



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2014 Rhif 3266 (Cy. 333)

2014 No. 3266 (W. 333)

ANIFEILIAID, CYMRU

ANIMALS, WALES

**Rheoliadau Lles Anifeiliaid (Bridio
Cŵn) (Cymru) 2014**

**The Animal Welfare (Breeding of
Dogs) (Wales) Regulations 2014**

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn darparu ar gyfer trwyddedu personau sy'n ymwneud â bridio cŵn. Mae Rhan 2 o'r Rheoliadau yn diffinio bridio cŵn at ddibenion adran 13(1) o Ddeddf Lles Anifeiliaid 2006 (p. 45) ("y Ddeddf"). Canlyniad y dynodiad hwnnw, yn ddarostyngedig i griteria cymhwys, yw bod rhaid i unrhyw berson sy'n dymuno bridio cŵn yng Nghymru gael trwydded gan ei awdurdod lleol o dan y Rheoliadau hyn. Mae'r gofyniad hwn yn disodli'r gofyniad i gael trwydded o dan Ddeddf Bridio Cŵn 1973 yng Nghymru.

Mae person sy'n bridio cŵn yng Nghymru heb drwydded o dan y Rheoliadau hyn yn cyflawni trosedd o dan adran 13(6) o Ddeddf Lles Anifeiliaid 2006 ac yn agored i gael ei garcharu am gyfnod hyd at 6 mis, dirwy neu'r ddau. O dan adran 30 o Ddeddf Lles Anifeiliaid 2006 caiff awdurdodau lleol erlyn am unrhyw drosedd o dan y Ddeddf.

Mae Rhan 3 o'r Rheoliadau yn pennu sut y gall person wneud cais i'r awdurdod lleol am drwydded ac mae'n pennu materion y mae'n rhaid i awdurdod lleol fodloni ei hunan ynglŷn â hwy wrth ystyried rhoi ac adnewyddu trwydded. Mae'n darparu y caiff awdurdod lleol godi ffioedd i ddiwallu unrhyw dreuliau rhesymol a dynnir wrth gyflawni'r swyddogaeth hon, ac wrth fonitro cydymffurfiaeth â'r Rheoliadau hyn. Mae'n ei gwneud yn ofynnol i awdurdod lleol roi sylw i ganllawiau a gyhoeddir gan Weinidogion Cymru wrth gyflawni eu swyddogaethau o dan y Rheoliadau hyn.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the licensing of persons involved in the breeding of dogs. Part 2 of the Regulations specifies dog breeding for the purposes of section 13(1) of the Animal Welfare Act 2006 (c.45) ("the Act"). The consequence of this specification is that, subject to qualifying criteria, any person wishing to breed dogs in Wales must obtain a licence from their local authority under these Regulations. This requirement replaces the requirement to obtain a licence under the Breeding of Dogs Act 1973 in Wales.

A person who breeds dogs in Wales without a licence under these Regulations commits an offence under section 13(6) of the Animal Welfare Act 2006 and is liable to imprisonment for a term of up to 6 months, a fine or both. Under section 30 of the Animal Welfare Act 2006 local authorities may prosecute for any offence under the Act.

Part 3 of the Regulations sets out how a person may apply to the local authority for a licence and sets out matters in respect of which a local authority must be satisfied when considering the granting and renewing of a licence. It provides for a local authority to charge fees to cover any reasonable expenses incurred in performing this function and for monitoring compliance with these Regulations. It requires a local authority to have regard to guidance issued by the Welsh Ministers in carrying out their functions under these Regulations.

Mae Rhan 4 yn pennu o dan ba amgylchiadau y ceir atal dros dro, amrywio neu ddirymu trwydded. Mae Rhan 5 yn darparu ar gyfer apelau yn erbyn penderfyniadau trwyddedu gan awdurdodau lleol.

Mae Rhan 6 yn darparu bod torri amod trwydded a roddir o dan y Rheoliadau hyn yn drosedd. Mae'n darparu pwerau i arolygwyr gymryd samplau a mynd i mewn i fangreodded ac yn cymhwyso pwerau perthnasol, yn dilyn collfarn, sydd wedi eu cynnwys yn y Ddeddf. Mae'n darparu ar gyfer gorfodi'r Rheoliadau hyn gan yr awdurdodau lleol. Mae'n darparu bod trwyddedau a roddir o dan Ddeddf Bridio Cŵn 1973 yn parhau i gael effaith fel pe baent yn cael eu rhoi o dan y Rheoliadau hyn.

Mae Atodlen 1 i'r Rheoliadau hyn yn pennu'r amodau trwydded gorfodol y mae'n rhaid eu gosod ar bob trwydded a roddir gan awdurdod lleol.

Mae Atodlen 2 i'r Rheoliadau hyn yn diwygio Deddf Bridio Cŵn 1973 ac yn diwygio cyfeiriadau ati mewn 4 Deddf o ganlyniad i diddymu adran 1(1) o'r Ddeddf honno mewn perthynas â Chymru.

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

Part 4 sets out circumstances in which a licence maybe suspended, varied or revoked. Part 5 provides for appeals against licensing decisions by local authorities.

Part 6 provides that a breach of a condition of a licence granted under these Regulations is an offence. It provides powers for inspectors to take samples and enter premises and applies relevant post conviction powers contained in the Act. It provides for local authorities to enforce the Regulations. It provides that licences granted under the Breeding of Dogs Act 1973 continue to have effect as if granted under these Regulations.

Schedule 1 to these Regulations sets out compulsory licence conditions which must be included on each licence granted by a local authority.

Schedule 2 to these Regulations amends the Breeding of Dogs Act 1973 and amends references to it in 4 Acts consequential upon the repeal of section 1(1) of that Act in relation to Wales.

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

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ANIFEILIAID, CYMRU

ANIMALS, WALES

**Rheoliadau Lles Anifeiliaid (Bridio
Cŵn) (Cymru) 2014**

**The Animal Welfare (Breeding of
Dogs) (Wales) Regulations 2014**

Gwnaed 10 Rhagfyr 2014
Yn dod i rym 30 Ebrill 2015

Made 10 December 2014
Coming into force 30 April 2015

Mae Gweinidogion Cymru, sef yr awdurdod cenedlaethol priodol mewn perthynas â Chymru(1), yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir gan adrannau 13(2), (7), (8)(e) a (10) o Ddeddf Lles Anifeiliaid 2006(2) a Rhannau 1 a 3 o Atodlen 1 i'r Ddeddf honno.

The Welsh Ministers, as the appropriate national authority in relation to Wales(1), make the following Regulations in exercise of the powers conferred by sections 13(2), (7), (8)(e), (10) and Parts 1 and 3 of Schedule 1 to the Animal Welfare Act 2006(2).

Yn unol ag adran 13(9) o'r Ddeddf honno, mae Gweinidogion Cymru, fel yr ystyrient yn briodol, wedi ymgynghori â'r personau hynny yr oedd yn ymddangos iddynt eu bod yn cynrychioli'r buddiannau y mae'r Rheoliadau hyn yn ymwneud â hwy.

In accordance with section 13(9) of that Act, the Welsh Ministers have consulted those persons appearing to them to represent interests with which these Regulations are concerned as they considered appropriate.

