

**CYNULLIAD CENEDLAETHOL CYMRU****NATIONAL ASSEMBLY FOR WALES****OFFERYNNAU STATUDOL****STATUTORY INSTRUMENTS****2000 Rhif 3339 (Cy. 217)****2000 No. 3339 (W. 217)****ANIFEILIAID, CYMRU****ANIMALS, WALES****Rheoliadau Gwartheg (Adnabod
Anifeiliaid Hŷn) (Cymru)
2000****The Cattle (Identification of Older
Animals) (Wales) Regulations
2000****NODYN ESBONIADOL****EXPLANATORY NOTE***(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)**(This note is not part of the Regulations)*

Mae'r Rheoliadau hyn, sy'n gymwys i Gymru, yn gweithredu darpariaethau Rheoliad y Cyngor (EC) Rhif 1760/2000 mewn perthynas â gwartheg hŷn.

These Regulations, which apply to Wales, implement the provisions of Council Regulation (EC) No. 1760/2000 in relation to older cattle.

Maent yn ei gwneud yn ofynnol i wartheg a anwyd cyn 1 Gorffennaf 1996 (pryd y cafodd y pasbortau gwartheg cyntaf eu rhoi) ac nad ydynt eisoes wedi'u cofrestru gyda Chynulliad Cenedlaethol Cymru yn wirfoddol gael eu cofrestru cyn 29 Ionawr 2001 (rheoliad 5).

They require cattle born before 1st July 1996 (which is when the first cattle passports were issued) which are not already registered with the National Assembly for Wales on a voluntary basis to be registered before 29th January 2001 (regulation 5).

Maent yn ei gwneud yn ofynnol bod y rhai sy'n cadw gwartheg yn hysbysu'r Cynulliad Cenedlaethol o leoliad gwartheg nad ydynt eisoes wedi'u cofrestru gyda'r Cynulliad Cenedlaethol (rheoliad 6).

They require the keepers of cattle to notify the National Assembly of the location of cattle not previously registered with the National Assembly (regulation 6).

Maent yn darparu ar gyfer rhoi cardiau symud i wartheg a anwyd cyn 28 Medi 1998 (pryd y cafodd y pasbortau â chardiau symud eu cyflwyno gyntaf) a hysbysu'r Cynulliad Cenedlaethol pan gaiff yr anifeiliaid hyn eu symud. Darperir hefyd ar gyfer hysbysu symudiadau drwy gyfrwng electronig yn lle hysbysu drwy ddefnyddio cardiau symud, ac ar gyfer cofrestr o'r rhai a gymeradwywyd ar gyfer defnyddio hysbysyadau electronig (rheoliadau 7 ac 8).

They provide for the issue of movement cards to cattle born before 28th September 1998 (which is when the passports with movement cards were first issued) and require notification to the National Assembly when these animals are moved. They also provide for the use of electronic notification of movement as an alternative to notification using movement cards, and for a register of approved users of electronic notification (regulations 7 and 8).

Maent yn gwneud darpariaeth ar gyfer hysbysu marwolaeth gwartheg a anwyd cyn 1 Gorffennaf 1996 (rheoliad 9).

They make provision for the notification of the death of cattle born before 1st July 1996 (regulation 9).

Maent yn gwneud darpariaeth ynglŷn â phwerau arolygwyr (rheoliad 10) ac yn darparu y caiff un o swyddogion y Cynulliad Cenedlaethol osod cyfyngiadau ar symud gwartheg y mae'r Rheoliadau'n

They make provision for powers of inspectors (regulation 10) and provide for an officer of the National Assembly to impose movement restrictions for cattle to which the Regulations relate (regulation

ymwneud â hwy (rheoliad 11).

Maent yn ei gwneud yn dramgwydd i rwystro arolygwyr (rheoliadau 12 ac 14(1)). Mae methu â chydymffurfio â'r Rheoliadau yn dramgwydd y gellir ei gosbi fel y'i pennir yn rheoliad 14(2). Gwneir darpariaeth benodol yn rheoliad 13 ar gyfer tramgwyddau a gyflawnir gan gyrff corffordeg.

Maent yn cael eu gorfodi gan y Cynulliad Cenedlaethol neu awdurdodau lleol (rheoliad 15).

Mae'r gronfa ddata a'r gofrestr o'r rhai a gymeradwywyd ar gyfer defnyddio post electronig yn cael eu cynnal ar ran Cynulliad Cenedlaethol Cymru gan -

Gwasanaeth Symud Gwartheg Prydain
Curwen Road
Workington
Cumbria
CA14 2DD.

