CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2007 Rhif 843 (Cy.75)

BWYD, CYMRU

Rheoliadau Cig (Ffioedd Rheolaethau Swyddogol) (Cymru) 2007

NODYN ESBONIADOL

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

1. Mae'r Rheoliadau hyn yn gymwys o ran Cymru. Maent yn dirymu ac yn disodli Rheoliadau Cig (Rheolaethau Swyddogol) (Ffioedd) (Cymru) 2006 (O.S. 2006/3245 (Cy.293)).

2. Mae'r Rheoliadau hyn yn darparu ar gyfer gweithredu a gorfodi mewn perthynas â Chymru Erthyglau 26 a 27 o Reoliad (EC) Rhif 882/2004 Senedd Ewrop a'r Cyngor ar reolaethau swyddogol a gyflawnir i sicrhau bod cydymffurfedd â'r gyfraith ynglŷn â bwyd anifeiliaid a bwyd, rheolau iechyd anifeiliaid a rheolau lles anifeiliaid yn cael ei wirhau (OJ Rhif L165, 30.4.2004, t.1; mae testun diwygiedig Rheoliad (EC) Rhif 882/2004 bellach wedi ei osod mewn Corigendwm, OJ Rhif L191, 28.5.2004, t.1), i'r graddau y mae'r darpariaethau hynny'n ei gwneud yn ofynnol i ffioedd gael eu casglu i dalu'r costau sy'n cael eu peri gan reolaethau swyddogol a gyflawnir, yn gyntaf, ar gig carnolion domestig, cig o ddofednod a lagomorffiaid, cig anifeiliaid hela a ffermir a chig anifeiliaid hela gwyllt o dan Reoliad (EC) Rhif 854/2004 Senedd Ewrop a'r Cyngor yn gosod rheolau penodol ar gyfer trefnu rheolaethau swyddogol ar gynhyrchion sy'n tarddu o anifeiliaid ac a fwriedir ar gyfer eu bwyta gan bobl (OJ L139, 30.4.2004, t.206; mae testun diwygiedig Rheoliad (EC) Rhif 854/2004 bellach wedi ei osod mewn Corigendwm, OJ Rhif L226, 25.6.2004, t.83) ac yn ail, i wirhau cydymffurfedd â'r rheolau lles anifeiliaid a nodir yng Nghyfarwyddeb y Cyngor 93/119/EC (OJ Rhif L340, 31.12.93, t.21) i'r graddau y maent yn gymwys o ran anifeiliaid a gigyddir mewn lladd-dai ar gyfer eu bwyta gan bobl.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2006 No. 843 (W.75)

FOOD, WALES

The Meat (Official Controls Charges) (Wales) Regulations 2007

EXPLANATORY NOTE

(This note is not part of the Regulations)

1.These Regulations apply in relation to Wales. They revoke and replace the Meat (Official Controls Charges) (Wales) Regulations 2006 (S.I. 2006/3245 (W.293)).

2. These Regulations provide for the execution and enforcement in relation to Wales of Articles 26 and 27 of Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ No. L165, 30.4.2004, p.1; the revised text of Regulation (EC) No. 882/2004 is now set out in a Corrigendum, OJ No. L191, 28.5.2004, p.1), in so far as those provisions require fees to be collected to cover the costs occasioned by official controls performed, first, on meat of domestic ungulates, meat from poultry and lagomorphs, meat of farmed game and meat of wild game under Regulation (EC) No. 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption (OJ L139, 30.4.2004, p.206; the revised text of Regulation (EC) No. 854/2004 is now set out in a Corrigendum, OJ No. L226, 25.6.2004, p.83) and, second, to verify compliance with the animal welfare rules set out in Council Directive 93/119/EC (OJ No. L340, 31.12.93, p.21) in so far as they apply in relation to animals slaughtered for human consumption at slaughterhouses.

