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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2018 Rhif 1216 (Cy. 249)**

**2018 No. 1216 (W. 249)**

**ADNODDAU DŴR, CYMRU**

**AGRICULTURE, WALES**

**AMAETHYDDIAETH, CYMRU**

**LIVESTOCK INDUSTRIES**

**Y DIWYDIANNAU DA BYW**

**ANIMALS, WALES**

**ANIFEILIAID, CYMRU**

**ANIMAL HEALTH**

**IECHYD ANIFEILIAID**

**ANIMAL WELFARE**

**LLES ANIFEILIAID**

**ENVIRONMENTAL  
PROTECTION, WALES**

**CYNLLUNIO GLWAD A  
THREF, CYMRU**

**FREEDOM OF  
INFORMATION, WALES**

**DIOGELU'R AMGYLCHEDD,  
CYMRU**

**HORTICULTURE, WALES**

**DŴR, CYMRU**

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**SEA FISHERIES, WALES**

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**CONSERVATION OF SEA FISH**

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**SEEDS, WALES**

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**TOWN AND COUNTRY  
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**IECHYD PLANHIGION,  
CYMRU**

**WASTE, WALES**

**PYSGODFEYDD MÔR,  
CYMRU**

**WATER, WALES**

**CADWRAETH PYSGOD MOR**

**WATER INDUSTRY, WALES**

# RHYDDID GWYBODAETH, CYMRU

## Rheoliadau yr Amgylchedd, Cynllunio a Materion Gwledig (Diwygiadau Amrywiol) (Cymru) 2018

### NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn gwneud diwygiadau o ran Cymru i nifer o ddarnau o is-ddeddfwriaeth sy'n ymwneud â'r amgylchedd, cynllunio a materion gwledig.

Mae rheoliad 5 yn diwygio rheoliad 18(6) o Reoliadau Gwybodaeth Amgylcheddol 2004 (O.S. 2004/3391) i derfynu cymhwysiad adran 53 o Ddeddf Rhyddid Gwybodaeth 2000 (p. 32) (eithrio rhag dyletswydd i gydymffurfio â hysbysiad o benderfyniad neu hysbysiad gorfodi) i'r Rheoliadau hynny. Mae hyn yn dilyn dyfarniad y Goruchaf Lys yn *R (on the application of Evans) and another v Attorney General* [2015] UKSC 21 bod dyroddi unrhyw dystysgrif o dan reoliad 18(6) mewn cysylltiad â gwybodaeth amgylcheddol yn anghydnaws ag Erthygl 6 o Gyfarwyddeb 2003/4/EC Senedd Ewrop a'r Cyngor ar fynediad y cyhoedd at wybodaeth amgylcheddol (OJ Rhif L 41, 14.2.2003, t. 26).

Mae rheoliad 8 yn diwygio rheoliad 20 o Reoliadau Difrod Amgylcheddol (Atal ac Adfer) (Cymru) 2009 (O.S. 2009/995 (Cy. 81)) ("Rheoliadau 2009") i'w gwneud yn ofynnol i weithredwyr ganfod mesurau adfer posibl a'u cyflwyno i'r awdurdod gorfodi. Mae rheoliad 8 hefyd yn diwygio Atodlen 1 i Reoliadau 2009 i sicrhau y caiff Cyfarwyddeb 2004/35/EC (OJ Rhif L 143, 30.4.2004, t. 56) ei throsi'n briodol. Mae'r diwygiad yn mynd i'r afael â difrod i safle o ddiddordeb gwyddonol sydd hefyd yn Safle Ewropeaidd (fel y'i diffinnir yn rheoliad 8 o Reoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2017 (O.S. 2017/1012)). Mae'r diwygiad yn darparu nad yw difrod a achosir gan weithred a awdurdodir yn benodol gan yr awdurdodau perthnasol yn unol â Rhan 2 o Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981 (p. 69) ("Deddf 1981") wedi ei eithrio'n awtomatig rhag cwmpas Rheoliadau 2009. Bydd difrod o'r fath yn parhau i gael ei eithrio os rhoddwyd yr awdurdodiad o dan Ddeddf 1981 yn unol â deddfwriaeth sy'n trosi Cyfarwyddeb y Cyngor 92/42/EEC ar gadwraeth cynefinoedd naturiol a ffawna a fflora gwyllt (OJ Rhif L 206, 22.7.1992, t. 7).

# WATER RESOURCES, WALES

## The Environment, Planning and Rural Affairs (Miscellaneous Amendments) (Wales) Regulations 2018

### EXPLANATORY NOTE

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

These Regulations make amendments in relation to Wales to a number of pieces of secondary legislation relating to the environment, planning and rural affairs.

Regulation 5 amends regulation 18(6) of the Environmental Information Regulations 2004 (S.I. 2004/3391) to end the application of section 53 of the Freedom of Information Act 2000 (c. 32) (exception from duty to comply with decision notice or enforcement notice) to those Regulations. This follows the ruling of the Supreme Court in *R (on the application of Evans) and another v Attorney General* [2015] UKSC 21 that the issuing of any certificate under regulation 18(6) in respect of environmental information is incompatible with Article 6 of Directive 2003/4/EC of the European Parliament and of the Council on public access to environmental information (OJ No L 41, 14.2.2003, p. 26).

Regulation 8 amends regulation 20 of the Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009 (S.I. 2009/995 (W. 81)) ("the 2009 Regulations") to require operators to identify potential remedial measures and submit them to the enforcement authority. Regulation 8 also amends Schedule 1 to the 2009 Regulations to ensure proper transposition of Directive 2004/35/EC (OJ No L 143, 30.4.2004, p. 56). The amendment addresses damage to a site of scientific interest which is also a European Site (as defined in regulation 8 of the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012)). It provides that damage caused by an act expressly authorised by the relevant authorities in accordance with Part 2 of the Wildlife and Countryside Act 1981 (c. 69) ("the 1981 Act") is not automatically excluded from the scope of the 2009 Regulations. Such damage will continue to be excluded if the authorisation under the 1981 Act was granted in accordance with legislation transposing Council Directive 92/42/EEC on the conservation of natural habitats and of wild fauna and flora (OJ No L 206, 22.7.1992, p. 7).

Mae rheoliad 15 yn diwygio Rheoliadau Tynnu Dŵr (Darpariaethau Trosiannol) 2017 (O.S. 2017/1047) i gywiro gwall yn y disgrifiad o ba amgylchiadau y mae'n gymwys i roi trwydded tynnu dŵr fwy cyfyngedig oddi tanynt na'r drwydded y gwnaed cais amdani.

Mae'r Rheoliadau yn gwneud diwygiadau amrywiol eraill i ddeddfwriaeth ym meysydd amaethyddiaeth, iechyd a lles anifeiliaid, diogelu'r amgylchedd, pysgodfeydd môr, hadau, cynllunio gwlad a thref, gwastraff a dŵr, yn enwedig diwygio cyfeiriadau sydd wedi dyddio at ddeddfwriaeth Ewropeaidd mewn deddfwriaeth ddomestig.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

Regulation 15 amends the Water Abstraction (Transitional Provisions) Regulations 2017 (S.I. 2017/1047) to correct an error in the description of what circumstances qualify as granting a more limited abstraction licence than that applied for.

The Regulations make other miscellaneous amendments to legislation in the fields of agriculture, animal health and welfare, environmental protection, sea fisheries, seeds, town and country planning, waste and water, in particular amending out of date references to European legislation in domestic legislation.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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# RHYDDID GWYBODAETH, CYMRU

## Rheoliadau yr Amgylchedd, Cynllunio a Materion Gwledig (Diwygiadau Amrywiol) (Cymru) 2018

*Gwnaed* 20 Tachwedd 2018

*Gosodwyd gerbron Cynulliad Cenedlaethol  
Cymru* 23 Tachwedd 2018

*Yn dod i rym* 17 Rhagfyr 2018

# WATER RESOURCES, WALES

## The Environment, Planning and Rural Affairs (Miscellaneous Amendments) (Wales) Regulations 2018

*Made* 20 November 2018

*Laid before the National Assembly for Wales*  
23 November 2018

*Coming into force* 17 December 2018

### CYNNWYS

#### RHAN 1 Cyflwyniad

1. Enwi, cymhwyso a chychwyn

#### RHAN 2

Diwygiadau i ddeddfwriaeth sy'n ymwneud â'r  
amgylchedd

2. Rheoliadau Trin Dŵr Gwastraff Trefol  
(Cymru a Lloegr) 1994
3. Rheoliadau Dŵr Yfed  
(Ymgymeriadau) (Cymru a Lloegr)  
2000
4. Rheoliadau Organeddau a Addaswyd  
yn Enetig (Eu Gollwng yn Fwriadol)  
(Cymru) 2002
5. Rheoliadau Gwybodaeth  
Amgylcheddol 2004
6. Rheoliadau Gwastraff Peryglus  
(Cymru) 2005
7. Rheoliadau Tir Halogedig (Cymru)  
2006
8. Rheoliadau Difrod Amgylcheddol  
(Atal ac Adfer) (Cymru) 2009
9. Rheoliadau Bywyd Gwyllt a Chefn  
Gwlad (Cofrestru, Modrwyo a Marcio  
Adar Caeth Penodol) (Cymru) 2011

### CONTENTS

#### PART 1 Introduction

1. Title, application and  
commencement

#### PART 2

Amendments to legislation concerning the  
environment

2. The Urban Waste Water  
Treatment (England and Wales)  
Regulations 1994
3. The Drinking Water  
(Undertakings) (England and  
Wales) Regulations 2000
4. The Genetically Modified  
Organisms (Deliberate Release)  
(Wales) Regulations 2002
5. The Environmental Information  
Regulations 2004
6. The Hazardous Waste (Wales)  
Regulations 2005
7. The Contaminated Land (Wales)  
Regulations 2006
8. The Environmental Damage  
(Prevention and Remediation)  
(Wales) Regulations 2009
9. The Wildlife and Countryside  
(Registration, Ringing and  
Marking of Certain Captive Birds)  
(Wales) Regulations 2011

- |   |  |
|---|--|
| <p>10. Gorchymyn Llifogydd ac Erydu Arfordirol Atodol (Cymru) 2011</p> <p>11. Rheoliadau Gwastraff a Reolir (Cymru a Lloegr) 2012</p> <p>12. Rheoliadau Dyfroedd Ymdrochi 2013</p> <p>13. Rheoliadau Atal Llygredd Nitradau (Cymru) 2013</p> <p>14. Rheoliadau Trwyddedu Amgylcheddol (Cymru a Lloegr) 2016</p> <p>15. Rheoliadau Tynnu Dŵr (Darpariaethau Trosiannol) 2017</p> <p>16. Rheoliadau Tynnu Dŵr a'i Gronni (Esemptiadau) 2017</p> | <p>10. The Incidental Flooding and Coastal Erosion (Wales) Order 2011</p> <p>11. The Controlled Waste (England and Wales) Regulations 2012</p> <p>12. The Bathing Water Regulations 2013</p> <p>13. The Nitrate Pollution Prevention (Wales) Regulations 2013</p> <p>14. The Environmental Permitting (England and Wales) Regulations 2016</p> <p>15. The Water Abstraction (Transitional Provisions) Regulations 2017</p> <p>16. The Water Abstraction and Impounding (Exemptions) Regulations 2017</p> |
|---|--|

### RHAN 3

Diwygiadau i is-ddeddfwriaeth sy'n ymwneud â chynllunio

### PART 3

Amendments to secondary legislation concerning planning

- |  |  |
|--|--|
| <p>17. Rheoliadau Asesiadau Amgylcheddol o Gynlluniau a Rhaglenni (Cymru) 2004</p> <p>18. Rheoliadau Cynllunio (Sylweddau Peryglus) (Cymru) 2015</p> <p>19. Rheoliadau Cynllunio Gwlad a Thref (Asesu Effeithiau Amgylcheddol) (Cymru) 2016</p> <p>20. Rheoliadau Cynllunio Gwlad a Thref (Asesu Effeithiau Amgylcheddol) (Cymru) 2017</p> | <p>17. The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004</p> <p>18. The Planning (Hazardous Substances) (Wales) Regulations 2015</p> <p>19. The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016</p> <p>20. The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017</p> |
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### RHAN 4

Diwygiadau i ddeddfwriaeth sy'n ymwneud ag amaethyddiaeth

### PART 4

Amendments to legislation concerning agriculture

- |  |   |
|--|---|
| <p>21. Rheoliadau Marchnata Deunyddiau Planhigion Llysieuol 1995</p> <p>22. Rheoliadau Marchnata Deunyddiau Lluosogi Planhigion Addurniadol 1999</p> <p>23. Rheoliadau Marchnata Cynnyrch Garddwriaethol Ffres (Cymru) 2009</p> <p>24. Rheoliadau Tatws Hadyd (Cymru) 2016</p> | <p>21. The Marketing of Vegetable Plant Material Regulations 1995</p> <p>22. The Marketing of Ornamental Plant Propagating Material Regulations 1999</p> <p>23. The Marketing of Fresh Horticultural Produce (Wales) Regulations 2009</p> <p>24. The Seed Potatoes (Wales) Regulations 2016</p> |
|--|---|