Mae arfarniad rheoleiddiol wedi'i baratoi yn unol ag adran 65 o Ddeddf Llywodraeth Cymru 1998 a Rheolau Sefydlog Cynulliad Cenedlaethol Cymru. Gellir cael copïau oddi wrth Gynulliad Cenedlaethol Cymru, Yr Is-adran Polisi Amaethyddiaeth, Parc Cathays, Caerdydd, CF10 3NQ.

11).

They make it an offence to obstruct inspectors (regulations 12 and 14(1)). Failure to comply with other obligations created by the Regulations is an offence punishable as specified in regulation 14(2). Specific provision is made in regulation 13 for offences committed by corporate bodies.

They are enforced by the National Assembly or local authorities (regulation 15).

The database and the register of approved users of electronic mail are maintained on behalf of the National Assembly for Wales by -

The British Cattle Movement Service
Curwen Road
Workington
Cumbria
CA14 2DD

A regulatory appraisal has been prepared in accordance with section 65 of the Government of Wales Act 1998 and the Standing Orders of the National Assembly for Wales. Copies can be obtained from the National Assembly for Wales, Agriculture Policy Division, Cathays Park, Cardiff, CF10 3NQ.

2000 Rhif 3339 (Cy. 217)**2000 No. 3339 (W. 217)****ANIFEILIAID, CYMRU****ANIMALS, WALES****Rheoliadau Gwartheg (Adnabod Anifeiliaid Hŷn) (Cymru) 2000****The Cattle (Identification of Older Animals) (Wales) Regulations 2000***Wedi'u gwneud* 19 Rhagfyr 2000*Made* 19th December 2000*Yn dod i rym* 25 Rhagfyr 2000*Coming into force* 25th December 2000

Mae Cynulliad Cenedlaethol Cymru, gan ei fod wedi'i ddynodi(a) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(b) mewn perthynas â pholisi amaethyddol cyffredin y Gymuned Ewropeaidd, drwy arfer y pwerau a roddwyd iddo gan yr adran 2(2) a enwyd, yn gwneud yn Rheoliadau canlynol:

The National Assembly for Wales, being designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said 2(2), makes the following Regulations:

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

1. Enw'r Rheoliadau yw Rheoliadau Gwartheg (Adnabod Anifeiliaid Hyn) (Cymru) 2000; maent yn gymwys i Gymru a deuant i rym ar 25 Rhagfyr 2000.

1. The Regulations may be cited as the Cattle (Identification of Older Animals) (Wales) Regulations 2000; they apply to Wales and shall come into force on 25th December 2000.

Denhongli**Interpretation**

2. Yn y Rheoliadau hyn -

2. In these Regulations -

ystyr "arolygydd" ("*inspector*") yw person a benodwyd yn arolygydd at ddibenion y Rheoliadau hyn gan Gynulliad Cenedlaethol Cymru neu gan awdurdod lleol;

"cattle" ("*gwartheg*") means bovine animals including the species bison bison and bubalus bubalis;

ystyr "awdurdod lleol" ("*local authority*") mewn perthynas â sir neu fwrdeistref sirol yw cyngor y sir neu'r fwrdeistref sirol honno;

"holding" ("*daliad*") means any establishment, construction or, in the case of an open-air farm, any place, in which cattle are held, kept or handled;

ystyr "ceidwad" ("*keeper*") yw unrhyw berson sy'n gyfrifol am anifeiliaid, yn barhaol neu dros dro, gan gynnwys yn ystod eu cludo neu mewn marchnad ond nid yw'n cynnwys unrhyw berson sy'n geidwad dim ond am ei fod wrthi'n cludo'r anifeiliaid;

"identity" ("*dull adnabod*") means, in relation to cattle, the ear tag or tattoo number given in accordance with -

ystyr "Cynulliad Cenedlaethol" ("*National Assembly*") yw Cynulliad Cenedlaethol Cymru;

(a) the Bovine Animals (Records, Identification and Movement) Order 1995(c),

(b) the Bovine Animals (Identification, Marking and Breeding Records) Order 1990(d),

(c) the Tuberculosis (England and Wales) Order 1984(e),

(d) (for animals in Wales which were identified in

(a) O.S. 1999/2788.

(b) 1972 p.68.

(a) S.I. 1999/2788.

(b) 1972 c.68.