Yn unol ag adran 61(2) o'r Ddeddf honno(3), mae drafft o'r offeryn hwn wedi ei osod gerbron Cynulliad Cenedlaethol Cymru ac wedi ei gymeradwyo drwy benderfyniad y Cynulliad.

In accordance with section 61(2) of that Act(3), a draft of this instrument has been laid before, and approved by resolution of, the National Assembly for Wales.

(1) Diffinnir "appropriate national authority" yn adran 62(1) o Ddeddf Lles Anifeiliaid 2006. Mae'r swyddogaethau a roddwyd i Gynulliad Cenedlaethol Cymru wedi eu breinio bellach yng Ngweinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraffau 30 a 32 o Atodlen 11 i'r Ddeddf honno.
(2) 2006 p. 45.
(3) 2006 p. 45. Yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 34 o Atodlen 11 i'r Ddeddf honno, mae'r cyfeiriad at "House of Parliament" yn adran 61(2) yn cynnwys Cynulliad Cenedlaethol Cymru.

(1) The appropriate national authority is defined in section 62(1) of the Animal Welfare Act 2006. Functions conferred on the National Assembly for Wales are now vested in the Welsh Ministers by virtue of section 162 of, and paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32).
(2) 2006 c.45.
(3) 2006 c.45 By virtue of section 162 of, and paragraph 34 of Schedule 11 to, the Government of Wales Act 2006 (c.32), the reference in section 61(2) to "House of Parliament" includes the National Assembly for Wales.

RHAN 1

Cyflwyniad

Enwi, cymhwyso a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Lles Anifeiliaid (Bridio Cŵn) (Cymru) 2014.

(2) Maent yn gymwys o ran Cymru ac yn dod i rym ar 30 Ebrill 2015.

Diddymu adran 1(1) o Ddeddf Bridio Cŵn 1973

2. Yn adran 1 o Ddeddf Bridio Cŵn 1973 (trwyddedu sefydliadau bridio cŵn), ar ôl is-adran (1) mewnosoder—

“(1A) Subsection (1) does not apply in relation to Wales.”

Dehongli

3. Yn y Rheoliadau hyn—

ystyr “amodau trwydded” (“*licence conditions*”) yw'r amodau hynny a bennir yn Atodlen 1 i'r Rheoliadau hyn ac unrhyw amodau ychwanegol a osodir ynghlwm wrth drwydded gan yr awdurdod lleol;

ystyr “arolygydd” (“*inspector*”) yw unrhyw berson sydd ag awdurdod ysgrifenedig gan awdurdod lleol i weithredu mewn materion sy'n codi o dan, neu mewn cysylltiad â'r Ddeddf neu'r Rheoliadau hyn;

ystyr “awdurdod lleol” (“*local authority*”) yw'r cyngor sir neu'r cyngor bwrdeistref sirol lle y mae'r ceisydd am y drwydded o dan reoliad 7 yn cynnal y gweithgaredd o fridio cŵn yn ei ardal;

ystyr “ci bach” (“*puppy*”) yw ci sy'n iau na 6 mis oed;

ystyr “ci llawndwf” (“*adult dog*”) yw ci nad yw'n iau na 6 mis oed;

ystyr “y Ddeddf” (“*the Act*”) yw Deddf Lles Anifeiliaid 2006;

ystyr “gast fridio” (“*breeding bitch*”) yw gast heb ei hysbaddu, nad yw'n iau na 6 mis oed;

ystyr “gweinydd llawnamser” (“*full time attendant*”) yw person sy'n gweithio am o leiaf 37 awr yr wythnos, naill ai am dâl neu'n ddi-dâl, ym mangre deiliad y drwydded;

ystyr “gweinydd rhan-amser” (“*part time attendant*”) yw person sy'n gweithio rhwng 18.5 a 37 awr bob wythnos, naill ai am dâl neu'n ddi-dâl, ym mangre deiliad y drwydded;

PART 1

Introduction

Title, application and commencement

1.—(1) The title of these Regulations is the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014.

(2) They apply in relation to Wales and come into force on 30 April 2015.

Repeal of section 1(1) of the Breeding of Dogs Act 1973

2. In section 1 of the Breeding of Dogs Act 1973 (licensing of breeding establishments for dogs), after subsection (1) insert—

“(1A) Subsection (1) does not apply in relation to Wales.”

Interpretation

3. In these Regulations—

“the Act” (“*y Ddeddf*”) means the Animal Welfare Act 2006;

“adult dog” (“*ci llawndwf*”) means a dog which is not less than 6 months old;

“breeding bitch” (“*gast fridio*”) means an unneutered female dog that is not less than 6 months old;

“draft enhancement and enrichment programme” (“*rhaglen wella a chyfoethogi ddrafft*”) means a document detailing how dogs will have the opportunity to express normal behaviour patterns submitted by the applicant to the local authority under regulation 7;

“draft socialisation programme” (“*rhaglen gymdeithasoli ddrafft*”) means a document detailing how puppies will be introduced to human handling, domestic environments, play and how they will be prepared for separation from the dam submitted by the applicant to the local authority under regulation 7;

“enhancement and enrichment programme” (“*rhaglen wella a chyfoethogi*”) means a document approved in writing by the local authority detailing how dogs will have the opportunity to express normal behaviour patterns;

“full-time attendant” (“*gweinydd llawn-amser*”) means a person who works, either paid or unpaid, at least 37 hours per week on the licence holder's premises;

ystyr “rhaglen gymdeithasoli” (“*socialisation programme*”) yw dogfen a gymeradwywyd mewn ysgrifed gan yr awdurdod lleol, sy’n manylu ar sut y gwneir i gŵn bach ymgynefino â chael eu trin gan bobl, amgylcheddau domestig a chwarae, a sut i’w paratoi ar gyfer eu gwahanu oddi wrth y fam;

ystyr “rhaglen gymdeithasoli ddrafft” (“*draft socialisation programme*”) yw dogfen sy’n manylu ar sut y gwneir i gŵn bach ymgynefino â chael eu trin gan bobl, amgylcheddau domestig a chwarae, a sut i’w paratoi ar gyfer eu gwahanu oddi wrth y fam, a gyflwynir gan y ceisydd i’r awdurdod lleol o dan reoliad 7;

ystyr “rhaglen wella a chyfoethogi” (“*enhancement and enrichment programme*”) yw dogfen a gymeradwywyd mewn ysgrifed gan yr awdurdod lleol, sy’n manylu ar y modd y rhoddir cyfleoedd i gŵn fynegi patrymau ymddygiad naturiol;

ystyr “rhaglen wella a chyfoethogi ddrafft” (“*draft enhancement and enrichment programme*”) yw dogfen sy’n manylu ar y modd y rhoddir cyfleoedd i gŵn fynegi patrymau ymddygiad naturiol, a gyflwynwyd gan y ceisydd i’r awdurdod lleol o dan reoliad 7;

ystyr “trwydded” (“*licence*”) yw trwydded a roddir o dan reolad 8.

