



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2001 Rhif 2662 (Cy.218)

2001 No. 2662 (W.218)

**ANIFEILIAID, CYMRU
IECHYD ANIFEILIAID**

**ANIMALS, WALES
ANIMAL HEALTH**

**Gorchymyn Cludo Anifeiliaid
(Glanhau a Diheintio) (Cymru)
2001**

**The Transport of Animals
(Cleansing and Disinfection)
(Wales) Order 2001**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note does not form part of the Order)

Mae'r Gorchymyn hwn, sy'n gymwys i Gymru yn unig, yn diddymu ac yn disodli, gyda newidiadau, yr offerynnau sy'n ymwneud â glanhau a diheintio'r cyfryngau cludo ar gyfer anifeiliaid a nodir yn Atodlen 3 i'r Gorchymyn. Mae'n gweithredu paragraff 8 o Bennod 1 o'r Atodiad i Gyfarwyddeb y Cyngor 91/628/EEC ar ddiogelu anifeiliaid wrth eu cludo (OJ Rhif L340, 11.12.91, t.17) a weithredwyd gynt gan baragraff 26 o Atodlen 1 i Orchymyn Lles Anifeiliaid (Cludiant) 1997 (O.S. 1997/1480). Mae'n gweithredu hefyd Erthygl 12.1(a), ail gilosodiad, Cyfarwyddeb y Cyngor 64/432/EEC ar broblemau iechyd sy'n effeithio ar y fasnach mewn anifeiliaid buchol a moch o fewn y Gymuned (cydgyfnerthwyd y Gyfarwyddeb hon yn yr Atodiad i Gyfarwyddeb y Cyngor 97/12/EC OJ Rhif L109, 25.4.97, t.1).

This Order, which applies to Wales only, revokes and replaces, with changes, the instruments dealing with the cleansing and disinfection of means of transport relating to animals set out in Schedule 3 to the Order. It implements paragraph 8 of Chapter 1 of the Annex to Council Directive 91/628/EEC on the protection of animals during transport (OJ No.L340, 11.12.91, p.17) which was previously implemented by paragraph 26 of Schedule 1 to the Welfare of Animals (Transport) Order 1997 (S.I. 1997/1480). It also implements Article 12.1(a), second indent, of Council Directive 64/432/EEC on health problems affecting intra-Community trade in bovine animals and swine (this Directive was consolidated in the Annex to Council Directive 97/12/EC (OJ No. L109, 25.4.97, p.1).

Mae'r Gorchymyn hwn yn nodi'r gofynion canlynol:-

This Order sets out the following requirements:-

- (a) ar ôl cludo unrhyw anifeiliaid carnog, a ffowls domestig, tyrcwn, gwyddau, hwyaid, ieir gini, sofflieir, colomennod, ffesantod, petris ac adar di-gêl, fod rhaid glanhau a diheintio'r cyfrwng cludo a'r offer cysylltiedig yn unol ag Atodlen 1 cyn ei ddefnyddio eto i gludo'r anifeiliaid hynny (erthygl 3(2) a (4));
- (b) hyd yn oed os yw'r gofyniad a bennir ym mharagraff (a) uchod wedi'i fodloni, rhaid glanhau a diheintio'r cyfrwng cludo eto cyn i'r anifeiliaid hynny gael eu cludo os yw'r cyfrwng cludo wedi'i faeddu fel y byddai'n peri risg o drosglwyddo clefyd (erthygl 3(4));

- (a) after the transport of any hoofed animals, and domestic fowl, turkeys, geese, ducks guinea-fowls, quails, pigeons, pheasants, partridges and ratites, the means of transport and associated equipment must be cleansed and disinfected in accordance with Schedule 1 before it is used again to transport those animals (article 3(2) and (4));
- (b) even if the requirement specified in paragraph (a) above has been met, the means of transport must be cleansed and disinfected again before those animals are transported if the means of transport has become soiled so as to cause a risk of transmission of disease (article 3(4));

- (c) yn dilyn taith, rhaid i gyfrwng cludo gael ei lanhau a'i ddiheintio cyn gynted ag y bo'n rhesymol ymarferol, ond beth bynnag o fewn dim mwy na 24 awr (erthygl 3(3));
- (ch) Rhaid i unrhyw berson sy'n cludo anifeiliaid o'r fath symud ymaith anifeiliaid meirw, sarn a charthion o'r cyfrwng cludo cyn gynted â phosibl (erthygl 3(5)).