## RHAN 5

### Diwygiadau i ddeddfwriaeth sy'n ymwneud ag anifeiliaid

25. Gorchymyn Mewnforio Embryonau, Ofa a Semen 1980
26. Gorchymyn Mewnforio Cynhyrchion Anifeiliaid a Chynhyrchion Dofednod 1980
27. Gorchymyn Clefydau Dofednod (Cymru) 2003
28. Gorchymyn Clwy'r Traed a'r Genau (Cymru) 2006
29. Gorchymyn Ffliw Adar a Ffliw sy'n Deillio o Adar mewn Mamaliaid (Cymru) (Rhif 2) 2006
30. Rheoliadau Ffliw Adar (Brechu) (Cymru) (Rhif 2) 2006
31. Gorchymyn Ffliw Adar (H5N1 mewn Dofednod) (Cymru) 2006
32. Gorchymyn Ffliw Adar (H5N1 mewn Adar Gwyllt) (Cymru) 2006
33. Rheoliadau Lles Anifeiliaid a Ffermir (Cymru) 2007
34. Rheoliadau'r Tafod Glas (Cymru) 2008
35. Gorchymyn Rheoli Salmonella mewn Heidiau o Frwyliad (Cymru) 2009
36. Gorchymyn Rheoli Salmonella mewn Heidiau o Dyrwyn (Cymru) 2010
37. Rheoliadau'r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Cymru) 2011
38. Dirymiadau

## RHAN 6

### Diwygiad i ddeddfwriaeth sy'n ymwneud â physgodfeydd

39. Gorchymyn Trwyddedu Pysgod Môr 1992

## PART 5

### Amendments to legislation concerning animals

25. The Importation of Embryos, Ova and Semen Order 1980
26. The Importation of Animal Products and Poultry Products Order 1980
27. The Diseases of Poultry (Wales) Order 2003
28. The Foot-and-Mouth Disease (Wales) Order 2006
29. The Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No 2) Order 2006
30. The Avian Influenza (Vaccination) (Wales) (No 2) Regulations 2006
31. The Avian Influenza (H5N1 in Poultry) (Wales) Order 2006
32. The Avian Influenza (H5N1 in Wild Birds) (Wales) Order 2006
33. The Welfare of Farmed Animals (Wales) Regulations 2007
34. The Bluetongue (Wales) Regulations 2008
35. The Control of Salmonella in Broiler Flocks (Wales) Order 2009
36. The Control of Salmonella in Turkey Flocks (Wales) Order 2010
37. The Trade in Animals and Related Products (Wales) Regulations 2011
38. Revocations

## PART 6

### Amendment to legislation concerning fisheries

39. The Sea Fish Licensing Order 1992

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir gan—

- (a) adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972 (“Deddf 1972”)(1) a pharagraff 1A o Atodlen 2 iddi, ac eithrio i'r graddau y maent yn ymwneud â rheoliadau 2, 5, 15, 16, 36 and 37;
- (b) adran 58B o Ddeddf Llywodraeth Cymru 2006(2), i'r graddau y mae'n ymwneud â rheoliadau 2 a 5;
- (c) adrannau 103(1) i (3), (7), 104(4) a (6) o Ddeddf Dŵr 2003(3), i'r graddau y maent yn ymwneud â rheoliad 15;
- (d) adrannau 33A a 219(2)(f) o Ddeddf Adnoddau Dŵr 1991(4), i'r graddau y maent yn ymwneud â rheoliad 16;

The Welsh Ministers make these Regulations in exercise of the powers conferred by—

- (a) section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972 (“the 1972 Act”)(1), except so far as relating to regulations 2, 5, 15, 16, 36 and 37;
- (b) section 58B of the Government of Wales Act 2006(2), so far as relating to regulations 2 and 5;
- (c) sections 103(1) to (3), (7), 104(4) and (6) of the Water Act 2003(3), so far as relating to regulation 15;
- (d) sections 33A and 219(2)(f) of the Water Resources Act 1991(4), so far as relating to regulation 16;

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(1) 1972 p. 68. Diwygiwyd adran 2(2) gan adran 27 o Ddeddf Diwygio Deddfwriaethol a Rheoleiddiol 2006 (p. 51) a chan adran 3 o Ddeddf yr Undeb Ewropeaidd (Diwygio) 2008 (p. 7) a Rhan 1 o'r Atodlen iddi.

(2) 2006 p. 32. Mewnosodwyd adran 58B gan adran 20(1) o Ddeddf Cymru 2017 (p. 4). Mae wedi ei diddymu yn rhagolygol gan baragraffau 27 a 34 o Atodlen 3 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16) o ddyddiad sydd i'w benodi. Mae adran 58B yn caniatáu i Weinidogion Cymru wneud is-ddeddfwriaeth gan ddefnyddio pwerau yn adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972 fel pe baent yn un o Weinidogion y Goron neu'n un o adrannau'r llywodraeth a ddynodwyd gan Orchymyn yn y Cyfrin Gyngor o dan y ddarpariaeth honno, ar yr amod y byddai deddfwriaeth o'r fath o fewn cymhwysedd deddfwriaethol Cynulliad Cenedlaethol Cymru fel arall. Mae adrannau 107 a 108A o Ddeddf Llywodraeth Cymru 2006, ynghyd â pharagraff 171 o Ran 2 o Atodlen 7A i'r Ddeddf honno, yn caniatáu i Gynulliad Cenedlaethol Cymru wneud cyfreithiau mewn perthynas â gwybodaeth y caniateir i'r cyhoedd ei gweld a gedwir gan y Cynulliad, Comisiwn y Cynulliad, Llywodraeth Cymru neu unrhyw Awdurdod Cyhoeddus Cymreig, oni bai bod yr wybodaeth wedi ei ddarparu gan un o Weinidogion y Goron neu un o adrannau'r llywodraeth ac yn cael ei chadw'n gyfrinachol. Mae i “Awdurdod Cyhoeddus Cymreig” yr un ystyr ag a roddir i “Welsh Public Authority” yn adran 83 o Ddeddf Rhyddid Gwybodaeth 2000 (p. 36), ond nid yw'n cynnwys awdurdod a gedwir yn ôl o fewn yr ystyr a roddir i “reserved authority” ym mharagraff 8 o Atodlen 7B i Ddeddf Llywodraeth Cymru 2006.

(3) 2003 p. 37. Trosglwyddwyd y pŵer a oedd gan Gynulliad Cenedlaethol Cymru i wneud Rheoliadau o dan adran 103(7) i Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006, a pharagraff 30 o Atodlen 11 iddi.

(4) 1991 p. 57. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 33A a 219(2), i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru yn rhinwedd erthygl 2(1) o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672). Mae'r swyddogaethau hynny bellach yn arferadwy gan Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006, a pharagraff 30 o Atodlen 11 iddi.

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(1) 1972 c. 68. Section 2(2) was amended by section 27 of the Legislative and Regulatory Reform Act 2006 (c. 51) and section 3 of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c. 7).

(2) 2006 c. 32. Section 58B was inserted by the Wales Act 2017 (c. 4), section 20(1). It is prospectively repealed by the European Union (Withdrawal Act) 2018 (c. 16), Schedule 3, paragraphs 27 and 34 from a date to be appointed. Section 58B allows the Welsh Ministers to make secondary legislation using powers in section 2(2) of the European Communities Act 1972 as if they were a Minister of the Crown or government department designated by Order in Council under that provision, provided such legislation would otherwise be within the legislative competence of the National Assembly for Wales. Sections 107 and 108A of the Government of Wales Act 2006, together with paragraph 171 of Part 2 of Schedule 7A to that Act, allow the National Assembly for Wales to make laws in relation to public access information held by the Assembly, the Assembly Commission, the Welsh Government or any Welsh Public Authority, unless supplied by a Minister of the Crown or government department and held in confidence. “Welsh Public Authority” has the same meaning given by section 83 of the Freedom of Information Act 2000 (c. 36), but does not include a reserved authority within the meaning of paragraph 8 of Schedule 7B to the Government of Wales Act 2006.

(3) 2003 c. 37. The power of the National Assembly for Wales to make Regulations under section 103(7) was transferred to the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006.

(4) 1991 c. 57. Functions of the Secretary of State under sections 33A and 219(2) were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by virtue of article 2(1) of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). Those functions are now exercisable by the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006.



- (e) adrannau 1 ac 8 o Ddeddf Iechyd Anifeiliaid 1981(1), i'r graddau y maent yn ymwneud â rheoliadau 36 a 37.

- (e) sections 1 and 8 of the Animal Health Act 1981(1), so far as relating to regulations 36 and 37.

Mae Gweinidogion Cymru wedi eu dynodi(2) at ddibenion adran 2(2) o Ddeddf 1972 mewn perthynas ag—

The Welsh Ministers are designated(2) for the purposes of section 2(2) of the 1972 Act in relation to—

- (a) ansawdd dŵr a fwriedir at ddibenion domestig neu i'w ddefnyddio mewn menter cynhyrchu bwyd(3);
- (b) mesurau sy'n ymwneud ag atal, lleihau a dileu llygredd a achosir gan wastraff a rheoli pecynnu a gwastraff pecynnu(4);
- (c) atal, lleihau a rheoli gwastraff(5);
- (d) atal halogi tir ac adfer tir halogedig(6);
- (e) rheoli perygl llifogydd(7);
- (f) mesurau sy'n ymwneud ag adnoddau dŵr(8);
- (g) diogelu dyfroedd rhag llygredd a achosir gan nitradau o ffynonellau amaethyddol(9);

- (a) the quality of water intended for domestic purposes or for use in a food production undertaking(3);
- (b) measures relating to the prevention, reduction and elimination of pollution caused by waste and the management of packaging and packaging waste(4);
- (c) the prevention, reduction and management of waste(5);
- (d) the prevention and remedying of land contamination(6);
- (e) flood risk management(7);
- (f) measures relating to water resources(8);
- (g) the protection of waters against pollution caused by nitrates from agricultural sources(9);

- (1) 1981 p. 22. Trosglwyddwyd swyddogaethau'r Gweinidogion o dan adrannau 1 ac 8 o Ddeddf Iechyd Anifeiliaid 1981, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru yn rhinwedd O.S. 1999/672. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru, yn rhinwedd O.S. 2004/3044. Mae'r swyddogaethau hynny bellach yn arferadwy gan Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006, a pharagraff 30 o Atodlen 11 iddi.
- (2) Yn rhinwedd adran 59(2) o Ddeddf Llywodraeth Cymru 2006 caiff Gweinidogion Cymru arfer y pŵer a roddir gan adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972 mewn perthynas ag unrhyw fater, neu at unrhyw ddiben, os ydynt wedi eu dynodi mewn perthynas â'r mater hwnnw neu at y diben hwnnw.
- (3) O.S. 2004/3328. Yn rhinwedd paragraff 28(1) o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006, mae O.S. 2004/3328 yn cael effaith fel pe bai wedi ei wneud o dan adran 59(1) o'r Ddeddf honno.
- (4) O.S. 2005/850, y mae diwygiad iddo nad yw'n berthnasol i'r Rheoliadau hyn. Yn rhinwedd paragraff 28(1) o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006, mae O.S. 2005/850 yn cael effaith fel pe bai wedi ei wneud o dan adran 59(1) o'r Ddeddf honno.
- (5) O.S. 2010/1552.
- (6) O.S. 2007/193, y mae diwygiad iddo nad yw'n berthnasol i'r Rheoliadau hyn. Yn rhinwedd paragraff 28(1) o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006, mae O.S. 2007/193 yn cael effaith fel pe bai wedi ei wneud o dan adran 59(1) o'r Ddeddf honno.
- (7) O.S. 2011/1683.
- (8) O.S. 2003/2901. Yn rhinwedd paragraff 28(1) o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006, mae O.S. 2003/2901 yn cael effaith fel pe bai wedi ei wneud o dan adran 59(1) o'r Ddeddf honno.
- (9) O.S. 2001/2555. Yn rhinwedd paragraff 28(1) o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006, mae O.S. 2001/2555 yn cael effaith fel pe bai wedi ei wneud o dan adran 59(1) o'r Ddeddf honno.

- (1) 1981 c. 22. Functions of the Ministers under sections 1 and 8 of the Animal Health Act 1981 were transferred, so far as exercisable in relation to Wales, to the National Assembly for Wales, by virtue of S.I. 1999/672. Functions of the Secretary of State were transferred, so far as exercisable in relation to Wales, to the National Assembly for Wales, by virtue of S.I. 2004/3044. Those functions are now exercisable by the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006.
- (2) By virtue of section 59(2) of the Government of Wales Act 2006, the Welsh Ministers may exercise the power conferred by section 2(2) of the European Communities Act 1972 in relation to any matter, or for any purpose, if they have been designated in relation to that matter or for that purpose.
- (3) S.I. 2004/3328. By virtue of paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006, S.I. 2004/3328 has effect as if made under section 59(1) of that Act.
- (4) S.I. 2005/850, to which there is an amendment not relevant to these Regulations. By virtue of paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006, S.I. 2005/850 has effect as if made under section 59(1) of that Act.
- (5) S.I. 2010/1552.
- (6) S.I. 2007/193, to which there is an amendment not relevant to these Regulations. By virtue of paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006, S.I. 2007/193 has effect as if made under section 59(1) of that Act.
- (7) S.I. 2011/1683.
- (8) S.I. 2003/2901. By virtue of paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006, S.I. 2003/2901 has effect as if made under section 59(1) of that Act.
- (9) S.I. 2001/2555. By virtue of paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006, S.I. 2001/2555 has effect as if made under section 59(1) of that Act.

