



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2001 Rhif 2236 (Cy. 162)

2001 No. 2236 (W. 162)

ANIFEILIAID, CYMRU

ANIMALS, WALES

IECHYD ANIFEILIAID

ANIMAL HEALTH

**Gorchymyn Clwy'r Traed a'r Genau
(Diwygio) (Cymru) (Rhif 8) 2001**

**The Foot-and-Mouth Disease
(Amendment) (Wales) (No. 8)
Order 2001**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Clwy'r Traed a'r Genau 1983 (O.S. 1983/1950) fel y mae'n gymwys i Gymru.

This Order amends the Foot-and-Mouth Disease Order 1983 (S.I. 1983/1950) as it applies to Wales.

Disodlir erthyglau 24 a 34A (anifeiliaid ar dir comin) er mwyn darparu na chaiff y perchennog neu'r person sy'n rheoli unrhyw anifail ar dir comin neu dir sydd heb ei amgau symud yr anifail hwnnw oddi ar y tir hwnnw ac eithrio o dan awdurdod trwydded a roddir gan y Gweinidog Amaethyddiaeth, Pysgodfeydd a Bwyd, neu os y bydd hysbysiad a roddwyd gan arolygydd milfeddygol yn cyfarwyddo hynny.

Articles 24 and 34A (animals on common land) are replaced so as to provide that the owner or person in charge of any animal on common or unenclosed land shall not move the animal from that land except under the authority of a licence issued by the Minister of Agriculture, Fisheries and Food, or where instructed to do so by a notice issued by a veterinary inspector.

Disodlir erthyglau 27A a 37CA. (cneifio a dipio defaid) hefyd. Mae'r erthyglau newydd yn gwahardd cneifio neu dipio defaid mewn ardal hentiedig neu mewn ardal a reolir yn ôl eu trefn ac eithrio yn unol ag amodau trwydded a roddir gan y Gweinidog Amaethyddiaeth, Pysgodfeydd a Bwyd. Caiff meddiannydd unrhyw safle neu ei weithiwr cyflogedig ddipio defaid a gedwir ar y safle hwnnw. Diffinnir "cneifio" i gynnwys clipio a thocio, a diffinnir "dipio" i gynnwys rhoi cawod a phistyllio defaid â dip defaid.

Articles 27 and 37C (shearing and dipping of sheep) are also replaced. The new articles prohibit the shearing or dipping of sheep in an infected or controlled area respectively except in accordance with the conditions of a licence issued by the Minister of Agriculture, Fisheries and Food. The occupier of any premises or his employee may shear or dip sheep kept on those premises. "Shearing" is defined to include clipping and dagging and "dipping" is defined to include the showering and jetting of sheep with sheep dip.

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

A regulatory appraisal has not been prepared for this Order.

2001 Rhif 2236 (Cy. 162)**2001 No. 2236 (W. 162)****ANIFEILIAID, CYMRU****ANIMALS, WALES****IECHYD ANIFEILIAID****ANIMAL HEALTH****Gorchymyn Clwy'r Traed a'r Genau
(Diwygio) (Cymru) (Rhif 8) 2001****The Foot-and-Mouth Disease
(Amendment) (Wales) (No. 8)
Order 2001***Wedi'i wneud* 19 Mehefin 2001
Yn dod i rym 20 Mehefin 2001*Made* 19th June 2001
Coming into force 20th June 2001

Mae Cynulliad Cenedlaethol Cymru a'r Gweinidog Amaethyddiaeth, Pysgodfeydd a Bwyd, yn gweithredu ar y cyd drwy arfer y pwerau a roddwyd iddynt gan adrannau 1, 8(1), 17(1), a 23 o Ddeddf Iechyd Anifeiliaid 1981(a) a phob pwr arall sy'n eu galluogi yn y cyswllt hwnnw, yn gwneud y Gorchymyn canlynol:

The National Assembly for Wales and Minister of Agriculture, Fisheries and Food, acting jointly in exercise of the powers conferred on them by sections 1, 8(1), 17(1), and 23 of the Animal Health Act 1981 (a) and of all other powers enabling them in that behalf, make the following Order:

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

1. Teitl y Gorchymyn hwn yw Gorchymyn Clwy'r Traed a'r Genau (Diwygio) (Cymru) (Rhif 8) 2001; mae'n gymwys i Gymru a daw i rym ar 20 Mehefin 2001.