Mae eithriadau wedi'u nodi yn Atodlen 2 mewn perthynas â theithiau o fewn un fenter ffermio, cludo ceffylau penodol a theithiau rhwng yr un dau bwynt. Yn yr achosion hyn, ac ar gyfer pob anifail ac aderyn arall, ceir gofyniad ynglyn â sicrhau eu bod yn cael eu llwytho ar gyfrwng cludo sydd wedi'i lanhau ac, os oes angen, wedi'i ddiheintio, a bod anifeiliaid meirw, sarn a charthion yn cael eu symud ymaith o'r cyfrwng cludo cyn gynted â phosibl. Nid yw hyn yn gymwys i deithiau anfasnachol nac i gludo anifeiliaid anwes neu anifeiliaid unigol (erthygl 4).

Mae erthygl 5 yn pennu sut mae'n rhaid gwaredu'r deunydd o'r cyfrwng cludo.

O dan erthygl 6, mae gan arolygydd bŵer, o dan yr amgylchiadau a nodir yn yr erthygl honno, i gyflwyno hysbysiad sy'n ei gwneud yn ofynnol i gyfrwng cludo gael ei lanhau a'i ddiheintio.

Mae'r Gorchymyn yn cael ei orfodi gan yr awdurdod lleol (erthygl 7).

Mae'n diddymu'r darpariaethau a nodir yn Atodlen 3.

Mae torri'r Gorchymyn yn dramgwydd o dan adran 73 o Ddeddf Iechyd Anifeiliaid 1981 ac ar ôl collfarn gellir cosbi'r tramgwydd â dirwy na fydd yn fwy na lefel 5 ar y raddfa safonol (sef £5,000 ar hyn o bryd).

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

- (c) following a journey, the means of transport must be cleansed and disinfected as soon as reasonably practicable, but in any event within not more than 24 hours (article 3(3)); and
- (d) any person transporting animals must remove dead animals, litter and excreta from the means of transport as soon as possible (article 3(5)).

There are exceptions set out in Schedule 2 relating to journeys on a single farming enterprise, transport of certain horses and journeys between the same two points. In these cases, and for all other animals and birds, there is a requirement to ensure that they are loaded on to a means of transport which has been cleansed and, if necessary, disinfected, and that dead animals, litter and excreta are removed from the means of transport as soon as possible. This does not apply to non-commercial journeys or to the transport of pets or single animals (article 4).

Article 5 specifies how the material from the means of transport must be disposed of.

Under article 6, an inspector is empowered, in the circumstances set out in that article, to serve a notice requiring a means of transport to be cleansed and disinfected.

The Order is enforced by the local authority (article 7).

It revokes the provisions set out in Schedule 3.

Breach of the Order is an offence under section 73 of the Animal Health Act 1981 punishable on conviction to a fine not exceeding level 5 on the standard scale (currently £5,000).

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 Agriculture Policy Division, National Assembly for Wales Agriculture Department, Cathays Park, Cardiff, CF10 3NQ.

2001 Rhif 2662 (Cy.218)**2001 No. 2662 (W.218)****ANIFEILIAID, CYMRU
IECHYD ANIFEILIAID****ANIMALS, WALES
ANIMAL HEALTH****Gorchymyn Cludo Anifeiliaid
(Glanhau a Diheintio) (Cymru)
2001****The Transport of Animals
(Cleansing and Disinfection)
(Wales) Order 2001***Wedi'i wneud* 20 Gorffennaf 2001*Made* 20th July 2001*Yn dod i rym* 21 Gorffennaf 2001*Coming into force* 21st July 2001

Mae Cynulliad Cenedlaethol Cymru a'r Gweinidog Amaethyddiaeth, Pysgodfeydd a Bwyd, drwy weithredu ar y cyd i arfer y pwerau a roddwyd iddynt gan adrannau 1, 7, 37, 87(2) a (5) ac 88(2) a (4) o Ddeddf Iechyd Anifeiliaid 1981(a) yn gwneud y Gorchymyn canlynol:

The National Assembly for Wales and the Minister of Agriculture, Fisheries and Food, acting jointly in exercise of the powers conferred on them by sections 1, 7, 37, 87(2) and (5) and 88(2) and (4) of the Animal Health Act 1981(a) make the following Order:

Enwi, cychwyn, cymhwyso ac ymestyn diffiniadau**Title, commencement, application and extension of definitions**

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Cludo Anifeiliaid (Glanhau a Diheintio)(Cymru) 2001 a daw i rym ar 21 Gorffennaf 2001.

1.-(1) This Order may be cited as the Transport of Animals (Cleansing and Disinfection) (Wales) Order 2001 and shall come into force on 21st July 2001.

(2) Bydd y Gorchymyn hwn yn gymwys i Gymru yn unig.

(2) This Order shall apply to Wales only.

