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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2016 Rhif 328 (Cy. 104)**

**2016 No. 328 (W. 104)**

**ANIFEILIAID, CYMRU**

**ANIMALS, WALES**

**IECHYD ANIFEILIAID**

**ANIMAL HEALTH**

**Gorchymyn Twbercwlosis (Cymru)  
(Diwygio) 2016**

**The Tuberculosis (Wales)  
(Amendment) Order 2016**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

*(This note is not part of the Order)*

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Twbercwlosis (Cymru) 2010 (O.S. 2010/1379 (Cy. 122)) ("Gorchymyn 2010").

This Order amends the Tuberculosis (Wales) Order 2010 (S.I. 2010/1379 (W. 122)) ("the 2010 Order").

Mae'r diwygiadau wedi eu cynnwys yn yr Atodlen i'r Gorchymyn hwn.

The amendments are contained in the Schedule to this Order.

Mae paragraff 1 yn cyflwyno diffiniadau o "buches dan gyfyngiadau", "gwerth achub" a "profion cyn symud", ac yn diwygio'r diffiniadau o "anifail a amheuir" a "prawf croen".

Paragraph 1 introduces definitions of "pre-movement test", "restricted herd" and "salvage value", and amends the definitions of "skin test" and "suspected animal".

Mae paragraff 2 yn gwneud darpariaeth ychwanegol ar gyfer storio carcass yr effeithiwyd arno gan dwbercwlosis neu yr amheuir yr effeithiwyd arno gan dwbercwlosis.

Paragraph 2 makes additional provision for the storage of a carcass that is affected with or suspected of being affected with tuberculosis.

Mae paragraff 3 yn gwneud darpariaeth ychwanegol mewn cysylltiad ag arolygwyr milfeddygol yn cadarnhau presenoldeb clefyd a chymryd rhagofalon rhag lledaenu clefyd.

Paragraph 3 makes additional provision with respect to veterinary inspectors establishing the existence of disease and taking precautions against the spread of disease.

Mae paragraff 4 yn disodli hysbysiadau gwella milfeddygol â hysbysiadau gofynion milfeddygol yng Ngorchymyn 2010.

Paragraph 4 replaces veterinary improvement notices with veterinary requirements notices in the 2010 Order.

Mae paragraff 5 yn cyflwyno erthygl 11A i Gorchymyn 2010, sy'n gwneud darpariaeth ar gyfer hysbysiadau gwella bioddiogelwch.

Paragraph 5 introduces article 11A to the 2010 Order making provision for biosecurity improvement notices.

Mae paragraff 6 yn diwygio Gorchymyn 2010 i wneud darpariaeth ychwanegol ar gyfer profi anifail ar gyfer twbercwlosis.

Paragraph 6 amends the 2010 Order to make additional provision for testing an animal for tuberculosis.

Mae paragraff 7 yn gwneud darpariaeth ychwanegol mewn cysylltiad â phroffion cyn symud.

Paragraph 7 makes additional provision with respect to pre-movement testing.

Mae paragraff 8 yn gwneud darpariaeth i Weinidogion Cymru gymeradwyo unedau pesgi i gymryd anifeiliaid buchol sydd wedi eu symud heb eu profi neu sy'n dod o fuches dan gyfyngiadau.

Mae paragraffau 9 i 14 yn gwneud diwygiadau pellach i Ran 2 o Orchymyn 2010 mewn cysylltiad â phrofi anifeiliaid buchol a rheoli eu symud.

Mae paragraff 15 yn diwygio erthygl 26 o Orchymyn 2010 i wneud darpariaeth ychwanegol mewn cysylltiad ag iawndal am anifeiliaid buchol a gigyddir oherwydd twbercwlosis.

Mae paragraff 16 yn cyflwyno Atodlen newydd i Orchymyn 2010, gan ddisodli'r Atodlen flaenorol, sy'n gwneud darpariaeth newydd ar gyfer cyfrifo gwerth anifail buchol a gigyddir oherwydd twbercwlosis.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, paratowyd Asesiad Effaith Rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

Paragraph 8 provides for the Welsh Ministers to approve finishing units to take bovine animals that have been moved without testing or that come from a restricted herd.

Paragraphs 9 to 14 make further amendments to Part 2 of the 2010 Order in respect of the testing and control of movement of bovine animals.

Paragraph 15 amends article 26 of the 2010 Order to make additional provision with respect to compensation for bovine animals slaughtered for tuberculosis.

Paragraph 16 introduces a new Schedule to the 2010 Order, replacing the previous Schedule, making new provision for the calculation of the value of a bovine animal slaughtered for tuberculosis.

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.

**2016 Rhif 328 (Cy. 104)**

**2016 No. 328 (W. 104)**

**ANIFEILIAID, CYMRU**

**ANIMALS, WALES**

**IECHYD ANIFEILIAID**

**ANIMAL HEALTH**

**Gorchymyn Twbercwlosis (Cymru)  
(Diwygio) 2016**

**The Tuberculosis (Wales)  
(Amendment) Order 2016**

*Gwnaed* 8 Mawrth 2016

*Made* 8 March 2016

*Gosodwyd gerbron Cynulliad Cenedlaethol  
Cymru* 11 Mawrth 2016

*Laid before the National Assembly for Wales*  
11 March 2016

*Yn dod i rym* 1 Ebrill 2016

*Coming into force* 1 April 2016

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddwyd gan adrannau 1, 7(1), 8(1), 15(4), 25, 32(2), 34(7), 83(2) ac 88(2) o Ddeddf Iechyd Anifeiliaid 1981(1).

The Welsh Ministers make the following Order in exercise of the powers conferred by sections 1, 7(1), 8(1), 15(4), 25, 32(2), 34(7), 83(2) and 88(2) of the Animal Health Act 1981(1).

#### **Enwi, cymhwyso a chychwyn**

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Twbercwlosis (Cymru) (Diwygio) 2016.

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

(3) Daw'r Gorchymyn hwn i rym ar 1 Ebrill 2016.

#### **Title, application and commencement**

1.—(1) The title of this Order is the Tuberculosis (Wales) (Amendment) Order 2016.

(2) This Order applies in relation to Wales.

(3) This Order comes into force on 1 April 2016.