“inspector” (“*arolygydd*”) means any person who has written authority from a local authority to act in matters arising under or in relation to the Act or these Regulations;

“licence” (“*trwydded*”) means a licence granted under regulation 8;

“licence conditions” (“*amodau trwydded*”) means those conditions set out in Schedule 1 to these Regulations and any further conditions attached to a licence by the local authority;

“local authority” (“*awdurdod lleol*”) means the county council or a county borough council in whose area the applicant for a licence under regulation 7 carries out the activity of dog breeding;

“part-time attendant” (“*gweinydd rhan-amser*”) means a person who works, either paid or unpaid, between 18.5 and 37 hours per week on the licence holder’s premises;

“puppy” (“*ci bach*”) means a dog which is less than 6 months old;

“socialisation programme” (“*rhaglen gymdeithasoli*”) means a document approved in writing by the local authority detailing how puppies will be introduced to human handling, domestic environments, play and how they will be prepared for separation from the dam.

RHAN 2

Gofyniad i ddal trwydded

Trwyddedu bridwyr cŵn

4. Mae bridio cŵn yn weithgaredd penodedig, at ddibenion adran 13(1) o’r Ddeddf.

Bridio cŵn: dehongli

5.—(1) Mae person yn cynnal y gweithgaredd o fridio cŵn at ddibenion adran 13(1) o’r Ddeddf os yw’n cadw 3 neu ragor o eist bridio mewn mangre, ac—

- (a) yn bridio, yn y fangre honno, 3 neu ragor o dorllwythi o gŵn bach mewn unrhyw gyfnod o 12 mis;
- (b) yn hysbysebu ar werth o’r fangre honno gi neu gŵn bach, a anwyd o 3 neu ragor o dorllwythi o gŵn bach a roddwyd ar werth yn ystod unrhyw gyfnod o 12 mis;

PART 2

Requirement to hold a licence

Licensing of dog breeders

4. Dog breeding is a specified activity, for the purposes of section 13(1) of the Act.

Dog breeding: interpretation

5.—(1) A person carries on the activity of dog breeding for the purposes of section 13(1) of the Act if that person keeps on premises 3 or more breeding bitches and—

- (a) breeds on those premises 3 or more litters of puppies in any 12 month period;
- (b) advertises for sale from those premises a puppy or puppies born from 3 or more litters of puppies for sale in any 12 month period;

(c) yn cyflenwi o'r fangre honno gi neu gŵn bach, a anwyd o 3 neu ragor o dorllwythi o gŵn bach yn ystod unrhyw gyfnod o 12 mis;

(d) yn hysbysebu busnes o fridio neu o werthu cŵn bach o'r fangre honno.

(2) At ddibenion paragraff (1) rhagdybir bod unrhyw gi a ganfyddir mewn mangre yn cael ei gadw gan feddiannydd y fangre honno nes profir i'r gwrthwyneb.

(3) At ddibenion paragraffau (1)(a) i (c) nid yw'n berthnasol a yw'r torllwythi o gŵn bach wedi eu bridio o'r geist bridio y cyfeirir atynt ym mharagraff (1), ai peidio.

(4) Mae'r rheoliad hwn yn ddarostyngedig i reoliad 6.

Bridio cŵn: eithrio

6.—(1) Nid yw person yn cynnal y gweithgaredd o fridio cŵn at ddibenion adran 13(1) o'r Ddeddf os yw'r cŵn a grybwyllwyd yn rheoliad 5 yn cael eu bridio—

(a) i'w defnyddio mewn gweithdrefnau a reoleiddir, a

(b) mewn lle a bennir mewn trwydded adran 2C yn rhinwedd adran 2B(2)(b) o Ddeddf Anifeiliaid (Gweithdrefnau Gwyddonol) 1986.

(2) Ym mharagraff (1) mae i "gweithdrefn reoleiddir" a "trwydded adran 2C" yr ystyr a roddir i "regulated procedure" a "section 2C licence" gan adran 30 o Ddeddf Anifeiliaid (Gweithdrefnau Gwyddonol) 1986.

(c) supplies from those premises a puppy or puppies born from 3 or more litters of puppies in any 12 month period; or

(d) advertises a business of breeding or selling puppies from those premises.

(2) For the purposes of paragraph (1) any dog found on premises will be presumed to be kept by the occupier of those premises until the contrary is proved.

(3) For the purposes of paragraph (1)(a) to (c) it is immaterial whether or not the litters of puppies are bred from the breeding bitches referred to in paragraph (1).

(4) This regulation is subject to regulation 6.

Dog breeding: exclusion

6.—(1) A person does not carry on the activity of dog breeding for the purposes of section 13(1) of the Act if the dogs mentioned in regulation 5 are bred—

(a) for use in regulated procedures, and

(b) at a place specified in a section 2C licence by virtue of section 2B(2)(b) of the Animals (Scientific Procedures) Act 1986.

(2) In paragraph (1) "regulated procedure" and "section 2C licence" have the meaning given by section 30 of the Animals (Scientific Procedures) Act 1986.

RHAN 3

Trwyddedau

Cais am drwydded

7.—(1) Er mwyn gwneud cais am drwydded o dan y Rheoliadau hyn, rhaid i geisydd gyflwyno –

(a) cais ar ffurf ac mewn modd a gymeradwywyd gan yr awdurdod lleol;

(b) rhaglen wella a chyfoethogi ddrafft;

(c) rhaglen gymdeithasoli ddrafft;

(d) manylion am nifer y cŵn llawndwf a chŵn bach y rhagwelir a fydd yn bresennol yn y fangre ar unrhyw adeg; ac

(e) y dogfennau ategol hynny sy'n rhesymol ofynnol gan yr awdurdod.

(2) Rhaid i'r ceisydd dalu unrhyw ffi briodol yn unol â rheoliad 12.

PART 3

Licences

Application for a licence

7.—(1) To apply for a licence under these Regulations an applicant must submit—

(a) an application in a form and manner approved by the local authority;

(b) a draft enhancement and enrichment programme;

(c) a draft socialisation programme;

(d) details of the anticipated number of adult dogs and puppies to be present on the premises at any one time; and

(e) such supporting documentation as the authority reasonably requires.

(2) The applicant must pay any appropriate fee in accordance with regulation 12.

Rhoi neu adnewyddu trwyddedau

8.—(1) Wrth gael cais sy'n cydymffurfio â rheoliad 7, rhaid i awdurdod lleol archwilio mangre'r ceisydd, ac os bydd wedi ei fodloni—

- (a) bod amodau'r drwydded naill ai wedi eu bodloni neu y byddant yn cael eu bodloni;
- (b) gyda'r rhaglen wella a chyfoethogi ddrafft;
- (c) gyda'r rhaglen gymdeithasoli ddrafft; a
- (d) gydag unrhyw faterion eraill y mae'r awdurdod lleol yn eu hystyried yn berthnasol;

caiff roi trwydded i'r ceisydd.

(2) Ynghlwm wrth bob trwydded a roddir, rhaid i'r awdurdod lleol roi—

- (a) yr amodau sydd wedi eu cynnwys yn Atodlen 1 i'r Rheoliadau hyn;
- (b) amod sy'n pennu'r nifer uchaf o gŵn llawndwf a chŵn bach sydd i'w cadw o dan delerau'r drwydded; ac
- (c) amod sy'n pennu cymhareb nifer y staff i nifer y cŵn llawndwf a fydd yn sicrhau, fel isafswm staffio—
 - (i) 1 gweinydd llawnamser am bob 20 ci llawndwf a gedwir; neu
 - (ii) 1 gweinydd rhan-amser am bob 10 ci llawndwf a gedwir.