(3) At ddibenion Deddf Iechyd Anifeiliaid 1981 o'i chymhwyso at y Gorchymyn hwn -

(3) For the purposes of the Animal Health Act 1981 in its application to this Order -

- (a) estynnir y diffiniadau o "*animals*" ("*anifeiliaid*") yn is-adran (1) o adran 87 o'r Ddeddf honno i gynnwys pob mamal ac eithrio dyn ;
- (b) estynnir y diffiniad o "*poultry*" ("*dofednod*") yn is-adran (4) o adran 87 o'r Ddeddf honno i gynnwys pob aderyn;
- (c) estynnir y diffiniadau o "*disease*" ("*clefyd*") yn is-adran (1) o adran 88 o'r Ddeddf honno i gynnwys pob clefyd anifeiliaid; ac

- (a) the definition of "animals" ("*anifeiliaid*") in subsection (1) of section 87 of that Act is extended so as to comprise all mammals except man ;
- (b) the definition of "poultry" ("*dofednod*") in subsection (4) of section 87 of that Act is extended so as to comprise all birds;
- (c) the definition of "disease" ("*clefyd*") in subsection (1) of section 88 of that Act is extended so as to comprise all diseases of animals; and

(a) 1981 p.22. *Gweler* adran 86(1)(c) ar gyfer diffiniad o "Ministers". Mewn perthynas â Chymru, trosglwyddwyd pwerau Ysgrifennydd Gwladol Cymru i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672). Trosglwyddwyd swyddogaeth Ysgrifennydd Gwladol yr Alban i'r Gweinidog Amaethyddiaeth, Pysgodfeydd a Bwyd gan Orchymyn Trosglwyddo Swyddogaethau (Amaethyddiaeth a Bwyd) 1999 (O.S. 1999/3141).

(a) 1981 c.22. *See* section 86(1)(c) for a definition of "Ministers". In relation to Wales, the powers of the Secretary of State for Wales were transferred to the National Assembly for Wales by for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The function of the Secretary of State for Scotland was transferred to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141).

(ch) estynnir y diffiniad o "*disease*" ("*clefyd*") yn is-adran (3) o adran 88 o'r Ddeddf honno er mwyn cynnwys pob clefyd dofednod.

(d) the definition of "*disease*" ("*clefyd*") in subsection (3) of section 88 of that Act is extended so as to comprise all diseases of poultry.

Dehongli

2.-(1) Yn y Gorchymyn hwn, oni fydd y cyd-destun yn mynnu fel arall -

mae "*anifail*" ("*animal*") yn cynnwys aderyn;

mae "*cyfrwng cludo*" ("*means of transport*") yn cynnwys ei ffitiadau, ei rannau datodadwy ac unrhyw gynwysyddion (p'un a ydynt yn ddatodadwy neu beidio) a ddefnyddir gydag ef;

mae i "*Cymru*" yr un ystyr ag yn Neddf Llywodraeth Cymru 1998(a).

(2) Yn y Gorchymyn hwn, mae unrhyw gyfeiriad at erthygl neu Atodlen â rhif yn gyfeiriad at yr erthygl neu'r Atodlen sy'n dwyn y rhif hwnnw yn y Gorchymyn hwn.

(3) Rhaid i unrhyw hysbysiad a gyflwynir o dan y Gorchymyn hwn fod yn ysgrifenedig. Gellir ei wneud yn ddarostyngedig i amodau a gellir ei ddiwygio, ei atal neu ei ddiddymu mewn ysgrifen unrhyw bryd.

Glanhau a diheintio mewn perthynas â chludo anifeiliaid carnog a dofednod

3.- (1) Bydd yr erthygl hon yn gymwys mewn perthynas â glanhau a diheintio'r cyfrwng cludo a ddefnyddir ar gyfer yr anifeiliaid canlynol (heblaw o dan yr amgylchiadau a bennir yn Atodlen 2) -

- (a) anifeiliaid carnog;
- (b) colomennod rasio; ac
- (c) y canlynol os cânt eu magu neu eu cadw mewn caethiwed ar gyfer bridio, cynhyrchu cig neu wyau i'w bwyta neu er mwyn ailstocio cyflenwadau adar hela: ffowls domestig, tyrcwn, gwyddau, hwyaid, ieir gini, soffleir, colomennod, ffesantod, petris ac adar di-gêl.

(2) Os oes cyfrwng cludo wedi'i ddefnyddio i gludo unrhyw anifail neu unrhyw beth a allai arwain at drosglwyddo clefyd sy'n effeithio ar anifeiliaid, rhaid i ddefnyddiwr y cyfrwng cludo sicrhau, cyn gynted ag y bo'n rhesymol ymarferol a dim mwy na 24 awr ar ôl cwblhau'r daith, fod y cyfrwng cludo hwnnw a'i offer yn cael eu glanhau a'u diheintio yn unol ag Atodlen 1, neu, os yw'n briodol, yn cael eu dinistrio.