#### **Diwygio Gorchymyn Twbercwlosis (Cymru) 2010**

2. Mae Gorchymyn Twbercwlosis (Cymru) 2010(2) wedi ei ddiwygio yn unol â'r Atodlen.

#### **Amendment of the Tuberculosis (Wales) Order 2010**

2. The Tuberculosis (Wales) Order 2010(2) is amended in accordance with the Schedule.

#### **Arbedion a throsiant**

3. Bydd unrhyw hysbysiad neu drwydded a ddyroddwyd, neu gymeradwyaeth neu ganiatâd a

#### **Savings and transition**

3. Any notice or licence issued, or approval or consent granted, under the Tuberculosis (Wales) Order

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(1) 1981 p. 22. Mae swyddogaethau o dan y Ddeddf yn arferadwy gan Weiniogion 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 iddi.

(2) O.S. 2010/1379 (Cy. 122).

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(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).

(2) S.I. 2010/1379 (W. 122).

roddwyd, o dan Orchymyn Twbercwlosis (Cymru) 2010 ac sy'n cael effaith pan ddaw'r Gorchymyn hwn i rym yn parhau mewn grym.

2010 and which has effect at the coming into force of this Order remains in force.

*Rebecca Evans*

Y Dirprwy Weinidog Ffermio a Bwyd, o dan awdurdod y Gweinidog Cyfoeth Naturiol, un o Weinidogion Cymru  
8 Mawrth 2016

Deputy Minister for Farming and Food, under the authority of the Minister for Natural Resources, one of the Welsh Ministers  
8 March 2016

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Diwygio Gorchymyn Twbercwlosis  
(Cymru) 2010

## 1. Yn erthygl 2—

## (a) yn y lleoedd priodol mewnosoder—

“ystyr “buches dan gyfyngiadau” (“*restricted herd*”) yw buches sydd o dan gyfyngiad ar symud a osodir o dan y Gorchymyn hwn;”;

“ystyr “gwerth achub” (“*salvage value*”) yw’r pris a delir i Weinidogion Cymru am garcas anifail buchol yr effeithiwyd arno, neu yr amheuir yr effeithiwyd arno gan dwbercwlosis;”;

“ystyr “prawf cyn symud” (“*pre-movement test*”) yw prawf croen a gynhelir yn unol ag erthygl 13;”;

(b) yn y diffiniad o “prawf croen” (“*skin test*”) ar ôl “sengl” mewnosoder “gan ddefnyddio twbercwlin buchol ac adarol”; ac(c) yn y diffiniad o “anifail a amheuir” (“*suspected animal*”) yn lle “anifail a fu mewn cysylltiad agos ag anifail o’r fath” rhodder “adweithydd”.

2. Yn erthygl 9(2) (hysbysu ynglŷn â chlefyd mewn carcassau) ar ôl “ar y pryd,” mewnosoder “a rhaid iddo ei ynysu, i’r graddau y bo’n ymarferol, oddi wrth anifeiliaid buchol eraill, neu famaliaid eraill a ffermir neu a gedwir fel anifeiliaid anwes”.

## 3. Yn erthygl 10 (ymchwiliad milfeddygol i bresenoldeb clefyd)—

## (a) ym mharagraff (2) ar ôl “diagnosis” mewnosoder “a pheintio, stampio, clipio, tagio neu farcio mewn ffordd arall unrhyw anifail buchol neu garcas anifail buchol”; a

## (b) ym mharagraff (3)(b) ar ôl “llaeth arall” mewnosoder “ac nad yw’n cael ei fwydo heb ei drin i loi na mamaliaid eraill”.

## 4. Yn erthygl 11 (hysbysiad gwella milfeddygol)—

## (a) yn y pennawd ac ym mharagraff (2) yn lle “gwella” rhodder “gofynion”;

(b) ym mharagraff (1) yn lle “(“hysbysiad gwella milfeddygol”) (“*veterinary improvement notice*”)” rhodder “(“hysbysiad gofynion milfeddygol”) (“*veterinary requirements notice*”)”;

## (c) ar ddiwedd paragraff (2)(ch), yn lle “.” rhodder “.”;

## (d) ar ôl paragraff (2)(ch) mewnosoder—

Amendment of the Tuberculosis (Wales)  
Order 2010

## 1. In article 2—

## (a) in the appropriate places insert—

““pre-movement test” (“*prawf cyn symud*”) means a skin test carried out in accordance with article 13;”;

““restricted herd” (“*buches dan gyfyngiadau*”) means a herd that is under a movement restriction imposed under this Order;”;

““salvage value” (“*gwerth achub*”) means the price paid to the Welsh Ministers for the carcass of a bovine animal that is affected with or suspected of being affected with tuberculosis;”;

(b) in the definition of “skin test” (“*prawf croen*”) after “tuberculosis” insert “using bovine and avian tuberculin”; and(c) in the definition of “suspected animal” (“*anifail a amheuir*”) for “an animal that has been in close contact with such an animal” substitute “a reactor”.

2. In article 9(2) (notification of disease in carcasses), after “then is” insert “and must isolate it as far as practicable from bovine animals or other farmed or pet mammals”.

## 3. In article 10 (veterinary inquiry as to the existence of disease)—

## (a) in paragraph (2) after “diagnosis” insert “and paint, stamp, clip, tag or otherwise mark any bovine animal or carcass of a bovine animal”; and

## (b) in paragraph (3)(b) after “other milk” insert “and is not fed untreated to calves or to other mammals”.

## 4. In article 11 (veterinary improvement notice)—

## (a) in the heading and in paragraph (2) for “improvement” substitute “requirements”;

(b) in paragraph (1) for “(a “veterinary improvement notice”)” (“*hysbysiad gwella milfeddygol*”)” substitute “(a “veterinary requirements notice”)” (“*hysbysiad gofynion milfeddygol*”)”;

## (c) at the end of paragraph (2)(d), for “.” substitute “.”;

## (d) after paragraph (2)(d) insert—

“(d) unrhyw ofyniad arall y mae arolygydd milfeddygol o’r farn resymol ei fod yn angenrheidiol at ddiben atal clefyd rhag lledaenu.”; ac

(e) ar ôl paragraff (2) mewnosoder—

“(3) Caiff arolygydd milfeddygol bennu bod y gofynion y caniateir eu gosod drwy hysbysiad gofynion milfeddygol wedi eu gosod ar unrhyw anifail buchol a bennir yn yr hysbysiad, pa un a oes gan y fuches sy’n cynnwys yr anifail hwnnw statws rhydd rhag twbercwlosis neu beidio.