(3) Yn ddarostyngedig i baragraff (2) caiff yr awdurdod lleol hefyd atodi amodau pellach i drwydded fel y mae'n ei ystyried yn angenrheidiol.

(4) Caiff yr awdurdod lleol roi neu adnewyddu trwydded am unrhyw gyfnod o hyd at 1 flwyddyn.

Ystyried ceisiadau am drwyddedau

9.—(1) Wrth ystyried a ddylid rhoi neu adnewyddu trwydded, rhaid i'r awdurdod lleol fod wedi ei fodloni—

- (a) bod y cŵn yn cael eu cadw bob amser mewn llety o wneuthuriad a maint priodol, gyda chyfleusterau ymarfer, tymheredd, goleuo, awyru a glanweithdra priodol;
- (b) bod cyfleusterau esgor priodol ar gael;
- (c) bod y cŵn yn cael cyflenwad addas o fwyd, diod a gwasarn; a
- (d) bod y cŵn yn cael cyfleusterau digonol i'w galluogi i arddangos patrymau ymddygiad naturiol.

(2) Cyn rhoi neu adnewyddu trwydded, bydd hawl gan awdurdod lleol, wrth ystyried a fydd amodau'r drwydded yn cael eu bodloni, i roi sylw i ymddygiad y ceisydd, neu i unrhyw amgylchiadau eraill a ystyrir yn berthnasol gan yr awdurdod lleol.

Grant or renewal of licences

8.—(1) On receipt of an application complying with regulation 7, a local authority must inspect the applicant's premises and if satisfied—

- (a) that the licence conditions are or will be met;
- (b) with the draft enhancement and enrichment programme;
- (c) with the draft socialisation programme; and
- (d) as to any other matters the local authority considers relevant;

may grant a licence to the applicant.

(2) The local authority must attach to each licence granted—

- (a) the conditions contained in Schedule 1 to these Regulations;
- (b) a condition specifying the maximum number of adult dogs and puppies to be kept under the terms of the licence; and
- (c) a condition specifying a staff to adult dog ratio which must ensure as a minimum staff requirement—
 - (i) 1 full-time attendant per 20 adult dogs kept; or
 - (ii) 1 part-time attendant per 10 adult dogs kept.

(3) Subject to paragraph (2) the local authority may also attach further conditions to a licence as it considers necessary.

(4) The local authority may grant or renew a licence for any period up to 1 year.

Consideration of applications for licences

9.—(1) When considering whether to grant or renew a licence the local authority must be satisfied that—

- (a) dogs are at all times kept in accommodation that is of an appropriate construction and size, with appropriate exercise facilities, temperature, lighting, ventilation and cleanliness;
- (b) appropriate whelping facilities are available;
- (c) dogs are supplied with suitable food, drink and bedding; and
- (d) dogs are supplied with adequate facilities to enable them to exhibit normal behaviour patterns.

(2) Prior to granting or renewing a licence, in considering whether the licence conditions will be met, a local authority is entitled to take account of the applicant's conduct or any other circumstances that the local authority considers are relevant.

Pobl na chaniateir iddynt wneud cais am drwydded

10. Ni chaiff neb wneud cais am drwydded os yw wedi ei anghymhwysu o dan—

- (a) adran 33 o Ddeddf Lles Anifeiliaid (Gogledd Iwerddon) 2011(1);
- (b) adran 34 o'r Ddeddf;
- (c) adran 40(1) a (2) o Ddeddf Iechyd a Lles Anifeiliaid (Yr Alban) 2006(2);
- (d) adran 33A o Orchymyn Cŵn (Gogledd Iwerddon) 1983(3);
- (e) adran 3(3) o Ddeddf Bridio Cŵn 1973(4) rhag cadw sefydliad bridio;
- (f) adran 4(3) o Ddeddf Sefydliadau Marchogaeth 1964 rhag cadw sefydliad marchogaeth(5);
- (g) adran 3(3) o Ddeddf Sefydliadau Lletya Anifeiliaid 1963 rhag cadw sefydliad lletya(6);
- (h) adran 1(1) o Ddeddf Diogelu Anifeiliaid (Diwygio) 1954 rhag gwarchod anifail(7);
- (i) adran 5(3) o Ddeddf Anifeiliaid Anwes 1951 rhag cadw siop anifeiliaid anwes(8); neu
- (j) adran 6(2) o Ddeddf Anifeiliaid Gwylt Peryglus 1976 rhag bod yn berchen anifail(9);

ac y mae unrhyw drwydded a ddyroddir i berson sydd wedi ei anghymhwysu felly yn annilys.

People who may not apply for a licence

10. No person may apply for a licence if they are disqualified under—

- (a) section 33 of the Welfare of Animals Act (Northern Ireland) 2011(1);
- (b) section 34 of the Act;
- (c) section 40(1) and (2) of the Animal Health and Welfare (Scotland) Act 2006(2);
- (d) section 33A of the Dogs (Northern Ireland) Order 1983(3);
- (e) section 3(3) of the Breeding of Dogs Act 1973(4) from keeping a breeding establishment;
- (f) section 4(3) of the Riding Establishments Act 1964 from keeping a riding establishment(5);
- (g) section 3(3) of the Animal Boarding Establishments Act 1963 from keeping a boarding establishment(6);
- (h) section 1(1) of the Protection of Animals (Amendment) Act 1954 from having custody of an animal(7);
- (i) section 5(3) of the Pet Animals Act 1951 from keeping a pet shop(8); or
- (j) section 6(2) of the Dangerous Wild Animals Act 1976 from the ownership of an animal(9);

and any licence issued to a person so disqualified is invalid.

(1) 2011 p. 16.

(2) 2006 dsa 11.

(3) 1983/764 (G.I. 8).

(4) 1973 p.60. Diwygiwyd adran 3(3) gan adran 5(1) o Ddeddf Bridio a Gwerthu Cŵn (Lles) 1999 (p.11).

(5) 1964 p. 70. Diwygiwyd adran 4(3) gan adran 64 o Ddeddf Lles Anifeiliaid 2006 a pharagraff 6(2) o Atodlen 3 i'r Ddeddf honno.

(6) 1963 p. 43. Diwygiwyd adran 3(3) gan adran 64 o Ddeddf Lles Anifeiliaid 2006 a pharagraff 5(2) o Atodlen 3 i'r Ddeddf honno.

(7) 1954 p.40. Diddymwyd adran 1 gan adran 65 o Ddeddf Lles Anifeiliaid 2006 ac Atodlen 4 i'r Ddeddf honno.

(8) 1951 p.35. Diwygiwyd adran 5(3) gan adran 64 o Ddeddf Lles Anifeiliaid 2006 a pharagraff 3(2) o Atodlen 3 i'r Ddeddf honno.

(9) 1976 p.38. Diwygiwyd adran 6(2) gan adran 64 o Ddeddf Lles Anifeiliaid 2006 a pharagraff 9 o Atodlen 3 i'r Ddeddf honno.

