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This Statutory Instrument has been published in substitution of the SI 2019/367 (W. 89) which did not reflect the version signed by the Welsh Minister and has been removed from legislation.gov.uk. These Regulations are being issued free of charge to all known recipients of that Statutory Instrument.

OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2019 Rhif 597 (Cy. 126)

2019 No. 597 (W. 126)

**YMADAEL Â'R UNDEB
EWROPEAIDD, CYMRU**

**EXITING THE EUROPEAN
UNION, WALES**

ANIFEILIAID, CYMRU

ANIMALS, WALES

IECHYD ANIFEILIAID

ANIMAL HEALTH

**Rheoliadau'r Fasnach mewn
Anifeiliaid a Chynhyrchion
Perthynol (Diwygio) (Cymru)
(Ymadael â'r UE) 2019**

**The Trade in Animals and Related
Products (Amendment) (Wales)
(EU Exit) Regulations 2019**

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 wedi eu gwneud drwy arfer y pwerau a roddir gan baragraff 1(1) o Atodlen 2 a pharagraff 21 o Atodlen 7 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16) er mwyn ymdrin ag unrhyw fethiant yng nghyfraith yr UE a ddargedwir i weithredu'n effeithiol a diffygion eraill sy'n deillio o ymadawiad y Deyrnas Unedig â'r Undeb Ewropeaidd.

These Regulations are made in exercise of the powers conferred by paragraph 1(1) of Schedule 2 and paragraph 21 of Schedule 7 to the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

Mae'r Rheoliadau hyn yn gwneud diwygiadau i is-ddeddfwriaeth, sy'n gymwys o ran Cymru, sy'n berthnasol i'r fasnach mewn anifeiliaid a chynhyrchion perthynol.

These Regulations make amendments to subordinate legislation, which applies in relation to Wales, relevant to the trade in animals and related products.

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

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.

2019 Rhif 597 (Cy. 126)

**YMADAEL Â'R UNDEB
EWROPEAIDD, CYMRU**

ANIFEILIAID, CYMRU

IECHYD ANIFEILIAID

**Rheoliadau'r Fasnach mewn
Anifeiliaid a Chynhyrchion
Perthynol (Diwygio) (Cymru)
(Ymadael â'r UE) 2019**

Gofynion sifftio wedi eu bodloni 11 Chwefror 2019

Gwnaed 25 Chwefror 2019

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru 27 Chwefror 2019*

Yn dod i rym yn unol â rheoliad 1(2)

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan baragraff 1(1) o Atodlen 2 a pharagraff 21 o Atodlen 7 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018(1), yn gwneud y Rheoliadau a ganlyn.

Mae gofynion paragraff 4(2) o Atodlen 7 i'r Ddeddf honno (sy'n ymwneud â gweithdrefn graffu briodol Cynulliad Cenedlaethol Cymru ar gyfer y Rheoliadau hyn) wedi eu bodloni.

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Diwygio) (Cymru) (Ymadael â'r UE) 2019.

(2) Daw'r Rheoliadau hyn i rym ar y diwrnod ymadael.

(3) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(1) 2018 p. 16.

2019 No. 597 (W. 126)

**EXITING THE EUROPEAN
UNION, WALES**

ANIMALS, WALES

ANIMAL HEALTH

**The Trade in Animals and Related
Products (Amendment) (Wales)
(EU Exit) Regulations 2019**

Sift requirements satisfied 11 February 2019

Made 25 February 2019

*Laid before the National Assembly for Wales
27 February 2019*

*Coming into force in accordance with
regulation 1(2)*

The Welsh Ministers, in exercise of the powers conferred by paragraph 1(1) of Schedule 2 and paragraph 21 of Schedule 7 to the European Union (Withdrawal) Act 2018(1), make the following Regulations.

The requirements of paragraph 4(2) of Schedule 7 to that Act (relating to the appropriate National Assembly for Wales scrutiny procedure for these Regulations) have been satisfied.