(4) Caniateir i unrhyw ofyniad a osodir gan hysbysiad gofynion milfeddygol gael ei ddirymu neu ei ddiwygio gan arolygydd milfeddygol sy’n cyflwyno—

- (a) hysbysiad gofynion milfeddygol i geidwad anifail buchol sy’n pennu’r gofynion hynny sydd wedi eu dirymu neu eu diwygio; neu
- (b) hysbysiad (“hysbysiad dirymu gofynion milfeddygol”) (“*veterinary requirements revocation notice*”) sy’n dirymu hysbysiad gofynion milfeddygol cyn y dyddiad a bennir yn yr hysbysiad gofynion milfeddygol hwnnw.”

5. Ar ôl erthygl 11, mewnosoder—

#### “Hysbysiad gwella bioddiogelwch

11A.—(1) Rhaid i geidwad anifail buchol gymryd unrhyw gamau sy’n rhesymol o dan yr holl amgylchiadau i sicrhau bod mesurau bioddiogelwch mewn perthynas â’r mangreoedd hynny lle y cedwir yr anifail ar waith i’r graddau sy’n ofynnol yn unol ag arferion da.

(2) Caiff arolygydd milfeddygol gyflwyno hysbysiad (“hysbysiad gwella bioddiogelwch”) (“*biosecurity improvement notice*”) i geidwad anifail buchol sydd—

- (a) yn datgan bod yr arolygydd milfeddygol o’r farn bod y mesurau bioddiogelwch mewn perthynas â’r mangreoedd hynny lle y cedwir yr anifail yn methu â chydymffurfio ag arferion da;
- (b) yn pennu ym mha ffordd y mae’r arolygydd milfeddygol o’r farn bod y ceidwad yn methu â chydymffurfio ag arferion da;
- (c) yn pennu’r camau y mae’r arolygydd milfeddygol o’r farn bod angen eu cymryd er mwyn cydymffurfio ag arferion da; ac

“(e) any other requirement that a veterinary inspector reasonably believes necessary for the purpose of preventing the spread of disease.”; and

(e) after paragraph (2) insert—

“(3) A veterinary inspector may specify that the requirements that may be imposed by means of a veterinary requirements notice be imposed on any bovine animal as specified in the notice, whether or not the herd that includes that animal has tuberculosis-free status.

(4) Any requirement imposed by a veterinary requirements notice may be revoked or amended by a veterinary inspector serving—

- (a) a veterinary requirements notice on the keeper of a bovine animal specifying those requirements that are revoked or amended; or
- (b) a notice (a “veterinary requirements revocation notice”) (“*hysbysiad dirymu gofynion milfeddygol*”) revoking a veterinary requirements notice before the date specified in that veterinary requirements notice.”

5. After article 11, insert—

#### “Biosecurity improvement notice

11A.—(1) A keeper of a bovine animal must take such steps as are reasonable in all the circumstances to ensure that biosecurity measures in relation to those premises where the animal is kept are in place to the extent required by good practice.

(2) A veterinary inspector may serve a notice (a “biosecurity improvement notice”) (“*hysbysiad gwella bioddiogelwch*”) on the keeper of a bovine animal which—

- (a) states that the veterinary inspector is of the opinion that biosecurity measures in relation to those premises where the animal is kept are failing to comply with good practice;
- (b) specifies the respects in which the veterinary inspector considers the keeper is failing to comply with good practice;
- (c) specifies the steps the veterinary inspector considers need to be taken in order to comply with good practice; and

(ch) yn pennu cyfnod ar gyfer cymryd y camau hynny.

(3) Caiff Gweinidogion Cymru ddyroddi canllawiau ar arferion bioddiogelwch da i gynorthwyo ceidwaid anifeiliaid buchol.”

**6. Yn erthygl 12 (profi ar gyfer twbercwlosis)—**

(a) ym mharagraff (5)—

(i) ar ôl “y Gorchymyn hwn,” mewnosoder “neu unrhyw gosb weinyddol a osodir ar hawliau i daliadau uniongyrchol yr UE o dan Reoliad (EU) Rhif 1306/2013 Senedd Ewrop a’r Cyngor ar gyllido, rheoli a monitro’r polisi amaethyddol cyffredin(1),”; a

(ii) ar ôl “hysbysiad prawf,” mewnosoder “neu wedi methu â chydymffurfio â gofyniad rhesymol gan arolygydd neu filfeddyg cymeradwy ym mharagraff (2),”; a

(b) yn lle paragraffau (6) a (7) rhodder—

“(6) Caiff Gweinidogion Cymru ystyried bod anifail buchol yn anifail a amheuir pan fo’r ceidwad wedi methu â phrofi’r anifail yn unol â gofyniad hysbysiad a gyflwynwyd o dan baragraff (1).

(7) Caiff Gweinidogion Cymru ystyried bod anifail buchol (ac eithrio bual neu fyffalo) yn anifail a amheuir pan fo’r person a ddyrennir i gynnal y prawf, oherwydd ymarferoldeb, o’r farn nad yw’n ddiogel i brofi’r anifail oherwydd—

(a) tueddfryd gwyllt neu ymosodol yr anifail, neu

(b) diffyg cyfleusterau profi digonol.”

**7. Yn erthygl 13 (profion cyn symud), ar ôl paragraff (3), mewnosoder—**

“(4) Rhaid trefnu’r prawf cyn symud gyda milfeddyg cymeradwy ar draul ceidwad yr anifail buchol oni bai bod Gweinidogion Cymru wedi rhoi cyfarwyddyd i gynnal prawf ar gyfer twbercwlosis yn unol ag erthygl 12(1) o fewn y cyfnod a grybwyllir ym mharagraff (1)(a).”

**8. Ar ôl erthygl 14 mewnosoder—**

(d) specifies a period for the taking of those steps.

(3) The Welsh Ministers may issue guidance on good practice in biosecurity to assist keepers of bovine animals.”

