OFFERYNNAU STATUDOL CYMRU

2021 Rhif 847 (Cy. 197)

YMADAEL Â'R UNDEB EWROPEAIDD, CYMRU

ANIFEILIAID, CYMRU

Rheoliadau'r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Cymru) (Diwygio) (Ymadael â'r UE) (Rhif 2) 2021

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn wedi eu gwneud drwy arfer y pwerau a roddir gan 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.

Mae'r Rheoliadau hyn yn diwygio diffygion yn Rheoliadau'r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Cymru) 2011 (O.S. 2011/2379) (Cy. 252) ("Rheoliadau 2011") o ganlyniad i ymadael â'r UE. Mae rheoliad 2 yn diwygio Rheoliadau 2011 fel bod Atodlen 5 yn cael effaith ac yn parhau mewn grym hyd at ddiwedd y cyfnod graddoli trosiannol (a ddiffinnir yn Atodiad 6 i Reoliad (EU) 2017/625 Senedd Ewrop a'r Cyngor ar reolaethau swyddogol a gweithgareddau swyddogol eraill a gyflawnir i sicrhau y cymhwysir y gyfraith o

WELSH STATUTORY INSTRUMENTS

2021 No. 847 (W. 197)

EXITING THE EUROPEAN UNION, WALES

ANIMALS, WALES

The Trade in Animals and Related Products (Wales) (Amendment) (EU Exit) (No. 2) Regulations 2021

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by the European Union (Withdrawal) Act 2018 (c. 16) 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.

These Regulations amend deficiencies in the Trade in Animals and Related Products (Wales) Regulations 2011 (S.I. 2011/2379) (W. 252) ("the 2011 Regulations") as a consequence of EU Exit. Regulation 2 amends the 2011 Regulations so that Schedule 5 has effect and remains in force until the end of the transitional staging period (defined in Annex 6 to Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal

ran bwyd a bwyd anifeiliaid, rheolau ynghylch iechyd a lles anifeiliaid, iechyd planhigion a chynhyrchion diogelu planhigion (EUR 2017/625)), ac er mwyn newid y dyddiad y mae gofynion hysbysu trosiannol ymlaen llaw ar gyfer cynhyrchion sy'n dod o anifeiliaid yn gymwys ohono o 31 Gorffennaf 2021 i 1 Hydref 2021.

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

health and welfare, plant health and plant protection products (EUR 2017/625)), and to change the date from which transitional prior notification requirements for products of animal origin apply from 31 July 2021 to 1 October 2021.

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

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Rheoliadau'r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Cymru) (Diwygio) (Ymadael â'r UE) (Rhif 2) 2021

The Trade in Animals and Related Products (Wales) (Amendment) (EU Exit) (No. 2) Regulations 2021

Cymeradwywyd gan Senedd Cymru

Gwnaed	*14 Gorffennaf 2021*
Gosodwyd gerbron Senedd Cymru	*16 Gorfennaf 2021*
Yn dod i rym	*30 Gorffennaf 2021*

Approved by Senedd Cymru

Made	*14 July 2021*
Laid before Senedd Cymru	*16 July 2021*
Coming into force	*30 July 2021*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn 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**).

Mae Gweinidogion Cymru o'r farn, oherwydd brys, ei bod yn angenrheidiol gwneud y Rheoliadau hyn heb fod drafft o'r offeryn wedi ei osod gerbron Senedd Cymru ac wedi ei gymeradwyo ganddi drwy benderfyniad(**2**).

The Welsh Ministers make these Regulations 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**).

The Welsh Ministers are of the opinion that, by reason of urgency, it is necessary to make these Regulations without a draft of the instrument being laid before, and approved by a resolution of, Senedd Cymru(**2**).

(**1**) 2018 p. 16; gweler adran 20(1) am y diffiniad o "devolved authority". Diwygiwyd paragraff 21 o Atodlen 7 gan adran 41(4) o Ddeddf yr Undeb Ewropeaidd (Y Cytundeb Ymadael) 2020 (p. 1) a pharagraff 53(2) o Ran 2 o Atodlen 5 iddi.