(c) S.I. 1995/12.

(d) S.I. 1990/1867 as amended by S.I. 1993/503.

(e) S.I. 1984/1943.

adeiladwaith neu, yn achos fferm awyr agored, unrhyw le y mae gwartheg yn cael eu dal, eu cadw neu eu trafod;

ystyr “dull adnabod” (“*identity*”) mewn perthynas â gwartheg yw’r tag clust neu’r tatŵ a roddwyd yn unol ag -

- (a) Gorchymyn Anifeiliaid Buchol (Cofnodion, Adnabod a Symud) 1995(a),
- (b) Gorchymyn Anifeiliaid Buchol (Adnabod, Marcio a Chofnodion Bridio) 1990(b),
- (c) Gorchymyn y Darfodedigaeth (Cymru a Lloegr) 1984(c),
- (ch)(yn achos anifeiliaid yng Nghymru a adnabuwyd yn yr Alban) Gorchymyn y Darfodedigaeth (Yr Alban) 1984(ch), neu
- (d) (yn achos anifeiliaid a adnabuwyd o dan unrhyw un o’r offerynnau hynny ac a ailadnabuwyd o dan Reoliadau Adnabod Gwartheg 1998(d)) Rheoliadau Adnabod Gwartheg 1998.

ystyr “gwartheg (“*cattle*”) yw anifeiliaid buchol gan gynnwys y rhywogaethau bison bison a bubalus bubalis;

ystyr “Rheoliad (EC) Rhif 1760/2000” (“*Regulation (EC) No. 1760/2000*”) yw Rheoliad (EC) Rhif 1760/2000 Senedd Ewrop a’r Cyngor sy’n sefydlu system ar gyfer adnabod a chofrestru anifeiliaid buchol ac ynghylch labelu cig eidion a chynhyrchion cig eidion ac yn diddymu Rheoliad y Cyngor (EC) Rhif 820/97(dd).

Yr awdurdod cymwys

3. Y Cynulliad Cenedlaethol fydd yr awdurdod cymwys y mae’n rhaid cyflwyno adroddiadau iddo yn unol ag ail indentiad Erthygl 7.1 o Reoliad (EC) Rhif 1760/2000 ynghylch gwartheg y mae’r Rheoliadau hyn yn gymwys iddynt.

Y cyfeiriad ar gyfer hysbysu

4.-(1) Rhaid i bob hysbysiad i’r Cynulliad Cenedlaethol o dan y Rheoliadau hyn a anfonir drwy’r post gan ddefnyddio cerdyn symud gael ei anfon i’r cyfeiriad sydd wedi’i argraffu ar y cerdyn symud hwnnw.

Scotland) the Tuberculosis (Scotland) Order 1984(c), or

- (e) (for animals identified under any of those instruments and re-identified under the Cattle Identification Regulations 1998(d)) the Cattle Identification Regulations 1998.

“inspector” (“*arolygydd*”) means a person appointed to be an inspector for the purposes of these Regulations by the National Assembly or by a local authority;

“keeper” (“*ceidwad*”) means any person responsible for animals, whether on a permanent or on a temporary basis, including during transportation or at a market but does not include any person who is only a keeper because he is transporting the animals;

“local authority” (“*awdurdod lleol*”) means in respect of a county or a county borough, the council of that county or county borough;

“National Assembly” (“*Cynulliad Cenedlaethol*”) means the National Assembly for Wales;

“Regulation (EC) No. 1760/2000” (“*Rheoliad (EC) Rhif 1760/2000*”) means Regulation (EC) No. 1760/2000 of the European Parliament and of the Council establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No. 820/97(e).

Competent authority

3. The National Assembly shall be the competent authority to whom reports shall be made in accordance with the second indent of Article 7.1 of Regulation (EC) No. 1760/2000 for cattle to which these Regulations apply.

Address for notification

4.-(1) All notifications to the National Assembly under these Regulations sent by post using a movement card shall be sent to the address printed on that movement card.

(a) O.S. 1995/12.

(b) O.S. 1990/1867 fel y’i diwygiwyd gan O.S. 1993/503.

(c) O.S. 1984/1943.

(ch) O.S. 1984/2063

(d) O.S. 1998/871 fel y’i diwygiwyd gan O.S. 1998/1796, O.S. 1998/2969, ac O.S. 1999/1339.

(dd) OJ Rhif L204, 11.8.2000, t.1.

(a) S.I. 1984/2063.