**6. In article 12 (tuberculosis testing)—**

(a) in paragraph (5)—

(i) after “this Order,” insert “or any administrative penalty imposed on EU direct payment entitlements under Regulation (EU) No 1306/2013 of the European Parliament and of the Council on the financing, management and monitoring of the common agricultural policy(1),”; and

(ii) after “test notice,” insert “or failed to comply with a reasonable requirement of an inspector or an approved veterinary surgeon in paragraph (2),”; and

(b) for paragraphs (6) and (7) substitute—

“(6) The Welsh Ministers may consider a bovine animal to be a suspected animal where the keeper has failed to have the animal tested as required by a notice served under paragraph (1).

(7) The Welsh Ministers may consider a bovine animal (other than bison or buffalo) to be a suspected animal where for reasons of practicability the person allocated to carry out the test does not consider it safe to test the animal due to—

(a) the animal’s wild or aggressive propensity, or

(b) the lack of adequate testing facilities.”

**7. In article 13 (pre-movement testing), after paragraph (3) insert—**

“(4) The pre-movement test must be arranged with an approved veterinary surgeon at the expense of the keeper of the bovine animal unless a test for tuberculosis has been instructed by the Welsh Ministers in accordance with article 12(1) to take place within the period mentioned in paragraph (1)(a).”

**8. After article 14 insert—**

(1) OJ L Rhif 347, 20.12.2013, t. 549, fel y’i diwygiwyd ddiwethaf gan Reoliad (EU) Rhif 1310/2013 Senedd Ewrop a’r Cyngor (OJ Rhif 347, 20.12.2013, t. 865).

(1) OJ L No 347, 20.12.2013, p. 549, as last amended by Regulation (EU) No 1310/2013 of the European Parliament and of the Council (OJ No 347, 20.12.2013, p. 865).

**“Unedau pesgi eithriedig ac unedau pesgi cymeradwy**

**14A.—**(1) Caiff Gweinidogion Cymru gymeradwyo—

- (a) uned besgi i gymryd anifeiliaid buchol sydd wedi eu symud heb gynnal profion cyn symud yn unol ag erthygl 13 (“uned besgi eithriedig”) (“*an exempt finishing unit*”); neu
- (b) uned besgi i gymryd anifeiliaid buchol sy’n dod o fuches dan gyfyngiadau (“uned besgi gymeradwy”) (“*an approved finishing unit*”).

(2) Rhaid i’r gymeradwyaeth y cyfeirir ati ym mharagraff (1) bennu—

- (a) y gweithredydd;
- (b) y fangre neu’r rhan o’r fangre lle y caniateir lleoli’r uned besgi eithriedig neu’r uned besgi gymeradwy; ac
- (c) yr amodau y mae’n rhaid i weithredydd yr uned besgi honno gydymffurfio â hwy.

(3) Rhaid i weithredydd uned besgi eithriedig neu uned besgi gymeradwy gadw anifeiliaid yn yr uned besgi, neu anifeiliaid sy’n mynd i mewn iddi, ar wahân i anifeiliaid buchol eraill sy’n bresennol mewn rhannau eraill o’r fangre lle y mae’r uned besgi honno wedi ei lleoli.

(4) Rhaid i berson beidio â honni ei fod yn gweithredu uned besgi eithriedig nac uned besgi gymeradwy oni bai bod yr uned honno wedi ei chymeradwyo o dan baragraff (1).

(5) Rhaid i berson beidio â symud anifail buchol o uned besgi eithriedig nac uned besgi gymeradwy ac eithrio—

- (a) yn uniongyrchol i’w gigydda; neu
- (b) o dan awdurdod trwydded a ddyroddwyd gan arolygydd milfeddygol.

(6) Rhaid i berson beidio â symud anifail buchol nad yw’n cael ei gadw ar wahân i anifeiliaid eraill mewn uned besgi eithriedig neu uned besgi gymeradwy neu wrth fynd i mewn iddi, fel y bo’n ofynnol gan baragraff (3) ac eithrio—

- (a) yn uniongyrchol i’w gigydda; neu
- (b) o dan awdurdod trwydded a ddyroddwyd gan arolygydd milfeddygol.

**“Exempt finishing units and approved finishing units**

**14A.—**(1) The Welsh Ministers may approve—

- (a) a finishing unit to take bovine animals that have been moved without a pre-movement test in accordance with article 13 (“an exempt finishing unit”) (“*uned besgi eithriedig*”); or
- (b) a finishing unit to take bovine animals that come from a restricted herd (“an approved finishing unit”) (“*uned besgi gymeradwy*”).

(2) The approval referred to in paragraph (1) must specify—

- (a) the operator;
- (b) the premises or the part of the premises on which the exempt finishing unit or approved finishing unit may be situated; and
- (c) the conditions with which the operator of that finishing unit must comply.

(3) The operator of an exempt finishing unit or an approved finishing unit must separate animals in or entering the finishing unit from other bovine animals present on other parts of the premises where that finishing unit is located.

(4) A person must not purport to operate an exempt finishing unit or an approved finishing unit unless it is approved under paragraph (1).

(5) A person must not move a bovine animal from an exempt finishing unit or an approved finishing unit except—

- (a) direct to slaughter; or
- (b) under the authority of a licence issued by a veterinary inspector.

(6) A person must not move a bovine animal that is not separated from animals in or entering an exempt finishing unit or an approved finishing unit as required by paragraph (3) except—

- (a) direct to slaughter; or
- (b) under the authority of a licence issued by a veterinary inspector.



(7) Mae uned besgi yn Lloegr neu'r Alban sydd wedi ei chymeradwyo gan yr Ysgrifennydd Gwladol neu Weinidogion yr Alban yn y drefn honno at yr un diben ag y caniateir cymeradwyo uned besgi o dan baragraff (1)(a) hefyd yn uned besgi eithriadig at ddibenion y Gorchymyn hwn.

(8) Mae uned besgi yn Lloegr neu'r Alban sydd wedi ei chymeradwyo gan yr Ysgrifennydd Gwladol neu Weinidogion yr Alban yn y drefn honno at yr un diben ag y caniateir cymeradwyo uned besgi o dan baragraff (1)(b) hefyd yn uned besgi gymeradwy at ddibenion y Gorchymyn hwn.”