(**2**) Mae'r cyfeiriadau yn Neddf yr Undeb Ewropeaidd (Ymadael) 2018 at Gynulliad Cenedlaethol Cymru bellach yn cael effaith fel cyfeiriadau at Senedd Cymru, yn rhinwedd adran 150A(2) o Ddeddf Llywodraeth Cymru 2006 (p. 32).

(**1**) 2018 c. 16; see section 20(1) for the definition of "devolved authority". Paragraph 21 of Schedule 7 was amended by section 41(4) of, and paragraph 53(2) of Part 2 of Schedule 5 to, the European Union (Withdrawal Agreement) Act 2020 (c. 1).

(**2**) The references in the European Union (Withdrawal) Act 2018 to the National Assembly for Wales now have effect as references to Senedd Cymru, by virtue of section 150A(2) of the Government of Wales Act 2006 (c. 32).

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Cymru) (Diwygio) (Ymadael â'r UE) (Rhif 2) 2021.

(2) Daw'r Rheoliadau hyn i rym ar 30 Gorffennaf 2021.

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

2.—(1) Mae Rheoliadau'r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Cymru) 2011(**1**) wedi eu diwygio fel a ganlyn.

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

> "mae i "y cyfnod graddoli trosiannol" yr ystyr a roddir i "the transitional staging period" yn Atodiad 6 i'r Rheoliad Rheolaethau Swyddogol(**2**);".

(3) Yn rheoliad 26(3), yn lle "dydd ar 31 Gorffennaf 2021" rhodder "cyfnod graddoli trosiannol".

(4) Yn Atodlen 5—

(a) ym mharagraff 5(3), yn lle "31 Gorffennaf 2021" rhodder "1 Hydref 2021";

(b) ym mharagraff 6(1)(c)—

(i) yn lle "31 Gorffennaf 2021" rhodder "1 Hydref 2021";

(ii) ar ôl "cynhyrchion sy'n tarddu o anifeiliaid" mewnosoder "neu sgil-gynhyrchion anifeiliaid".

Title and commencement

1.—(1) The title of these Regulations is the Trade in Animals and Related Products (Wales) (Amendment) (EU Exit) (No. 2) Regulations 2021.

(2) These Regulations come into force on 30 July 2021.

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

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

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

> ""the transitional staging period" ("*y cyfnod graddoli trosiannol*") has the meaning given in Annex 6 to the Official Controls Regulation(**2**)."

(3) In regulation 26(3), for "day on 31 July 2021" substitute "transitional staging period".

(4) In Schedule 5—

(a) in paragraph 5(3), for "31 July 2021" substitute "1 October 2021";

(b) in paragraph 6(1)(c)—

(i) for "31 July 2021" substitute "1 October 2021";

(ii) after "products of animal origin" insert "or animal by-products".

Lesley Griffiths

Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd, un o Weinidogion Cymru
14 Gorffennaf 2021

Minister for Rural Affairs and North Wales, and Trefnydd, one of the Welsh Ministers
14 July 2021

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(**1**) O.S. 2011/2379 (Cy. 252). Mewnosodwyd rheoliad 26(3) gan reoliad 19 o O.S. 2020/1612 (Cy. 337). Mewnosodwyd Atodlen 5 gan reoliad 32 o O.S. 2020/1612 (Cy. 337). Diwygiwyd paragraffau 5(3) a 6(1)(c) o Atodlen 5 gan reoliad 2 o O.S. 2021/384 (Cy. 122). Mae offerynnau diwygio eraill, ond nid yw'r un ohonynt yn berthnasol.

(**2**) EUR 2017/625. Mewnosodwyd Atodiad 6 gan O.S. 2020/1481 ac fe'i diwygiwyd gan O.S. 2021/429.

(**1**) S.I. 2011/2379 (W. 252). Regulation 26(3) was inserted by regulation 19 of S.I. 2020/1612 (W. 337). Schedule 5 was inserted by regulation 32 of S.I. 2020/1612 (W. 337). Paragraphs 5(3) and 6(1)(c) of Schedule 5 were amended by regulation 2 of S.I. 2021/384 (W. 122). There are other amending instruments but none are relevant.

(**2**) EUR 2017/625. Annex 6 was inserted by S.I. 2020/1481 and amended by S.I. 2021/429.

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