3. Mae'r Rheoliadau hyn -

(a) yn ei gwneud yn ofynnol i'r Asiantaeth hysbysu gweithredydd pob lladd-dy, sefydliad trin anifeiliaid hela a safle torri lle'r arferwyd rheolaethau swyddogol ar y ffi sydd bellach i'w chodi o ran y rheolaethau swyddogol hynny (diffinnir y termau "lladd-dy", "sefydliad trin anifeiliaid hela", "safle torri", "rheolaethau swyddogol" a "ffi rheolaethau swyddogol" oll yn rheoliad 2) (rheoliad 3);

(b) yn darparu bod unrhyw ffi rheolaethau swyddogol a hysbysir yn y modd hwnnw yn daladwy gan y gweithredydd i'r Asiantaeth pan hawlir hi (rheoliad 3);

(c) yn caniatáu i'r Asiantaeth wrthod arfer unrhyw reolaethau swyddogol eraill mewn mangre benodol, er gwaethaf gorchymyn Llys yn ei gwneud yn ofynnol i weithredydd y fangre dalu ffi rheolaethau swyddogol y mae'n atebol amdani, os yw'r gweithredydd yn methu cydymffurfio â'r gorchymyn (rheoliad 4);

(ch) yn ei gwneud yn ofynnol i bersonau-

(i) rhoi i'r Asiantaeth ar hawliad yr wybodaeth honno y caiff yn rhesymol ei gwneud yn ofynnol er mwyn cyfrifo'r ffi rheolaethau swyddogol neu hysbysu'r gweithredydd ohoni, a

(ii) rhoi i'r Asiantaeth ar hawliad unrhyw wybodaeth y mae'n rhesymol iddi fynnu ei chael i wirhau'r wybodaeth honno (rheoliad 5);

yn darparu bod person sydd -

(i) wrth ymateb i hawliad am wybodaeth neu dystiolaeth, yn rhoi gwybodaeth dwyllodrus neu gamarweiniol gan wybod hynny neu'n ei rhoi'n ddi-hid, neu

(ii) heb esgus rhesymol, yn methu â chydymffurfio o fewn cyfnod rhesymol â hawliad a wnaed am wybodaeth neu dystiolaeth,

yn euog o dramgwydd (rheoliad 5);

4. Mae Atodlen 2 i'r Rheoliadau hyn yn nodi sut y mae'r ffi'r rheolaethau swyddogol i'w chyfrifo.

5. Mae arfarniad rheoliadol am yr effaith a gaiff y Rheoliadau hyn ar gostau busnes wedi'i baratoi a'i roi yn llyfrgell Cynulliad Cenedlaethol Cymru. Gellir cael copïau oddi wrth yr Asiantaeth Safonau Bwyd, Llawr 11, Southgate House, Wood Street, Caerdydd CF10 1EW.

3. These Regulations -

(a) require the Agency to notify the operator of each slaughterhouse, game-handling establishment and cutting plant in which official controls have been exercised of the official controls charge that has arisen in relation to those officials controls (the terms "slaughterhouse", "game-handling establishment", "cutting plant", "official controls" and "official controls charge" are all defined in regulation 2) (regulation 3);

(b) provide that any official controls charge so notified is payable by the operator to the Agency on demand (regulation 3);

(c) allow the Agency to refuse to exercise any further official controls at given premises where, despite a Court order requiring the operator of the premises to pay the official controls charge for which the operator is liable, the operator fails to comply with the order (regulation 4);

(d) require persons -

(i) to supply the Agency on demand with such information as it may reasonably require for the purpose of calculating the official controls charge or notifying the operator of it, and

(ii) to supply the Agency on demand with such evidence as it may reasonably require to verify that information (regulation 5);

(e) provide that a person who -

(i) in response to a demand for information or evidence, knowingly or recklessly furnishes false or misleading information, or

(ii) without reasonable excuse, fails to comply within a reasonable time with a demand for information or evidence,

is guilty of an offence (regulation 5).

4. Schedule 2 to these Regulations sets out how the official controls charge is to be calculated.

5. A regulatory appraisal on the effect that these Regulations will have on the costs of business has been prepared and placed in the library of the National Assembly for Wales. Copies may be obtained from the Food Standards Agency, 11th Floor, Southgate House, Wood Street, Cardiff CF10 1EW.

OFFERYNNAU STATUDOL

2007 Rhif 843 (Cy.75)

BWYD, CYMRU

Rheoliadau Cig (Ffioedd Rheolaethau Swyddogol) (Cymru) 2007

Wedi'u gwneud	*13 Mawrth 2007*
Yn dod i rym	*26 Mawrth 2007*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd gan adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(**1**).

Mae Cynulliad Cenedlaethol Cymru wedi'i ddynodi(**2**) at ddibenion yr adran honno ynghylch mesurau sy'n ymwneud â bwyd (gan gynnwys diod) gan gynnwys cynhyrchu sylfaenol o ran bwyd.