- (h) y polisi amaethyddol cyffredin(1);
- (i) y meysydd milfeddygol a ffytoiechydol ar gyfer diogelu iechyd y cyhoedd(2);
- (j) mesurau sy'n ymwneud â rheoli a rheoleiddio achosion o ryddhau'n fwriadol organeddau a addaswyd yn enetig, gosod yr organeddau hynny ar y farchnad a'u symud ar draws ffiniau(3);
- (k) polisi amaethyddol cyffredin yr Undeb Ewropeaidd(4);
- (l) y meysydd milfeddygol a ffytoiechydol ar gyfer diogelu iechyd y cyhoedd(5).

- (h) the common agricultural policy(1);
- (i) the veterinary and phytosanitary fields for the protection of public health(2);
- (j) measures relating to the control and regulation of the deliberate release, placing on the market and transboundary movements of genetically modified organisms(3);
- (k) the common agricultural policy of the European Union(4);
- (l) the veterinary and phytosanitary fields for the protection of public health(5).

Mae'r Rheoliadau hyn yn gwneud darpariaeth at ddiben a grybwyllir yn adran 2(2) o Ddeddf 1972 ac mae'n ymddangos i Weinidogion Cymru ei bod yn hwylus i ddehongli cyfeiriadau at offerynnau'r UE yn rheoliadau 11, 17(2), 17(3), 18(2)(a), 18(2)(b), 18(3), 23, 37(2)(a) a 37(4) fel cyfeiriadau at yr offerynnau hynny fel y'u diwygir o bryd i'w gilydd.

These Regulations make provision for a purpose mentioned in section 2(2) of the 1972 Act and it appears to the Welsh Ministers that it is expedient for references to EU instruments in regulations 11, 17(2), 17(3), 18(2)(a), 18(2)(b), 18(3), 23, 37(2)(a) and 37(4) to be construed as references to those instruments as amended from time to time.

## RHAN 1 Cyflwyniad

## PART 1 Introduction

### Enwi, cymhwyso a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau yr Amgylchedd, Cynllunio a Materion Gwledig (Diwygiadau Amrywiol) (Cymru) 2018.

- (2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.
- (3) Daw'r Rheoliadau hyn i rym ar 17 Rhagfyr 2018.

### Title, application and commencement

1.—(1) The title of these Regulations is the Environment, Planning and Rural Affairs (Miscellaneous Amendments) (Wales) Regulations 2018.

- (2) These Regulations apply in relation to Wales.
- (3) These Regulations come into force on 17 December 2018.

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(1) O.S. 2010/2690.  
 (2) O.S. 2008/1792, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.  
 (3) O.S. 2003/2901, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn. Yn rhinwedd paragraff 28(1) o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006, mae O.S. 2003/2901 yn cael effaith fel pe bai wedi ei wneud o dan adran 59(1) o'r Ddeddf honno.  
 (4) O.S. 2010/2690.  
 (5) O.S. 2008/1792.

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(1) S.I. 2010/2690.  
 (2) S.I. 2008/1792, to which there are amendments not relevant to these Regulations.  
 (3) S.I. 2003/2901, to which there are amendments not relevant to these Regulations. By virtue of paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006, S.I. 2003/2901 has effect as if made under section 59(1) of that Act.  
 (4) S.I. 2010/2690.  
 (5) S.I. 2008/1792.

## RHAN 2

Diwygiadau i ddeddfwriaeth sy'n ymwneud â'r amgylchedd

### Rheoliadau Trin Dŵr Gwastraff Trefol (Cymru a Lloegr) 1994

2.—(1) Mae Rheoliadau Trin Dŵr Gwastraff Trefol (Cymru a Lloegr) 1994(1) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2(1)—

- (a) yn y diffiniad o “the Directive”, ar ôl “treatment,” mewnosoder “as last amended by Regulation (EC) No 1137/2008 of the European Parliament and of the Council(2),”;
- (b) yn y geiriau ar ôl y diffiniad o “Wales”, ar ôl “used” mewnosoder “in these Regulations and”.

(3) Yn Atodlen 1, yn Rhan 1, ym mharagraff (b), yn lle'r geiriau o “the concentration” hyd at “Member States” rhodder “50 mg/l of nitrates in 95% of the samples”.

### Rheoliadau Dŵr Yfed (Ymgymeriadau) (Cymru a Lloegr) 2000

3. Yn rheoliad 2 o Rheoliadau Dŵr Yfed (Ymgymeriadau) (Cymru a Lloegr) 2000(3), ar ôl “human consumption” mewnosoder “, as last amended by Commission Directive (EU) 2015/1787(4),”.

### Rheoliadau Organeddau a Addaswyd yn Enetig (Eu Gollwng yn Fwriadol) (Cymru) 2002

4.—(1) Mae Rheoliadau Organeddau a Addaswyd yn Enetig (Eu Gollwng yn Fwriadol) (Cymru) 2002(5) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2(1), yn y diffiniad o “y Gyfarwyddeb Defnydd Amgaeedig” (“*the Contained Use Directive*”), yn lle'r geiriau o “Cyfarwyddeb y Cyngor” hyd at y diwedd rhodder “Cyfarwyddeb 2009/41/EC Senedd Ewrop a'r Cyngor ar y defnydd

## PART 2

Amendments to legislation concerning the environment

### The Urban Waste Water Treatment (England and Wales) Regulations 1994

2.—(1) The Urban Waste Water Treatment (England and Wales) Regulations 1994(1) are amended as follows.

(2) In regulation 2(1)—

- (a) in the definition of “the Directive”, after “treatment,” insert “as last amended by Regulation (EC) No 1137/2008 of the European Parliament and of the Council(2),”;
- (b) in the words after the definition of “Wales”, after “used” insert “in these Regulations and”.

(3) In Schedule 1, in Part 1, in paragraph (b), for the words from “the concentration” to “Member States” substitute “50 mg/l of nitrates in 95% of the samples”.

### The Drinking Water (Undertakings) (England and Wales) Regulations 2000

3. In regulation 2 of the Drinking Water (Undertakings) (England and Wales) Regulations 2000(3), after “human consumption” insert “, as last amended by Commission Directive (EU) 2015/1787(4),”.

### The Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002

4.—(1) The Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002(5) are amended as follows.

(2) In regulation 2(1), in the definition of “the Contained Use Directive” (“*y Gyfarwyddeb Defnydd Amgaeedig*”), for the words from “Council Directive” to the end substitute “Directive 2009/41/EC of the European Parliament and of the Council on the

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(1) O.S. 1994/2841, a ddiwygiwyd gan O.S. 2013/755 (Cy. 90); mae diwygiadau eraill ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(2) OJ L Rhif 311, 21.11.2008, t. 1, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb 2014/32/EU Senedd Ewrop a'r Cyngor (OJ Rhif L 96, 29.3.2014, t. 149).

(3) O.S. 2000/1297, a ddiwygiwyd gan O.S. 2010/996; mae offerynnau diwygio eraill ond nid oes yr un ohonynt yn berthnasol i'r Rheoliadau hyn.

(4) OJ Rhif L 260, 7.10.2015, t. 6.

(5) O.S. 2002/3188 (Cy. 304), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

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(1) S.I. 1994/2841, amended by S.I. 2013/755 (W. 90); there are other amendments but none is relevant to these Regulations.

(2) OJ No L 311, 21.11.2008, p 1, as last amended by Directive 2014/32/EU of the European Parliament and of the Council (OJ No L 96, 29.3.2014, p. 149).

(3) S.I. 2000/1297, amended by S.I. 2010/996; there are other amending instruments but none is relevant to these Regulations.

(4) OJ No L 260, 7.10.2015, p. 6.

(5) S.I. 2002/3188 (W. 304), to which there are amendments not relevant to these Regulations.

amgaeedig o ficro-organeddau a addaswyd yn enetig(1)”.

(3) Yn lle rheoliad 13(4)(c) rhodder—

“(c) unrhyw berson, neu unrhyw aelod o bwyllgor diogelwch addasu genetig, y mae’n rhaid cael cyngor ganddo o dan reoliad 8 o Reoliadau Organeddau a Addaswyd yn Enetig (Defnydd Amgaeedig) 2014(2),”.

### Rheoliadau Gwybodaeth Amgylcheddol 2004

5. Yn rheoliad 18(6) o Reoliadau Gwybodaeth Amgylcheddol 2004(3), yn lle’r geiriau o “applies to a decision notice” hyd at y diwedd rhodder “does not apply”.

### Rheoliadau Gwastraff Peryglus (Cymru) 2005

6.—(1) Mae Rheoliadau Gwastraff Peryglus (Cymru) 2005(4) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 12(3), yn lle “Rheoliad y Cyngor 259/93/EEC(5)” rhodder “Rheoliad (EC) Rhif 1013/2006 Senedd Ewrop a’r Cyngor dyddiedig 14 Mehefin 2006 ar drawslwytho gwastraff(6)”.

(3) Yn Atodlen 7, ym mharagraff 1(b), yn lle’r geiriau o “yr Atodiad” hyd at “1994” rhodder “Atodiad 1A i Reoliad (EC) Rhif 1013/2006 Senedd Ewrop a’r Cyngor ar drawslwytho gwastraff”.

### Rheoliadau Tir Halogedig (Cymru) 2006

7. Yn rheoliad 3(b)(ii) o Reoliadau Tir Halogedig (Cymru) 2006(7), ar ôl “polisi dŵr” mewnosoder “fel y’i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn 2014/101/EU(8)”.

contained use of genetically modified micro-organisms(1)”.

(3) For regulation 13(4)(c) substitute—

“(c) any person, or member of a genetic modification safety committee, from whom advice must be obtained under regulation 8 of the Genetically Modified Organisms (Contained Use) Regulations 2014(2),”.

### The Environmental Information Regulations 2004

5. In regulation 18(6) of the Environmental Information Regulations 2004(3), for the words from “applies to a decision notice” to the end substitute “does not apply”.

### The Hazardous Waste (Wales) Regulations 2005

6.—(1) The Hazardous Waste (Wales) Regulations 2005(4) are amended as follows.

(2) In regulation 12(3), for “Council Regulation 259/93/EEC(5)” substitute “Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste(6)”.

(3) In Schedule 7, in paragraph 1(b), for the words from “the Annex” to “1994” substitute “Annex 1A to Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste”.

### The Contaminated Land (Wales) Regulations 2006

7. In regulation 3(b)(ii) of the Contaminated Land (Wales) Regulations 2006(7), after “water policy” insert “as last amended by Commission Directive 2014/101/EU(8)”.

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(1) OJ Rhif L 125, 21.5.2009, t. 75.

(2) O.S. 2014/1663, y mae diwygiadau iddo nad ydynt yn berthnasol i’r Rheoliadau hyn.

(3) O.S. 2004/3391, y mae diwygiadau iddo nad ydynt yn berthnasol i’r Rheoliadau hyn.

(4) O.S. 2005/1806 (Cy. 138), y mae diwygiadau iddo nad ydynt yn berthnasol i’r Rheoliadau hyn.

(5) OJ Rhif L 30, 6.2.1993, t. 1, fel y’i diddymwyd gan Reoliad (EC) Rhif 1013/2006 Senedd Ewrop a’r Cyngor (OJ Rhif L 190, 12.7.2006, t. 1).

(6) OJ Rhif L 190, 12.7.2006, t. 1, fel y’i diwygiwyd ddiwethaf gan Reoliad y Comisiwn (EU) 2015/2002 (OJ Rhif L 294, 11.11.2015, t. 1).

(7) O.S. 2006/2989 (Cy. 278), a ddiwygiwyd gan O.S. 2012/283 (Cy. 47).

(8) OJ Rhif L 311, 31.10.2014, t. 32.

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(1) OJ No L 125, 21.5.2009, p. 75.

(2) S.I. 2014/1663, to which there are amendments not relevant to these Regulations.

(3) S.I. 2004/3391, to which there are amendments not relevant to these Regulations.

(4) S.I. 2005/1806 (W. 138), to which there are amendments not relevant to these Regulations.

(5) OJ No L 30, 6.2.1993, p. 1, as repealed by Regulation (EC) No 1013/2006 of the European Parliament and of the Council (OJ No L 190, 12.7.2006, p. 1).

(6) OJ No L 190, 12.7.2006, p. 1, as last amended by Commission Regulation (EU) 2015/2002 (OJ No L 294, 11.11.2015, p. 1).

(7) S.I. 2006/2989 (W. 278), amended by S.I. 2012/283 (W. 47).

(8) OJ No L 311, 31.10.2014, p. 32.