1. This Order may be cited as the Foot-and-Mouth Disease (Amendment) (Wales) (No. 8) Order 2001; it applies to Wales and shall come into force on 20th June 2001.

**Diwygiadau i Orchymyn Clwy'r Traed a'r Genau
1983****Amendments to the Foot-and-Mouth Disease
Order 1983**

2. -(1) Diwygir Gorchymyn Clwy'r Traed a'r Genau 1983 ("Gorchymyn 1983")(b) i'r graddau y mae'n gymwys i Gymru, yn unol â'r erthygl hon.

2.-(1) The Foot-and-Mouth Disease Order 1983 ("the 1983 Order")(b) in so far as it applies to Wales, is amended in accordance with this article.

(2) Yn lle erthygl 24, rhowch -

(2) For article 24, substitute-

"Animals on common land**"Animals on common land****24. The owner or person in charge of any****24. The owner or person in charge of any**

(a) 1981 p.22. Gweler adran 86(1) i gael y diffiniadau o "the Ministers" a "the Minister". Trosglwyddwyd swyddogaethau "the Ministers", i'r graddau y maent yn arferadwy gan Ysgrifennydd Gwladol yr Alban mewn perthynas â Chymru, i'r Gweinidog Amaethyddiaeth, Pysgodfeydd a Bwyd gan Orchymyn Trosglwyddo Swyddogaethau (Amaethyddiaeth a Bwyd) 1999 (O.S.1999/3141). Trosglwyddwyd swyddogaethau "the Ministers", i'r graddau y maent yn arferadwy gan Ysgrifennydd Gwladol Cymru mewn perthynas â Chymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S.1999/672).

(a) 1981 c.22. See section 86(1) for the definitions of "the Ministers" and "the Minister". Functions of "the Ministers", so far as exercisable by the Secretary of State for Scotland in relation to Wales, were transferred to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141). Functions of "the Ministers", so far as exercisable by the Secretary of State for Wales in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(b) O.S. 1983/1950, fel y'i diwygiwyd gan O.S. 1993/3119, O.S. 1995/2922 ac, o ran Cymru, O.S. 2001/572 (Cy.26), O.S. 2001/658 (Cy.33), O.S. 2001/968 (Cy.46), O.S. 2001/1033 (Cy.47) (

(b) S.I. 1983/1950, as amended by S.I. 1993/3119, S.I. 1995/2922 and, as regards Wales, S.I. 2001/572 (W.26), S.I. 2001/658 (W.33), S.I. 2001/968 (W.46), S.I. 2001/1033 (W.47) (itself amended by S.I. 2001/1234 (W.67)), S.I. 2001/1406 (W.93), S.I. 2001/1509 (W.106) and S.I. 2001/1874 (W.134).

animal on common or unenclosed land shall not move the animal from that land except-

- (a) under the authority of a licence issued by the Minister; or
- (b) where instructed to do so by a notice from a veterinary inspector."

(3) Yn lle erthygl 27, rhowch -

"27 Shearing or dipping of sheep in an infected area

(1) Subject to paragraph (2) below, no person shall-

- (a) shear or dip sheep or cause sheep to be sheared or dipped; or
- (b) handle fleeces or sheep during shearing or dipping,

except in accordance with the conditions of a licence issued by the Minister.

(2) Paragraph (1) shall not apply to the occupier of any premises or his employee (other than a person employed by him primarily for the purpose of shearing or dipping sheep) in respect of the shearing or dipping of sheep kept on those premises.

(3) For the purposes of this article-

- (a) "shearing" includes clipping and dagging; and
- (b) "dipping" includes showering and jetting sheep with sheep dip."

