



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2002 Rhif 1131 (Cy. 118)

2002 No. 1131 (W.118)

AMAETHYDDIAETH, CYMRU

AGRICULTURE, WALES

DIWYDIANNAU DA BYW

LIVESTOCK INDUSTRIES

**Rheoliadau Ffrwythloni Artiffisial
Gwartheg (Iechyd Anifeiliaid)
(Diwygio) (Cymru)
2002**

**The Artificial Insemination of
Cattle (Animal Health)
(Amendment) (Wales) Regulations
2002**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r rheoliadau hyn, sy'n gymwys i Gymru, yn diwygio Rheoliadau Ffrwythloni Artiffisial Gwartheg (Iechyd Anifeiliaid) (Lloegr a Chymru) 1985 (O.S. 1985/1861) (y cyfeirir atynt yn y nodyn hwn fel Rheoliadau 1985) er mwyn gwneud darpariaethau trosiannol sy'n perthyn i'r trwyddedau argyfwng sy'n dod i ben ac a ddyroddwyd o dan Reoliadau Ffrwythloni Artiffisial Gwartheg (Trwyddedau Argyfwng) (Cymru) 2001 (O.S. 2001/1539 (Cy. 107)) yn ystod yr achosion diweddar o glwy'r traed a'r genau ac i alluogi Cynulliad Cenedlaethol Cymru i gydnabod cyrsiau hyfforddi ychwanegol at y rhai a gydnabuwyd gan y Bwrdd Hyfforddi Amaethyddol (sydd bellach wedi darfod).

These Regulations, which apply to Wales, amend the Artificial Insemination of Cattle (Animal Health) (England and Wales) Regulations 1985 (S.I. 1985/1861) (referred to in this note as the 1985 Regulations) in order to make transitional provisions relating to the expiry of emergency licences issued under the Artificial Insemination of Cattle (Emergency Licences) (Wales) Regulations 2001 (S.I. 2001/1539 (W.107)) during the recent outbreak of foot-and-mouth disease and to enable the National Assembly for Wales to recognise training courses in addition to those already recognised by the (now defunct) Agricultural Training Board.

Mae Rheoliad 2(2) o'r rheoliadau hyn yn mewnosod diffiniadau newydd o "*emergency licence*" ("trwydded argyfwng"), "*special acceptance licence*" ("trwydded dderbyn arbennig") a "*special transfer licence*" ("trwydded drosglwyddo arbennig") i reoliad 2(1) o Reoliadau 1985.

Regulation 2(2) of these Regulations inserts new definitions of "emergency licence", "special acceptance licence" and "special transfer licence" into regulation 2(1) of the 1985 Regulations.

Mae Rheoliad 2(3) yn diwygio rheoliad 4(3A) o Reoliadau 1985 i adlewyrchu'r diffiniad newydd o "*emergency licence*" ("trwydded argyfwng").

Regulation 2(3) amends regulation 4(3A) of the 1985 Regulations to reflect the new definition of "emergency licence".

Mae Rheoliad 2(4) yn diwygio rheoliad 7 o Reoliadau 1985 i ddarparu ar gyfer dyroddi trwyddedau trosglwyddo arbennig a thrwyddedau derbyn arbennig.

Regulation 2(4) amends regulation 7 of the 1985 Regulations to provide for the issue of special transfer licences and special acceptance licences.

Mae Rheoliad 2(5) yn diwygio rheoliad 21 o Reoliadau 1985 er mwyn caniatáu (yn ddarostyngedig i amodau) derbyn had i'w gyflenwi sydd wedi ei gasglu a'i brosesu yn unol â thrwydded argyfwng.

Mae Rheoliad 2(6) yn diwygio rheoliad 24 o Reoliadau 1985 er mwyn caniatáu defnyddio had a gasglwyd neu a symudwyd yn unol â thrwydded argyfwng ac i alluogi Cynulliad Cenedlaethol Cymru i gydnabod cyrsiau hyfforddi.

Ni ddarparwyd Arfarniad Rheoliadol mewn perthynas â'r Rheoliadau hyn.

Regulation 2(5) amends regulation 21 of the 1985 Regulations to permit (subject to conditions) the acceptance for supply of semen collected and processed in accordance with an emergency licence.

Regulation 2(6) amends regulation 24 of the 1985 Regulations to permit the use of semen collected or moved in accordance with an emergency licence and to enable the National Assembly for Wales to recognise training courses.

A Regulatory Appraisal has not been prepared in respect of these Regulations.