## Rheoliadau Difrod Amgylcheddol (Atal ac Adfer) (Cymru) 2009

8.—(1) Mae Rheoliadau Difrod Amgylcheddol (Atal ac Adfer) (Cymru) 2009(1) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 20, cyn paragraff (1), mewnosoder—

“(A1) Pan fo gweithredwr cyfrifol wedi cael hysbysiad oddi wrth yr awdurdod gorfodi o dan reoliad 18, rhaid iddo, yn ddi-oed, canfod mesurau adfer posibl yn unol ag Atodlen 4, a chyflwyno’r mesurau hynny yn ysgrifenedig i’r awdurdod gorfodi i’w cymeradwyo ganddo.”

(3) Yn Atodlen 1, yn lle paragraff 5 rhodder—

“5.—(1) Nid yw difrod i rywogaeth a warchodir neu gynefin naturiol a difrod i safle o ddiddordeb gwyddonol arbennig yn cynnwys difrod a achosir gan weithred a awdurdodir yn benodol gan yr awdurdodau perthnasol yn unol ag—

- (a) Rheoliadau Cadwraeth (Cynefinoedd Naturiol, &c.) 1994(2);
- (b) Rheoliadau Gweithgarwch Petrolewm Alltraeth (Cadwraeth Cynefinoedd) 2001(3);
- (c) Rheoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2010(4);
- (d) Rheoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2017(5);
- (e) Rheoliadau Cadwraeth Cynefinoedd a Rhywogaethau Morol Alltraeth 2017(6).

(2) Nid yw difrod i safleoedd o ddiddordeb gwyddonol arbennig yn cynnwys, yn achos safle nad yw’n safle Ewropeaidd, difrod a achosir gan weithred a awdurdodir yn benodol gan yr awdurdodau perthnasol yn unol â Rhan 2 o Ddeddf Bywyd Gwylt a Chefn Gwlad 1981(7).

## The Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009

8.—(1) The Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009(1) are amended as follows.

(2) In regulation 20, before paragraph (1), insert—

“(A1) Where a responsible operator has received a notice from the enforcing authority under regulation 18, it must without delay identify potential remedial measures in accordance with Schedule 4 and submit them in writing to the enforcing authority for its approval.”

(3) In Schedule 1, for paragraph 5 substitute—

“5.—(1) Damage to a protected species or natural habitat and damage to a site of special scientific interest does not include damage caused by an act expressly authorised by the relevant authorities in accordance with—

- (a) the Conservation (Natural Habitats, &c.) Regulations 1994(2);
- (b) the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001(3);
- (c) the Conservation of Habitats and Species Regulations 2010(4);
- (d) the Conservation of Habitats and Species Regulations 2017(5);
- (e) the Conservation of Offshore Marine Habitats and Species Regulations 2017(6).

(2) Damage to sites of special scientific interest does not include, in the case of a site that is not a European site damage caused by an act expressly authorised by the relevant authorities in accordance with Part 2 of the Wildlife and Countryside Act 1981(7).

(1) O.S. 2009/995 (Cy. 81), y mae diwygiadau iddo nad ydynt yn berthnasol i’r Rheoliadau hyn.

(2) 1994/2716, a ddiwygiwyd gan baragraff 233(1) o Atodlen 22 i Ddeddf yr Amgylchedd 1995 (p. 25); O.S. 1996/525; 1997/3055; 2000/192 a 1973; 2003/2155; 2005/3389; 2006/1282; 2007/1843 a 3538; 2008/2172; 2009/6, 1307, 2438 a 3160; a pharagraff 4(1) o Atodlen 11 i Ddeddf y Môr a Mynediad i’r Arfordir 2009 (p. 23); ac a ddirymwyd (o ran Cymru a Lloegr) gan O.S. 2010/490.

(3) O.S. 2001/1754, a ddiwygiwyd gan O.S. 2007/77 a 1842; a 2010/1513.

(4) O.S. 2010/490.

(5) O.S. 2017/1012.

(6) O.S. 2017/1013.

(7) 1981 p. 69.

(1) S.I. 2009/995 (W. 81), to which there are amendments not relevant to these Regulations.

(2) 1994/2716, amended by paragraph 233(1) of Schedule 22 to the Environment Act 1995 (c. 25); S.I. 1996/525; 1997/3055; 2000/192 and 1973; 2003/2155; 2005/3389; 2006/1282; 2007/1843 and 3538; 2008/2172; 2009/6, 1307, 2438 and 3160; and paragraph 4(1) of Schedule 11 to the Marine and Coastal Access Act 2009 (c. 23); and revoked (in relation to England and Wales) by S.I. 2010/490.

(3) S.I. 2001/1754, amended by S.I. 2007/77 and 1842; and 2010/1513.

(4) S.I. 2010/490.

(5) S.I. 2017/1012.

(6) S.I. 2017/1013.

(7) 1981 c. 69.

(3) Yn is-baragraff (2), mae i “safle Ewropeaidd” yr un ystyr ag a roddir i “European site” yn rheoliad 8 o Reoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2017.”

(3) In sub-paragraph (2), “European site” has the same meaning as in regulation 8 of the Conservation of Habitats and Species Regulations 2017.”

### **Rheoliadau Bywyd Gwyllt a Chefn Gwlad (Cofrestru, Modrwyo a Marcio Adar Caeth Penodol) (Cymru) 2011**

9.—(1) Mae Rheoliadau Bywyd Gwyllt a Chefn Gwlad (Cofrestru, Modrwyo a Marcio Adar Caeth Penodol) (Cymru) 2011(1) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 5(3), yn y diffiniad o “tystysgrif CITES” (“*CITES certificate*”), ar ôl “fasnach ynddynt” mewnosoder “, fel y’i diwygiwyd ddiwethaf gan Reoliad y Comisiwn (EU) 2017/160(2),”.

(3) Yn rheoliad 6(2), ar y diwedd mewnosoder “, fel y’i diwygiwyd ddiwethaf gan Reoliad y Comisiwn (EU) 2015/870(3)”.

### **Gorchymyn Llifogydd ac Erydu Arfordirol Atodol (Cymru) 2011**

10. Yn erthygl 3(4) o Orchymyn Llifogydd ac Erydu Arfordirol Atodol (Cymru) 2011(4)—

- (a) yn is-baragraff (b), ar y diwedd mewnosoder “, fel y’i diwygiwyd ddiwethaf gan Gyfarwyddeb y Cyngor 2013/17(EU)(5)”;
- (b) yn is-baragraff (c), ar ôl “polisi dŵr” mewnosoder “, fel y’i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn 2014/101/EU”;
- (c) ar ôl is-baragraff (c) hepgorer “a”;
- (d) yn is-baragraff (ch), ar y diwedd mewnosoder “, fel y’i diwygiwyd ddiwethaf gan Gyfarwyddeb y Cyngor 2013/17/EU”.

### **Rheoliadau Gwastraff a Reolir (Cymru a Lloegr) 2012**

11. Yn Atodlen 1 i Reoliadau Gwastraff a Reolir (Cymru a Lloegr) 2012(6), ym mharagraff 1, yn y diffiniad o “clinical waste”, ym mharagraff (c), yn lle’r geiriau o “Council Directive” hyd at y diwedd rhodder “Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification,

### **The Wildlife and Countryside (Registration, Ringing and Marking of Certain Captive Birds) (Wales) Regulations 2011**

9.—(1) The Wildlife and Countryside (Registration, Ringing and Marking of Certain Captive Birds) (Wales) Regulations 2011(1) is amended as follows.

(2) In regulation 5(3), in the definition of “CITES certificate” (“*tystysgrif CITES*”), after “trade therein” insert “, as last amended by Commission Regulation (EU) 2017/160(2),”.

(3) In regulation 6(2), at the end insert “, as last amended by Commission Regulation (EU) 2015/870(3)”.

### **The Incidental Flooding and Coastal Erosion (Wales) Order 2011**

10. In article 3(4) of the Incidental Flooding and Coastal Erosion (Wales) Order 2011(4)—

- (a) in sub-paragraph (b), at the end insert “, as last amended by Council Directive 2013/17(EU)(5)”;
- (b) in sub-paragraph (c), after “water policy” insert “, as last amended by Commission Directive 2014/101/EU”;
- (c) after sub-paragraph (c) omit “and”;
- (d) in sub-paragraph (d), at the end insert “, as last amended by Council Directive 2013/17/EU”.

### **The Controlled Waste (England and Wales) Regulations 2012**

11. In Schedule 1 to the Controlled Waste (England and Wales) Regulations 2012(6), in paragraph 1, in the definition of “clinical waste”, in paragraph (c), for the words from “Council Directive” to the end substitute “Regulation (EC) No 1272/2008 of the European Parliament and of the Council on

(1) O.S. 2011/1653 (Cy. 188).

(2) OJ Rhif L 27, 1.2.2017, t. 1.

(3) OJ Rhif L 142, 6.6.2015, t. 3.

(4) O.S. 2011/2829 (Cy. 302), y mae diwygiadau iddo nad ydynt yn berthnasol i’r Rheoliadau hyn.

(5) OJ Rhif L 158, 10.6.2013, t. 193.

(6) O.S. 2012/811, y mae diwygiadau iddo nad ydynt yn berthnasol i’r Rheoliadau hyn.

(1) S.I. 2011/1653 (W. 188).

(2) OJ No L 27, 1.2.2017, p. 1.

(3) OJ No L 142, 6.6.2015, p. 3.

(4) S.I. 2011/2829 (W. 302), to which there are amendments not relevant to these Regulations.

(5) OJ No L 158, 10.6.2013, p. 193.

(6) S.I. 2012/811, to which there are amendments not relevant to these Regulations.

labelling and packaging of substances and mixtures(1), as amended from time to time.”

### **Rheoliadau Dyfroedd Ymdrochi 2013**

12. Yn rheoliad 2(2) o Reoliadau Dyfroedd Ymdrochi 2013(2), ar ôl “water policy” mewnosoder “, as last amended by Commission Directive 2014/101/EU”.

### **Rheoliadau Atal Llygredd Nitradau (Cymru) 2013**

13.—(1) Mae Rheoliadau Atal Llygredd Nitradau (Cymru) 2013(3) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 6, yn y diffiniad o “rhanddirymiad” (“*derogation*”), hepgorer “a Phenderfyniad y Comisiwn 2013/781/EU”.

(3) Yn rheoliad 11(2)(b), ar y diwedd mewnosoder “, fel y’i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn (EU) 2015/1787(4)”.

(4) Yn rheoliad 22(2)(a)(ii), ar y diwedd mewnosoder “, neu Reoliad (EU) 1305/2013(5)”.

### **Rheoliadau Trwyddedu Amgylcheddol (Cymru a Lloegr) 2016**

14. Yn Atodlen 10 i Reoliadau Trwyddedu Amgylcheddol (Cymru a Lloegr) 2016(6), ym mharagraff 5—

(a) yn is-baragraff (4), yn lle’r geiriau o “Regulation” hyd at y diwedd rhodder “Regulation (EU) 2017/852 of the European Parliament and of the Council on mercury(7)”;

(b) hepgorer is-baragraff (5).

### **Rheoliadau Tynnu Dŵr (Darpariaethau Trosiannol) 2017**

15. Yn rheoliad 9 o Reoliadau Tynnu Dŵr (Darpariaethau Trosiannol) 2017(8), yn lle paragraff (3) rhodder—

“(3) In paragraph (1), an abstraction of more limited extent does not include—

classification, labelling and packaging of substances and mixtures(1), as amended from time to time.”

### **The Bathing Water Regulations 2013**

12. In regulation 2(2) of the Bathing Water Regulations 2013(2), after “water policy” insert “, as last amended by Commission Directive 2014/101/EU”.

### **The Nitrate Pollution Prevention (Wales) Regulations 2013**

13.—(1) The Nitrate Pollution Prevention (Wales) Regulations 2013(3) are amended as follows.

(2) In regulation 6, in the definition of “derogation” (“*rhanddirymiad*”), omit “and Commission Decision 2013/781/EU”.

(3) In regulation 11(2)(b), at the end insert “, as last amended by Commission Directive (EU) 2015/1787(4)”.

(4) In regulation 22(2)(a)(ii), at the end insert “, or Regulation (EU) 1305/2013(5)”.

### **The Environmental Permitting (England and Wales) Regulations 2016**

14. In Schedule 10 to the Environmental Permitting (England and Wales) Regulations 2016(6), in paragraph 5—

(a) in sub-paragraph (4), for the words from “Regulation” to the end substitute “Regulation (EU) 2017/852 of the European Parliament and of the Council on mercury(7)”;

(b) omit sub-paragraph (5).

### **The Water Abstraction (Transitional Provisions) Regulations 2017**

15. In regulation 9 of the Water Abstraction (Transitional Provisions) Regulations 2017(8), for paragraph (3) substitute—

“(3) In paragraph (1), an abstraction of more limited extent does not include—

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(1) OJ Rhif L 353, 31.12.2008, t. 1.

(2) O.S. 2013/1675, y mae diwygiadau iddo nad ydynt yn berthnasol i’r Rheoliadau hyn.