(3) Ni chaiff neb ddefnyddio, na pheri na chaniatáu defnyddio unrhyw gyfrwng cludo i gludo unrhyw anifail oni bai bod y cyfrwng cludo a'i offer wedi'u glanhau a'u diheintio yn unol ag Atodlen 1 ers iddo gael ei ddefnyddio ddiwethaf i gludo unrhyw anifail neu unrhyw beth a allai arwain at drosglwyddo clefyd sy'n effeithio ar anifeiliaid.

Interpretation

2.-(1) In this Order, unless the context otherwise requires -

"animal" ("*anifail*") includes bird;

"means of transport" ("*cyfrwng cludo*") includes its fittings, its detachable parts and any containers (whether detachable or not) used with it;

"Wales" has the same meaning as in the Government of Wales Act 1998(a).

(2) In this Order, any reference to a numbered article or Schedule is a reference to the article or Schedule so numbered in this Order.

(3) Any notice served under this Order shall be in writing, may be made subject to conditions and may be amended, suspended or revoked in writing at any time.

Cleansing and disinfection in relation to the transport of hoofed animals and poultry

3.-(1) This article shall apply in relation to the cleansing and disinfection of means of transport used for the following animals (other than in the circumstances specified in Schedule 2)-

- (a) hoofed animals;
- (b) racing pigeons; and
- (c) the following if they are reared or kept in captivity for breeding, the production of meat or eggs for consumption or for restocking supplies of game: domestic fowls, turkeys, geese, ducks, guinea-fowls, quails, pigeons, pheasants, partridges and ratites.

(2) Where a means of transport has been used to transport any animal or anything which may give rise to the transmission of a disease affecting animals, the user of the means of transport shall, as soon as reasonably practicable and not more than 24 hours after the journey is completed, ensure that it and its equipment are cleansed and disinfected in accordance with Schedule 1, or, where appropriate, destroyed.

(3) No person shall use, or cause or permit the use of, any means of transport to transport any animal unless the means of transport and its equipment have been cleansed and disinfected in accordance with Schedule 1 since it was last used to transport any animal or anything which may give rise to the transmission of a disease affecting animals.

(a) 1998. p.38.

(a) 1998 c.38.

(4) Os yw cyfrwng cludo wedi'i faeddu fel y gallai beri risg o drosglwyddo clefyd ers ei lanhau a'i ddiheintio ddiwethaf, ni chaiff neb lwytho, na pheri na chaniatáu llwytho unrhyw anifail i mewn i'r cyfrwng cludo oni bai bod y cyfrwng cludo hwnnw wedi'i lanhau a'i ddiheintio eto yn unol â pharagraffau 3 a 4 o Atodlen 1.

(5) Rhaid i unrhyw berson sy'n cludo unrhyw anifail symud ymaith unrhyw anifeiliaid meirw, gwelltach budr a charthion o'r cyfrwng cludo cyn gynted â phosibl.

Glanhau a diheintio mewn perthynas â chludo mamaliaid ac adar eraill, ac anifeiliaid carnog a dofednod o dan amgylchiadau penodol

4.-(1) Bydd yr erthygl hon yn gymwys mewn perthynas â chludo -

- (a) pob mamal ac eithrio dyn heblaw anifeiliaid carnog;
- (b) pob aderyn nad yw wedi'i gynnwys yn erthygl 3; ac
- (c) anifeiliaid a bennir yn erthygl 3 o dan yr amgylchiadau a bennir yn Atodlen 2;

ond ni fydd yn gymwys yn achos -

- (i) cludiant nad yw o natur fasnachol;
- (ii) anifail unigol y mae person, sy'n gyfrifol am yr anifail tra bydd yn cael ei gludo, yn mynd gydag ef wrth iddo gael ei gludo;
- (iii) cludo anifeiliaid anwes sy'n mynd gyda'u perchennog ar daith breifat.

(2) Rhaid i unrhyw berson sy'n cludo anifeiliaid, neu'n peri neu'n caniatáu iddynt gael eu cludo pan fydd yr erthygl hon yn gymwys sicrhau -

- (a) eu bod yn cael eu llwytho ar gyfrwng cludo sydd wedi'i lanhau, a phan fydd angen, wedi'i ddiheintio yn unol ag Atodlen 1; a
- (b) bod anifeiliaid meirw, sarn budr a charthion yn cael eu symud ymaith cyn gynted â phosibl.

Gwaredu deunydd ar ôl glanhau

5. Rhaid i bopeth a dynnir o'r cyfrwng cludo yn unol ag Atodlen 1-

- (a) cael eu dinistrio;
- (b) cael eu trin fel bod y risg o drosglwyddo clefyd yn cael ei ddileu; neu
- (c) cael eu gwaredu fel na fydd anifeiliaid yn gallu mynd atynt.

Pwerau arolygwyr, etc.