Title, commencement and application

1.—(1) The title of these Regulations is the Trade in Animals and Related Products (Amendment) (Wales) (EU Exit) Regulations 2019.

(2) These Regulations come into force on exit day.

(3) These Regulations apply in relation to Wales.

(1) 2018 c. 16.

Rheoliadau Semen Buchol (Cymru) 2008

2.—(1) Diwygir Rheoliadau Semen Buchol (Cymru) 2008(1) fel a ganlyn.

(2) Yn y Rheoliadau hyn—

- (a) yn lle “CE”, ym mhob lle y mae’n digwydd, rhodder “trwyddedig” (gan dreiglo yn ôl yr angen).

(3) Yn rheoliad 2(1)—

(a) yn y lle priodol mewnosoder—

“ystyr “trwyddedig” (“*licensed*”) yw wedi ei drwyddedu gan Weinidogion Cymru”;

- (b) yn y diffiniad o “mangre brosesu sydd heb ei thrwyddedu” (“*unlicensed processing premises*”), ym mharagraff (a)(ii) yn lle “y fasnach ryng-Gymunedol” rhodder “masnach ag Aelod-wladwriaeth”.

(4) Yn rheoliad 3—

- (a) ym mharagraff (2), yn y geiriau ar ôl is-baragraff (c), yn lle “masnach ryng-Gymunedol” rhodder “masnach ag Aelod-wladwriaeth”; a

(b) hepgorer paragraff (4).

(5) Yn rheoliad 4—

- (a) ym mharagraff (b), yn is-baragraff (i) a (ii), yn lle “masnach ryng-Gymunedol” rhodder “masnach ag Aelod-wladwriaeth”;

- (b) ym mharagraff (c), yn is-baragraff (i) a (ii), yn lle “masnach ryng-Gymunedol” rhodder “masnach ag Aelod-wladwriaeth”.

(6) Yn rheoliad 29(c), yn lle “o Aelod-wladwriaeth arall neu o drydedd wlad” rhodder “o’r tu allan i’r Deyrnas Unedig”.

(7) Yn rheoliad 30—

- (a) yn lle’r pennawd rhodder “Y fasnach mewn semen i Aelod-wladwriaeth”;

(b) ym mharagraff (1)—

- (i) yn y geiriau cyn is-baragraff (a), yn lle “ar gyfer masnach ryng-Gymunedol” rhodder “i Aelod-wladwriaeth”;

- (ii) yn is-baragraff (b), yn lle “o Aelod-wladwriaeth arall neu a fewnforir o drydedd wlad yn unol â’r Gyfarwyddeb” rhodder “o’r tu allan i’r Deyrnas Unedig”;

The Bovine Semen (Wales) Regulations 2008

2.—(1) The Bovine Semen (Wales) Regulations 2008(1) are amended as follows.

(2) In these Regulations—

- (a) for “an EC”, in each place it occurs, substitute “a licensed”;

- (b) for “EC”, in each place it occurs, substitute “licensed”.

(3) In regulation 2(1)—

(a) at the appropriate place insert—

““licensed” (“*trwyddedig*”) means licensed by the Welsh Ministers”;

- (b) in the definition of “unlicensed processing premises” (“*mangre brosesu sydd heb ei thrwyddedu*”), in paragraph (a)(ii) for “intra-Community trade” substitute “trade with a member State”.

(4) In regulation 3—

- (a) in paragraph (2), in the words after sub-paragraph (c), for “intra-Community trade” substitute “trade with a member State”; and

(b) omit paragraph (4).

(5) In regulation 4—

- (a) in paragraph (b), in sub-paragraph (i) and (ii), for “intra-Community trade” substitute “trade with a member State”;

- (b) in paragraph (c), in sub-paragraph (i) and (ii), for “intra-Community trade” substitute “trade with a member State”.

(6) In regulation 29(c), for “in another member State or in a third country” substitute “outside of the United Kingdom”.