(1) 2011 c. 16.

(2) 2006 asp 11.

(3) 1983/764 (N.I. 8).

(4) 1973 c.60. Section 3(3) was amended by section 5(1) of the Breeding and Sale of Dogs (Welfare) Act 1999 (c.11).

(5) 1964 c. 70. Section 4(3) was amended by section 64 of, and paragraph 6(2) of Schedule 3 to, the Animal Welfare Act 2006.

(6) 1963 c. 43 Section 3(3) was amended by section 64 of, and paragraph 5(2) of Schedule 3 to, the Animal Welfare Act 2006.

(7) 1954 c.40. Section 1 was repealed by section 65 of, and Schedule 4 to, the Animal Welfare Act 2006.

(8) 1951 c.35 Section 5(3) was amended by section 64 of, and paragraph 3(2) of Schedule 3 to, the Animal Welfare Act 2006.

(9) 1976 c.38. Section 6(2) was amended by section 64 of, and paragraph 9 of Schedule 3 to, the Animal Welfare Act 2006.

Marwolaeth deiliad trwydded

11.—(1) Os bydd y deiliad trwydded yn marw, rhagdybir bod y drwydded honno wedi ei rhoi i gynrychiolwyr personol y deiliad trwydded, ar yr amod nad oes yr un o'r cynrychiolwyr personol yn ddarostyngedig i orchymyn anghymhwys o dan unrhyw un o'r darpariaethau a bennir yn rheoliad 10, a bydd y drwydded yn parhau mewn grym am gyfnod o 3 mis, sy'n cychwyn gyda dyddiad y farwolaeth, ond yn parhau'n ddarostyngedig i'r darpariaethau yn Rhan 3.

(2) Rhaid i'r cynrychiolwyr personol hysbysu'r awdurdod lleol a ddyroddodd y drwydded, fod y drwydded wedi ei breinio ynddynt hwy, o fewn 4 wythnos ar ôl marwolaeth y deiliad trwydded.

(3) Yn ddarostyngedig i baragraffau (4) a (5), caiff awdurdod lleol, ar gais y cynrychiolwyr personol hynny, estyn y cyfnod o 3 mis y cyfeirir ato ym mharagraff (1) os bodlonir yr awdurdod lleol fod yr estyniad yn angenrheidiol at y diben o ddirwyn i ben ystâd yr ymadawedig, ac nad oes amgylchiadau eraill sy'n peri y byddai'n annymunol caniatáu estyniad.

(4) Cyn estyn trwydded y tu hwnt i 1 flwyddyn o'r dyddiad y'i cyflwynwyd, rhaid i awdurdod lleol archwilio mangre'r deiliad trwydded, ac ar ôl hynny archwilio'r fangre o leiaf unwaith y flwyddyn yn ystod cyfnod yr estyniad.

(5) Ni chaniateir estyn unrhyw drwydded o dan baragraff (3) y tu hwnt i 3 blynedd o'r dyddiad y cyflwynwyd y drwydded.

Ffioedd

12.—(1) Caiff awdurdod lleol godi'r cyfryw ffioedd a ystyria'n angenrheidiol—

- (a) am ystyried cais am drwydded; ac
- (b) am roi neu adnewyddu trwydded.

(2) Ni chaiff y ffi a godir am ystyried cais am drwydded fod yn fwy na chostau rhesymol cyflawni'r ystyriaeth honno.

(3) Ni chaiff y ffi a godir am roi neu adnewyddu trwydded fod yn fwy na swm y costau am roi neu adnewyddu a'r costau disgwylidig rhesymol am fonitro cydymffurfiaeth y deiliad trwydded â'r Rheoliadau hyn ac amodau'r drwydded yn y dyfodol.

Canllawiau

13. Rhaid i'r awdurdod lleol, wrth gyflawni ei swyddogaethau o dan y Rheoliadau hyn, roi sylw i unrhyw ganllawiau a ddyroddir gan Weinidogion Cymru.

Death of a licence holder

11.—(1) If the licence holder dies that licence is deemed to have been granted to the personal representatives of the licence holder so long as none of the personal representatives is subject to an order for disqualification under any of the provisions set out in regulation 10, and remains in force for a period of 3 months beginning with the date of death, but remains subject to the provisions in Part 3.

(2) The personal representatives must notify the local authority which issued the licence that the licence has vested in them within 4 weeks of the death of the licence holder.

(3) Subject to paragraphs (4) and (5), a local authority may, on the application of those personal representatives, extend the period of 3 months referred to in paragraph (1) if the local authority is satisfied that the extension is necessary for the purpose of winding up the deceased's estate and that no other circumstances make extension undesirable.

(4) Before extending a licence beyond 1 year from the date upon which it was issued, a local authority must inspect the licence holder's premises, and at least once per year thereafter during the period of extension.

(5) No licence may be extended under paragraph (3) beyond 3 years from the date upon which the licence was issued.

Fees

12.—(1) A local authority may charge such fees as it considers necessary—

- (a) for the consideration of an application for a licence; and
- (b) for the grant or renewal of a licence.

(2) The fee charged for consideration of an application for a licence must not exceed the reasonable costs of carrying out that consideration.

(3) The fee charged for granting or renewing a licence must not exceed the sum of the costs of making the grant or renewal and the reasonable anticipated costs of future monitoring of compliance with these Regulations and the licence conditions by the licence holder.

Guidance

13. The local authority must have regard in the carrying out of its functions under these Regulations to such guidance as may be issued by the Welsh Ministers.

RHAN 4

Atal Dros Dro, Amrywio a Dirymu Trwydded

Seiliau ar gyfer atal dros dro ac amrywio trwydded

14. Caiff awdurdod lleol atal dros dro neu amrywio trwydded ar unrhyw adeg os bodlonir yr awdurdod lleol—

- (a) nad yw'r materion y cyfeirir atynt yn rheoliad 9(1)(a) i (d) wedi eu bodloni;
- (b) na chydymffurfir ag amodau'r drwydded;
- (c) y cyflawnwyd toriad o'r Rheoliadau hyn;
- (d) bod gwybodaeth a gyflenwyd gan y deiliad trwydded yn ffug; neu
- (e) bod atal dros dro neu amrywio'n angenrheidiol er mwyn diogelu lles ci.

Y weithdrefn ar gyfer atal dros dro ac amrywio

15.—(1) Bydd atal dros dro neu amrywio trwydded o dan reoliad 14 yn cael effaith ar ddiwedd y cyfnod o 7 diwrnod sy'n cychwyn gyda diwrnod cyflwyno'r hysbysiad o'r ataliad dros dro neu'r amrywiad.

(2) Os yw'n angenrheidiol er mwyn diogelu lles anifail, caiff yr awdurdod lleol bennu yn yr hysbysiad fod yr ataliad dros dro neu'r amrywiad i gael effaith ar unwaith.

(3) Raid i hysbysiad o ataliad dros dro neu amrywiad—

- (a) datgan seiliau'r awdurdod lleol dros atal dros dro neu amrywio;
- (b) datgan pa bryd y daw'r ataliad dros dro neu'r amrywiad i rym;
- (c) pennu pa gamau, ym marn yr awdurdod lleol, y mae'n angenrheidiol eu cymryd er mwyn ymateb i'r seiliau; a
- (d) esbonio bod hawl gan y deiliad trwydded i wneud sylwadau ysgrifenedig o dan baragraff (4), rhoi iddo fanylion y person y dylid cyflwyno'r sylwadau hynny iddo, a datgan erbyn pa ddyddiad y mae'n rhaid eu cyflwyno.

