



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2002 Rhif 2061 (Cy.210)

2002 No. 2061 (W.210)

ANIFEILIAID, CYMRU

ANIMALS, WALES

IECHYD ANIFEILIAID

ANIMAL HEALTH

**Gorchymyn Rheoli Clefydau
(Mesurau Dros Dro) (Cymru)
(Diwygiad Rhif 3) 2002**

**The Disease Control (Interim
Measures) (Wales) (Amendment
No. 3) Order 2002**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn diwygio ymhellach Orchymyn Rheoli Clefydau (Mesurau Dros Dro) (Cymru) 2002 (y "prif Orchymyn") (O.S. 2002/280 (Cy. 32)) (fel y'i diwygiwyd gan O.S. 2002/1038 (Cy. 110) ac O.S. 2002/1356 (Cy. 132)) drwy

This Order further amends the Disease Control (Interim Measures) (Wales) Order 2002 (the "principal Order") (S.I. 2002/280 (W.32)) (as amended by S.I. 2002/1038 (W.110) and S.I. 2002/1356 (W.132)) by

- (a) rhoi diffiniad newydd yn lle'r diffiniad presennol o "animals" (erthygl 2(2)) yn y prif Orchymyn, sydd yn gymwys bellach i fuail, gwartheg, ceirw, geifr, moch, defaid a baeddod gwyllt (roedd gynt yn gymwys i wartheg, defaid, geifr, pob anifail arall sy'n cnoi cil, anifeiliaid o deulu'r mochyn ac eliffantod); a gwneud dirymiadau canlyniadol mewn perthynas â chamelidau;
- (b) diwygio erthygl 3(2)(b) i ddarparu ar gyfer llacio'r cyfyngiadau ar symud -
 - (i) defaid i sioe neu arddangosfa o safle y maent wedi'u symud iddo (paragraff (ix) newydd); a
 - (ii) anifeiliaid rhwng tir comin a safleoedd y mae hawl tir comin gofrestredig dros dir yn cael ei harfer fel rheol mewn perthynas ag ef (paragraff (xiv) newydd) a rhwng y safleoedd hyn (paragraff (xivA) newydd);
- (c) mewnosod Erthygl 3(4B) newydd sy'n dadgymhwyso'r gofynion a nodir ym mhraragraff (1) o erthygl 3 o'r Prif Orchymyn

- (a) substituting a new definition of "animals" (article 2(2)) in the Principal Order, which now applies to buffalo, cattle, deer, goats, pigs, sheep and wild boar (it previously applied to cattle, sheep, goats, all other ruminating animals, swine and elephants); and making consequential revocations relating to camelids;
- (b) amending article 3(3)(b) to provide a relaxation of the restrictions of movements of -
 - (i) sheep to a show or exhibition from premises to which they have been moved (new paragraph (ix)); and
 - (ii) animals between common land and premises in relation to which a registered right of common over land is customarily exercised (new paragraph (xiv)) and between these premises (new paragraph (xivA));
- (c) inserting a new Article 3(4B) disapplying the requirements set out in paragraph (1) of article 3 of the Principal Order to the movement of

i symud anifeiliaid i swau a drwyddedwyd o dan Ddeddf Trwyddedu Sŵau 1981, o'r swau hynny neu rhyngddynt (erthygl 2(5));

- (ch) dirymu erthyglau 5 a 6 o'r prif Orchymyn sy'n nodi'r gofynion trwyddedu mewn perthynas â throchi a chneifio defaid a sganio defaid ag offer uwchsain (erthygl 2(6)); a
- (d) dirymu erthygl 14 o'r prif Orchymyn (estynnodd erthygl 14 y diffiniad o "animals" a nodwyd yn Neddf Iechyd Anifeiliaid 1981 (p.22) i gynnwys eliffantod at ddibenion y prif Orchymyn) (erthygl 2(4)).

Nid oes arfarniad rheoliadol wedi'i baratoi ar gyfer y Gorchymyn hwn.

any animal to, from or between zoos licensed under the Zoo Licensing Act 1981 (article 2(5));

- (c) revoking articles 5 and 6 of the principal Order which set out licensing requirements in relation to sheep dipping and shearing and the ultra sound scanning of sheep (article 2(6)); and
- (d) revoking article 14 of the principal Order (article 14 extended the definition of "animals" set out in the Animal Health Act 1981 (c.22) to include elephants for the purposes of the principal Order) (article 2(4)).

A regulatory appraisal has not been prepared for this Order.