2002 Rhif 1131 (Cy. 118)**2002 No. 1131 (W. 118)****AMAETHYDDIAETH, CYMRU****AGRICULTURE, WALES****DIWYDIANNAU DA BYW****LIVESTOCK INDUSTRIES****Rheoliadau Ffrwythloni Artiffisial
Gwartheg (Iechyd Anifeiliaid)
(Diwygio) (Cymru)
2002****The Artificial Insemination of
Cattle (Animal Health)
(Amendment) (Wales) Regulations
2002***Wedi'u gwneud* 17 Ebrill 2002*Made* 17th April 2002*Yn dod i rym* 18 Ebrill 2002*Coming into force* 18th April 2002

Mae Cynulliad Cenedlaethol Cymru, drwy arfer ei bwerau o dan adrannau 10(1) a 10(2)(a) o Ddeddf Iechyd a Lles Anifeiliaid 1984(a), yn gwneud y Rheoliadau canlynol:

The National Assembly for Wales, in exercise of its powers under sections 10(1) and 10(2)(a) of the Animal Health and Welfare Act 1984(a), makes the following Regulations:

Enwi, cychwyn a chymhwyso**Title, commencement and application**

1.-(1) Enw'r rheoliadau hyn yw Rheoliadau Ffrwythloni Artiffisial Gwartheg (Iechyd Anifeiliaid) (Diwygio) (Cymru) 2002 a deuant i rym ar 18 Ebrill 2002.

1.-(1) These Regulations may be cited as the Artificial Insemination of Cattle (Animal Health) (Amendment) (Wales) Regulations 2002 and shall come into force on 18th April 2002.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru yn unig.

(2) These Regulations shall apply to Wales only.

**Diwygiadau i Reoliadau Ffrwythloni Artiffisial
Gwartheg (Iechyd Anifeiliaid) (Lloegr a Chymru)
1985****Amendments to the Artificial Insemination of
Cattle (Animal Health) (England and Wales)
Regulations 1985**

2.-(1) Rhaid diwygio Rheoliadau Ffrwythloni Artiffisial Gwartheg (Iechyd Anifeiliaid) (Lloegr a Chymru) 1985(b) yn unol â'r paragraffau canlynol.

2.-(1) The Artificial Insemination of Cattle (Animal Health) (England and Wales) Regulations 1985(b) shall be amended in accordance with the following paragraphs.

(2) Ym mharagraff (1) o reoliad 2 (dehongli)-

(2) In paragraph (1) of regulation 2 (interpretation)-

(a) yn union ar ôl y diffiniad o "embryo transfer unit", rhaid mewnosod y diffiniad canlynol-

(a) immediately after the definition of "embryo transfer unit", there shall be inserted the following definition-

(a) 1984 p.40. Trosglwyddwyd pob un o swyddogaethau Gweinidogion y Goron o dan Ddeddf Iechyd a Lles Anifeiliaid 1984 i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672), i'r graddau y mae'r fath swyddogaethau yn arferadwy mewn perthynas â Chymru.

(a) 1984 c.40. All functions of Ministers of the Crown under the Animal Health and Welfare Act 1984 were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) in so far as such functions are exercisable in relation to Wales.

(b) O.S. 1985/1861: diwygiadau perthnasol mewn perthynas â Chymru yw O.S. 1992/671, O.S. 1995/2549, O.S. 1996/3124, ac O.S. 2001/1539 (Cy. 107).

(b) S.I. 1985/1861: relevant amendments in relation to Wales are S.I. 1992/671, S.I. 1995/2549, S.I. 1996/3124, and S.I. 2001/1539 (W.107).

""emergency licence" means an emergency licence issued under the Artificial Insemination of Cattle (Emergency Licences) (Wales) Regulations 2001(a) or the Artificial Insemination of Cattle (Emergency Licences) (England) Regulations 2001(b)."

- (b) yn union ar ôl y diffiniad o "semen shop licence", rhaid mewnosod y diffiniad canlynol-

""special acceptance licence" means a licence issued under regulation 7(1)(j);" ac

- (c) yn union ar ôl y diffiniad o "special movement licence", rhaid mewnosod y diffiniad canlynol-

""special transfer licence" means a licence issued under regulation 7(1)(i);".

- (3) Yn rheoliad 4 (cymhwyso'r rheoliadau), am baragraff (3A), rhaid amnewid y paragraff canlynol-

"(3A) These regulations shall not apply to anything done in accordance with the conditions of an emergency licence."

- (4) Yn rheoliad 7 (trwyddedau)-

- (a) ym mharagraff (1)-

- (i) ar ddiwedd is-baragraff (g), am yr atalnod llawn, rhaid amnewid hanner colon;
(ii) ar ddiwedd is-baragraff (h), am yr atalnod llawn, rhaid amnewid hanner colon; a
(iii) ar ôl is-baragraff (h), rhaid ychwanegu'r is-baragraffau canlynol-

"(i) a special transfer licence; and
(j) a special acceptance licence."

- (b) ar ôl paragraff (9A), rhaid ychwanegu'r paragraffau canlynol-

"(9B) A special transfer licence shall authorise the licensee to move or cause or permit semen collected and processed in accordance with an emergency licence to be moved from a farm storage unit specified in the special transfer licence to a supply centre so specified.

(9C) A special acceptance licence shall authorise the licensee to accept semen at a supply centre specified in that licence and in accordance with the provisions of regulation 21(d)."