6.-(1) Pan fydd arolygydd wedi'i fodloni bod cyfrwng cludo, neu unrhyw offer sy'n cael ei gario gyda'r cyfrwng cludo, naill ai -

(4) If a means of transport has become soiled so that it may give rise to a risk of transmission of disease since last being cleansed and disinfected, no person shall load, or cause or permit to be loaded, any animal into the means of transport unless it has been again cleansed and disinfected in accordance with paragraphs 3 and 4 of Schedule 1.

(5) Any person transporting any animal shall remove any dead animals, soiled bedding and excreta from the means of transport as soon as possible.

Cleansing and disinfection in relation to the transport of other mammals and birds, and hoofed animals and poultry in certain circumstances

4.-(1) This article shall apply in relation to the transport of -

- (a) all mammals except man other than hoofed animals;
- (b) all birds not included in article 3; and
- (c) animals specified in article 3 in the circumstances specified in Schedule 2;

but shall not apply in the case of -

- (i) transport which is not of a commercial nature;
- (ii) an individual animal accompanied by a person having responsibility for the animal during transport;
- (iii) the transport of pet animals accompanying their owner on a private journey.

(2) Any person transporting, or causing or permitting the transport of, animals where this article applies shall ensure that -

- (a) they are loaded on to a means of transport which has been cleansed and, where necessary, disinfected in accordance with Schedule 1; and
- (b) dead animals, soiled litter and excreta are removed as soon as possible.

Disposal of material after cleansing

5. Everything removed from the means of transport in accordance with Schedule 1 shall be -

- (a) destroyed;
- (b) treated so as to remove the risk of transmission of disease; or
- (c) disposed of so that animals have no access to it.

Powers of inspectors, etc.

6.-(1) Where an inspector is satisfied that a means of transport, or any equipment carried with the means of transport, either -

- (a) heb gael eu glanhau a'u diheintio yn unol â'r Gorchymyn hwn; neu
- (b) bod angen eu glanhau a'u diheintio am y gallai beri risg o drosglwyddo clefyd,

caiff yr arolygydd gyflwyno hysbysiad i unrhyw berson y mae'n ymddangos i'r arolygydd ei fod yn gyfrifol am y cyfrwng cludo neu'r offer.

(2) Gall hysbysiad a gyflwynir o dan y paragraff blaenorol -

- (a) gwahardd defnyddio'r cyfrwng cludo neu'r offer nes iddynt gael eu glanhau a'u diheintio;
- (b) gwahardd cadw anifeiliaid ar y cyfrwng cludo nes iddo gael ei lanhau a'i ddiheintio;
- (c) ei gwneud yn ofynnol i'r person y cyflwynwyd yr hysbysiad iddo lanhau a diheintio'r cyfrwng cludo neu'r offer o fewn unrhyw gyfnod a bennir yn yr hysbysiad; neu
- (ch) ei gwneud yn ofynnol i'r person y cyflwynwyd yr hysbysiad iddo waredu'r holl borthiant yr oedd yr anifeiliaid yn gallu mynd ato, yr holl welltach, yr holl garthion a'r holl ddeunyddiau eraill sy'n tarddu o anifeiliaid yn y ffordd a nodir yn yr hysbysiad.

(3) Os cyflwynir hysbysiad o dan y paragraff blaenorol, rhaid cyflawni'r gwaith glanhau a diheintio yn unol ag Atodlen 1 oni bai bod yr hysbysiad yn pennu dull gwahanol o lanhau a diheintio.

(4) Caiff arolygydd gyflwyno hysbysiad i unrhyw berson y mae'n ofynnol iddo gyflawni gwaith glanhau a diheintio yn unol ag erthyglau 3 neu 4 yn mynnu bod y person hwnnw yn ei lanhau a'i ddiheintio fel a bennir yn yr hysbysiad yn lle gwneud hynny yn unol ag Atodlen 1 os yw'r arolygydd wedi'i fodloni bod hynny'n angenrheidiol at ddibenion iechyd anifeiliaid.

(5) Pan na fydd person yn cydymffurfio â hysbysiad a gyflwynwyd o dan yr erthygl hon, caiff arolygydd drefnu y cydymffurfir â darpariaethau'r hysbysiad ar draul y person y cyflwynwyd yr hysbysiad iddo .

Gorfodi

7. Gorfodir y Gorchymyn hwn gan yr awdurdod lleol.

Diddymu a diwygio

8.-(1) Mae'r Gorchymynion a nodir yng ngholofn gyntaf y tabl yn Rhan I o Atodlen 3 yn cael eu diddymu i'r graddau y maent yn gymwys yng Nghymru ac i'r graddau a nodir yn nhrydedd golofn y tabl hwnnw.