**9.**—(1) Yn erthygl 15(3) (gwaharddiadau), ar ôl “anifail buchol” mewnosoder “nac unrhyw sampl a gymerwyd o unrhyw anifail o'r fath”.

(2) Ar ôl erthygl 15(4) mewnosoder—

“(5) Ni chaiff unrhyw berson ymyrryd â, neu rwystro, ymchwiliad epidemiologol.”

**10.** Yn erthygl 16 (ynysu a gwahardd symud anifeiliaid)—

- (a) ar ôl “geidwad anifeiliaid buchol” hepgorer “a gedwir yn y cyfryw fangreoedd a bennir yn yr hysbysiad”; a
- (b) ym mharagraff (b), ar ôl “a bennir yn yr hysbysiad,” hepgorer “i'r mangreoedd hynny neu oddi arnynt,”.

**11.**—(1) Yn erthygl 18(1) (rhagofalon rhag lledaenu haint)—

- (a) ar ôl “anifail a amheuir,” mewnosoder “neu pan ganfyddir bod twbercwlosis mewn unrhyw fangre,”;
- (b) ar ôl “wneud yn ofynnol bod y ceidwad” mewnosoder “neu'r person sy'n meddiannu'r fangre (fel y bo'n briodol)”;
- (c) ar ôl is-baragraff (f), hepgorer “ac”;
- (d) ar ddiwedd is-baragraff (ff), yn lle “.” rhodder “; ac”; ac
- (e) ar ôl is-baragraff (ff) mewnosoder—
  - “(g) yn mabwysiadu rhagofalon mewn cysylltiad â'r risg o ledaenu twbercwlosis drwy—
    - (i) bwydo llaeth heb ei basteureiddio o fuches o dan gyfyngiadau i unrhyw loi na mamaliaid eraill;
    - (ii) cadw llaeth o fuchesau sy'n ddarostyngedig i gyfyngiadau o dan y Gorchymyn hwn ar wahân i laeth o wartheg nad ydynt o dan gyfyngiadau o'r fath.”

(7) A finishing unit in England or Scotland that is approved by the Secretary of State or the Scottish Ministers respectively for the same purpose as a finishing unit may be approved under paragraph (1)(a) is also an exempt finishing unit for the purposes of this Order.

(8) A finishing unit in England or Scotland that is approved by the Secretary of State or the Scottish Ministers respectively for the same purpose as a finishing unit may be approved under paragraph (1)(b) is also an approved finishing unit for the purposes of this Order.”

**9.**—(1) In article 15(3) (prohibitions), after “bovine animal” insert “or on any sample taken from any such animal”.

(2) After article 15(4) insert—

“(5) No person may interfere with or obstruct an epidemiological investigation.”

**10.** In article 16 (isolation and prohibition on movement of animals)—

- (a) after “keeper of bovine animals” omit “kept on such premises as are specified in the notice”; and
- (b) in paragraph (b), after “specified in the notice,” omit “on to or off such premises,”.

**11.**—(1) In article 18(1) (precautions against spread of infection)—

- (a) after “suspected animal,” insert “or where tuberculosis has been identified on any premises,”;
- (b) after “require the keeper” insert “or the person in occupation of the premises (as appropriate)”;
- (c) after sub-paragraph (h), omit “and”;
- (d) at the end of sub-paragraph (i), for “.” substitute “; and”; and
- (e) after sub-paragraph (i) insert—
  - “(j) to adopt precautions with respect to the risk of spreading tuberculosis through—
    - (i) the feeding of unpasteurised milk from a restricted herd to any calves or other mammal;
    - (ii) keeping milk from herds that are subject to restrictions under this Order separate from milk from cows not so restricted.”

(2) Ar ôl erthygl 18(2) mewnosoder—

“(3) Pan fo’r ceidwad yn methu â chydymffurfio â gofynion yr hysbysiad, caiff Gweinidogion Cymru oedi codi’r cyfyngiadau ar symud (a osodwyd o dan erthygl 16) hyd nes bod gofynion yr hysbysiad wedi eu cyflawni er boddhad arolygydd milfeddygol.”

**12.** Yn erthygl 20(2) (rheoli heintio oddi wrth anifeiliaid eraill), yn lle “famal ac eithrio anifail buchol neu ddyn” rhodder “famal a ffermir ac eithrio anifail buchol, carw, camelid neu afr”.

**13.** Yn erthygl 21(2) (marcio anifeiliaid buchol)—

- (a) yn lle “farcio” rhodder “beintio, stampio, clipio, tagio neu farcio mewn ffordd arall”; a
- (b) ar ôl “buchol” mewnosoder “at ddiben adnabod anifeiliaid sydd wedi eu profi”.

**14.** Yn erthygl 23(3) (darpariaethau cyffredinol ynglŷn â hysbysiadau, trwyddedau a chymeradwyaethau), ar ôl “unrhyw” mewnosoder “hysbysiad neu”.

**15.** Yn erthygl 26 (iawndal am anifeiliaid buchol a gigyddir oherwydd twbercwlosis)—

- (a) ym mharagraff (3) yn lle ““B” gan un o’r paragraffau 3 i 6 o’r Atodlen” rhodder ““M” gan un o’r paragraffau 3 i 9 o’r Atodlen”; a
- (b) ar ôl paragraff (3) mewnosoder—

“(4) Pan fo Gweinidogion Cymru o’r farn ei fod yn rhesymol—

  - (a) caniateir oedi talu iawndal, yn gyfan gwbl neu’n rhannol, i’r graddau sy’n angenrheidiol ar gyfer penderfynu unrhyw gwestiwn ynghylch swm yr iawndal sy’n daladwy; a
  - (b) caniateir gosod unrhyw symiau sy’n ddyledus i Weinidogion Cymru gan geidwad yr anifail buchol a gigyddir yn erbyn yr iawndal sy’n daladwy.”

**16.** Yn lle’r Atodlen, rhodder—

(2) After article 18(2) insert—

“(3) Where the keeper fails to comply with the requirements of the notice, the Welsh Ministers may delay the lifting of movement restrictions (imposed under article 16) until the notice requirements have been completed to the satisfaction of a veterinary inspector.”

**12.** In article 20(2) (control of infection from other animals), for “mammal except a bovine animal or man” substitute “farmed mammal except a bovine animal, deer, camelid or goat”.