(7) In regulation 30—

- (a) for the heading substitute “Trade in semen to a member State”;

(b) in paragraph (1)—

- (i) in the words before sub-paragraph (a), for “for intra-Community trade” substitute “to a member State”;

- (ii) in sub-paragraph (b), for “another member State or imported from a third country in accordance with the Directive” substitute “outside the United Kingdom”;

(1) O.S. 2008/1040 (Cy. 110) fel y’i diwygiwyd gan O.S. 2013/398 (Cy. 48); ceir diwygiadau eraill nad ydynt yn berthnasol i’r Rheoliadau hyn.

(1) S.I. 2008/1040 (W. 110) as amended by S.I. 2013/398 (W. 48); there are other amendments which are not relevant to these Regulations.

(c) ym mharagraff (2), yn lle'r geiriau "ar gyfer masnach ryng-Gymunedol" hyd at y diwedd, rhodder "i Aelod-wladwriaeth sicrhau bod y dystysgrif iechyd anifeiliaid fel y'i cyhoeddir gan Weinidogion Cymru o bryd i'w gilydd yn mynd yndag ef."

(8) Yn rheoliad 38(1), hepgorer "arall".

(9) Yn Atodlen 3—

(a) yn Rhan 2—

(i) ym mharagraff 2—

(aa) yn is-baragraff (1), yn lle "gyflenwi ar gyfer masnach ryng-Gymunedol" rhodder "osod ar y farchnad";

(bb) yn is-baragraff (2), yn lle "ni chaiff fod yn destun masnach ryng-Gymunedol" rhodder "ni chaniateir iddo gael ei osod ar y farchnad";

(ii) ym mharagraff 3, yn lle "ryng-Gymunedol" rhodder "ag Aelod-wladwriaeth";

(b) yn Rhan 3, ym mharagraffau 1(b)(i) ac (c), yn lle "ryng-Gymunedol" rhodder "arall".

(10) Yn Atodlen 5, yn Rhan 3, ym mharagraff 1—

(a) yn is-baragraff (a)(ii), yn lle "Aelod-wladwriaeth arall", rhodder "mewn Aelod-wladwriaeth";

(b) yn is-baragraff (b), yn lle'r geiriau o "marciau" hyd at y diwedd rhodder "marciau amlwg sy'n wahanol i'r marciau a ddefnyddir mewn canolfannau casglu a chanolfannau storio trwyddedig".

(11) Yn Atodlen 8, yn Rhan 1, yn is-baragraffau (a)(ii) a (b)(ii), yn lle "Aelod-wladwriaeth arall" rhodder "Aelod-wladwriaeth".

Rheoliadau'r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Cymru) 2011

3.—(1) Diwygir Rheoliadau'r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Cymru) 2011(1) fel a ganlyn.

(c) in paragraph (2), for the words "for intra-Community trade" to the end, substitute "to a member State must ensure that it is accompanied by the animal health certificate as published by the Welsh Ministers from time to time."

(8) In regulation 38(1), for "another" substitute "a".

(9) In Schedule 3—

(a) in Part 2—

(i) in paragraph 2—

(aa) in sub-paragraph (1), for "supplied for intra-Community trade" substitute "placed on the market";

(bb) in sub-paragraph (2), for "the subject of intra-Community trade" substitute "placed on the market";

(ii) in paragraph 3, for "intra-Community trade" substitute "trade with a member State";

(b) in Part 3, in paragraphs 1(b)(i) and (c), for "intra-Community" substitute "other".

(10) In Schedule 5, in Part 3, in paragraph 1—

(a) in sub-paragraph (a)(ii), for "another", in the second place it occurs, substitute "in a";

(b) in sub-paragraph (b), for the words from "marking" to the end substitute "distinct marking that is different to marking used at licensed collection and storage centres".

(11) In Schedule 8, in Part 1, in sub-paragraphs (a)(ii) and (b)(ii), for "another" substitute "a".