(3) O.S. 2013/2506 (Cy. 245), y mae diwygiadau iddo nad ydynt yn berthnasol i’r Rheoliadau hyn.

(4) OJ Rhif L 260, 7.10.2015, t. 6.

(5) OJ Rhif L 347, 20.12.2013, t. 487.

(6) O.S. 2016/1154, y mae diwygiadau iddo nad ydynt yn berthnasol i’r Rheoliadau hyn.

(7) OJ Rhif L 137, 24.5.2017, t. 1.

(8) O.S. 2017/1047.

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(1) OJ No L 353, 31.12.2008, p. 1.

(2) S.I. 2013/1675, to which there are amendments not relevant to these Regulations.

(3) S.I. 2013/2506 (W. 245), to which there are amendments not relevant to these Regulations.

(4) OJ No L 260, 7.10.2015, p. 6.

(5) OJ No L 347, 20.12.2013, p. 487.

(6) S.I. 2016/1154, to which there are amendments not relevant to these Regulations.

(7) OJ No L 137, 24.5.2017, p. 1.

(8) S.I. 2017/1047.

- (a) a Qn95 hands-off flow constraint on a licence where the licensed abstraction is from a body of inland waters or a body of groundwater where the recent actual flow or quantitative status of the source of supply does not support good ecological potential, good ecological status or good quantitative status, or
- (b) 75% of Qn99 hands-off flow constraint on a licence where the licenced abstraction is from a body of inland waters or a body of groundwater where the recent actual flow or quantitative status of the source of supply supports good ecological potential, good ecological status or good quantitative status.”

- (a) a Qn95 hands-off flow constraint on a licence where the licensed abstraction is from a body of inland waters or a body of groundwater where the recent actual flow or quantitative status of the source of supply does not support good ecological potential, good ecological status or good quantitative status, or
- (b) 75% of Qn99 hands-off flow constraint on a licence where the licenced abstraction is from a body of inland waters or a body of groundwater where the recent actual flow or quantitative status of the source of supply supports good ecological potential, good ecological status or good quantitative status.”

### **Rheoliadau Tynnu Dŵr a’i Gronni (Esemptiadau) 2017**

**16.—(1)** Mae Rheoliadau Tynnu Dŵr a’i Gronni (Esemptiadau) 2017(1) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2(1)—

- (a) yn lle’r diffiniad o “the 2010 Regulations” rhodder—  
“the 2017 Regulations” means the Conservation of Habitats and Species Regulations 2017(2);”;
- (b) yn y diffiniad o “conservation site”—
  - (i) ym mharagraff (a), yn lle “regulation 10(5) of the 2010 Regulations” rhodder “regulation 12(5) of the 2017 Regulations”;
  - (ii) ym mharagraff (b), yn lle “regulation 11 of the 2010 Regulations” rhodder “regulation 13 of the 2017 Regulations”;
  - (iii) ym mharagraff (c), yn lle “regulations 12A and 12B, respectively, of the 2010 Regulations” rhodder “regulations 15 and 16, respectively, of the 2017 Regulations”;
- (c) yn y diffiniad o “protected species”, ym mharagraff (a), yn lle “regulation 40(1) of, and Schedule 2 to, the 2010 Regulations” rhodder “regulation 42(1) of, and Schedule 2 to, the 2017 Regulations”.

### **The Water Abstraction and Impounding (Exemptions) Regulations 2017**

**16.—(1)** The Water Abstraction and Impounding (Exemptions) Regulations 2017(1) are amended as follows.

(2) In regulation 2(1)—

- (a) for the definition of “the 2010 Regulations” substitute—  
“the 2017 Regulations” means the Conservation of Habitats and Species Regulations 2017(2);”;
- (b) in the definition of “conservation site”—
  - (i) in paragraph (a), for “regulation 10(5) of the 2010 Regulations” substitute “regulation 12(5) of the 2017 Regulations”;
  - (ii) in paragraph (b), for “regulation 11 of the 2010 Regulations” substitute “regulation 13 of the 2017 Regulations”;
  - (iii) in paragraph (c), for “regulations 12A and 12B, respectively, of the 2010 Regulations” substitute “regulations 15 and 16, respectively, of the 2017 Regulations”;
- (c) in the definition of “protected species”, in paragraph (a), for “regulation 40(1) of, and Schedule 2 to, the 2010 Regulations” substitute “regulation 42(1) of, and Schedule 2 to, the 2017 Regulations”.

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(1) O.S. 2017/1044.  
(2) O.S. 2017/1012.

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(1) S.I. 2017/1044.  
(2) S.I. 2017/1012.



(3) Yn rheoliad 14(1)(b), yn lle “regulation 99(2) of the 2010 Regulations” rhodder “regulation 102(2) of the 2017 Regulations”.

### RHAN 3

Diwygiadau i is-ddeddfwriaeth sy'n ymwneud â chynllunio

#### Rheoliadau Asesiadau Amgylcheddol o Gynlluniau a Rhaglenni (Cymru) 2004

17.—(1) Mae Rheoliadau Asesiadau Amgylcheddol o Gynlluniau a Rhaglenni (Cymru) 2004(1) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2(1), yn y diffiniad o “y Gyfarwyddeb Cynefinoedd” (“*the Habitats Directive*”), yn lle “fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Cyngor 97/62/EC” rhodder “, fel y'i diwygir o bryd i'w gilydd”.

(3) Yn rheoliad 5(2)(b), yn lle “Gyfarwyddeb y Cyngor 85/337/EEC ar asesu effeithiau prosiectau cyhoeddus a phreifat penodol ar yr amgylchedd, fel y'i diwygiwyd gan Gyfarwyddeb y Cyngor 97/11/EC” rhodder “Gyfarwyddeb 2011/92/EU Senedd Ewrop a'r Cyngor ar asesu effeithiau prosiectau cyhoeddus a phreifat penodol ar y amgylchedd(2), fel y'i diwygir o bryd i'w gilydd”.

#### Rheoliadau Cynllunio (Sylweddau Peryglus) (Cymru) 2015

18.—(1) Mae Rheoliadau Cynllunio (Sylweddau Peryglus) (Cymru) 2015(3) wedi eu diwygio fel a ganlyn.

(2) Yn Atodlen 1—

- (a) yn Rhan 1, colofn 1, adran ‘P’, ar ôl “Reoliad (EC) Rhif 440/2008” mewnosoder “fel y'i diwygir o bryd i'w gilydd”;
- (b) yn Rhan 4—
  - (i) ym mharagraff 11(1), ar ôl “chyflenwyr erisol”, yn y lle cyntaf y mae'n digwydd, mewnosoder “fel y'i diwygir o bryd i'w gilydd”;
  - (ii) ym mharagraff 13(a), ar ôl “gwrteithiau” mewnosoder “fel y'i diwygir o bryd i'w gilydd”;

(3) In regulation 14(1)(b), for “regulation 99(2) of the 2010 Regulations” substitute “regulation 102(2) of the 2017 Regulations”.

### PART 3

Amendments to secondary legislation concerning planning

#### The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004

17.—(1) The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004(1) are amended as follows.

(2) In regulation 2(1), in the definition of “the Habitats Directive” (“*y Gyfarwyddeb Cynefinoedd*”), for “as last amended by Council Directive 97/62/EC” substitute “, as amended from time to time”.

(3) In regulation 5(2)(b), for “Council Directive 85/337/EC on the assessment of the effects of certain public and private projects on the environment, as amended by Council Directive 97/11/EC” substitute “Directive 2011/92/EU of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment(2), as amended from time to time”.

#### The Planning (Hazardous Substances) (Wales) Regulations 2015

18.—(1) The Planning (Hazardous Substances) (Wales) Regulations 2015(3) are amended as follows.

(2) In Schedule 1—

- (a) in Part 1, column 1, section ‘P’, after “Regulation (EC) No 440/2008” insert “as amended from time to time”;
- (b) in Part 4—
  - (i) in paragraph 11(1), after “aerosol dispensers”, in the first place it occurs, insert “as amended from time to time”;
  - (ii) in paragraph 13(a), after “fertilisers” insert “as amended from time to time”;

(1) O.S. 2004/1656 (Cy. 170).

(2) OJ Rhif L 26, 28.1.2012, t. 1.

(3) O.S. 2015/1597 (Cy. 196), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(1) S.I. 2004/1656 (W. 170).

(2) OJ No L 26, 28.1.2012, p. 1.

(3) S.I. 2015/1597 (W. 196), to which there are amendments not relevant to these Regulations.

- (iii) ym mharagraffau 14 ac 16(b), ar ôl “Reoliad (EC) Rhif 2003/2003”, ym mhob lle y mae’n digwydd, mewnosoder “fel y’i diwygir o bryd i’w gilydd”.

(3) Yn Atodlen 2, ym mharagraff 6(a), yn lle “Erthygl 3(1)(b) o Reoliad (EC) Rhif 1102/2008 Senedd Ewrop a’r Cyngor ar wahardd allforio mercwri metelaidd a chyfansoddion a chymysgeddau penodol mercwri a storio mercwri metelaidd yn ddiogel” rhodder “Erthygl 13(1) o Reoliad (EU) 2017/852 Senedd Ewrop a’r Cyngor ar fercwri, ac sy’n diddymu Rheoliad (EC) Rhif 1102/2008(1), fel y’i diwygir o bryd i’w gilydd”.

### **Rheoliadau Cynllunio Gwlad a Thref (Asesu Effeithiau Amgylcheddol) (Cymru) 2016**

**19.**—(1) Mae Rheoliadau Cynllunio Gwlad a Thref (Asesu Effeithiau Amgylcheddol) (Cymru) 2016(2) wedi eu diwygio fel a ganlyn.

(2) Yn Atodlen 1, ym mharagraffau 9 a 10, yn lle “Atodiad IIA i Gyfarwyddeb y Cyngor 75/442/EEC” rhodder “Atodiad I i Gyfarwyddeb 2008/98/EC Senedd Ewrop a’r Cyngor(3), fel y’i diwygiwyd ddiwethaf gan Reoliad y Cyngor (EU) 2017/997(4)”.

(3) Yn Atodlen 2, ym mharagraff 2, yn rhes 3(g) o golofn 2 o’r tabl, ym mharagraff (ii), yn lle “Reoliadau Trwyddedu Amgylcheddol (Cymru a Lloegr) 2010” rhodder “Reoliadau Trwyddedu Amgylcheddol (Cymru a Lloegr) 2016(5)”.

### **Rheoliadau Cynllunio Gwlad a Thref (Asesu Effeithiau Amgylcheddol) (Cymru) 2017**

**20.**—(1) Mae Rheoliadau Cynllunio Gwlad a Thref (Asesu Effeithiau Amgylcheddol) (Cymru) 2017(6) wedi eu diwygio fel a ganlyn.

(2) Yn Atodlen 1, ym mharagraffau 9 a 10, yn lle “Atodiad IIA i Gyfarwyddeb y Cyngor 75/442/EEC” rhodder “Atodiad I i Gyfarwyddeb 2008/98/EC Senedd Ewrop a’r Cyngor, fel y’i diwygiwyd ddiwethaf gan Reoliad y Cyngor (EU) 2017/997”.

(3) Yn Atodlen 2, ym mharagraff 2, yn rhes 3(g) o golofn 2 o’r tabl, ym mharagraff (ii), yn lle “Reoliadau Trwyddedu Amgylcheddol (Cymru a Lloegr) 2010” rhodder “Reoliadau Trwyddedu Amgylcheddol (Cymru a Lloegr) 2016”.

- (iii) in paragraphs 14 and 16(b), after “Regulation (EC) No 2003/2003”, in each place it occurs, insert “as amended from time to time”.

(3) In Schedule 2, in paragraph 6(a), for “Article 3(1)(b) of Regulation (EC) No 1102/2008 of the European Parliament and of the Council on the banning of exports of metallic mercury and certain mercury compounds and mixtures and the safe storage of metallic mercury” substitute “Article 13(1) of Regulation (EU) 2017/852 of the European Parliament and of the Council on mercury, and repealing Regulation (EC) No 1102/2008(1), as amended from time to time”.

### **The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016**

**19.**—(1) The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016(2) are amended as follows.

(2) In Schedule 1, in paragraphs 9 and 10, for “Annex IIA to Council Directive 75/442/EEC” substitute “Annex I to Directive 2008/98/EC of the European Parliament and of the Council(3), as last amended by Council Regulation (EU) 2017/997(4).”

(3) In Schedule 2, in paragraph 2, in row 3(g) of column 2 of the table, in paragraph (ii), for “the Environmental Permitting (England and Wales) Regulations 2010” substitute “the Environmental Permitting (England and Wales) Regulations 2016(5)”.

### **The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017**

**20.**—(1) The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017(6) are amended as follows.

(2) In Schedule 1, in paragraphs 9 and 10, for “Annex IIA to Council Directive 75/442/EEC” substitute “Annex I to Directive 2008/98/EC of the European Parliament and of the Council, as last amended by Council Regulation (EU) 2017/997”.

(3) In Schedule 2, in paragraph 2, in row 3(g) of column 2 of the table, in paragraph (ii), for “the Environmental Permitting (England and Wales) Regulations 2010” substitute “the Environmental Permitting (England and Wales) Regulations 2016”.