(4) Yn lle erthygl 34A, rhowch-

"Animals on common land

34A. The owner or person in charge of any animal on common or unenclosed land shall not move the animal from that land except-

- (a) under the authority of a licence issued by the Minister; or
- (b) where instructed to do so by a notice from a veterinary inspector."

(5) Yn lle erthygl 37C, rhowch-

"Shearing or dipping of sheep in a controlled area

37C.-(1) Subject to paragraph (2) below, no person shall -

- (a) shear or dip sheep or cause sheep to be sheared or dipped; or
- (b) handle fleeces or sheep during shearing or dipping,

except in accordance with the conditions of a licence issued by the Minister.

animal on common or unenclosed land shall not move the animal from that land except-

- (a) under the authority of a licence issued by the Minister; or
- (b) where instructed to do so by a notice from a veterinary inspector."

(3) For article 27, substitute -

"27 Shearing or dipping of sheep in an infected area

(1) Subject to paragraph (2) below, no person shall-

- (a) shear or dip sheep or cause sheep to be sheared or dipped; or
- (b) handle fleeces or sheep during shearing or dipping,

except in accordance with the conditions of a licence issued by the Minister.

(2) Paragraph (1) shall not apply to the occupier of any premises or his employee (other than a person employed by him primarily for the purpose of shearing or dipping sheep) in respect of the shearing or dipping of sheep kept on those premises.

(3) For the purposes of this article-

- (a) "shearing" includes clipping and dagging; and
- (b) "dipping" includes showering and jetting sheep with sheep dip."

(4) For article 34A, substitute-

"Animals on common land

34A. The owner or person in charge of any animal on common or unenclosed land shall not move the animal from that land except-

- (a) under the authority of a licence issued by the Minister; or
- (b) where instructed to do so by a notice from a veterinary inspector."

(5) For article 37C, substitute-

"Shearing or dipping of sheep in a controlled area

37C.-(1) Subject to paragraph (2) below, no person shall -

- (a) shear or dip sheep or cause sheep to be sheared or dipped; or
- (b) handle fleeces or sheep during shearing or dipping,

except in accordance with the conditions of a licence issued by the Minister.

(2) Paragraph (1) shall not apply to the occupier of any premises or his employee (other than a person employed by him primarily for the purpose of shearing or dipping sheep) in respect of the shearing or dipping of sheep kept on those premises.

(3) for the purposes of this article-

(a) "shearing" includes clipping and dagging; and

(b) "dipping" includes showering and jetting sheep with sheep dip."

Darpariaethau trosiannol

3. Bydd Gorchmynion Datganiadol a wnaed o dan Ran III o Orchymyn 1983 cyn i'r Gorchymyn hwn ddod i rym yn effeithiol fel bod darpariaethau Rhan III o Orchymyn 1983 fel y'u diwygir gan y Gorchymyn hwn, yn gymwys yn yr ardaloedd hynny a nodwyd yn y Gorchmynion Datganiadol.

Llofnodwyd ar ran Cynulliad Cendlaethol Cymru

ar 19 Mehefin 2001

Y Llywydd

Llofnodwyd ar 19 Mehefin 2001

Gweinidog Gwladol

(2) Paragraph (1) shall not apply to the occupier of any premises or his employee (other than a person employed by him primarily for the purpose of shearing or dipping sheep) in respect of the shearing or dipping of sheep kept on those premises.

(3) for the purposes of this article-

(a) "shearing" includes clipping and dagging; and

(b) "dipping" includes showering and jetting sheep with sheep dip."

Transitional provisions

3. Declaratory Orders made under Part III of the 1983 Order before this Order comes into force, shall have effect so that the provisions of Part III of the 1983 Order as amended by this Order, apply in those areas specified in the Declaratory Orders.

Signed on behalf of the National Assembly for Wales

on 19th June 2001

D. Elis Thomas

Presiding Officer

Signed on 19th June 2001

Alun Michael

Minister of State

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