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

3.—(1) The Trade in Animals and Related Products (Wales) Regulations 2011(1) are amended as follows.

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

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

(2) Yn rheoliad 2(1), yn y lle priodol mewnosoder—

“ystyr “system Traces yr UE” (“*EU Traces system*”) yw’r system Traces a sefydlwyd o dan Benderfyniad y Comisiwn 2004/292/EC(1) (ar gyflwyno’r system Traces ac yn diwygio Penderfyniad 92/486/EEC);”;

“ystyr “trydedd wlad” (“*third country*”) yw unrhyw wlad heblaw Ynysoedd Prydain neu Aelod-wladwriaeth”.

(3) Yn rheoliad 4, yn lle “rhwng Aelod-wladwriaethau” rhodder “ag Aelod-wladwriaethau yn unol â’r cytundebau hynny”.

(4) Yn Rhan 2, yn y pennawd, yn lle “Symud rhwng” rhodder “Mewnforio o”.

(5) Yn rheoliad 5—

(a) yn lle’r pennawd, rhodder “Mewnforio anifeiliaid a deunydd genetig o Aelod-wladwriaethau”;

(b) ym mharagraff (1), yn lle’r geiriau o “i unrhyw” hyd at y diwedd, rhodder “dod ag unrhyw anifail na deunydd genetig i Gymru o Aelod-wladwriaeth oni bai bod tystysgrif iechyd berthnasol ar gyfer yr anifail neu’r deunydd genetig hwnnw wedi ei chwblhau ac wedi ei llofnodi yn dod gydag ef.”

(6) Hepgorer rheoliad 6.

(7) Yn rheoliad 7—

(a) yn y pennawd, yn lle “rhwng Aelod-wladwriaethau”, rhodder “i Gymru”.

(b) hepgorer paragraff (1);

(c) ym mharagraff (2)—

(i) hepgorer y gair “arall”; a

(ii) ar ôl y geiriau “Gweinidogion Cymru” mewnosoder “drwy’r system hysbysu ynghylch mewnforion sy’n disodli system Traces yr UE yn y Deyrnas Unedig”.

(8) Yn rheoliad 11—

(a) ym mharagraff (1), yn lle “y Comisiwn Ewropeaidd” rhodder “Gweinidogion Cymru”;

(b) ym mharagraff (4)—

(i) hepgorer y geiriau o “a geir” hyd at “eu trefnu”; a

(ii) hepgorer y geiriau o “a hysbysu’r” hyd at “drosto”.

(2) In regulation 2(1), at the appropriate place insert—

““EU Traces system” (“*system Traces yr UE*”) means the Traces system established under Commission Decision 2004/292/EC(1) (on the introduction of the Traces system and amending Decision 92/486/EEC);”;

““third country” (“*trydedd wlad*”) means any country other than the British Islands or a member State”.

(3) In regulation 4, for “between member States” substitute “with member States in accordance with such agreements”.

(4) In Part 2, in the heading, for “Movement between member” substitute “Import from member”.

(5) In regulation 5—

(a) for the heading, substitute “Import of animals and genetic material from member States”;

(b) in paragraph (1), for the words “consigned” to the end, substitute “brought into Wales from a member State unless it is accompanied by a relevant completed and signed health certificate for that animal or genetic material.”

(6) Omit regulation 6.

(7) In regulation 7—

(a) in the heading, for “between member States”, substitute “into Wales”.

(b) omit paragraph (1);

(c) in paragraph (2)—

(i) for “another” substitute “a”; and

(ii) after the words “Welsh Ministers” insert “via the system for the notification of imports that in the United Kingdom replaces the EU Traces system”.

(8) In regulation 11—

(a) in paragraph (1), for “European Commission” substitute “Welsh Ministers”;

(b) in paragraph (4)—

(i) omit the words from “set out” to “third countries”; and

(ii) omit the words from “and must inform” to “reason”.