- (a) has not been cleansed and disinfected in accordance with this Order; or
- (b) needs to be cleansed and disinfected because it may give rise to a risk of transmission of disease,

the inspector may serve a notice on any person appearing to the inspector to be in charge of that means of transport or equipment.

(2) A notice served under the preceding paragraph may -

- (a) prohibit the use of the means of transport or the equipment until it has been cleaned and disinfected;
- (b) prohibit the keeping of animals on the means of transport until it has been cleaned and disinfected;
- (c) require the person on whom the notice is served to cleanse and disinfect the means of transport or the equipment within any period specified in the notice; or
- (d) require the person on whom the notice is served to dispose of all feedingstuffs to which the animals have had access, bedding, excreta and other material of animal origin in the way set out in the notice.

(3) If a notice is served under the preceding paragraph, the cleansing and disinfection shall be carried out in accordance with Schedule 1 unless the notice specifies a different method of cleansing and disinfection.

(4) An inspector may serve a notice on any person who is required to carry out cleansing and disinfection in accordance with articles 3 or 4 requiring that person to cleanse and disinfect it as specified in the notice instead of in accordance with Schedule 1 if the inspector is satisfied that this is necessary for animal health purposes.

(5) Where a person fails to comply with a notice served under this article, an inspector may arrange for the provisions of the notice to be complied with at the expense of the person on whom the notice was served.

Enforcement

7. This Order shall be enforced by the local authority.

Revocations and amendments

8.-(1) The Orders set out in the first column of the table in Part I of Schedule 3 are revoked in so far as they apply in Wales to the extent set out in the third column of that table.

(2) Mae'r Gorchymyn yn Rhan II o Atodlen 3 yn cael ei ddiwygio yn unol â'r Rhan honno i'r graddau y mae'n gymwys yng Nghymru.

(2) The Order in Part II of Schedule 3 is amended in accordance with that Part in so far as it applies in Wales.

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

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

20 Gorffennaf 2001

20th July 2001

J. E. Randerson

Ysgrifennydd Cynulliad

Assembly Secretary

20 Gorffennaf 2001

20th July 2001

Alun Michael

Gweinidog Gwladol

Minister of State

ATODLEN 1

SCHEDULE 1

Glanhau a diheintio'r cyfrwng cludo**Cleansing and disinfection of means of transport****Lefel y glanhau a'r diheintio**

1. Rhaid cyflawni pob gwaith glanhau a diheintio er mwyn lleihau'r risg o drosglwyddo clefyd cyn belled ag y bo'n rhesymol ymarferol.

Level of cleansing and disinfection

1. All cleansing and disinfection shall be carried out so as to reduce so far as reasonably practicable the risk of transmission of disease.

Y rhannau o'r cyfrwng cludo y mae angen eu glanhau

2.-(1) Yn achos anifeiliaid nad ydynt yn cael eu cludo mewn cynhwysydd -

- (a) rhaid glanhau'r canlynol p'un a ydynt wedi'u baeddu neu beidio: holl wynebaw mewnol y rhannau hynny o'r cyfrwng cludo y cludir yr anifeiliaid ynddynt, a phob rhan o'r cyfrwng cludo y mae'n bosibl bod yr anifeiliaid wedi cael mynd ati yn ystod y daith; a
- (b) rhaid glanhau'r canlynol os ydynt wedi'u baeddu-
 - (i) unrhyw ffitiadau datodadwy nas defnyddiwyd yn ystod y daith,
 - (ii) unrhyw ran arall o'r cyfrwng cludo,
 - (iii) unrhyw offer a gariwyd yn ystod y daith i'w ddefnyddio gyda'r anifail.

(2) Yn achos anifeiliaid a gludir mewn cynhwysydd, rhaid glanhau'r tu mewn i'r cynhwysydd p'un a yw wedi'i faeddu neu beidio, a rhaid glanhau'r tu allan i'r cynhwysydd ac unrhyw rannau o'r cyfrwng cludo sy'n cario'r cynhwysydd os ydynt wedi'u baeddu.

Parts of the means of transport required to be cleansed

2.-(1) In the case of animals not transported in a container -

- (a) the following shall be cleansed whether or not they are soiled: all the inside surfaces of those parts of the means of transport in which the animals are transported, and all parts of the means of transport to which the animals may have had access during the journey; and
- (b) the following shall be cleansed if they are soiled -
 - (i) any detachable fittings not used during the journey,
 - (ii) any other part of the means of transport,
 - (iii) any equipment carried during the journey for use with the animal.

(2) In the case of animals transported in a container, the interior of the container shall be cleansed whether or not it is soiled, and the exterior of the container and any parts of the means of transport carrying the container shall be cleansed if they are soiled.