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(1) OJ Rhif L 137, 24.5.2017, t. 1.

(2) O.S. 2016/58 (Cy. 28).

(3) OJ Rhif L 312, 22.11.2008, t. 3.

(4) OJ Rhif L 150, 14.6.2017, t. 1.

(5) O.S. 2016/1154.

(6) O.S. 2017/567 (Cy. 136).

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(1) OJ No L 137, 24.5.2017, p. 1.

(2) S.I. 2016/58 (W. 28).

(3) OJ No L 312, 22.11.2008, p. 3.

(4) OJ No L 150, 14.6.2017, p. 1.

(5) S.I. 2016/1154.

(6) S.I. 2017/567 (W. 136).

## RHAN 4

Diwygiadau i ddeddfwriaeth sy'n ymwneud ag amaethyddiaeth

### Rheoliadau Marchnata Deunyddiau Planhigion Llysieuol 1995

**21.**—(1) Mae Rheoliadau Marchnata Deunyddiau Planhigion Llysieuol 1995(1) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 5(d)(i), yn lle “the Vegetable Seeds Regulations 1993(2)” rhodder “the Seed Marketing (Wales) Regulations 2012(3)”.

(3) Yn rheoliad 8(4), yn lle “the Vegetable Seeds Regulations 1993” rhodder “the Seed Marketing (Wales) Regulations 2012”.

### Rheoliadau Marchnata Deunyddiau Lluosogi Planhigion Addurniadol 1999

**22.**—(1) Mae Rheoliadau Marchnata Deunyddiau Lluosogi Planhigion Addurniadol 1999(4) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2(1)—

- (a) hepgorer y diffiniad o “Directive 77/93/EEC”;
- (b) yn y diffiniad o “Directive 98/56/EC”, ar y diwedd mewnosoder “, as last amended by Regulation (EU) No 652/2014 of the European Parliament and of the Council(5)”;
- (c) ar ôl y diffiniad o “Directive 98/56/EC” mewnosoder—

““Directive 2000/29/EC” means Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community(6);”.

(3) Yn rheoliad 9(2), yn lle “Council Directive 77/93/EEC” rhodder “Directive 2000/29/EC”.

## PART 4

Amendments to legislation concerning agriculture

### The Marketing of Vegetable Plant Material Regulations 1995

**21.**—(1) The Marketing of Vegetable Plant Material Regulations 1995(1) are amended as follows.

(2) In regulation 5(d)(i), for “the Vegetable Seeds Regulations 1993(2)” substitute “the Seed Marketing (Wales) Regulations 2012(3)”.

(3) In regulation 8(4), for “the Vegetable Seeds Regulations 1993” substitute “the Seed Marketing (Wales) Regulations 2012”.

### The Marketing of Ornamental Plant Propagating Material Regulations 1999

**22.**—(1) The Marketing of Ornamental Plant Propagating Material Regulations 1999(4) are amended as follows.

(2) In regulation 2(1)—

- (a) omit the definition of “Directive 77/93/EEC”;
- (b) in the definition of “Directive 98/56/EC”, at the end insert “, as last amended by Regulation (EU) No 652/2014 of the European Parliament and of the Council(5)”;
- (c) after the definition of “Directive 98/56/EC” insert—

““Directive 2000/29/EC” means Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community(6);”.

(3) In regulation 9(2), for “Council Directive 77/93/EEC” substitute “Directive 2000/29/EC”.

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(1) O.S.1995/2652, a ddiwygiwyd gan O.S. 2007/2190 (Cy. 174); mae offerynnau diwygio eraill, ond nid oes yr un ohonynt yn berthnasol.  
(2) O.S.1993/2008, a ddirymwyd o ran Cymru gan O.S. 2005/3035 (Cy. 223).  
(3) O.S. 2012/245 (W. 39), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.  
(4) O.S. 1999/1801.  
(5) OJ Rhif L 189, 27.6.2014, t. 1.  
(6) OJ Rhif L 169, 10.7.2000, t. 1, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb Gweithredu'r Comisiwn (EU) Rhif 2017/1920 (OJ Rhif L 271, 20.10.2017, t. 34).

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(1) S.I.1995/2652, amended by S.I. 2007/2190 (W. 174); there are other amending instruments but none is relevant.  
(2) S.I.1993/2008, revoked in relation to Wales by S.I. 2005/3035 (W. 223).  
(3) S.I. 2012/245 (W. 39), to which there are amendments not relevant to these Regulations.  
(4) S.I. 1999/1801.  
(5) OJ No L 189, 27.6.2014, p. 1.  
(6) OJ No L 169, 10.7.2000, p. 1, as last amended by Commission Implementing Directive (EU) 2017/1920 (OJ No L 271, 20.10.2017, p. 34).

## Rheoliadau Marchnata Cynnyrch Garddwriaethol Ffres (Cymru) 2009

23. Yn rheoliad 2(2) o Reoliadau Marchnata Cynnyrch Garddwriaethol Ffres (Cymru) 2009(1), yn lle'r diffiniad o "Rheoliad (EU) 2013" ("*Regulation (EU) 2013*") rhodder—

"Ystyr "Rheoliad (EU) 2013" ("*Regulation (EU) 2013*") yw Rheoliad (EU) Rhif 1308/2013 Senedd Ewrop a'r Cyngor sy'n sefydlu trefniadaeth gyffredin ar gyfer marchnadoedd cynhyrchion amaethyddol(2), fel y'i diwygir o bryd i'w gilydd;".

## Rheoliadau Tatws Hadyd (Cymru) 2016

24. Yn rheoliad 3 o Reoliadau Tatws Hadyd (Cymru) 2016(3)—

- (a) yn y diffiniad o "y Penderfyniad" ("*the Decision*"), ar y diwedd mewnosoder " , fel y'i diwygiwyd ddiwethaf gan Benderfyniad Gweithredu'r Comisiwn (EU) 2016/320(4)";
- (b) yn y diffiniad o "y Gyfarwyddeb" ("*the Directive*"), ar y diwedd mewnosoder " , fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb Weithredu'r Comisiwn (EU) 2016/317(5)".

## RHAN 5

Diwygiadau i ddeddfwriaeth sy'n ymwneud ag anifeiliaid

## Gorchymyn Mewnforio Embryonau, Ofa a Semen 1980

25.—(1) Mae Gorchymyn Mewnforio Embryonau, Ofa a Semen 1980(6) wedi ei ddiwygio fel a ganlyn.

(2) Yn erthygl 2—

- (a) ym mharagraff (a), yn lle "the Animal Health Act 1981(7)" rhodder "the Act";
- (b) ym mharagraff (b), yn lle "section 84(3)(a) and (b)" rhodder "section 88(1) and (3)".

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(1) O.S. 2009/1551 (Cy. 151), a ddiwygiwyd gan O.S. 2013/3270 (Cy. 320); mae offerynnau diwygio eraill, ond nid oes yr un ohonynt yn berthnasol.  
(2) OJ Rhif L 347, 20.12.2013, t. 671.  
(3) O.S. 2016/106 (Cy. 52), a ddiwygiwyd gan O.S. 2017/596 (Cy. 39).  
(4) OJ Rhif L 60, 5.3.2016, t. 88.  
(5) OJ Rhif L 60, 5.3.2016, t. 72.  
(6) O.S. 1980/12, a ddiwygiwyd gan O.S. 1994/2920; mae offerynnau diwygio eraill, ond nid oes yr un ohonynt yn berthnasol.  
(7) 1981 p. 22.

## The Marketing of Fresh Horticultural Produce (Wales) Regulations 2009

23. In regulation 2(2) of the Marketing of Fresh Horticultural Produce (Wales) Regulations 2009(1), for the definition of "Regulation (EU) 2013" ("*Rheoliad (EU) 2013*") substitute—

"“Regulation (EU) 2013” ("*Rheoliad (EU) 2013*") means Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products(2), as amended from time to time;"

## The Seed Potatoes (Wales) Regulations 2016

24. In regulation 3 of the Seed Potatoes (Wales) Regulations 2016(3)—

- (a) in the definition of "the Decision" ("*y Penderfyniad*"), at the end insert " , as last amended by Commission Implementing Decision (EU) 2016/320(4)";
- (b) in the definition of "the Directive" ("*y Gyfarwyddeb*"), at the end insert " , as last amended by Commission Implementing Directive (EU) 2016/317(5)".

## PART 5

Amendments to legislation concerning animals

## The Importation of Embryos, Ova and Semen Order 1980

25.—(1) The Importation of Embryos, Ova and Semen Order 1980(6) is amended as follows.

(2) In article 2—

- (a) in paragraph (a), for "the Animal Health Act 1981(7)" substitute "the Act";
- (b) in paragraph (b), for "section 84(3)(a) and (b)" substitute "section 88(1) and (3)".

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(1) S.I. 2009/1551 (W. 151), amended by S.I. 2013/3270 (W. 320); there are other amending instruments but none is relevant.  
(2) OJ No L 347, 20.12.2013, p. 671.  
(3) S.I. 2016/106 (W. 52), amended by S.I. 2017/596 (W. 139).  
(4) OJ No L 60, 5.3.2016, p. 88.  
(5) OJ No L 60, 5.3.2016, p. 72.  
(6) S.I. 1980/12, amended by S.I. 1994/2920, there are other amending instruments but none is relevant.  
(7) 1981 c. 22.

(3) Yn erthygl 3, yn y diffiniad o “the Act”, yn lle “the Diseases of Animals Act 1950(1)” rhodder “the Animal Health Act 1981”.

(4) Hefgorer erthygl 9.

### **Gorchymyn Mewnforio Cynhyrchion Anifeiliaid a Chynhyrchion Dofednod 1980**

**26.**—(1) Mae Gorchymyn Mewnforio Cynhyrchion Anifeiliaid a Chynhyrchion Dofednod 1980(2) wedi ei ddiwygio fel a ganlyn.

(2) Yn erthygl 2—

(a) yn y geiriau cyn paragraff (a), yn lle “the Animal Health Act 1981 (“the 1981 Act”)” rhodder “the Act”;

(b) ym mharagraffau (a) a (b), yn lle “the 1981 Act” rhodder “the Act”.

(3) Yn erthygl 3, yn y diffiniad o “the Act”, yn lle “the Diseases of Animals Act 1950” rhodder “the Animal Health Act 1981”.

(4) Hefgorer erthygl 10.

### **Gorchymyn Clefydau Dofednod (Cymru) 2003**

**27.**—(1) Mae Gorchymyn Clefydau Dofednod (Cymru) 2003(3) wedi ei ddiwygio fel a ganlyn.

(2) Yn erthygl 3(1)—

(a) yn y lle priodol, mewnosoder—

“ystyr “Cyfarwyddeb y Cyngor 2005/94/EC” (“*Council Directive 2005/94/EC*”) yw Cyfarwyddeb y Cyngor 2005/94/EC ar fesurau’r Gymuned i reoli ffliw adar(4);”;

(b) yn y diffiniad o “diheintio” (“*disinfect*”), yn lle “Orchymyn Clefydau Anifeiliaid (Diheintyddion a Gymeradwywyd) 1978(5)” rhodder “Orchymyn Clefydau Anifeiliaid (Diheintyddion a Gymeradwywyd) 2007(6)”.

(3) In article 3, in the definition of “the Act”, for “the Diseases of Animals Act 1950(1)” substitute “the Animal Health Act 1981”.

(4) Omit article 9.

### **The Importation of Animal Products and Poultry Products Order 1980**

**26.**—(1) The Importation of Animal Products and Poultry Products Order 1980(2) is amended as follows.

(2) In article 2—

(a) in the words before paragraph (a), for “the Animal Health Act 1981 (“the 1981 Act”)” substitute “the Act”;

(b) in paragraphs (a) and (b), for “the 1981 Act” substitute “the Act”.

(3) In article 3, in the definition of “the Act”, for “the Diseases of Animals Act 1950” substitute “the Animal Health Act 1981”.

(4) Omit article 10.

### **The Diseases of Poultry (Wales) Order 2003**

**27.**—(1) The Diseases of Poultry (Wales) Order 2003(3) is amended as follows.

(2) In article 3(1)—

(a) in the appropriate place, insert—

““Council Directive 2005/94/EC” (“*Cyfarwyddeb y Cyngor 2005/94/EC*”) means Council Directive 2005/94/EC on Community measures for the control of avian influenza(4);”;

(b) in the definition of “disinfect” (“*diheintio*”), for “the Diseases of Animals (Approved Disinfectants) Order 1978(5)” substitute “the Diseases of Animals (Approved Disinfectants) (Wales) Order 2007(6)”.

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(1) 1950 p. 36, a ddiddymwyd gan Atodlen 6 i Ddeddf Iechyd Anifeiliaid 1981.

(2) O.S. 1980/14, a ddiwygiwyd gan O.S. 1982/948; mae offerynnau diwygio eraill, ond nid oes yr un ohonynt yn berthnasol.

(3) O.S. 2003/1079 (Cy. 148), y mae diwygiadau iddo nad ydynt yn berthnasol i’r Rheoliadau hyn.