Fel sy'n ofynnol gan Erthygl 9 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor, sy'n gosod egwyddorion a gofynion cyffredinol cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn gosod gweithdrefnau o ran materion diogelwch bwyd(**3**) fel y diwygiwyd y Rheoliad hwnnw ddiwethaf gan Reoliad (EC) Rhif 1642/2003 Senedd Ewrop a'r Cyngor yn diwygio Rheoliad (EC) Rhif 178/2002 sy'n gosod egwyddorion a gofynion cyffredinol cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn gosod gweithdrefnau o ran materion diogelwch bwyd(**4**) cafwyd ymgynghoriad cyhoeddus agored a thryloyw tra oedd y Rheoliadau canlynol yn cael eu llunio.

Enwi, cymhwyso a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Cig (Ffioedd Rheolaethau Swyddogol) (Cymru) 2007, maent yn gymwys o ran Cymru a deuant i rym ar 26 Mawrth 2007.

(**1**) 1972 p.68.

(**2**) O.S. 2005/1971.

(**3**) OJ Rhif L31, 1.2.2002, t.1.

(**4**) OJ Rhif L245, 29.9.2003, t.4.

STATUTORY INSTRUMENTS

2006 No. 843 (W.75)

FOOD, WALES

The Meat (Official Controls Charges) (Wales) Regulations 2007

Made	*13 March 2007*
Coming into force	*26 March 2007*

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(**1**).

The National Assembly for Wales has been designated(**2**) for the purposes of that section in relation to measures relating to food (including drink) including the primary production of food.

As required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(**3**) as last amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council amending Regulation (EC) No. 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(**4**) there has been open and transparent public consultation during the preparation of the following Regulations.

Title, application and commencement

1. The title of these Regulations is the Meat (Official Controls Charges) (Wales) Regulations 2007, they apply in relation to Wales and come into force on 26 March 2007.

(**1**) 1972 c.68.

(**2**) S.I. 2005/1971.

(**3**) OJ No. L31, 1.2.2002, p.1.

(**4**) OJ No. L245, 29.9.2003, p.4.

Dehongli

2. Yn y Rheoliadau hyn -

mae i "anifeiliaid hela" yr ystyr a roddir i "*game*" yn Rheoliad 853/2004;

mae i "anifeiliaid hela a ffermir" yr ystyr a roddir i "*farmed game*" ym mhwynt 1.6 o Atodiad I i Reoliad 853/2004;

mae i "anifeiliaid hela gwyllt" yr ystyr a roddir i "*wild game*" ym mhwynt 1.5 o Atodiad I i Reoliad 853/2004;

ystyr "yr Asiantaeth" ("*the Agency*") yw'r Asiantaeth Safonau Bwyd;

mae i "carnolion domestig" yr ystyr a roddir i "*domestic ungulates*" ym mhwynt 1.2 o atodiad I i Reoliadau 853/2004;

mae i "cig" yr ystyr a roddir i "*meat*" ym mhwynt 1.1 o Atodiad I i Reoliad 853/2004;

mae i "cig anifeiliaid hela" yr ystyr a roddir i "*game meat*" yn Rheoliad 853/2004;

mae i "cig ffres" yr ystyr a roddir i "*fresh meat*" ym mhwynt 1.10 o Atodiad I i Reoliad 853/2004;

ystyr "costau staff lladd-dy a gytunwyd" ("*agreed slaughterhouse staff costs*") o ran unrhyw ladd-dy lle cigyddir dofednod neu lagomorffiaid yw-

(a) y gyfran (a fynegir fel swm o arian) o gyflogau (gan gynnwys taliadau goramser a chyfraniadau pensiwn ac Yswiriant Gwladol y cyflogwyr) a delir i staff y lladd-dy hwnnw o ran cyfnod cyfrifyddu y bydd yr Asiantaeth honno a gweithredydd y lladd-dy yn cytuno arni fel y gyfran y gellir ei phriodoli i unrhyw staff o'r fath sy'n cynorthwyo gyda rheolaethau swyddogol drwy gyflawni tasgau penodol yno yn ystod y cyfnod hwnnw o dan Erthygl 5.6 o Reoliad 854/2004; plws