(1) OJ Rhif L 94, 31.3.2004, t. 63.

(1) OJ No. L 94, 31.3.2004, p. 63.

(9) Yn rheoliad 12(4), ar ôl y gair “gymeradwyaeth” mewnosoder “gan Weinidogion Cymru”.

(10) Yn rheoliad 14—

- (a) ym mharagraff (1), ar ôl y gair “ffin” mewnosoder “drwy’r system ar gyfer hysbysu ynghylch mewnfurion sy’n disodli system Traces yr UE yn y Deyrnas Unedig”;
- (b) ym mharagraff (2), ar ôl y gair “ffin” mewnosoder “drwy’r system ar gyfer hysbysu ynghylch mewnfurion sy’n disodli system Traces yr UE yn y Deyrnas Unedig”;
- (c) ym mharagraff (4), hepgorer y gair “arall”.

(11) Yn rheoliad 15—

(a) ar ôl paragraff (1), mewnosoder—

“(1A) At ddibenion paragraff (1)(a), mae Erthygl 4 o Gyfarwyddeb y Cyngor 97/78/EC i gael ei darllen fel pe bai “retained EU law” wedi ei roi yn lle’r cyfeiriadau at “Community legislation” ym mharagraff 4(a)(i) a (b)(i).”

(b) ar ôl paragraff (1A), mewnosoder—

“(1B) At ddibenion paragraff (1)(b), mae Erthygl 4 o Gyfarwyddeb y Cyngor 91/496/EEC i gael ei darllen fel pe bai—

(a) ym mharagraff 1—

- (i) y cyfeiriad at “Member States” yn gyfeiriad at “The Welsh Ministers”;
- (ii) yn yr ail indent, y geiriau o “at Community level” hyd at ddiwedd yr indent hwnnw wedi eu hepgor;
- (iii) yn y trydydd indent, “Community rules” wedi ei ddisodli gan “retained EU law”;
- (iv) yn yr indent olaf, y geiriau o “through” hyd at ddiwedd yr indent hwnnw wedi eu hepgor;

(b) ym mharagraff 2—

- (i) yn is-baragraff (b), bod “retained EU law” wedi ei roi yn lle “Community rules”;
- (ii) yn is-baragraff (d), y geiriau “For the purposes of” hyd at “his direction” wedi eu hepgor;

(c) paragraff 5 wedi ei hepgor.”; ac

(c) ym mharagraff (4)—

- (i) yn is-baragraff (a), yn lle’r geiriau o “y rhestr” hyd at y diwedd rhodder “rhestr o drydydd gwledydd a gymeradwywyd, neu os gwaherddir mewnfurion o’r diriogaeth honno fel arall”;

(9) In regulation 12(4), after the word “approval” insert “by the Welsh Ministers”.

(10) In regulation 14—

- (a) in paragraph (1), after “post” insert “via the system for the notification of imports that in the United Kingdom replaces the EU Traces system”;
- (b) in paragraph (2), after “post” insert “via the system for the notification of imports that in the United Kingdom replaces the EU Traces system”;
- (c) in paragraph (4), for “another” substitute “a”.

(11) In regulation 15—

(a) after paragraph (1), insert—

“(1A) For the purpose of paragraph (1)(a), Article 4 of Council Directive 97/78/EC is to be read as if in paragraph 4(a)(i) and (b)(i) the references to “Community legislation” were substituted for “retained EU law”.”