(4) OJ Rhif L 10, 14.1.2006, t. 16, fel y’i ddiwygiwyd ddiwethaf gan Gyfarwyddeb y Cyngor 2008/73/EC (OJ Rhif L 219, 14.8.2008, t. 40).

(5) O.S. 1978/32, a ddirymwyd o ran Cymru gan O.S. 2007/2803 (Cy. 236).

(6) O.S. 2007/2803 (Cy. 236).

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(1) 1950 c. 36, repealed by the Animal Health Act 1981, Schedule 6.

(2) S.I. 1980/14, amended by S.I. 1982/948, there are other amending instruments but none is relevant.

(3) S.I. 2003/1079 (W. 148), to which there are amendments not relevant to these Regulations.

(4) OJ No L 10, 14.1.2006, p. 16, as last amended by Council Directive 2008/73/EC (OJ No L 219, 14.8.2008, p. 40).

(5) S.I. 1978/32, revoked in relation to Wales by S.I. 2007/2803 (W. 236).

(6) S.I. 2007/2803 (W. 236).

(3) Yn erthygl 6(4), yn lle “Atodiad III o Gyfarwyddeb y Cyngor 92/40/EEC(1)” rhodder “Erthygl 50 o Gyfarwyddeb y Cyngor 2005/94/EC”.

(4) Yn Atodlen 1—

- (a) yn Rhan 1, ym mharagraff 6, yn lle “erthygl 4.2(e) o Gyfarwyddeb y Cyngor 92/40/EEC, ac Atodiad I iddi” rhodder “Erthygl 7(2)(f) o Gyfarwyddeb y Cyngor 2005/94/EC ac Atodiad 3 iddi”;
- (b) yn Rhan 2, ym mharagraff 11, yn lle “Atodiad II i Gyfarwyddeb y Cyngor 92/40/EEC” rhodder “Atodiad 6 i Gyfarwyddeb y Cyngor 2005/94/EC”.

### **Gorchymyn Clwy'r Traed a'r Genau (Cymru) 2006**

**28.**—(1) Mae Gorchymyn Clwy'r Traed a'r Genau (Cymru) 2006(2) wedi ei ddiwygio fel a ganlyn.

(2) Yn erthygl 8(a), yn lle “the Diseases of Animals (Approved Disinfectants) Order 1978” rhodder “the Diseases of Animals (Approved Disinfectants) (Wales) Order 2007”.

(3) Yn erthygl 43(1)(b)(ii), yn lle'r geiriau o “regulation 9” hyd at y diwedd rhodder “the Trade in Animals and Related Products (Wales) Regulations 2011(3)”.

### **Gorchymyn Ffliw Adar a Ffliw sy'n Deillio o Adar mewn Mamaliaid (Cymru) (Rhif 2) 2006**

**29.**—(1) Mae Gorchymyn Ffliw Adar a Ffliw sy'n Deillio o Adar mewn Mamaliaid (Cymru) (Rhif 2) 2006(4) wedi ei ddiwygio fel a ganlyn.

(2) Yn erthygl 2, yn y diffiniad o “border inspection post”, yn lle'r geiriau o “Schedule 2” hyd at y diwedd rhodder “regulation 11 of the Trade in Animals and Related Products (Wales) Regulations 2011”.

(3) Yn erthygl 3—

- (a) ym mharagraff (4), yn lle “the Specified Animal Pathogens Order 1998(5)” rhodder “the Specified Animal Pathogens (Wales) Order 2008(6)”;

(3) In article 6(4), for “Annex III of Council Directive 92/40/EEC(1)” substitute “Article 50 of Council Directive 2005/94/EC”.

(4) In Schedule 1—

- (a) in Part 1, in paragraph 6, for “article 4.2(e) of, and Annex I to, Council Directive 92/40/EEC” substitute “Article 7(2)(f) of, and Annex 3 to, Council Directive 2005/94/EC”;
- (b) in Part 2, in paragraph 11, for “Annex II of Council Directive 92/40/EEC” substitute “Annex 6 to Council Directive 2005/94/EC”.

### **The Foot-and-Mouth Disease (Wales) Order 2006**

**28.**—(1) The Foot-and-Mouth Disease (Wales) Order 2006(2) is amended as follows.

(2) In article 8(a), for “the Diseases of Animals (Approved Disinfectants) Order 1978” substitute “the Diseases of Animals (Approved Disinfectants) (Wales) Order 2007”.

(3) In article 43(1)(b)(ii), for the words from “regulation 9” to the end substitute “the Trade in Animals and Related Products (Wales) Regulations 2011(3)”.

### **The Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No 2) Order 2006**

**29.**—(1) The Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No 2) Order 2006(4) is amended as follows.

(2) In article 2, in the definition of “border inspection post”, for the words from “Schedule 2” to the end substitute “regulation 11 of the Trade in Animals and Related Products (Wales) Regulations 2011”.

(3) In article 3—

- (a) in paragraph (4), for “the Specified Animal Pathogens Order 1998(5)” substitute “the Specified Animal Pathogens (Wales) Order 2008(6)”;

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(1) OJ Rhif L 167, 22.6.1992, t. 1, fel y'i diddymwyd gan Gyfarwyddeb y Cyngor 2005/94/EC (OJ Rhif L 10, 14.1.2006, t. 16).

(2) O.S. 2006/179 (Cy. 30), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(3) O.S. 2011/2379 (Cy. 252), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(4) O.S. 2006/2927 (Cy. 262), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(5) O.S. 1998/463, a ddirymwyd o ran Cymru gan O.S. 2008/1270 (Cy. 129).

(6) O.S. 2008/1270 (Cy. 129), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

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(1) OJ No L 167, 22.6.1992, p. 1, as repealed by Council Directive 2005/94/EC (OJ No L 10, 14.1.2006, p. 16).

(2) S.I. 2006/179 (W. 30), to which there are amendments not relevant to these Regulations.

(3) S.I. 2011/2379 (W. 252), to which there are amendments not relevant to these Regulations.

(4) S.I. 2006/2927 (W. 262), to which there are amendments not relevant to these Regulations.

(5) S.I. 1998/463, revoked in relation to Wales by S.I. 2008/1270 (W. 129).

(6) S.I. 2008/1270 (W. 129), to which there are amendments not relevant to these Regulations.

(b) ym mharagraff (5), yn lle'r geiriau o "Regulation 19" hyd at y diwedd rhodder "Article 6 of Commission Implementing Regulation (EU) No 139/2013 laying down animal health conditions for imports of certain birds into the Union and the quarantine conditions thereof(1)".

(4) Yn erthygl 4(7), yn lle "Department for Agriculture and Rural Development of Northern Ireland" rhodder "Department of Agriculture, Environment and Rural Affairs, Northern Ireland".

(5) Yn erthygl 66(5)(a), yn lle "the Diseases of Animals (Approved Disinfectants) Order 1978" rhodder "the Diseases of Animals (Approved Disinfectants) (Wales) Order 2007".

(6) Yn erthygl 71(3)—

(a) yn is-baragraff (a), yn lle "section 8(2) of the Medicines Act 1968(2)" rhodder "regulation 17 of the Human Medicines Regulations 2012(3)";

(b) yn is-baragraff (b), yn lle "Regulation 5 of the Veterinary Medicines Regulations 2005(4)" rhodder "regulation 5 of the Veterinary Medicines Regulations 2013(5)";

(c) yn is-baragraff (d), yn lle "the Specified Animal Pathogens Order 1998" rhodder "the Specified Animals Pathogens (Wales) Order 2008".

### **Rheoliadau Ffliw Adar (Brechu) (Cymru) (Rhif 2) 2006**

**30.** Yn rheoliad 5(2)(b) o Reoliadau Ffliw Adar (Brechu) (Cymru) (Rhif 2) 2006(6), yn lle "reoliad 8(3) o Reoliadau Meddyginiaethau Milfeddygol 2005" rhodder "reoliad 3(2)(b) o Reoliadau Meddyginiaethau Milfeddygol 2013".

### **Gorchymyn Ffliw Adar (H5N1 mewn Dofednod) (Cymru) 2006**

**31.—**(1) Mae Gorchymyn Ffliw Adar (H5N1 mewn Dofednod) (Cymru) 2006(7) wedi ei ddiwygio fel a ganlyn.

(2) Yn erthygl 12—

(b) in paragraph (5), for the words from "Regulation 19" to the end substitute "Article 6 of Commission Implementing Regulation (EU) No 139/2013 laying down animal health conditions for imports of certain birds into the Union and the quarantine conditions thereof(1)".

(4) In article 4(7), for "Department for Agriculture and Rural Development of Northern Ireland" substitute "Department of Agriculture, Environment and Rural Affairs, Northern Ireland".

(5) In article 66(5)(a), for "the Diseases of Animals (Approved Disinfectants) Order 1978" substitute "the Diseases of Animals (Approved Disinfectants) (Wales) Order 2007".

(6) In article 71(3)—

(a) in sub-paragraph (a), for "section 8(2) of the Medicines Act 1968(2)" substitute "regulation 17 of the Human Medicines Regulations 2012(3)";

(b) in sub-paragraph (b), for "Regulation 5 of the Veterinary Medicines Regulations 2005(4)" substitute "regulation 5 of the Veterinary Medicines Regulations 2013(5)";

(c) in sub-paragraph (d), for "the Specified Animal Pathogens Order 1998" substitute "the Specified Animals Pathogens (Wales) Order 2008".

### **The Avian Influenza (Vaccination) (Wales) (No.2) Regulations 2006**

**30.** In regulation 5(2)(b) of the Avian Influenza (Vaccination) (Wales) (No.2) Regulations 2006(6), for for "regulation 8(3) the Veterinary Medicines Regulations 2005" substitute "regulation 3(2)(b) of the Veterinary Medicines Regulations 2013".

### **The Avian Influenza (H5N1 in Poultry) (Wales) Order 2006**

**31.—**(1) The Avian Influenza (H5N1 in Poultry) (Wales) Order 2006(7) is amended as follows.

In article 12—

(1) OJ Rhif L 47, 20.2.2013, t. 1.

(2) 1968 p. 67; diddymwyd adran 8 gan O.S. 2012/1916.

(3) O.S. 2012/1916, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(4) O.S. 2005/2745, a ddirymwyd gan O.S. 2006/2407.

(5) O.S. 2013/2033, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(6) O.S. 2006/2932 (Cy. 265), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(7) O.S. 2006/3309 (Cy. 299), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(1) OJ No L 47, 20.2.2013, p. 1.

(2) 1968 c. 67; section 8 was repealed by S.I. 2012/1916.

(3) S.I. 2012/1916, to which there are amendments not relevant to these Regulations.

(4) S.I. 2005/2745, revoked by S.I. 2006/2407.

(5) S.I. 2013/2033, to which there are amendments not relevant to these Regulations.

(6) S.I. 2006/2932 (W. 265), to which there are amendments not relevant to these Regulations.

(7) S.I. 2006/3309 (W. 299), to which there are amendments not relevant to these Regulations.

- (a) ym mharagraff (1)—
  - (i) ar ôl is-baragraff (a) hepgorer “or”;
  - (ii) hepgorer is-baragraff (b);
- (b) hepgorer paragraff (2).

(3) Yn erthygl 17(1)(a), yn lle “the Diseases of Animals (Approved Disinfectants) Order 1978” rhodder “the Diseases of Animals (Approved Disinfectants) (Wales) Order 2007”.

### **Gorchymyn Ffliw Adar (H5N1 mewn Adar Gwyllt) (Cymru) 2006**

**32.** Yn erthygl 18(1)(a) o Orchymyn Ffliw Adar (H5N1 mewn Adar Gwyllt) (Cymru) 2006(1), yn lle “the Diseases of Animals (Approved Disinfectants) Order 1978” rhodder “the Diseases of Animals (Approved Disinfectants) (Wales) Order 2007”.

### **Rheoliadau Lles Anifeiliaid a Ffermir (Cymru) 2007**

**33.** Yn rheoliad 2(2) o Reoliadau Lles Anifeiliaid a Ffermir (Cymru) 2007(2)—

- (a) yn is-baragraff (a), yn lle’r geiriau o “Cyfarwydebau 91/630/EEC(3)” hyd at y diwedd rhodder “Cyfarwydeb 2008/120/EC sy’n gosod safonau gofynnol ar gyfer gwarchod moch(4)”;
- (b) ar ôl is-baragraff (b), hepgorer “ac”;
- (c) yn is-baragraff (c), yn lle’r geiriau o “Cyfarwydebau 91/629/EEC(5)” hyd at y diwedd rhodder “Cyfarwydeb 2008/119/EC sy’n gosod safonau gofynnol ar gyfer gwarchod lloi(6)”.

### **Rheoliadau’r Tafod Glas (Cymru) 2008**

**34.** Yn rheoliad 17 o Reoliadau’r Tafod Glas (Cymru) 2008(7), yn lle “Reoliadau Meddyginiaethau Milfeddygol 2011(8)” rhodder “Reoliadau Meddyginiaethau Milfeddygol 2013”.