**13.** In article 21(2) (marking of bovine animals)—

- (a) after “may” insert “paint, stamp, clip, tag or otherwise”; and
- (b) after “animals” insert “for the purpose of identification of tested animals”.

**14.** In article 23(3) (general provisions as to notices, licences and approvals), after “Any” insert “notice or”.

**15.** In article 26 (compensation for bovine animals slaughtered for tuberculosis)—

- (a) in paragraph (3) for ““B” by one of paragraphs 3 to 6 of the Schedule” substitute ““M” by one of paragraphs 3 to 9 of the Schedule”; and
- (b) after paragraph (3) insert—

“(4) Where the Welsh Ministers consider it reasonable—

  - (a) payment of compensation may be delayed, in whole or part, to the extent necessary for determining any question as to the amount of compensation payable; and
  - (b) any amounts owed to the Welsh Ministers by the keeper of the bovine animal slaughtered may be offset against the compensation payable.”

**16.** For the Schedule substitute—

“

## YR ATODLEN Erthygl 26

### Cyfrifo gwerth anifail buchol a gigyddir oherwydd twbercwlosis

#### Cyfrifiad

1.—(1) Mae gwerth anifail buchol a gigyddir oherwydd twbercwlosis i'w gyfrifo gan ddefnyddio'r fformiwla a ganlyn—

Os  $SV < (M \times MV)$  yna  $C = (M \times MV)$ , fel arall  $C = SV$

Yn y fformiwla hon—

SV yw gwerth achub yr anifail;

M yw'r ffigur a ddarperir gan baragraffau 3 i 9;

MV yw gwerth yr anifail ar y farchnad, sydd i'w benderfynu yn unol â pharagraff 2; ac

C yw gwerth yr anifail at ddibenion erthygl 26, ac ni all fod yn fwy na £15,000 nac yn llai na £1.

(2) Bydd paragraffau 3 i 9 yn gymwys pan fo Gweinidogion Cymru wedi eu bodloni yn ôl pwysau tebygolrwydd bod y Gorchymyn hwn wedi ei dorri.

#### Gwerth ar y farchnad

2.—(1) Er gwaethaf darpariaethau erthygl 3 o Orchymyn Clefydau Anifeiliaid (Penderfynu Iawndal) 1959(1), rhaid penderfynu gwerth ar y farchnad unrhyw anifail buchol y perir ei gigydda gan Weinidogion Cymru—

- (a) gan brisiwr a benodir gan Weinidogion Cymru; neu
- (b) os methir â phenodi felly, gan brisiwr sydd â'i enw ar restr a gynhelir gan Weinidogion Cymru ac a enwebir gan Lywydd Sefydliad Brenhinol y Syrffeyr Siartredig, neu gan Lywydd Cymdeithas Ganolog y Priswyr Amaethyddol, yn ôl fel y penderfynir gan Weinidogion Cymru mewn unrhyw achos penodol neu ddsbarth penodol o achosion.

“

## SCHEDULE Article 26

### Calculation of the value of a bovine animal slaughtered for tuberculosis

#### Calculation

1.—(1) The value of a bovine animal slaughtered for tuberculosis is to be calculated using the following formula—

If  $SV < (M \times MV)$  then  $C = (M \times MV)$ , otherwise  $C = SV$

Where—

SV is the salvage value of the animal;

M is the figure provided by paragraphs 3 to 9;

MV is the market value of the animal established in accordance with paragraph 2; and

C is the value of the animal for the purposes of article 26 and cannot be more than £15,000 and cannot be less than £1.

(2) Paragraphs 3 to 9 will apply where the Welsh Ministers are satisfied on a balance of probabilities that there has been a breach of this Order.

#### Market value

2.—(1) Notwithstanding the provisions of article 3 of the Diseases of Animals (Ascertainment of Compensation) Order 1959(1), the market value of a bovine animal which the Welsh Ministers cause to be slaughtered must be determined—

- (a) by a valuer appointed by the Welsh Ministers; or
- (b) failing such appointment, by a valuer named on a list maintained by the Welsh Ministers, nominated by the President of the Royal Institution of Chartered Surveyors or the President of the Central Association of Agricultural Valuers as the Welsh Ministers may decide in any particular case or class of case.

(1) O.S. 1959/1335.

(1) S.I. 1959/1335.

(2) Rhaid i brisiwr a benodir neu a enwebir o dan is-baragraff (1)(a) neu (1)(b) gael ei dalu gan Weinidogion Cymru, a rhaid iddo hysbysu Gweinidogion Cymru a'r perchennog yn ysgrifenedig o'r gwerth ar y farchnad.

(3) Yn y paragraff hwn, mae cyfeiriad at brisiwr yn gyfeiriad at unigolyn, ac nid at gwmni na ffyrm nac at ddau neu ragor o bersonau ar y cyd.

(4) At ddibenion y paragraff hwn, gwerth anifail ar y farchnad yw'r pris y gellid yn rhesymol ddisgwyl bod wedi ei gael amdano gan brynwr ar y farchnad agored ar adeg y prisio, pe na bai'n anifail yr effeithiwyd arno neu'n anifail a amheuir.

### **Methu â chydymffurfio â hysbysiad**

**3.—(1)** Mae'r paragraff hwn yn gymwys pan fo—

- (a) unrhyw un neu ragor o'r canlynol wedi ei gyflwyno neu eu cyflwyno i geidwad anifail buchol—
  - (i) hysbysiad o dan erthygl 10(3) (ymchwiliad milfeddygol i bresenoldeb clefyd);
  - (ii) hysbysiad gofynion milfeddygol o dan erthygl 11;
  - (iii) hysbysiad gwella bioddiogelwch o dan erthygl 11A;
  - (iv) hysbysiad o dan erthygl 18 (rhagofalon rhag lledaenu haint);
- (b) y ceidwad yn methu â chydymffurfio ag un neu ragor o'r gofynion neu'r camau yn yr hysbysiad;
- (c) yr anifail wedi ei brofi o dan erthygl 12 (profi ar gyfer twberculosis);
- (ch) yr anifail wedi ei gigydda yn dilyn y prawf hwnnw; a
- (d) y prawf wedi ei gyflawni ar y fuches sy'n cynnwys yr anifail hwnnw (ar ôl cyflwyno'r hysbysiad i'r ceidwad).