(b) after paragraph (1A), insert—

“(1B) For the purpose of paragraph (1)(b), Article 4 of Council Directive 91/496/EEC is to be read as if—

(a) in paragraph 1—

- (i) the reference to “Member States” were a reference to “The Welsh Ministers”;
- (ii) in the second indent, the words from “at Community level” to the end of that indent were omitted;
- (iii) in the third indent, “Community rules” were substituted for “retained EU law”;
- (iv) in the last indent, the words from “through” to the end of that indent were omitted;

(b) in paragraph 2—

- (i) in sub-paragraph (b), “Community rules” were substituted for “retained EU law”;
- (ii) in sub-paragraph (d), the words “For the purposes of” to “his direction” were omitted;

(c) paragraph 5 were omitted.”; and

(c) in paragraph (4)—

- (i) in sub-paragraph (a), for the words from “the lists” to the end substitute “a list of approved third countries, or where imports from that territory are otherwise prohibited”;

(ii) yn is-baragraffau (b) ac (c), yn lle “yn neddfwriaeth yr Undeb Ewropeaidd” rhodder “yng nghyfraith yr UE a ddargedwir” ac yn is-baragraff (d) yn lle “deddfwriaeth yr Undeb Ewropeaidd” rhodder “cyfraith yr UE a ddargedwir”.

(12) Yn rheoliad 18—

- (a) ym mharagraff (2), yn lle “Undeb Ewropeaidd” rhodder “Deyrnas Unedig”; a
- (b) hepgorer paragraff (4).

(13) Yn rheoliad 20(1)(b), yn lle “y tu allan i’r Undeb Ewropeaidd” rhodder “i drydedd wlad”.

(14) Yn lle rheoliad 22(1) rhodder—

“(1) Os bydd gwiriadau milfeddygol yn datgelu bod cynhyrchion trydedd wlad yn gysylltiedig â thorcyyfraith difrifol neu fynych o ran unrhyw ofyniad mewnforio, neu pan fo’r gwiriadau hynny yn datgelu bod y lefelau gweddillion uchaf yn uwch na’r hyn a ganiateir, caiff Gweinidogion Cymru gymhwyso’r rheoliad hwn at gynhyrchion tebyg dilynol y deuir â hwy i Gymru o drydedd wlad benodol, rhan o drydedd wlad neu sefydliad penodol nes eu bod wedi eu bodloni nad oes rhagor o dorcyfraith yn digwydd.”

(15) Yn rheoliad 23—

- (a) ym mharagraff (1)(c), hepgorer “, y tu allan i’r Undeb Ewropeaidd”; a
- (b) ym mharagraff (3)(b), hepgorer “y tu allan i’r Undeb Ewropeaidd”.

(16) Yn rheoliad 27—

- (a) ym mharagraff (1), yn y geiriau o flaen is-baragraff (a), yn lle “Undeb Ewropeaidd” rhodder “Deyrnas Unedig”;
- (b) ym mharagraff (3)(a), hepgorer “yn yr Aelod-wladwriaeth”.

(17) Yn rheoliad 33(2), hepgorer “, gan gynnwys unrhyw gynrychiolydd o’r Comisiwn Ewropeaidd”.

(18) Yn rheoliad 35—

- (a) yn y pennawd a pharagraff (1), hepgorer “arall”;
- (b) yn lle paragraff (2)(c), rhodder—

“(c) dychwelyd yr anifeiliaid neu’r deunydd genetig i’r Aelod-wladwriaeth yr anfonwyd hwy neu yr anfonwyd ef ohoni, gydag awdurdodiad yr awdurdod cymwys, a hynny ar ôl hysbysu unrhyw Aelod-wladwriaeth y byddant neu y bydd yn mynd drwyddi ymlaen llaw.”

(ii) in sub-paragraphs (b), (c) and (e), for “legislation of the European Union” substitute “retained EU law”.

(12) In regulation 18—

- (a) in paragraph (2), for “European Union” substitute “United Kingdom”; and
- (b) omit paragraph (4).

(13) In regulation 20(1)(b), for “outside the European Union” substitute “to a third country”.

(14) For regulation 22(1) substitute—

“(1) If veterinary checks reveal that third country products are implicated in serious or repeated infringements of any import requirement, or where those checks reveal that maximum residue levels have been exceeded, the Welsh Ministers may apply this regulation to subsequent similar products brought into Wales from a particular third country, part of a third country or a particular establishment until satisfied that further infringements are no longer recurring.”