(4) Os nad yw'r hysbysiad i gael effaith ar unwaith, caiff y deiliad trwydded gyflwyno sylwadau ysgrifenedig yn gwrthwynebu'r hysbysiad, i'r awdurdod lleol o fewn cyfnod o 7 diwrnod sy'n cychwyn gyda dyddiad cyflwyno'r hysbysiad.

(5) Os gwneir sylwadau o dan baragraff (4), ni fydd yr ataliad dros dro neu'r amrywiad yn cael effaith hyd nes bo'r awdurdod lleol wedi ystyried y sylwadau ac wedi penderfynu arnynt yn unol â pharagraff (6).

PART 4

Suspension, Variation and Revocation of a Licence

Grounds for suspension and variation

14. A local authority may at any time suspend or vary a licence on being satisfied that—

- (a) the matters referred to in regulation 9(1)(a) to (d) are not satisfied;
- (b) the licence conditions are not being complied with;
- (c) there has been a breach of these Regulations;
- (d) information supplied by the licence holder is false; or
- (e) it is necessary to protect the welfare of a dog.

Procedure for suspension and variation

15.—(1) A suspension or licence variation under regulation 14 has effect at the end of the period of 7 days beginning with the date of service of the notice of suspension or notice of variation.

(2) If it is necessary to protect the welfare of a dog the local authority may specify in the notice that the suspension or variation has immediate effect.

(3) A notice of suspension or variation must—

- (a) state the local authority's grounds for suspension or variation;
- (b) state when it comes into effect;
- (c) specify measures that the local authority considers are necessary in order to remedy the grounds; and
- (d) explain the right of the licence holder to make written representations in accordance with paragraph (4) and give the details of the person to whom such representations may be made and the date by which they must be made.

(4) Where the notice does not have immediate effect the licence holder may make written representations against the notice to the local authority within 7 days of the date of service of the notice.

(5) Where representations are made under paragraph (4), the suspension or variation does not have effect until the local authority considers the representations and makes a determination on them in accordance with paragraph (6).

(6) Rhaid i'r awdurdod lleol wneud penderfyniad ar y sylwadau, a hysbysu'r deiliad trwydded o'r penderfyniad hwnnw mewn ysgrifen, gan roi rhesymau, o fewn cyfnod o 7 diwrnod sy'n cychwyn gyda'r diwrnod y mae'r awdurdod yn cael y sylwadau hynny.

(7) Os yw trwydded wedi ei atal dros dro am fwy na 28 niwrnod, rhaid i awdurdod lleol—

- (a) adfer y drwydded honno a ataliwyd dros dro; neu
- (b) dirymu'r drwydded honno a ataliwyd dros dro.

Adfer trwydded

16.—(1) Rhaid i awdurdod lleol, drwy hysbysiad, adfer trwydded a ataliwyd dros dro, unwaith y'i bodlonir bod y seiliau a bennwyd yn yr hysbysiad o ataliad dros dro wedi eu datrys, neu y byddant yn cael eu datrys.

(2) Wrth adfer trwydded o dan baragraff (1) ceir amrywio'r cyfnod y dyroddir y drwydded ar ei gyfer ond ni cheir estyn y drwydded y tu hwnt i 1 flwyddyn o'r dyddiad y cafodd ei hadfer.

Seiliau ar gyfer dirymu trwydded

17.—(1) Caiff awdurdod lleol ddirymu trwydded os bodlonir yr awdurdod lleol—

- (a) nad yw'r materion y cyfeirir atynt yn rheoliad 9(1)(a) i (d) wedi eu bodloni;
- (b) na chydymffurfir ag amodau'r drwydded;
- (c) y cyflawnwyd toriad o'r Rheoliadau hyn;
- (d) bod gwybodaeth a gyflenwyd gan y deiliad trwydded yn ffug; neu
- (e) bod dirymu'n angenrheidiol er mwyn diogelu lles ci.

(2) Os anghymhwysir deiliad trwydded o dan unrhyw un o'r deddfiadau yn rheoliad 10, dirymir trwydded y deiliad hwnnw yn awtomatig pan fo'r cyfnod o amser a ganiateir ar gyfer unrhyw apêl yn dod i ben, neu os gwneir apêl, pan wrthodir yr apêl honno.

Hysbysiad dirymu

18. Rhaid i hysbysiad dirymu—

- (a) datgan seiliau'r awdurdod lleol dros ddirymu;
- (b) datgan pa bryd y daw'r dirymiad i rym; a
- (c) nodi bod hawl i apelio i lys ynadon.

(6) The local authority must make a determination on the representations and notify the licence holder in writing, giving its reasons, within 7 days of receipt of those representations.

(7) If a licence has been suspended for more than 28 days the local authority must—

- (a) reinstate that suspended licence; or
- (b) revoke that suspended licence.

Reinstatement of licence

16.—(1) A local authority must reinstate a suspended licence by way of notice once it is satisfied that the grounds specified in the notice of suspension have been or will be remedied.

(2) Where a licence is reinstated under paragraph (1) the period for which it is issued may be varied but the licence may not be extended beyond 1 year from the date upon which it was reinstated.

Grounds for revocation of a licence

17.—(1) The local authority may revoke a licence on being satisfied that—

- (a) the matters referred to in regulation 9(1)(a) to (d) are not satisfied;
- (b) the licence conditions are not being complied with;
- (c) there has been a breach of these Regulations;
- (d) information supplied by the licence holder is false; or
- (e) it is necessary to protect the welfare of a dog.

(2) Where a licence holder is disqualified under any of the enactments listed in regulation 10 their licence is automatically revoked when the time limit for any appeal against that disqualification expires or, if an appeal is made, when that appeal is refused.

Notice of revocation

18. A notice of revocation must—

- (a) state the local authority's grounds for revocation;
- (b) state when it comes into effect; and
- (c) set out the right of appeal to a magistrates' court.

RHAN 5

Apelau

Hawl i Apelio

19.—(1) Caiff unrhyw berson a dramgwyddir oherwydd gwrthod rhoi neu adnewyddu trwydded, neu benderfyniad i ddirymu trwydded, apelio i lys ynadon.

(2) Bydd y weithdrefn mewn apêl i lys ynadon o dan baragraff (1) ar ffurf cwyn, a bydd Deddf Llysoedd Ynadon 1980(1) yn gymwys i'r achos.

(3) Y cyfnod a ganiateir ar gyfer dwyn apêl yw cyfnod o 28 diwrnod sy'n cychwyn gyda'r diwrnod sy'n dilyn y diwrnod y rhoddir hysbysiad o'r penderfyniad.

RHAN 6

Darpariaethau amrywiol

Pŵer i gymryd samplau

20. Caiff arolygydd, at y diben o sicrhau y cydymffurfir â darpariaethau'r Rheoliadau hyn, gymryd samplau o boer neu o flew unrhyw gi sydd mewn mangre a feddiannir gan y deiliad trwydded, ar gyfer cynnal profion DNA.