(b) S.I. 1998/871 as amended by S.I. 1998/1796, S.I. 1998/2969, and S.I. 1999/1339

(c) OJ No. L204, 11.8.2000, p.1.

(2) Rhaid i unrhyw hysbysiad arall gael ei anfon i -
Gwasanaeth Symud Gwartheg Prydain
Curwen Road
Workington
Cumbria
CA14 2DD.

Cofrestru gwartheg a anwyd cyn 1 Gorffennaf 1996

5.-(1) Rhaid i unrhyw berson sy'n geidwad gwartheg a anwyd cyn 1 Gorffennaf 1996 ac nad ydynt eisoes wedi'u cofrestru gyda'r Cynulliad Cenedlaethol yn wirfoddol eu cofrestru gyda'r Cynulliad Cenedlaethol erbyn 29 Ionawr 2001.

(2) Cofrestrir drwy lenwi ffurflen a gymeradwyir gan y Cynulliad Cenedlaethol at y diben gyda'r wybodaeth ganlynol am bob anifail o'r fath:

- (a) ei ddull adnabod;
- (b) ei ryw;
- (c) ei ddyddiad geni (os nad yw'r union ddyddiad geni yn hysbys, y dyddiad yn fras os yw'n hysbys);
- (ch) ei frid;
- (d) ei wlad wreiddiol, os yw'n hysbys;

a'i hanfon drwy'r post i Wasanaeth Cofrestru Gwartheg Prydain yn y cyfeiriad yn rheoliad 4.

(3) Rhaid i'r Cynulliad Cenedlaethol roi cardiau symud a thystysgrif gofrestru mewn perthynas â phob anifail o'r fath.

(4) Rhaid i'r ceidwad gadw'r dystysgrif gofrestru nes iddo werthu'r anifail neu nes i'r anifail farw neu gael ei gigydda. Os yw'n gwerthu'r anifail rhaid rhoi'r dystysgrif gofrestru i'r prynwr. Os yw'r anifail yn marw neu'n cael ei gigydda, rhaid i'r ceidwad adeg ei farwolaeth anfon y dystysgrif gofrestru i'r Cynulliad Cenedlaethol yn unol â rheoliad 9 isod.

Hysbysu lleoliad gwartheg nad ydynt wedi'u cofrestru gyda'r Cynulliad Cenedlaethol o'r blaen

6.-(1) Rhaid i geidwad yr holl wartheg y rhoddwyd pasbort iddynt heb gardiau symud ac sydd heb gael cardiau symud oddi wrth y Cynulliad Cenedlaethol wedyn hysbysu'r Cynulliad Cenedlaethol, cyn 29 Ionawr 2001, ar ba ddaliad y maent yn cael eu cadw, drwy ddefnyddio ffurflen a gymeradwyir gan y Cynulliad Cenedlaethol.

(2) Rhaid i'r Cynulliad Cenedlaethol roi cardiau symud mewn perthynas â phob anifail a gaiff ei hysbysu yn unol â pharagraff 1 o'r rheoliad hwn.

(2) Any other notification shall be sent to -
The British Cattle Movement Service
Curwen Road
Workington
Cumbria
CA14 2DD.

Registration of cattle born before 1st July 1996

5.-(1) Any person who is a keeper of cattle which were born before 1st July 1996 and which are not already registered with the National Assembly on a voluntary basis shall register them with the National Assembly before 29th January 2001.

(2) Registration shall be by filling in a form approved by the National Assembly for the purpose with the following information for each such animal:

- (a) its identity;
- (b) its sex;
- (c) its date of birth (if the exact date of birth is not known, the approximate date if known);
- (d) its breed;
- (e) country of origin, if known.

and sending it by post to the British Cattle Movement Service at the address in regulation 4.

(3) The National Assembly shall issue movement cards and a registration certificate in relation to each such animal.

(4) The keeper shall keep the registration certificate until he or she sells the animal or until the animal dies or is slaughtered. If he or she sells the animal he or she shall give the registration certificate to the buyer. If the animal dies or is slaughtered, the keeper at the time of death or slaughter shall send the registration certificate to the National Assembly in accordance with regulation 9 below.

Notification of location of cattle not previously registered with the National Assembly

6.-(1) The keeper of all cattle issued with passports without movement cards and which have not subsequently been issued with movement cards by the National Assembly shall, before 29th January 2001, notify the National Assembly of the holding on which they are kept, using a form approved by the National Assembly.