2002 Rhif 2061 (Cy.210)**2002 No. 2061 (W.210)****ANIFEILIAID, CYMRU****ANIMALS, WALES****IECHYD ANIFEILIAID****ANIMAL HEALTH****Gorchymyn Rheoli Clefydau
(Mesurau Dros Dro) (Cymru)
(Diwygiad Rhif 3) 2002****The Disease Control (Interim
Measures) (Wales) (Amendment
No. 3) Order 2002**

Wedi'i wneud 31 Gorffennaf 2002
Yn dod i rym 1 Awst 2002

Made 31st July 2002
Coming into force 1st August 2002

Mae Cynulliad Cenedlaethol Cymru a'r Ysgrifennydd Gwladol, a hwythau'n gweithredu ar y cyd wrth arfer y pwerau a roddwyd iddynt gan adrannau 1, 7, 8(1) ac 87(2) o Ddeddf Iechyd Anifeiliaid 1981(a), yn gwneud y Gorchymyn canlynol:

The National Assembly for Wales and the Secretary of State, acting jointly in exercise of the powers conferred on them under sections 1, 7, 8(1) and 87(2) of the Animal Health Act 1981(a), make the following Order:

Teitl, cymhwyso a chychwyn**Title, application and commencement**

1. Enw'r Gorchymyn hwn yw Gorchymyn Rheoli Clefydau (Mesurau Dros Dro) (Cymru) (Diwygiad Rhif 3) 2002; mae'n gymwys i Gymru a daw i rym ar 1 Awst 2002.

1. This Order may be cited as the Disease Control (Interim Measures) (Wales) (Amendment No. 3) Order 2002; it applies to Wales and shall come into force on 1st August 2002.

**Diwygio Gorchymyn Rheoli Clefydau (Mesurau
Dros Dro) (Cymru) 2002****Amendment of the Disease Control (Interim
Measures) (Wales) Order 2002**

2.-(1) Diwygir Gorchymyn Rheoli Clefydau (Mesurau Dros Dro) (Cymru) 2002(b) yn unol â darpariaethau canlynol yr erthygl hon.

2.-(1) The Disease Control (Interim Measures) (Wales) Order 2002(b) shall be amended in accordance with the following provisions of this article.

(2) Yn erthygl 2 -

(2) In article 2 -

(a) yn lle'r diffiniad o "animals" rhoddir y diffiniad canlynol-

(a) for the definition of "animals" there shall be substituted the following definition-

(a) 1981 p.22. Mewn perthynas â Chymru, trosglwyddwyd y swyddogaethau a roddwyd o dan Ddeddf 1981 i "the Ministers" (fel y'u diffinnir yn adran 86 o'r Ddeddf honno) i'r graddau yr oeddent yn arferadwy gan Ysgrifennydd Gwladol Cymru i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672). I'r graddau yr oedd y swyddogaethau hynny yn arferadwy gan Ysgrifennydd Gwladol yr Alban mewn perthynas â Chymru, trosglwyddwyd hwy i'r Gweinidog Amaethyddiaeth, Pysgodfeydd a Bwyd gan Orchymyn Trosglwyddo Swyddogaethau (Amaethyddiaeth a Bwyd) 1999 (O.S. 1999/3141) ac fe'u trosglwyddwyd ymhellach wedyn i'r Ysgrifennydd Gwladol gan Orchymyn y Weinyddiaeth Amaethyddiaeth, Pysgodfeydd a Bwyd (Diddymu) 2002 (O.S. 2002/794).

(b) O.S. 2002/280 (Cy.32) fel y'i diwygiwyd gan O.S. 2002/1038 (Cy.110) ac O.S. 2002/1356 (Cy. 132).

(a) 1981 c.22. In relation to Wales, the functions conferred under the 1981 Act on "the Ministers" (as defined in section 86 of that Act) were transferred, so far as exercisable by the Secretary of State for Wales, 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 were exercisable by the Secretary of State for Scotland in relation to Wales, they were transferred to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141) and were then further transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

(b) S.I. 2002/280 (W.32) as amended by S.I. 2002/1038 (W.110) and S.I. 2002/1356 (W.132).

""animals" means cattle (excluding bison and yak), deer, goats, sheep and swine;" ; a

(b) dirymir y diffiniad o "camelid".