(2) Pan fo'r ceidwad yn methu â chydymffurfio ag un neu ragor o'r gofynion neu'r camau—

- (a) o dan erthygl 10(3)(a), bydd "M" yn 0.5;
- (b) o dan erthygl 10(3)(b), bydd "M" yn 0.05;
- (c) o dan erthygl 10(3)(c), bydd "M" yn 0.05;

(2) A valuer appointed or nominated under sub-paragraph (1)(a) or (1)(b) must be paid by the Welsh Ministers and must inform, in writing, the Welsh Ministers and the owner of the market value.

(3) In this paragraph a reference to a valuer is a reference to an individual and not to a company or firm or to two or more persons jointly.

(4) For the purposes of this paragraph, the market value of an animal is the price that might reasonably be expected would have been obtained for it from a purchaser in the open market at the time of valuation if the animal were not an affected animal or a suspected animal.

### **Failure to comply with a notice**

**3.—(1)** This paragraph applies where—

- (a) the keeper of a bovine animal has been served with any one or more of the following—
  - (i) a notice under article 10(3) (veterinary inquiry as to the existence of disease);
  - (ii) a veterinary requirements notice under article 11;
  - (iii) a biosecurity improvement notice under article 11A;
  - (iv) a notice under article 18 (precautions against spread of infection);
- (b) the keeper fails to comply with one or more of the requirements or steps in the notice;
- (c) the animal has been tested under article 12 (tuberculosis testing);
- (d) the animal has been slaughtered following that test; and
- (e) the test was applied to the herd that includes that animal (after the keeper was served with the notice).

(2) Where the keeper fails to comply with one or more of the requirements or steps—

- (a) under article 10(3)(a), "M" is 0.5;
- (b) under article 10(3)(b), "M" is 0.05;
- (c) under article 10(3)(c), "M" is 0.05;

- (ch) mewn hysbysiad gofynion milfeddygol—
  - (i) am y tro cyntaf, bydd “M” yn 0.5; neu
  - (ii) ar ôl y tro cyntaf, bydd “M” yn 0.05;
- (d) mewn hysbysiad gwella bioddiogelwch—
  - (i) am y tro cyntaf, bydd “M” yn 0.5; neu
  - (ii) ar ôl y tro cyntaf, bydd “M” yn 0.05;
- (dd) o dan erthygl 18(1)(a) i (c), bydd “M” yn 0.75;
- (e) o dan erthygl 18(1)(ch) i (f)—
  - (i) am y tro cyntaf, bydd “M” yn 0.5; neu
  - (ii) ar ôl y tro cyntaf, bydd “M” yn 0.05;
- (f) o dan erthygl 18(1)(g), bydd “M” yn 0.05.
- (d) in a veterinary requirements notice—
  - (i) for the first time, “M” is 0.5; or
  - (ii) subsequently, “M” is 0.05;
- (e) in a biosecurity improvement notice—
  - (i) for the first time, “M” is 0.5; or
  - (ii) subsequently, “M” is 0.05;
- (f) under article 18(1)(a) to (c), “M” is 0.75;
- (g) under article 18(1)(d) to (h)—
  - (i) for the first time, “M” is 0.5; or
  - (ii) subsequently, “M” is 0.05;
- (h) under article 18(1)(j), “M” is 0.05.

#### **Methiant i brofi anifeiliaid yn unol ag erthygl 12(1)**

4.—(1) Yn ddarostyngedig i is-baragraff (4) mae'r paragraff hwn yn gymwys pan fo—

- (a) hysbysiad o dan erthygl 12(1) (profi ar gyfer twbercwlosis) wedi ei gyflwyno i geidwad anifail buchol;
- (b) y ceidwad wedi methu â chyflawni'r prawf hwnnw erbyn y dyddiad a bennir yn yr hysbysiad (y “dyddiad penodedig”);
- (c) y prawf wedi ei gyflawni ar ddyddiad diweddarach; a
- (ch) yr anifail wedi ei gigydda yn dilyn y prawf.

(2) Pan fo'r prawf wedi ei gyflawni yn unol â gofynion hysbysiad o dan erthygl 12(1) ar ddyddiad diweddarach na'r dyddiad penodedig, a'r cyfnod rhwng y dyddiad penodedig a'r prawf—

- (a) yn fwy na 60 o ddiwrnodau ond nid yn fwy na 90 o ddiwrnodau, bydd “M” yn 0.5;
- (b) yn fwy na 90 o ddiwrnodau, bydd “M” yn 0.05.

(3) Pan fo'r prawf wedi ei gyflawni o dan erthygl 12(5), bydd “M” yn 0.05.

#### **Failure to test animals in accordance with article 12(1)**

4.—(1) Subject to sub-paragraph (4), this paragraph applies where—

- (a) the keeper of a bovine animal has been served with a notice under article 12(1) (tuberculosis testing);
- (b) the keeper has failed to carry out that test by the date specified in the notice (the “specified date”);
- (c) the test has been carried out at a later date; and
- (d) the animal has been slaughtered following the test.

(2) Where the test was carried out as required by a notice under article 12(1) at a date later than the specified date and the interval between the specified date and the test is—

- (a) more than 60 but not more than 90 days, “M” is 0.5;
- (b) more than 90 days, “M” is 0.05.

(3) Where the test was carried out under article 12(5), “M” is 0.05.

(4) Pan fo'r anifail wedi ei gigydda yn rhinwedd darpariaethau erthygl 12(6) neu 12(7), bydd "M" yn 0.05.

#### **Unedau pesgi eithriedig ac unedau pesgi cymeradwy**

5.—(1) Mae'r paragraff hwn yn gymwys pan fo—

- (a) gweithredydd uned besgi eithriedig neu uned besgi gymeradwy hefyd yn geidwad anifail buchol yn yr uned honno; neu
- (b) person at ddibenion erthygl 14A(4) i (6) hefyd yn geidwad anifail buchol.

(2) Pan fo—

- (a) y ceidwad yn methu â chydymffurfio ag un neu ragor o'r amodau neu rwymedigaethau o dan erthygl 14A;
- (b) anifail wedi ei brofi o dan erthygl 12 (profi ar gyfer twbercwlosis);
- (c) yr anifail wedi ei gigydda yn dilyn y prawf hwnnw; ac
- (ch) y prawf wedi ei gyflawni ar y fuches sy'n cynnwys yr anifail hwnnw;

bydd "M" yn 0.05.