(2) The National Assembly shall issue movement cards in relation to each animal notified in accordance with paragraph 1 of this regulation.

Symud gwartheg a anwyd cyn 28 Medi 1998

7.-(1) Bydd y rheoliad hwn yn gymwys mewn perthynas â'r holl wartheg a anwyd cyn 28 Medi 1998 sydd wedi cael cardiau symud oddi wrth y Cynulliad Cenedlaethol.

(2) Rhaid i'r hysbysiad ynghylch symud gwartheg y mae'r rheoliad hwn yn gymwys iddo (yn unol ag ail indentiad Erthygl 7.1 o Reoliad (EC) Rhif 1760/2000) gael ei wneud drwy i'r ceidwad -

- (a) gosod ar un o'r cardiau symud a roddwyd gan y Cynulliad Cenedlaethol mewn perthynas â'r anifail label cod bar sy'n dynodi daliad y ceidwad ac a roddwyd at y diben gan y Cynulliad Cenedlaethol (oni bai nad yw'n ymarferol gwneud hynny, ac os felly rhaid i'r person sy'n hysbysu'r symudiad ysgrifennu rhif y daliad, cyfeiriad y daliad ac enw'r ceidwad ar y cerdyn symud);
- (b) nodi ar y cerdyn symud ai i ddaliad neu oddi ar ddaliad y mae'r anifail wedi'i symud (neu, yn achos gweithredydd marchnad, nodi ar y cerdyn symud fod yr anifail wedi symud drwy'r farchnad);
- (c) nodi dyddiad y symud ar y cerdyn symud;
- (ch) ei lofnodi; a
- (d) ei bostio i'r Cynulliad Cenedlaethol o fewn saith diwrnod o'r symud.

(3) Os yw anifail y mae'r rheoliad hwn yn gymwys iddo yn cael ei drosglwyddo i geidwad newydd, rhaid i'r ceidwad blaenorol roi pob cerdyn symud sydd heb ei ddefnyddio sy'n ymwneud â'r anifail hwnnw i'r ceidwad newydd.

(4) Ni chaiff neb symud gwartheg i ddaliad nac oddi ar ddaliad ar neu ar ôl 29 Ionawr 2001 oni bai ei fod yn hysbysu'r symud i'r Cynulliad Cenedlaethol ar gerdyn symud fel y'i pennir ym mharagraff (2) uchod.

Hysbysu symudiadau'n electronig

8.-(1) Gall y Cynulliad Cenedlaethol awdurdodi unrhyw berson i hysbysu symudiadau drwy gyfrwng electronig yn hytrach na thrwy'r post.

- (2) Rhaid i awdurdodiad o dan y rheoliad hwn -
 - (a) bod yn ysgrifenedig, gall fod yn ddarostyngedig i amodau a gall gael ei ddiwygio, ei atal neu ei ddiddymu drwy hysbysiad ysgrifenedig ar unrhyw adeg; a
 - (b) pennu ym mha ffurf y mae'r data i gael ei drosglwyddo a'r dull trosglwyddo.
- (3) Rhaid i hysbysiad drwy gyfrwng electronig gael ei wneud o fewn y cyfnod a bennir ar gyfer hysbysu drwy'r post.

Movement of cattle born before 28th September 1998

7.-(1) This regulation shall apply in relation to all cattle born before 28th September 1998 which have been issued with movement cards by the National Assembly.

(2) The notification of movement of cattle to which this regulation applies (in accordance with the second indent of Article 7.1 of Regulation (EC) No. 1760/2000) shall be by the keeper -

- (a) affixing to one of the movement cards issued by the National Assembly in relation to that animal a bar code label identifying the keeper's holding and provided for the purpose by the National Assembly (unless it is not practicable to do so, in which case the person notifying the movement shall write on the movement card the holding number, the address of the holding and the name of the keeper);
- (b) indicating on the movement card whether the movement is on or off a holding (or, in the case of a market operator, indicating on the movement card that the animal has moved through the market);
- (c) entering the date of the movement on the movement card;
- (d) signing it; and
- (e) posting it to the National Assembly within 7 days of the movement.

(3) If an animal to which this regulation applies is transferred to a new keeper, the previous keeper shall give all unused movement cards relating to that animal to the new keeper.

(4) No person shall move cattle on to or off a holding on or after 29th January 2001 unless he or she notifies the National Assembly of the movement on a movement card as specified in paragraph (2) above.