Y dull glanhau

3. Rhaid glanhau drwy symud ymaith unrhyw borthiant y mae'r anifeiliaid wedi cael mynd ato, unrhyw welltach, unrhyw garthion ac unrhyw ddeunyddiau eraill sy'n tarddu o anifeiliaid, unrhyw laid ac unrhyw halogion eraill drwy ddefnyddio unrhyw gyfrwng priodol, ac yna eu glanhau â dŵr, stêm neu gyfansoddion cemegol pan fo'n briodol (neu, os bydd angen, unrhyw gyfuniad o'r rhain) nes eu bod yn rhydd o faw.

Method of cleansing

3. Cleansing shall be by removing any feedingstuffs to which the animals have had access, bedding, excreta and other material of animal origin, mud and other contaminants using any appropriate means, and then cleaning with water, steam or where appropriate chemicals compounds (or, if necessary, any combination of these) until free of dirt.

Diheintio ar ôl glanhau

4. Rhaid i bopeth y mae'n ofynnol ei lanhau o dan y Gorchymyn hwn gael ei ddiheintio ar ôl gorffen ei lanhau, drwy ddefnyddio diheintydd a gymeradwyir o dan Orchymyn Clefydau Anifeiliaid (Diheintyddion a Gymeradwywyd) 1978(a) yn ôl y crynodiad sy'n ofynnol o dan y gorchymyn hwnnw ar gyfer "Gorchymynion Cyffredinol".

Disinfection after cleansing

4. Everything required to be cleansed under this Order shall be disinfected after cleansing has been completed, using a disinfectant approved under the Diseases of Animals (Approved Disinfectants) Order 1978(a) at the concentration required under that order for "General Orders".

(a) O.S. 1978/32 fel y'i diwygiwyd gan O.S. 1978/934, O.S. 1997/2347, ac O.S. 2001/641 (Cy.31).

(a) S.I. 1978/32 as amended by S.I. 1978/934, S.I. 1997/2347 and S.I. 2001/641 (W.31).

ATODLEN 2

SCHEDULE 2

Yr amgylchiadau y bydd erthygl 4 yn gymwys odanynt**Taith a wneir o fewn un fenter ffermio**

1. Erthygl 4, yn hytrach nag erthygl 3, fydd yn gymwys os gwneir y daith o fewn un fenter ffermio o dan un berchenogaeth.

Cludo ceffylau penodol

2. Erthygl 4, yn hytrach nag erthygl 3, fydd yn gymwys mewn perthynas â chludo -

- (a) ceffylau a ddefnyddir at ddibenion hamdden neu chwaraeon yn unig; neu
- (b) ceffylau a gedwir mewn stablau a drwyddedir gan Glwb y Jocis yn ôl ac ymlaen i gyfarfodydd rasio, neu yn ôl ac ymlaen i fan lle mae ceffylau sy'n cael eu cadw yn y stablau hynny yn cael eu hyfforddi ar gyfer rasio.

Teithiau rhwng yr un dau bwynt

3.-(1) Erthygl 4, yn hytrach nag erthygl 3, fydd yn gymwys mewn perthynas â chyfrwng cludo sy'n cael ei ddefnyddio, yn ystod un diwrnod, ar gyfer cludo anifeiliaid rhwng yr un dau bwynt yn unig, heblaw rhwng marchnadoedd, ar yr amod bod y cyfrwng cludo yn cael ei lanhau a'i ddiheintio yn unol ag Atodlen 1 o fewn 24 awr ar ôl y daith olaf ar gyfer cludo anifail yn ystod y diwrnod hwnnw, a beth bynnag cyn i'r cyfrwng cludo gael ei ddefnyddio eto mewn cysylltiad â chludo unrhyw anifail neu beth.

- (2) Yn y paragraff hwn mae "taith olaf" yn cynnwys -
 - (a) taith a ddechreuir ond nad yw wedi'i chwblhau cyn hanner nos ar y diwrnod o dan sylw; a
 - (b) yn achos anifail carnog a gariwyd ac sydd wedi bod yn cymryd rhan mewn digwyddiad yn ystod yr hwyr ar y diwrnod hwnnw neu sy'n parhau hyd yr hwyr ar y diwrnod hwnnw, taith a ddechreuir cyn gynted ag y bo'n ymarferol ar ôl diwedd y digwyddiad hwnnw, p'un a yw'n dechrau cyn hanner nos neu beidio.

Dadlwytho dros dro

4. Erthygl 4, yn hytrach nag erthygl 3, fydd yn gymwys yn achos cyfrwng cludo y mae anifeiliaid wedi'u dadlwytho ohono yn unswydd i'w porthi neu i'w dyfrio, neu at ryw ddiben dros dro arall, ac sydd wedyn wedi'u hail-lwytho.

Circumstances in which article 4 applies**Journey made within a single farming enterprise**

1. Article 4, rather than article 3, shall apply if the journey is made within a single farming enterprise in one ownership.