Dyletswydd i gynorthwyo gyda chymryd samplau

21. Rhaid i'r deiliad trwydded gydymffurfio ag unrhyw gais rhesymol gan arolygydd, i hwyluso adnabod ac archwilio ci a chymryd samplau yn unol â rheoliad 20 ac, yn benodol, trefnu i gorllannu ci os gofynnir iddo wneud hynny gan arolygydd.

Troseddau

22.—(1) Cyflawnir trosedd os yw person, heb awdurdod cyfreithiol nac esgus, yn mynd yn groes i unrhyw amod trwyddedu.

(2) Mae person sy'n euog o drosedd o dan y rheoliad hwn yn agored, ar gollfarn ddiannod, i gyfnod yn y carchar nad yw'n hwy na 6 mis, dirwy nad yw'n fwy na lefel 5 ar y raddfa safonol, neu'r ddau.

PART 5

Appeals

Right of Appeal

19.—(1) Any person who is aggrieved by the refusal to grant or renew, or the decision to revoke, a licence may appeal to a magistrates' court.

(2) The procedure on an appeal to a magistrates' court under paragraph (1) is by way of complaint, and the Magistrates' Courts Act 1980(1) applies to the proceedings.

(3) The period within which an appeal may be brought is 28 days beginning with the day following the date on which the decision is notified.

PART 6

Miscellaneous provisions

Power to take samples

20. An inspector may, for the purposes of ensuring the provisions of these Regulations are being complied with, take saliva or hair samples for DNA testing, from any dog on premises occupied by the licence holder.

Duty to assist in the taking of samples

21. The licence holder must comply with any reasonable request of an inspector in order to facilitate the identification and examination of a dog and the taking of samples in accordance with regulation 20 and, in particular, must arrange the penning of a dog if so requested by an inspector.

Offences

22.—(1) It is an offence for a person, without lawful authority or excuse, to contravene any licence condition.

(2) A person guilty of an offence under this regulation is liable on summary conviction to imprisonment for a term not exceeding 6 months, a fine not exceeding level 5 on the standard scale, or both.

(1) 1980 p. 43.

(1) 1980. c. 43.

Pwerau mynediad

23. Rhaid trin toriad o amod trwydded fel trosedd berthnasol yn yr ystyr a roddir i “relevant offence” at ddibenion adran 23 o’r Ddeddf (mynd i mewn a chwilio o dan warant mewn cysylltiad â throseddau).

Pwerau sy’n dilyn collfarn

24. Mae’r pwerau perthnasol sy’n dilyn collfarn, a gynhwysir yn adrannau 34 a 42 o’r Ddeddf, yn gymwys mewn perthynas â cholffarn am drosedd o dorri amod trwydded a roddir o dan y Rheoliadau hyn.

Darpariaethau trosiannol

25. Bydd trwydded a roddwyd o dan Ddeddf Bridio Cŵn 1973 yn parhau i gael effaith fel pe bai’n drwydded a roddwyd o dan reoliad 5.

Diwygiadau canlyniadol

26. Mae Atodlen 2 (diwygiadau canlyniadol) yn cael effaith.

Gorfodi

27. Gorfodir y Rheoliadau hyn gan yr awdurdod lleol.

Powers of Entry

23. Breach of a licence condition must be treated as a relevant offence for the purpose of section 23 of the Act (entry and search under warrant in connection with offences).

Post Conviction Powers

24. The relevant post conviction powers contained in sections 34 and 42 of the Act apply in relation to a conviction for an offence of breach of a condition of a licence granted under these Regulations.

Transitional provisions

25. A licence granted under the Breeding of Dogs Act 1973 will continue to have effect as if it were a licence granted under regulation 5.

Consequential amendments

26. Schedule 2 (consequential amendments) has effect.

Enforcement

27. These Regulations are enforced by the local authority.

Rebecca Evans

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

10 Rhagfyr 2014

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

10 December 2014

YR ATODLENNI

ATODLEN 1 Rheoliad 8(2)

RHAN 1

Amodau Trwydded

Amod 1: Gwella a Chyfoethogi

1. Rhaid i'r deiliad trwydded weithredu rhaglen wella a chyfoethogi a gymeradwywyd gan yr awdurdod lleol.

Amod 2: Cymdeithasoli

2. Rhaid i'r deiliad trwydded weithredu rhaglen gymdeithasoli a gymeradwywyd gan yr awdurdod lleol.

Amod 3: Iechyd

3. Rhaid i'r deiliad trwydded gymryd pob cam rhesymol i ddiogelu cŵn rhag poen, dioddefaint, anaf a chlefyd.

Amod 4: Paru

4. Rhaid i'r deiliad trwydded sicrhau nad yw gast fridio—

- (a) yn cael ei pharu cyn ei bod yn 12 mis oed;
- (b) yn rhoi genedigaeth i fwy nag un torllwyth o gŵn bach o fewn cyfnod o 12 mis; nac
- (c) yn rhoi genedigaeth i gyfanswm o fwy na 6 torllwyth o gŵn bach.

Amod 5: Newid perchnogaeth ci bach

5. Rhaid i'r deiliad trwydded barhau'n berchennog ac yn feddiannwr unrhyw gi bach yn y fangre a feddiannir gan y deiliad trwydded hyd nes bo'r ci bach yn 56 diwrnod oed, o leiaf.

SCHEDULES

SCHEDULE 1 Regulation 8(2)

PART 1

Licence Conditions

Condition 1: Enhancement and Enrichment

1. The licence holder must implement an enhancement and enrichment programme that has been approved by the local authority.

Condition 2: Socialisation

2. The licence holder must implement a socialisation programme that has been approved by the local authority.

Condition 3: Health

3. The licence holder must take all reasonable steps to protect dogs from pain, suffering, injury and disease.

Condition 4: Mating

4. The licence holder must ensure a breeding bitch—

- (a) is not mated until she is 12 months old;
- (b) does not give birth to more than 1 litter of puppies in a 12 month period; and
- (c) does not give birth to more than 6 litters of puppies in total.

Condition 5: Change of ownership of a puppy

5. The licence holder must retain ownership and possession of a puppy on the premises occupied by the licence holder until it is at least 56 days old.

Amod 6: Gofynion cofnodi geist bridio

6.—(1) Rhaid i'r deiliad trwydded gynnal cofnod ysgrifenedig mewn perthynas â phob gast fridio a gedwir, gan nodi—

- (a) ei henw;
- (b) ei dyddiad geni;
- (c) ei brid;
- (d) disgrifiad ffisegol ohoni, gan gynnwys ei lliw a'i nodweddion adnabod;
- (e) ei statws iechyd;
- (f) manylion paru, gan gynnwys:
 - (i) mewn perthynas â'r tad, yr wybodaeth y mae is-baragraff 1(a) i (e) yn ei gwneud yn ofynnol;
 - (ii) mewn perthynas â phob ci bach a anwyd—
 - (aa) dyddiad geni;
 - (bb) pa bryd y trosglwyddwyd perchenogaeth, ac enw a chyfeiriad y perchennog newydd.