(15) In regulation 23—

- (a) in paragraph (1)(c), omit “, outside the European Union”; and
- (b) in paragraph (3)(b), omit “outside the European Union”.

(16) In regulation 27—

- (a) in paragraph (1), in the words before sub-paragraph (a), for “European Union” substitute “United Kingdom”;
- (b) in paragraph (3)(a), omit “in the member State”.

(17) In regulation 33(2), omit “, including any representative of the European Commission”.

(18) In regulation 35—

- (a) in the heading and paragraph (1), for “another” substitute “a”;
- (b) for paragraph (2)(c), substitute—

“(c) returning the animals or genetic material to the member State of despatch, with the authorisation of the competent authority, and following prior notification to any member State of transit.”

- (19) Yn rheoliad 39, yn y tabl—
- (a) yng ngholofn 1, hepgorer “rheoliad 6(5)” a’r cofnod cyfatebol yng ngholofn 2;
 - (b) yng ngholofn 1, hepgorer “rheoliad 6(6)” a’r cofnod cyfatebol yng ngholofn 2.
- (20) Diwygir Atodlen 2 yn unol â pharagraffau (21) a (22).
- (21) Yn Rhan 1—
- (a) yn y pennawd, yn lle “masnach rhwng” rhodder “mewnforion o”;
 - (b) ym mharagraff 2(1), yn lle “rhwng” rhodder “o”;
 - (c) hepgorer paragraff 3;
 - (d) ym mharagraff 4, yn y geiriau o flaen is-baragraff (a) hepgorer “sy’n ymwneud â masnach rhwng Aelod-wladwriaethau”;
 - (e) ym mharagraff 5—
 - (i) yn lle is-baragraff (1), rhodder—

“(1) Ni chaiff neb fewnforio epa, (simia a prosimian) oni bai ei fod yn dod o ganolfan a gymeradwywyd gan awdurdod cymwys Aelod-wladwriaeth a’i fod wedi ei fwriadu ar gyfer canolfan a gymeradwywyd gan Weinidogion Cymru yn unol â Chyfarwyddeb y Cyngor 92/65/EEC (“Cyfarwyddeb Balai”).”;
 - (ii) ar ôl is-baragraff (1), mewnosoder—

“(1A) Mae is-baragraff (1) yn ddarostyngedig i is-baragraff (1B).”
 - (iii) ar ôl is-baragraff (1A), mewnosoder—

“(1B) Caiff Gweinidogion Cymru awdurdodi corff cymeradwy yn ysgrifenedig i gaffael epa gan unigolyn.”
 - (iv) yn is-baragraff (2), ar y diwedd mewnosoder “(gan ddarllen cyfeiriadau yn Erthygl 13 at Aelod-wladwriaeth a gyrchir fel cyfeiriad at Gymru, darllen cyfeiriad at awdurdod cymwys Aelod-wladwriaeth fel cyfeiriad at Weinidogion Cymru, a chan hepgor paragraffau 2(d) ac (e)).”
 - (v) yn is-baragraff (3), ar y diwedd mewnosoder “(gan ddarllen cyfeiriadau ym mhwynt 6 o Atodiad C at yr awdurdod cymwys fel cyfeiriad at Weinidogion Cymru, darllen cyfeiriadau at ddeddfwriaeth Gymunedol fel cyfeiriadau at gyfraith yr UE a ddargedwir, a chan hepgor paragraff (d) o bwynt 6).”;

- (19) In regulation 39, in the table—
- (a) in column 1, omit “regulation 6(5)” and the corresponding entry in in column 2;
 - (b) in column 1, omit “regulation 6(6)” and the corresponding entry in column 2.
- (20) Schedule 2 is amended in accordance with paragraphs (21) and (22).
- (21) In Part 1—
- (a) in the heading, for “trade between” substitute “imports from”;
 - (b) in paragraph 2(1), for “between” substitute “from”;
 - (c) omit paragraph 3;
 - (d) in paragraph 4, in the words before sub-paragraph (a), omit “relating to trade between member States”;
 - (e) in paragraph 5—
 - (i) for sub-paragraph (1), substitute—