#### **Cigydda yn dilyn symud i fangre o dan drwydded**

6.—(1) Mae'r paragraff hwn yn gymwys pan fo hysbysiad o dan erthygl 16 (ynysu a gwahardd symud anifeiliaid) sy'n gwahardd symud anifeiliaid buchol i fangre, ac eithrio o dan awdurdod trwydded a ddyroddir gan arolygydd, wedi ei gyflwyno i geidwad anifail buchol.

(2) Pan fo—

- (a) y ceidwad yn dod ag anifail buchol o dan drwydded i'r fangre;
- (b) prawf perthnasol wedi ei gyflawni ar yr anifail hwnnw; ac
- (c) yr anifail wedi ei gigydda yn dilyn y prawf neu wedi ei gigydda o dan adran 32 o'r Ddeddf wrth ei chymhwyso i dwbercwlosis;

bydd "M" yn 0.5.

#### **Oedi wrth symud i gigydda**

7.—(1) Mae'r paragraff hwn yn gymwys pan fo—

(4) Where the animal was slaughtered by virtue of the provisions of article 12(6) or 12(7), "M" is 0.05.

#### **Exempt finishing units and approved finishing units**

5.—(1) This paragraph applies where—

- (a) the operator of an exempt finishing unit or an approved finishing unit is also the keeper of a bovine animal at that unit; or
- (b) a person for the purposes of article 14A(4) to (6) is also the keeper of a bovine animal.

(2) Where—

- (a) the keeper fails to comply with one or more of the conditions or obligations under article 14A;
- (b) an animal has been tested under article 12 (tuberculosis testing);
- (c) the animal has been slaughtered following that test; and
- (d) the test was applied to the herd that includes that animal;

"M" is 0.05.

#### **Slaughter following movement on to premises under licence**

6.—(1) This paragraph applies where the keeper of a bovine animal has been served with a notice under article 16 (isolation and prohibition on movement of animals) prohibiting the movement of bovine animals on to premises, except under the authority of a licence issued by an inspector.

(2) Where—

- (a) the keeper brings a bovine animal under licence on to the premises;
- (b) a relevant test has been applied to that animal; and
- (c) the animal has been slaughtered following the test or has been slaughtered under section 32 of the Act in its application to tuberculosis;

"M" is 0.5.

#### **Delay in removal for slaughter**

7.—(1) This paragraph applies where—

- (a) hysbysiad o'r bwriad i gigydda o dan erthygl 17 (hysbysu'r bwriad i gigydda anifeiliaid) wedi ei gyflwyno i geidwad anifail buchol;
- (b) y ceidwad yn oedi symud yr anifail i'w gigydda y tu hwnt i'r dyddiad a bennir yn yr hysbysiad (y "dyddiad penodedig"); ac
- (c) yr anifail wedi ei gigydda.

(2) Pan fo'r anifail wedi ei symud i'w gigydda ar ddyddiad diweddarach na'r dyddiad penodedig, a'r cyfnod rhwng y dyddiad penodedig a'r symud—

- (a) yn fwy na 0 diwrnod ond nid yn fwy na 10 diwrnod, bydd "M" yn 0.75;
- (b) yn fwy na 10 diwrnod ond nid yn fwy nag 20 o ddiwrnodau, bydd "M" yn 0.5; ac
- (c) yn fwy nag 20 o ddiwrnodau, bydd "M" yn 0.25.

#### **Torri rhwymedigaethau**

**8.**—(1) Mae'r paragraff hwn yn gymwys pan fo ceidwad anifail buchol wedi—

- (a) methu â chydymffurfio ag un neu ragor o ofynion rhesymol arolygydd neu filfeddyg cymeradwy o dan erthygl 12(2) (profi ar gyfer twbercwlosis);
- (b) torri un neu ragor o'r gwaharddiadau yn erthygl 15 (gwaharddiadau);
- (c) torri'r gofyniad neu'r gwaharddiad neu'r ddau yn erthygl 16 (ynysu a gwahardd symud anifeiliaid);
- (ch) torri un neu ragor o'r gofynion yn erthygl 19(2) (anifeiliaid a amheuir mewn marchnadoedd, sioeau etc).

(2) Pan fo—

- (a) un neu ragor o is-baragraffau (1)(a) i (ch) yn gymwys;
- (b) y prawf perthnasol wedi ei gyflawni ar anifail; ac
- (c) yr anifail hwnnw wedi ei gigydda;

bydd "M" yn 0.05.

#### **Achosion eraill**

**9.** Pan na fo paragraffau 3 i 8 yn gymwys, bydd "M" yn 1."

- (a) the keeper of a bovine animal has been served with a notice of intended slaughter under article 17 (notification of intended slaughter of animals);
- (b) the keeper delays the removal of the animal for slaughter beyond the date specified in the notice (the "specified date"); and
- (c) the animal has been slaughtered.

(2) Where the removal for slaughter of the animal was at a date later than the specified date and the interval between the specified date and removal is—

- (a) more than 0 but not more than 10 days, "M" is 0.75;
- (b) more than 10 but not more than 20 days, "M" is 0.5; and
- (c) more than 20 days, "M" is 0.25.

#### **Breach of obligations**

**8.**—(1) This paragraph applies where the keeper of a bovine animal has—

- (a) failed to comply with one or more reasonable requirements of an inspector or an approved veterinary surgeon under article 12(2) (tuberculosis testing);
- (b) breached one or more of the prohibitions in article 15 (prohibitions);
- (c) breached the requirement or prohibition or both in article 16 (isolation and prohibition on movement of animals);
- (d) breached one or more of the requirements in article 19(2) (suspected animals in markets, shows, etc).

(2) Where—

- (a) one or more of sub-paragraphs (1)(a) to (d) apply;
- (b) the relevant test has been applied to an animal; and
- (c) that animal has been slaughtered;

"M" is 0.05.

#### **Other cases**

**9.** Where paragraphs 3 to 8 do not apply, "M" is 1."

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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2016 Rhif 328 (Cy. 104)**

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**ANIFEILIAID, CYMRU**

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