(3) Yn erthygl 3(2)(b) -

(a) yn lle paragraff (ix) rhoddir y paragraff canlynol -

"(ix) of an animal to a show or exhibition from premises to which it has been moved from another show or exhibition, providing that no other animal has been moved onto those premises (or other premises in the same sole occupancy group) during the period of 20 days before the day on which the first mentioned animal is to be moved;" ;

(b) yn lle paragraff (xiv) rhoddir y paragraff canlynol -

"(xiv) of an animal between land over which the owner or keeper of the animal has a registered right of common and -

(aa) premises occupied by the owner or keeper of the animal and in relation to which the registered right of common is customarily exercised; or

(bb) premises occupied by any other person who has a registered right of common over that land and in relation to which the registered right of common is customarily exercised;" ;

(c) ar ôl paragraff (xiv) mewnosdir y paragraff canlynol -

"(xivA) of an animal between premises occupied by the owner or keeper of the animal and in relation to which a registered right of common over land is customarily exercised and premises occupied by any other person who has a registered right of common over that land and in relation to which the registered right of common of that other person is customarily exercised;" ;

(ch) dirymir paragraff (xv);

(d) ym mharagraff (xvii) dilëir y gair "camelids"; ac

(dd) ym mharagraff (xviii) -

(i) yn lle'r geiriau "of a bull or ram or a goat, camelid or deer of either sex" rhoddir y geiriau "of a bull or ram or a goat or deer of either sex"; a

(ii) dirymir is-baragraff (dd).

(4) Yn erthygl 3(3) -

(a) yn is-baragraff (c) yn lle'r geiriau "a bull or a deer or camelid of either sex" rhoddir y geiriau

""animals" means cattle (excluding bison and yak), deer, goats, sheep and swine;" ; and

(b) the definition of "camelid" shall be revoked.

(3) In article 3(2)(b) -

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

"(ix) of an animal to a show or exhibition from premises to which it has been moved from another show or exhibition, providing that no other animal has been moved onto those premises (or other premises in the same sole occupancy group) during the period of 20 days before the day on which the first mentioned animal is to be moved;" ;

(b) for paragraph (xiv) there shall be substituted the following paragraph -

"(xiv) of an animal between land over which the owner or keeper of the animal has a registered right of common and -

(aa) premises occupied by the owner or keeper of the animal and in relation to which the registered right of common is customarily exercised; or

(bb) premises occupied by any other person who has a registered right of common over that land and in relation to which the registered right of common is customarily exercised;" ;

(c) after paragraph (xiv) there shall be inserted the following paragraph -

"(xivA) of an animal between premises occupied by the owner or keeper of the animal and in relation to which a registered right of common over land is customarily exercised and premises occupied by any other person who has a registered right of common over that land and in relation to which the registered right of common of that other person is customarily exercised;" ;

(d) paragraph (xv) shall be revoked;

(e) in paragraph (xvii) the word "camelids" shall be deleted; and

(f) in paragraph (xviii) -

(i) for the words "of a bull or ram or a goat, camelid or deer of either sex" there shall be substituted the words "of a bull or ram or a goat or deer of either sex"; and

(ii) sub-paragraph (dd) shall be revoked.

(4) In article 3(3) -

(a) in sub-paragraph (c) for the words "a bull or a deer or camelid of either sex" there shall be

"a bull or a deer of either sex";

(b) dirymir paragraff (c)(iii);

(c) dirymir is-baragraffau (f) a (k); ac

(ch) yn is-baragraff (o) dilëir y gair "camelids".

(5) Yn erthygl 3 ar ôl paragraff (4A) ychwanegir y paragraff canlynol-

"(4B) The requirements set out in paragraph (1) above shall not apply to the movement of animals to or from zoos licensed under the Zoo Licensing Act 1981(a);"

(6) Dilëir erthyglau 5, 6 ac 14.

substituted the words "a bull or a deer of either sex";

(b) paragraph (c)(iii) shall be revoked;

(c) sub-paragraphs (f) and (k) shall be revoked; and

(d) in sub-paragraph (o) the word "camelids" shall be deleted.

(5) In article 3 after paragraph (4A) there shall be added the following paragraph-

"(4B) The requirements set out in paragraph (1) above shall not apply to the movement of animals to or from zoos licensed under the Zoo Licensing Act 1981(a);"

(6) Articles 5, 6 and 14 shall be deleted.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru

Signed on behalf of the National Assembly for Wales

ar 31 Gorffennaf 2002

on 31st July 2002

D.Elis-Thomas

Llywydd

Presiding Officer

Llofnodwyd

Signed

ar 31 Gorffennaf 2002

on 31st July 2002

Whitty

Is-ysgrifennydd Seneddol

Parliamentary Under Secretary of State

Adran yr Amgylchedd, Bwyd a Materion Gwledig

Department for Environment, Food and Rural Affairs

(a) 1981 c.37.

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IECHYD ANIFEILIAID

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