Electronic notification of movement

8.-(1) The National Assembly may authorise any person to notify movement by electronic means rather than by post.

- (2) An authorisation under this regulation -
 - (a) shall be in writing, may be made subject to conditions and may be amended, suspended or revoked by notice in writing at any time; and
 - (b) shall specify the format in which the data shall be transmitted and the method of transmission.
- (3) Notification by electronic means shall be made within the period specified for postal notification.

(4) Rhaid i'r Cynulliad Cenedlaethol gadw cofrestr o bersonau a awdurdodir o dan y rheoliad hwn, a honno ar gael i unrhyw berson os gwneir cais.

(5) Caiff y Cynulliad Cenedlaethol godi tâl rhesymol am ddarparu gwybodaeth o'r gofrestr a gedwir o dan y rheoliad hwn.

Hysbysu marwolaeth

9. Yn achos gwartheg a anwyd cyn 1 Gorffennaf 1996, rhaid i'r hysbysiad marwolaeth yn unol ag ail indentiad Erthygl 7.1 o Reoliad (EC) Rhif 1760/2000 gael ei wneud drwy i'r ceidwad nodi'r farwolaeth a'r daliad y bu'r anifail farw arno ar y dystysgrif gofrestru a roddwyd gan y Cynulliad Cenedlaethol ar gyfer yr anifail hwnnw a'i hanfon i Wasanaeth Symud Gwartheg Prydain o fewn saith diwrnod ar ôl y farwolaeth.

Pwerau Arolygwyr

10.-(1) O ddangos dogfen sydd wedi'i dilysu'n briodol ac sy'n dangos ei awdurdod os gofynnir iddo wneud hynny, bydd gan arolygydd hawl i fynd ar unrhyw dir neu safle (heblaw safle domestig nad yw'n cael ei ddefnyddio mewn cysylltiad â'r Rheoliadau hyn) ar unrhyw adeg resymol er mwyn darganfod a yw'r Rheoliadau hyn yn cael eu torri neu wedi cael eu torri; ac yn y rheoliad hwn mae "safle" yn cynnwys unrhyw le, gosodiad, cerbyd, llong, cwch, bad, hofranlong neu awyren.

(2) Bydd gan arolygydd bwerau i gyflawni pob gwiriad ac archwiliad sy'n angenrheidiol er mwyn gorfodi Teitl I o Reoliad (EC) Rhif 1760/2000, ac yn benodol fe gaiff -

- (a) casglu, corlannu ac archwilio unrhyw wartheg, a gall ei gwneud yn ofynnol i'r ceidwad drefnu casglu, corlannu a chaethiwo gwartheg;
- (b) archwilio unrhyw gofnodion ar ba ffurf bynnag, a chymryd copiâu o'r cofnodion hynny;
- (c) mynd ag unrhyw ddogfennau a chofnodion sy'n ymwneud â'r materion yr ymdrinnir â hwy yn y Rheoliadau hyn, a'u cadw;
- (ch) cael mynd at unrhyw gyfrifiadur ac unrhyw gyfarpar cysylltiedig sy'n cael eu defnyddio neu sydd wedi'u defnyddio mewn cysylltiad â chofnodion a'u harchwilio a gwirio eu gweithrediad, a gall ei gwneud yn ofynnol i unrhyw berson sy'n gofalu am y cyfrifiadur neu'r cyfarpar, neu sydd fel arall yn ymwneud â'u gweithredu, roi unrhyw gymorth iddo y gall yn rhesymol ofyn amdano;
- (d) ei gwneud yn ofynnol, pan fydd cofnodion yn cael eu cadw drwy gyfrwng cyfrifiadur, i'r cofnodion hynny gael eu cynhyrchu ar ffurf y gellir mynd â hwy oddi yno; ac
- (dd) mynd â chynrychiolydd o'r Comisiwn

(4) The National Assembly shall maintain a register of persons authorised under this regulation which shall be available to any person on request.

(5) The National Assembly may make a reasonable charge for the provision of information from the register kept under this regulation.

Notification of death

9. In the case of cattle born before 1st July 1996 the notification of death in accordance with the second indent of Article 7.1 of Regulation (EC) No. 1760/2000 shall be by the keeper noting the death and the holding on which the animal died on the registration certificate issued by the National Assembly for that animal and sending it to the British Cattle Movement Service within 7 days of the death.