Transport of certain horses

2. Article 4, rather than article 3, shall apply in relation to the transport of -

- (a) horses used for recreational or sporting purposes only; or
- (b) horses kept at stables licensed by the Jockey Club to or from race meetings, or to or from a place at which horses kept at those stables undergo training for racing.

Journeys between the same two points

3.-(1) Article 4, rather than article 3, shall apply in relation to a means of transport which is used exclusively, in the course of a single day, for the transport of animals between the same two points, other than between markets, provided that the means of transport is cleansed and disinfected in accordance with Schedule 1 within 24 hours of the last journey during which an animal is transported during that day, and in any event before the means of transport is used again in connection with the transport of any animal or thing.

- (2) In this paragraph "last journey" includes -
 - (a) a journey begun but not completed before midnight on the day in question; and
 - (b) in the case of a hooved animal carried which has been participating in an event taking place during, or continuing into, the evening of the day in question, a journey commenced as soon as practicable after the end of that event, whether or not it begins before midnight.

Temporary unloading

4. Article 4, rather than article 3, shall apply in the case of a means of transport from which animals have been unloaded solely to be fed or watered, or for some other temporary purpose, and then reloaded.

ATODLEN 3**Rhan 1****Diddymiadau**

Yr offeryn a ddiddymir	Cyfeirnod	Graddau'r diddymu
Gorchymyn Cludo Anifeiliaid 1927	Gorchmynion a Rheolau Statudol 1927/289	Y Gorchymyn cyfan
Gorchymyn y Gweinidog dyddiedig 9 Mai 1927 yn diwygio Gorchymyn Cludo Anifeiliaid 1927	Gorchmynion a Rheolau Statudol 1927/399	Y Gorchymyn cyfan
Gorchymyn Ceffylau (Cludiant Morol) 1952	O.S. 1952/1291	Y Gorchymyn cyfan
Gorchymyn Cludo Anifeiliaid (Ffyrdd a Rheilffyrdd) 1975	O.S. 1975/1024	Erthyglau 15 ac 16 ac Atodlen 3
Gorchymyn Mewnforio Anifeiliaid 1977	O.S. 1977/944	Erthyglau 4(1), 5(6), 5(7), 6 a 15
Gorchymyn Clefydau Dofednod 1994	O.S. 1994/3141	Erthygl 10(2)
Gorchymyn Lles Anifeiliaid (Cludiant) 1997	O.S. 1997/1480	Erthygl 15(2) a Pharagraff 26 o Atodlen 1

SCHEDULE 3**Part I****Revocations**

Instrument revoked	Reference	Extent of revocation
The Transit of Animals Order 1927	SR&O 1927/289	The whole Order
Order of the Minister dated May 9, 1927 amending The Transit of Animals Order 1927	SR&O 1927/399	The whole Order
The Horses (Sea Transport) Order 1952	S.I. 1952/1291	The whole Order
The Transit of Animals (Road and Rail) Order 1975	S.I. 1975/1024	Articles 15 and 16 and Schedule 3
The Importation of Animals Order 1977	S.I. 1977/944	Articles 4(1), 5(6), 5(7), 6 and 15
The Diseases of Poultry Order 1994	S.I. 1994/3141	Article 10(2)
The Welfare of Animals (Transport) Order 1997	S.I. 1997/1480	Article 15(2) and Paragraph 26 of Schedule 1

Rhan II
Diwygiadau

Yng Ngorchymyn Moch (Cofnodion, Adnabod a Symud) 1995 (O.S. 1995/11), yn lle

- (a) amodau 4 a 5 o Atodlen 2,
- (b) amodau 3 a 4 o Atodlen 3,
- (c) amodau 3 a 4 o Atodlen 4,
- (ch) amodau 5 a 6 o Atodlen 5,
- (d) amodau 4 a 5 o Atodlen 6,
- (dd) amodau 5 a 6 o Atodlen 7,

rhoddir ym mhob achos y canlynol -

"Means of transport must be cleansed and disinfected in accordance with the Transport of Animals (Cleansing and Disinfection) (Wales) Order 2001".

Part II
Amendments

In the Pigs (Records, Identification and Movement) Order 1995 (S.I. 1995/11), for

- (a) conditions 4 and 5 of Schedule 2,
- (b) conditions 3 and 4 of Schedule 3,
- (c) conditions 3 and 4 of Schedule 4,
- (d) conditions 5 and 6 of Schedule 5,
- (e) conditions 4 and 5 of Schedule 6,
- (f) conditions 5 and 6 of Schedule 7,

there shall in each case be substituted the following -

"Means of transport must be cleansed and disinfected in accordance with the Transport of Animals (Cleansing and Disinfection) (Wales) Order 2001".

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