- (a) in paragraph (1)—
  - (i) after sub-paragraph (a) omit “or”;
  - (ii) omit sub-paragraph (b);
- (b) omit paragraph (2).

(2) In article 17(1)(a), for “the Diseases of Animals (Approved Disinfectants) Order 1978” substitute “the Diseases of Animals (Approved Disinfectants) (Wales) Order 2007”.

### **The Avian Influenza (H5N1 in Wild Birds) (Wales) Order 2006**

**32.** In article 18(1)(a) of the Avian Influenza (H5N1 in Wild Birds) (Wales) Order 2006(1), for “the Diseases of Animals (Approved Disinfectants) Order 1978” substitute “the Diseases of Animals (Approved Disinfectants) (Wales) Order 2007”.

### **The Welfare of Farmed Animals (Wales) Regulations 2007**

**33.** In regulation 2(2) of the Welfare of Farmed Animals (Wales) Regulations 2007(2)—

- (a) in sub-paragraph (a), for the words from “Directive 91/630/EEC(3)” to the end substitute “Directive 2008/120/EC laying down minimum standards for the protection of pigs(4)”;
- (b) after sub-paragraph (b) omit “and”;
- (c) in sub-paragraph (c), for the words from “Directive 91/629/EEC(5)” to the end substitute “Directive 2008/119/EC laying down minimum standards for the protection of calves(6)”.

### **The Bluetongue (Wales) Regulations 2008**

**34.** In regulation 17 of the Bluetongue (Wales) Regulations 2008(7), for “the Veterinary Medicines Regulations 2011(8)” substitute “the Veterinary Medicines Regulations 2013”.

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(1) O.S. 2006/3310 (Cy. 300), y mae diwygiadau iddo nad ydynt yn berthnasol i’r Rheoliadau hyn.  
 (2) O.S. 2007/3070 (Cy. 264), y mae diwygiadau iddo nad ydynt yn berthnasol i’r Rheoliadau hyn.  
 (3) OJ Rhif L 340, 11.12.1991, t. 33, fel y’i diddymwyd gan Gyfarwydeb y Cyngor 2008/120/EC (OJ Rhif L 47, 18.2.2009, t. 5).  
 (4) OJ Rhif L 47, 18.2.2009, t. 5.  
 (5) OJ Rhif L 340, 11.12.1991, t. 28, fel y’i diddymwyd gan Gyfarwydeb y Cyngor 2008/119/EC (OJ Rhif L 10, 15.1.2009, t. 7).  
 (6) OJ Rhif L 10, 15.1.2009, t. 7.  
 (7) O.S. 2008/1090 (Cy. 116), a ddiwygiwyd gan O.S. 2012/2403 (Cy. 257); mae offerynnau diwygio eraill ond nid yw’r un ohonynt yn berthnasol.  
 (8) O.S. 2011/2159, a ddirymwyd gan O.S. 2013/2033.

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(1) S.I. 2006/3310 (W. 300), to which there are amendments not relevant to these Regulations.  
 (2) S.I. 2007/3070 (W. 264), to which there are amendments not relevant to these Regulations.  
 (3) OJ No L 340, 11.12.1991, p. 33, as repealed by Council Directive 2008/120/EC (OJ No L 47, 18.2.2009, p. 5).  
 (4) OJ No L 47, 18.2.2009, p. 5.  
 (5) OJ No L 340, 11.12.1991, p. 28, as repealed by Council Directive 2008/119/EC (OJ No L 10, 15.1.2009, p. 7).  
 (6) OJ No L 10, 15.1.2009, p. 7.  
 (7) S.I. 2008/1090 (W. 116), amended by S.I. 2012/2403 (W. 257); there are other amending instruments but none is relevant.  
 (8) S.I. 2011/2159, revoked by S.I. 2013/2033.



### Gorchymyn Rheoli Salmonella mewn Heidiau o Frwyliaid (Cymru) 2009

35.—(1) Mae Gorchymyn Rheoli Salmonella mewn Heidiau o Frwyliaid (Cymru) 2009(1) wedi ei ddiwygio fel a ganlyn.

(2) Yn erthygl 2, yn y lle priodol, mewnosoder—

“ystyr “Rheoliad y Comisiwn (EU) Rhif 200/2012” (“*Commission Regulation (EU) No 200/2012*”) yw Rheoliad y Comisiwn (EU) Rhif 200/2012 dyddiedig 8 Mawrth 2012 ynghylch targed yr Undeb ar gyfer lleihau nifer yr achosion o *Salmonella enteritidis* a *Salmonella typhimurium* mewn heidiau o frwyliaid, fel y darperir ar ei gyfer yn Rheoliad (EC) Rhif 2160/2003 Senedd Ewrop a’r Cyngor (2).”

(3) Yn erthygl 3, yn lle paragraff (a) rhodder—

“(a) Rheoliad y Comisiwn (EU) Rhif 200/2012;”.

(4) Yn erthygl 5(1)—

- (a) yn lle “Reoliad (EC) Rhif 646/2007” rhodder “Reoliad y Comisiwn (EU) Rhif 200/2012”;
- (b) yn lle “phwynt 3.1” rhodder “phwynt 2.2.4”;
- (c) yn lle “express post” rhodder “express mail”.

(5) Yn erthygl 8, yn lle “Reoliad (EC) Rhif 646/2007” rhodder “Reoliad y Comisiwn (EU) Rhif 200/2012”.

### Gorchymyn Rheoli Salmonella mewn Heidiau o Dycrcwn (Cymru) 2010

36.—(1) Mae Gorchymyn Rheoli Salmonella mewn Heidiau o Dycrcwn (Cymru) 2010(3) wedi ei ddiwygio fel a ganlyn.

(2) Yn erthygl 2(2)—

(a) yn lle is-baragraff (a) rhodder—

“(a) Rheoliad (EU) Rhif 1190/2012 yn gyfeiriad at Reoliad y Comisiwn (EU) Rhif 1190/2012 ynghylch targed yr Undeb ar gyfer lleihau nifer yr achosion o *Salmonella enteritidis* a *Salmonella typhimurium* mewn heidiau o dycrcwn, fel y darperir ar ei gyfer yn Rheoliad (EC) Rhif 2160/2003 Senedd Ewrop a’r Cyngor(4), fel y’i diwygir o o bryd i’w gilydd, ”;

(b) hepgorer is-baragraff (b).

### The Control of Salmonella in Broiler Flocks (Wales) Order 2009

35.—(1) The Control of Salmonella in Broiler Flocks (Wales) Order 2009(1) is amended as follows.

(2) In article 2, in the appropriate place, insert—

““Commission Regulation (EU) No 200/2012 (“*Rheoliad y Comisiwn (EU) Rhif 200/2012*”) means Commission Regulation (EU) 200/2012 of 8 March 2012 concerning a Union target for the reduction of *Salmonella enteritidis* and *Salmonella typhimurium* in flocks of broilers, as provided for in Regulation (EC) No 2160/2003 of the European Parliament and of the Council(2);”.

(3) In article 3, for paragraph (a) substitute—

“(a) Commission Regulation (EU) No 200/2012;”.

(4) In article 5(1)—

- (a) for “Regulation (EC) No 646/2007” substitute “Commission Regulation (EU) No 200/2012”;
- (b) for “point 3.1” substitute “point 2.2.4”;
- (c) for “express post” substitute “express mail”.

(5) In article 8, for “Regulation (EC) No 646/2007” substitute “Commission Regulation (EU) No 200/2012”.

### The Control of Salmonella in Turkey Flocks (Wales) Order 2010

36.—(1) The Control of Salmonella in Turkey Flocks (Wales) Order 2010(3) is amended as follows.

(2) In article 2(2)—

(a) for sub-paragraph (a) substitute—

“(a) Regulation (EU) No 1190/2012 is a reference to Commission Regulation (EU) No 1190/2012 concerning a Union target for the reduction of *Salmonella enteritidis* and *Salmonella typhimurium* in flocks of turkeys, as provided for in Regulation (EC) No 2160/2003 of the European Parliament and of the Council(4), as amended from time to time;”;

(b) omit sub-paragraph (b).

(1) O.S. 2009/441 (Cy. 46).

(2) OJ Rhif L 71, 9.3.2012, t. 31.

(3) O.S. 2010/65 (Cy. 15).

(4) OJ Rhif L 340, 13.12.2012, t. 29.

(1) S.I. 2009/441 (W. 46).

(2) OJ No L 71, 9.3.2012, p. 31.

(3) S.I. 2010/65 (W. 15).

(4) OJ No L 340, 13.12.2012, p. 29.

(3) Yn erthygl 4(1)—

- (a) yn lle “Reoliad (EC) Rhif 584/2008” rhodder “Reoliad (EU) Rhif 1190/2012”;
- (b) yn lle “phwynt 3.1” rhodder “phwynt 2.2.4”.

(4) Yn erthygl 7, yn lle “Reoliad (EC) Rhif 584/2008” rhodder “Reoliad (EU) Rhif 1190/2012, fel y’i diwygir o bryd i’w gilydd”.

### **Rheoliadau’r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Cymru) 2011**

**37.** Yn Atodlen 2 i Reoliadau’r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Cymru) 2011(1), yn Rhan 2, ym mharagraff 9(1), yn lle’r geiriau o “Rheoliad y Comisiwn” hyd at y diwedd rhodder “Rheoliad Gweithredu’r Comisiwn (EU) Rhif 139/2013 sy’n gosod amodau iechyd anifeiliaid ar gyfer mewnforio adar penodol i mewn i’r Undeb, a’r amodau cwarantyn ar eu cyfer(2)”.

### **Dirymiadau**

**38.** Mae’r Rheoliadau a ganlyn wedi eu dirymu—

- (a) Rheoliadau Salmonella mewn Heidiau Dodwy (Pwerau Arolygu) (Cymru) 2005(3);
- (b) Rheoliadau Salmonella mewn Heidiau o Frwyliaid (Pwerau Arolygu) (Cymru) 2006(4).

## **RHAN 6**

Diwygiad i ddeddfwriaeth sy’n ymwneud â physgodfeydd

### **Gorchymyn Trwyddedu Pysgod Môr 1992**

**39.** Yn erthygl 2 o Orchymyn Trwyddedu Pysgod Môr 1992(5), yn y diffiniad o “length”, yn lle’r geiriau o “Council Regulation” hyd at y diwedd rhodder “Regulation (EU) 2017/1130 of the European Parliament and of the Council defining characteristics for fishing vessels(6)”.

(3) In article 4(1)—

- (a) for “Regulation (EC) No 584/2008” substitute “Regulation (EU) No 1190/2012”;
- (b) for “point 3.1” substitute “point 2.2.4”.

(4) In article 7, for “Regulation (EC) No 584/2008 substitute “Regulation (EU) No 1190/2012, as amended from time to time”.

### **The Trade in Animals and Related Products (Wales) Regulations 2011**

**37.** In Schedule 2 to the Trade in Animals and Related Products (Wales) Regulations 2011(1), in Part 2, in paragraph 9(1), for the words from “Commission Regulation” to the end substitute “Commission Implementing Regulation (EU) No 139/2013 laying down animal health conditions for imports of certain birds into the Union and the quarantine conditions thereof(2)”.

### **Revocations**

**38.** The following Regulations are revoked—

- (a) the Salmonella in Laying Flocks (Survey Powers) (Wales) Regulations 2005(3);
- (b) the Salmonella in Broiler Flocks (Survey Powers) (Wales) Regulations 2006(4).

## **PART 6**

Amendment to legislation concerning fisheries

### **The Sea Fish Licensing Order 1992**

**39.** In article 2 of the Sea Fish Licensing Order 1992(5), in the definition of “length”, for the words from “Council Regulation” to the end substitute “Regulation (EU) 2017/1130 of the European Parliament and of the Council defining characteristics for fishing vessels(6)”.

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(1) O.S. 2011/2379 (Cy. 252), y mae diwygiadau iddo nad ydynt yn berthnasol i’r Rheoliadau hyn.  
(2) OJ Rhif L 47, 20.2.2013, t. 1.  
(3) O.S. 2005/586 (Cy. 50).  
(4) O.S. 2006/1511 (Cy. 147).  
(5) O.S. 1992/2633, a ddiwygiwyd gan O.S. 1993/2291, mae diwygiadau eraill ond nid yw’r un ohonynt yn berthnasol i’r Rheoliadau hyn.  
(6) OJ Rhif L 169, 30.6.2017, t. 1.

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(1) S.I. 2011/2379 (W. 252), to which there are amendments not relevant to these Regulations.  
(2) OJ No L 47, 20.2.2013, p. 1.  
(3) S.I. 2005/586 (W. 50).  
(4) S.I. 2006/1511 (W. 147).  
(5) S.I. 1992/2633, amended by S.I. 1993/2291, there are other amending instruments but none is relevant.  
(6) OJ No L 169, 30.6.2017, p. 1.

*Lesley Griffiths*

Ysgrifennydd y Cabinet dros yr Amgylchedd,  
Cynllunio a Materion Gwledig, un o Weinidogion  
Cymru

20 Tachwedd 2018

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Cabinet Secretary for Energy, Planning and Rural  
Affairs, one of the Welsh Ministers

20 November 2018

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