Powers of Inspectors

10.-(1) An inspector, on producing, if required to do so, some duly authenticated document showing his or her authority, shall have the right at all reasonable hours to enter any land or premises (other than domestic premises not being used in connection with these Regulations) for the purposes of ascertaining whether there is or has been any contravention of these Regulations; and in this regulation "premises" includes any place, installation, vehicle, ship, boat, craft, hovercraft or aircraft.

(2) An inspector shall have powers to carry out all checks and examinations necessary for the enforcement of Title I of Regulation (EC) No. 1760/2000, and in particular may -

- (a) collect, pen and inspect any cattle, and may require the keeper to arrange for the collection, penning and securing of cattle;
- (b) examine any records in whatever form, and take copies of those records;
- (c) remove and retain any documents and records relating to the matters covered in these Regulations;
- (d) have access to, and inspect and check the operation of, any computer and any associated apparatus which is or has been used in connection with records, and may require any person having charge of, or otherwise concerned with the operation of, the computer or apparatus to afford him or her such assistance as he or she may reasonably require;
- (e) where records are kept by means of a computer, require the records to be produced in a form in which they may be taken away; and
- (f) take with him or her a representative of the

Ewropeaidd gydag ef sy'n gweithredu at ddibenion Teitl I o Reoliad (EC) Rhif 1760/2000 neu unrhyw berson arall y mae'n credu bod eu hangen er mwyn gorfodi'r Rheoliadau hyn.

Pwerau i gyfyngu ar symudiadau

11.-(1) Os yw'r Rheoliadau hyn yn cael eu torri, yn unol ag ail baragraff Erthygl 22.1 o Reoliad (EC) Rhif 1760/2000, gall un o swyddogion y Cynulliad Cenedlaethol gyflwyno hysbysiad i geidwad gwartheg y mae'r Rheoliadau hyn yn ymwneud â hwy ac sydd ar ddaliad, yn cyfyngu ar symud y gwartheg i'r daliad neu oddi arno os yw wedi'i fodloni bod angen gwneud hynny er mwyn gorfodi'r ail indentiad o Erthygl 7.1 o'r Rheoliad hwnnw yn iawn.

(2) Os yw'r Rheoliadau hyn yn cael eu torri, y Cynulliad Cenedlaethol fydd yr awdurdod milfeddygol a'r awdurdod cymwys at ddibenion Erthygl 1.2 o Reoliad y Comisiwn (EC) Rhif 494/98 (sy'n pennu rheolau manwl ar gyfer gweithredu Rheoliad y Cyngor (EC) Rhif 820/97 ynghylch defnyddio'r isafswm sancsiynau gweinyddol yn fframwaith y system ar gyfer adnabod a chofrestru anifeiliaid buchol)(a).

Rhwystro

12.-(1) Ni chaiff neb -

- (a) rhwystro yn fwriadol unrhyw berson sydd wrthi yn gweithredu'r Rheoliadau hyn;
- (b) methu, heb esgus rhesymol, â rhoi i unrhyw berson sydd wrthi'n gweithredu'r Rheoliadau hyn unrhyw gymorth neu wybodaeth y gall y person hwnnw ofyn yn rhesymol amdano neu amdani er mwyn cyflawni ei swyddogaethau o dan y Rheoliadau hyn, na methu â chydymffurfio ag unrhyw hysbysiad a gyflwynir iddo o dan y Rheoliadau hyn; neu
- (c) rhoi unrhyw wybodaeth y mae'n gwybod ei bod yn ffug neu'n gamarweiniol i unrhyw berson sydd wrthi'n gweithredu'r Rheoliadau hyn;

a bydd unrhyw berson sy'n torri'r rheoliad hwn neu'n methu â chydymffurfio ag ef yn euog o dramgwydd.

(2) Rhaid peidio â dehongli dim ym mharagraff (1)(b) uchod fel gofyniad i unrhyw berson ateb unrhyw gwestiwn na rhoi unrhyw wybodaeth a fyddai'n taflu bai arno pe bai'n gwneud hynny.

Tramgwyddau corff corfforaethol

13.-(1) Pan fydd corff corfforaethol yn euog o dramgwydd o dan y Rheoliadau hyn, a phan brofir bod y tramgwydd hwnnw wedi'i gyflawni gyda chydysniad neu ymoddefiad -

European Commission acting for the purposes of Title I of Regulation (EC) No. 1760/2000 or any other person he or she considers necessary for the enforcement of these Regulations.