“(1) No person may import an ape (simia and prosimian) unless it comes from a centre approved by the competent authority of a member State and is destined for a centre approved by the Welsh Ministers in accordance with Council Directive 92/65/EEC (“the Balai Directive”).”;
 - (ii) after sub-paragraph (1), insert—

“(1A) Sub-paragraph (1) is subject to sub-paragraph (1B).”;
 - (iii) after sub-paragraph (1A), insert—

“(1B) The Welsh Ministers may in writing authorise an approved body to acquire an ape from an individual.”
 - (iv) in sub-paragraph (2), at the end insert “(with references in Article 13 to a member State of destination to be read as a reference to Wales, a reference to a competent authority of a member State to be read as the Welsh Ministers, and paragraphs 2(d) and (e) being omitted).”
 - (v) in sub-paragraph (3), at the end insert “(with references in point 6 of Annex C to the competent authority to be read as a reference to the Welsh Ministers, references to Community legislation as references to retained EU law, and paragraph (d) of point 6 being omitted).”;

- (vi) yn is-baragraff (4), yn lle'r geiriau o "rhwng Aelod-wladwriaethau" hyd at y diwedd, rhodder "mewn ofa ac embryonau rhywogaethau'r ddafad, yr afr a'r ceffyl a semen rhywogaethau'r ddafad, yr afr a'r ceffyl a semen moch.";
- (vii) hepgorer is-baragraff (5);
- (f) yn lle paragraff 6(3) rhodder—
“(3) Ni chaiff neb fynd yn groes i Erthygl 10(1) o'r Rheoliad Comisiwn hwnnw (hysbysiad o symud).”;
- (g) yn lle paragraff 7, rhodder—

“Sgil-gynhyrchion anifeiliaid

7. Ni chaiff neb fewnforio i Gymru sgil-gynnyrch anifail y mae Erthygl 48 o Reoliad (EC) Rhif 1069/2009 yn gymwys iddo oni bai ei fod yn cael ei fewnforio yn unol â'r Erthygl honno.”;

(22) Yn Rhan 2, ym mharagraff 9, cyn “Rheoliad” mewnosoder “mewnforio adar penodol ac amodau cwarantîn at ddiben”.

(23) Yn Atodlen 3, ym mharagraff 5 —

- (a) yn y pennawd, yn lle “Aelod-wladwriaeth arall” rhodder “rhan arall o'r Deyrnas Unedig”;
- (b) ar ôl “chynhyrchion” mewnosoder “o drydedd wlad”;
- (c) yn lle “Aelod-wladwriaeth arall neu ran” mewnosoder “rhan”.

- (vi) in sub-paragraph (4), for the words from “between member” to the end, substitute “in ova and embryos of the ovine, caprine and equine species and semen of the ovine, caprine and equine species and of swine.”;
- (vii) omit sub-paragraph (5);
- (f) for paragraph 6(3) substitute—
“(3) No person may contravene Article 10(1) of that Commission Regulation (notification of movement).”;
- (g) for paragraph 7, substitute—

“Animal by-products

7. No person may import into Wales an animal by-product to which Article 48 of Regulation (EC) No 1069/2009 applies unless it is imported in accordance with that Article.”;

(22) In Part 2, in paragraph 9, before “Commission” insert “the import of certain birds and quarantine conditions for the purpose of”.

(23) In Schedule 3, in paragraph 5 —

- (a) in the heading, for “member State” substitute “part of the United Kingdom”;
- (b) after “products” insert “from a third country”;
- (c) omit “another member State or”.

Lesley Griffiths

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig,
un o Weinidogion Cymru
25 Chwefror 2019

Minister for Environment, Energy and Rural Affairs,
one of the Welsh Ministers
25 February 2019

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