, neu y gellir priodoli'r drosedd honno i unrhyw esgeulustod ar ran partner, mae'r partner hwnnw (yn ogystal â'r bartneriaeth) yn euog o'r drosedd ac yn agored i'w erlyn a'i gosbi yn unol â hynny.

(5) At ddibenion paragraff (4), mae "partner" ("partner") yn cynnwys person sy'n honni gweithredu fel partner.

(6) Pan brofir bod trosedd o dan y Gorchymyn hwn, a gyflawnwyd gan gymdeithas anghorfforedig wedi ei chyflawni gyda chydysniad neu ymoddefiad swyddog i'r gymdeithas, neu y gellir priodoli'r drosedd honno i unrhyw esgeulustod ar ran swyddog i'r gymdeithas, mae'r swyddog hwnnw (yn ogystal â'r gymdeithas) yn euog o'r drosedd ac yn agored i'w erlyn a'i gosbi yn unol â hynny.

(7) At ddibenion paragraff (6), ystyr "swyddog" ("officer") yw swyddog i'r gymdeithas neu aelod o'i chorff llywodraethu neu berson sy'n honni gweithredu mewn swydd o'r fath.

Gorfodi

44.—(1) Gorfodir y Gorchymyn hwn gan yr awdurdod lleol.

(2) Caiff Gweinidogion Cymru gyfarwyddo, mewn perthynas ag achosion o ddisgrifiad penodol neu ag unrhyw achos penodol, fod rhaid i ddyletswydd orfodi a osodwyd ar awdurdod lleol gan y Gorchymyn hwn gael ei chyflawni gan Weinidogion Cymru ac nid gan yr awdurdod lleol.

Dirymu

45. Mae Gorchymyn Defaid a Geifr (Cofnodion, Adnabod a Symud) (Cymru) 2009(2) wedi ei ddirymu.

1980(1) apply in relation to the partnership or association as they apply in relation to a body corporate.

(3) A fine imposed on a partnership or association on its conviction for an offence under this Order is to be paid out of the funds of the partnership or association.

(4) Where an offence under this Order committed by a partnership is proved to have been committed with the consent or connivance of, or be attributable to any neglect on the part of, a partner, that partner (as well as the partnership) is guilty of the offence and is liable to be proceeded against and punished accordingly.

(5) For the purposes of paragraph (4), "partner" ("partner") includes a person purporting to act as a partner.

(6) Where an offence under this Order committed by an unincorporated association is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, an officer of the association, that officer (as well as the association) is guilty of the offence and is liable to be proceeded against and punished accordingly.

(7) For the purposes of paragraph (6), "officer" ("swyddog") means an officer of the association or a member of its governing body or a person purporting to act in such a capacity.

Enforcement

44.—(1) This Order is enforced by the local authority.

(2) The Welsh Ministers may direct, in relation to cases of a particular description or any particular case, that an enforcement duty imposed on a local authority by this Order must be discharged by the Welsh Ministers and not by the local authority.

Revocation

45. The Sheep and Goats (Records, Identification and Movement) (Wales) Order 2009(2) is revoked.

(1) 1980 p. 43. Diwygiwyd is-baragraff 2(a) gan Ddeddf Gweithdrefnau ac Ymchwiliadau Troseddol 1996 (p. 25), adran 47, Atodlen 1, paragraff 13, ac fe'i diddymwyd gan Ddeddf Cyfiawnder Troseddol 2003 (p. 44), adrannau 41 a 332, Atodlen 3, rhan 2, paragraff 51, is-baragraffau (1), (13)(a) ac Atodlen 37, rhan 4; diddymwyd paragraff 5 gan Ddeddf Cyfiawnder Troseddol 1991 (p. 53), adrannau 25(2) a 101(2) ac Atodlen 13; diwygiwyd paragraff 6 gan Ddeddf Cyfiawnder Troseddol 2003, adran 41, Atodlen 3, rhan 2, paragraff 51, is-baragraffau (1) ac (13)(b).

(2) O.S. 2009/3364 (Cy. 296).

(1) 1980 c. 43. Sub-paragraph 2(a) was amended by the Criminal Procedure and Investigations Act 1996 (c. 25), section 47, Schedule 1, paragraph 13, and was repealed by the Criminal Justice Act 2003 (c. 44), sections 41 and 332, Schedule 3, part 2, paragraph 51, sub-paragraphs (1), (13)(a) and Schedule 37, part 4; paragraph 5 was repealed by the Criminal Justice Act 1991 (c. 53), sections 25(2) and 101(2) and Schedule 13; paragraph 6 was amended by the Criminal Justice Act 2003, section 41, Schedule 3, part 2, paragraph 51, sub-paragraphs (1) and (13)(b).

(2) S.I. 2009/3364 (W. 296).

Rebecca Evans

Y Dirprwy Weinidog Ffermio a Bwyd, o dan
awdurdod y Gweinidog Cyfoeth Naturiol, un o
Weinidogion Cymru
8 Rhagfyr 2015

Deputy Minister for Farming and Food, under the
authority of the Minister for Natural Resources, one of
the Welsh Ministers
8 December 2015

©[©]Hawlfraint y Goron 2015

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery
Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr
Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2015

Printed and Published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo,
Controller of Her Majesty's Stationery Office and Queen's Printer of
Acts of Parliament.

OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2015 Rhif 1992 (Cy. 302)

2015 No. 1992 (W. 302)

ANIFEILIAID, CYMRU

ANIMALS, WALES

Gorchymyn Defaid a Geifr
(Cofnodion, Adnabod a Symud)
(Cymru) 2015

The Sheep and Goats (Records,
Identification and Movement)
(Wales) Order 2015

£6.00

W2502/12/15

ON

ISBN 978-0-348-11201-6



9 780348 112016