(2) Pan drosglwyddir perchenogaeth gast fridio, rhaid i'r deiliad trwydded gofnodi enw, cyfeiriad a rhif teleffon y perchennog newydd yn y cofnod y cyfeirir ato yn is-baragraff (1) a rhaid i'r deiliad trwydded ddarparu copi o'r cofnod hwnnw i'r perchennog newydd a chadw copi ohono ei hunan.

(3) Rhaid i'r cofnod y cyfeirir ato yn is-baragraff (1) fod ar gael i'w archwilio a rhaid i'r deiliad trwydded ddal gafael ynddo drwy gydol oes yr ast fridio.

Amod 7: Gofynion cofnodi cŵn bach

7.—(1) Rhaid i'r deiliad trwydded gynnal cofnod ysgrifenedig sy'n cadarnhau'r manylion canlynol mewn perthynas â phob ci bach sydd yn y fangre a feddiannir gan y deiliad trwydded:

- (a) rhyw;
- (b) dyddiad geni;
- (c) brid;
- (d) disgrifiad ffisegol gan gynnwys lliw a nodweddion adnabod;
- (e) statws iechyd;
- (f) mewn perthynas â'r fam, yr wybodaeth y mae amod 6(1)(a) i (e) yn ei gwneud yn ofynnol; a
- (g) mewn perthynas â'r tad, yr wybodaeth y mae amod 6(1)(a) i (e) yn ei gwneud yn ofynnol.

Condition 6: Breeding bitch record requirements

6.—(1) The licence holder must maintain a written record in relation to each breeding bitch kept setting out her:

- (a) name;
- (b) date of birth;
- (c) breed;
- (d) physical description including colour and identifying features;
- (e) health status;
- (f) mating details including:
 - (i) in relation to the sire, the information required in sub-paragraph 1(a) to (e);
 - (ii) in relation to each puppy born—
 - (aa) date of birth;
 - (bb) when ownership is transferred, the new owners name and address.

(2) When ownership of a breeding bitch is transferred the name, address and telephone number of the new owner must be recorded by the licence holder on the record referred to in sub-paragraph (1) and a copy of the record must be provided to the new owner and a copy retained by the licence holder.

(3) The record referred to in sub-paragraph (1) must be available for inspection and retained by the licence holder for the lifetime of the breeding bitch.

Condition 7: Puppy record requirements

7.—(1) The licence holder must maintain a written record confirming the following details in relation to each puppy which is on the premises occupied by the licence holder:

- (a) sex;
- (b) date of birth;
- (c) breed;
- (d) physical description including colour and identifying features;
- (e) health status;
- (f) in relation to the dam, the information required by condition 6(1)(a) to (e); and
- (g) in relation to the sire, the information required by condition 6(1)(a) to (e).

(2) Pan drosglwyddir perchenogaeth ci bach, rhaid i'r deiliad trwydded gofnodi enw, cyfeiriad a rhif teleffon y perchennog newydd yn y cofnod y cyfeirir ato yn is-baragraff (1) a rhaid i'r deiliad trwydded ddarparu copi o'r cofnod hwnnw i'r perchennog newydd a chadw copi ohono ei hunan.

(3) Rhaid i'r cofnod y cyfeirir ato yn is-baragraff (1) fod ar gael i'w archwilio gan yr awdurdod lleol ar unrhyw adeg, a rhaid i'r deiliad trwydded ddal gafael ynddo am 3 blynedd ar ôl geni'r ci bach.

(2) When ownership of a puppy is transferred, the name address and telephone number of the new owner must be recorded by the licence holder on the record referred to in sub-paragraph (1) and a copy of the record must be provided to the new owner and a copy retained by the licence holder.

(3) The record referred to in sub-paragraph (1) must be available for inspection by the local authority at any time and retained by the licence holder for 3 years from the date of birth of the puppy.

ATODLEN 2 Rheoliad 26

SCHEDULE 2 Regulation 26

Diwygiadau Canlyniadol

Consequential amendments

Deddf Bridio Cŵn 1973

1. Yn adran 5 o Ddeddf Bridio Cŵn 1973 (dehongli), yn is-adran (2), yn y diffiniad o "local authority", hepgorer "and in Wales the council of a county or county borough".

Deddf Llywodraeth Leol (Cymru) 1994

2. Yn Atodlen 16 o Ddeddf Llywodraeth Leol (Cymru) 1994 (diwygiadau canlyniadol eraill), hepgorer paragraff 42.

Deddf Cŵn Gwarchod 1975

3. Yn adran 3 o Ddeddf Cŵn Gwarchod 1975 (trwyddedau cwbiau cŵn gwarchod), o flaen is-adran (6), mewnosoder—

“(5B) Where a person is convicted of an offence under section 13(6) of the Animal Welfare Act 2006 arising from the contravention of section 13(1) of that Act in relation to dog breeding in Wales, or of an offence under the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014, subsections (4) and (5) apply as they do to convictions under this Act”.

Deddf Anifeiliaid Gwyllt Peryglus 1976

4. Ar ddiwedd adran 6 o Ddeddf Anifeiliaid Gwyllt Peryglus 1976 (cosbau) mewnosoder—

Breeding of Dogs Act 1973

1. In section 5 of the Breeding of Dogs Act 1973 (interpretation), in subsection (2), in the definition of "local authority", omit "and in Wales the council of a county or county borough".

Local Government (Wales) Act 1994

2. In Schedule 16 of the Local Government (Wales) Act 1994 (other consequential amendments), omit paragraph 42.

Guard Dogs Act 1975

3. In section 3 of the Guard Dogs Act 1975 (guard dog kennel licences), before subsection (6) insert—

“(5B) Where a person is convicted of an offence under section 13(6) of the Animal Welfare Act 2006 arising from the contravention of section 13(1) of that Act in relation to dog breeding in Wales, or of an offence under the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014, subsections (4) and (5) apply as they do to convictions under this Act.”

Dangerous Wild Animals Act 1976

4. At the end of section 6 of the Dangerous Wild Animals Act 1976 (penalties) insert—

“(3B) Where a person is convicted of an offence under section 13(6) of the Animal Welfare Act 2006 arising from the contravention of section 13(1) of that Act in relation to dog breeding in Wales, or of an offence under the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014, subsections (2) and (3) apply as they do to convictions under this Act”.

Deddf Trwyddedu Sŵau 1981

5. Yn adran 4 o Ddeddf Trwyddedu Sŵau 1981 (rhoi neu wrthod trwydded), yn is-adran (5), mewnosoder ar y diwedd—

““section 13(6) of the Animal Welfare Act 2006, so far as the offence arises from the contravention of section 13(1) of that Act in relation to dog breeding in Wales;

the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014.”

“(3B) Where a person is convicted of an offence under section 13(6) of the Animal Welfare Act 2006 arising from the contravention of section 13(1) of that Act in relation to dog breeding in Wales, or of an offence under the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014, subsections (2) and (3) apply as they do to convictions under this Act”.

Zoo Licensing Act 1981

5. In section 4 of the Zoo Licensing Act 1981 (grant or refusal of licence), in subsection (5), insert at the end—

““section 13(6) of the Animal Welfare Act 2006, so far as the offence arises from the contravention of section 13(1) of that Act in relation to dog breeding in Wales;

the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014.”

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