- (5) Yn rheoliad 21 (derbyn had i'w gyflenwi)-

- (a) ar ddiwedd paragraff (a), rhaid dileu'r gair "or";
(b) ar ddiwedd paragraff (b), rhaid dileu'r gair "or" ;

""emergency licence" means an emergency licence issued under the Artificial Insemination of Cattle (Emergency Licences) (Wales) Regulations 2001(a) or the Artificial Insemination of Cattle (Emergency Licences) (England) Regulations 2001(b)."

- (b) immediately after the definition of "semen shop licence", there shall be inserted the following definition-

""special acceptance licence" means a licence issued under regulation 7(1)(j);" and

- (c) immediately after the definition of "special movement licence", there shall be inserted the following definition-

""special transfer licence" means a licence issued under regulation 7(1)(i);".

- (3) In regulation 4 (application of regulations), for paragraph (3A), there shall be substituted the following paragraph-

"(3A) These regulations shall not apply to anything done in accordance with the conditions of an emergency licence."

- (4) In regulation 7 (licences)-

- (a) in paragraph (1)-

- (i) at the end of sub-paragraph (g), for the full stop, a semi-colon shall be substituted;
(ii) at the end of sub-paragraph (h), for the full stop, a semi-colon shall be substituted; and
(iii) after sub-paragraph (h), there shall be added the following sub-paragraphs-

"(i) a special transfer licence; and
(j) a special acceptance licence."

- (b) after paragraph (9A), there shall be added the following paragraphs-

"(9B) A special transfer licence shall authorise the licensee to move or cause or permit semen collected and processed in accordance with an emergency licence to be moved from a farm storage unit specified in the special transfer licence to a supply centre so specified.

(9C) A special acceptance licence shall authorise the licensee to accept semen at a supply centre specified in that licence and in accordance with the provisions of regulation 21(d)."

- (5) In regulation 21 (acceptance of semen for supply)-

- (a) at the end of paragraph (a), the word "or" shall be deleted;
(b) at the end of paragraph (b), the word "or" shall be deleted;

(a) O.S. 2001/1539 (Cy.107).

(b) O.S. 2001/1513.

(a) S.I. 2001/1539 (W.107).

(b) S.I. 2001/1513.

- (c) ar ddiwedd paragraff (c)-
- (i) am yr atalnod llawn, rhaid amnewid hanner colon, a
 - (ii) rhaid mewnosod y gair "or"; a

(ch) ar ôl paragraff (c), rhaid ychwanegu'r paragraff canlynol-

"(d) the semen-

- (i) was collected and processed in accordance with an emergency licence from a bull that has been approved in accordance with regulation 5 (whether the bull was approved at the time of collection or subsequently),
- (ii) has subsequently been stored in accordance with the conditions of an emergency licence or a farm storage licence,
- (iii) has been moved in accordance with the conditions of a special transfer licence, and
- (iv) is accepted in accordance with the conditions of a special acceptance licence."

(6) Yn rheoliad 24 (gorchymyn cyffredinol ynghylch defnyddio had)-

(a) am baragraff (a), rhaid amnewid y paragraff canlynol-

"(a) that semen-

- (i) has been obtained from a supply centre or a semen shop from which the semen was moved in accordance with the provisions of these Regulations or in accordance with the conditions of an emergency licence,
- (ii) has been obtained from a processing centre from which the semen was moved in accordance with the provisions of these Regulations, in accordance with the conditions of either a special movement licence or an emergency licence, or
- (iii) was collected in accordance with the conditions of an emergency licence, and";

(b) ym mharagraff (b)(iv), yn union ar ôl y geiriau "Agricultural Training Board", rhaid mewnosod y geiriau "or the National Assembly for Wales".

(c) at the end of paragraph (c)-

- (i) for the full stop, a semi-colon shall be substituted, and
- (ii) there shall be inserted the word "or"; and

(d) after paragraph (c), there shall be added the following paragraph-

"(d) the semen-

- (i) was collected and processed in accordance with an emergency licence from a bull that has been approved in accordance with regulation 5 (whether the bull was approved at the time of collection or subsequently),
- (ii) has subsequently been stored in accordance with the conditions of an emergency licence or a farm storage licence,
- (iii) has been moved in accordance with the conditions of a special transfer licence, and
- (iv) is accepted in accordance with the conditions of a special acceptance licence."

(6) In regulation 24 (general prohibition on use of semen)-

(a) for paragraph (a), there shall be substituted the following paragraph-

"(a) that semen-

- (i) has been obtained from a supply centre or a semen shop from which the semen was moved in accordance with the provisions of these Regulations or in accordance with the conditions of an emergency licence,
- (ii) has been obtained from a processing centre from which the semen was moved in accordance with the provisions of these Regulations, in accordance with the conditions of either a special movement licence or an emergency licence, or
- (iii) was collected in accordance with the conditions of an emergency licence, and";

(b) in paragraph (b)(iv), immediately after the words "Agricultural Training Board", there shall be inserted the words "or the National Assembly for Wales".

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a)

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a)

17 Ebrill 2002

17th April 2002

John Marek

Dirprwy Lywydd y Cynulliad Cenedlaethol

The Deputy Presiding Officer of the National Assembly

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£2.00

W0080/05/02

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ISBN 0-11-090483-4



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