Powers to restrict movements

11.-(1) If there is a breach of these Regulations, in accordance with the second paragraph of Article 22.1 of Regulation (EC) No. 1760/2000, an officer of the National Assembly may serve a notice on a keeper of cattle to which these Regulations relate and which are on a holding, restricting the movement of cattle to or from the holding if he or she is satisfied that this is necessary for the proper enforcement of Article 7.1, second indent of that Regulation.

(2) If there is a breach of these Regulations, the National Assembly shall be the veterinary authority and the competent authority for the purposes of Article 1.2 of Commission Regulation (EC) No. 494/98 (laying down detailed rules for the implementation of Council Regulation (EC) No. 820/97 as regards the application of minimum administrative sanctions in the framework of the system for the identification and registration of bovine animals)(a).

Obstruction

12.-(1) No person shall -

- (a) intentionally obstruct any person acting in the execution of these Regulations;
- (b) without reasonable cause, fail to give to any person acting in the execution of these Regulations any assistance or information which that person may reasonably require of him or her for the purposes of his or her functions under these Regulations, or fail to comply with any notice served on him or her under these Regulations; or
- (c) furnish to any person acting in the execution of these Regulations any information which he or she knows to be false or misleading.

and any person who contravenes or fails to comply with this regulation shall be guilty of an offence.

(2) Nothing in paragraph (1)(b) above shall be construed as requiring any person to answer any question or give any information if to do so might incriminate him or her.

Offences by bodies corporate

13.-(1) Where a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of -

(a) OJ Rhif L60, 28.2.98, t.78.

(a) OJ No. L60, 28.2.98, p.78.

- (a) unrhyw gyfarwyddwr, rheolwr, ysgrifennydd neu swyddog tebyg arall i'r corff corfforaethol;
- (b) neu unrhyw berson a oedd yn honni gweithredu yn rhinwedd unrhyw swyddogaeth o'r fath;

neu y gellir priodoli'r tramgwydd i unrhyw esgeulustod ar ei ran, bydd ef, neu hi, yn ogystal â'r corff corfforaethol, yn euog o'r tramgwydd a bydd yn agored i achos a chosb yn unol â hynny.

(2) At ddibenion y rheoliad hwn, ystyr "cyfarwyddwr", mewn perthynas â chorff corfforaethol y mae ei fusnes yn cael ei reoli gan ei aelodau, yw aelod o'r corff corfforaethol hwnnw.

Tramgwyddo a Chosbi

14.-(1) Bydd person sy'n torri rheoliad 12(1)(a) neu (b) uchod yn euog o dramgwydd ac yn agored o'i gollfarnu'n ddiannod i ddirwy heb fod yn fwy na lefel 5 ar y raddfa safonol neu i garchar am gyfnod na fydd yn fwy na thri mis neu'r ddau.

(2) Bydd person sy'n torri unrhyw ddarpariaeth arall yn y Rheoliadau hyn yn agored -

- (a) o'i gollfarnu'n ddiannod, i ddirwy heb fod yn fwy na'r uchafswm statudol neu i garchar am gyfnod na fydd yn fwy na thri mis neu'r ddau;
- (b) o'i gollfarnu ar ddiad, i ddirwy neu i garchar am gyfnod heb fod yn fwy na dwy flynedd neu'r ddau.

Gorfodi

15. Caiff y Rheoliadau hyn eu gorfodi gan y Cynulliad Cenedlaethol neu'r awdurdod lleol.

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

19 Rhagfyr 2000

Llywydd Cynulliad Cenedlaethol Cymru

- (a) any director, manager, secretary or other similar officer of the body corporate; or
- (b) any person who was purporting to act in any such capacity;

he or she as well as the body corporate, shall be guilty of the offence and be liable to be proceeded against and punished accordingly.

(2) For the purposes of this regulation, "director" in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

Offences and penalties

14.-(1) A person contravening regulation 12(1)(a) or (b) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding three months or to both.

(2) A person contravening any other provision of these Regulations shall be guilty of an offence and liable -

- (a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment not exceeding three months or to both;
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

Enforcement

15. These Regulations shall be enforced by the National Assembly or the local authority.

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

19th December 2000

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2000 Rhif 3339 (Cy. 217)

ANIFEILIAID, CYMRU

Rheoliadau Gwartheg (Adnabod
Anifeiliaid Hŷn) (Cymru)
2000

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2000 No. 3339 (W. 217)

ANIMALS, WALES

The Cattle (Identification of Older
Animals) (Wales) Regulations
2000

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