(b) 25% o'r swm hwnnw;

mae i "Cyfarwyddeb 2004/41" ("*Directive 2004/41*"), "Rheoliad 178/2002" ("*Regulation 178/2002*"), "Rheoliad 852/2004" ("*Regulation 852/2004*"), "Rheoliad 853/2004" ("*Regulation 853/2004*"), "Rheoliad 854/2004" ("*Regulation 854/2004*"), "Rheoliad 882/2004" ("*Regulation 882/2004*"), "Rheoliad 1688/2005" ("*Regulation 1688/2005*"), "Rheoliad 2073/2005" ("*Regulation 2073/2005*"), "Rheoliad 2074/2005" ("*Regulation 2074/2005*"), "Rheoliad 2075/2005" ("*Regulation 2075/2005*") a "Rheoliad 2076/2005" ("*Regulation 2076/2005*") yr ystyr a roddir iddynt yn eu trefn yn Atodlen 1;

Interpretation

2. In these Regulations -

"accounting period"("*cyfnod cyfrifyddu*") means a period of less than a year determined by the Agency;

"the Agency"("*yr Asiantaeth*") means the Food Standards Agency;

"agreed slaughterhouse staff costs" ("*costau staff lladd-dy a gytunwyd*") means, in respect of any slaughterhouse at which poultry or lagomorphs are slaughtered -

(a) the proportion (expressed as a sum of money) of the salaries (including overtime payments and employers' pension and National Insurance contributions) paid to the staff at that slaughterhouse in respect of an accounting period that the Agency and the operator of the slaughterhouse may agree as being attributable to any such staff assisting with official controls by carrying out certain tasks there during that period under Article 5.6 of Regulation 854/2004; plus

(b) 25% of that sum;

"cutting plant" ("*safle torri*") means an establishment which is used for boning and/or cutting up fresh meat for placing on the market and which -

(f) is approved or conditionally approved under Article 31.2 of Regulation 882/2004; or

(g) (although lacking the approval or conditional approval that it requires under Article 4.3 of Regulation 853/2004) was, on 31 December 2005, operating as licensed cutting premises under the Fresh Meat (Hygiene and Inspection) Regulations 1995(**1**) or the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995(**2**);

"cutting up" ("*torri*") has the meaning that it bears in Regulation 853/2004 and "cut up" is construed accordingly;

"Directive 2004/41" ("*Cyfarwyddeb 2004/41*"), "Regulation 178/2002" ("*Rheoliad 178/2002*"), "Regulation 852/2004" ("*Rheoliad 852/2004*"), "Regulation 853/2004" ("*Rheoliad 853/2004*"), "Regulation 854/2004" ("*Rheoliad 854/2004*"), "Regulation 882/2004" ("*Rheoliad 882/2004*"), "Regulation 1688/2005" ("*Rheoliad 1688/2005*"), "Regulation 2073/2005" ("*Rheoliad 2073/2005*"), "Regulation 2074/2005" ("*Rheoliad 2074/2005*"), "Regulation 2075/2005" ("*Rheoliad 2075/2005*"), "Regulation 2076/2005" ("*Rheoliad 2076/2005*")

(**1**) S.I. 1995/539, revoked with effect from 1st January 2006 by S.I. 2005/3292 (W.252).

(**2**) S.I. 1995/540, revoked with effect from 1st January 2006 by S.I 2005/3292 (W.252)

ystyr "cyfnod cyfrifyddu" ("*accounting period*") yw cyfnod sy'n llai na blwyddyn y penderfynir arno gan yr Asiantaeth;

ystyr "cyfraniadau yswiriant gwladol cyflogwyr" ("*employers' National Insurance contributions*") yw'r cyfraniadau nawdd cymdeithasol hynny y mae cyflogwyr yn atebol amdanynt o dan Ran I o Ddeddf Cyfraniadau a Budd-daliadau Nawdd Cymdeithasol 1992(**1**);

mae i "dofednod" yr ystyr a roddir i "*poultry*" ym mhwynt 1.3 o Atodiad I i Reoliad 853/2004;

ystyr "ffi rheolaethau swyddogol" ("*official controls charge*") yw'r ffi a gyfrifir yn unol ag Atodlen 2 ac a hysbysir yn unol â rheoliad 3(1), (2) neu (3);

ystyr "gweithredydd" ("*operator*") yw gweithredydd busnes bwyd sy'n rhedeg busnes lladd-dy, sefydliad trin anifeiliaid hela neu safle torri neu gynrychiolydd y gweithredydd a awdurdodwyd yn briodol;

mae i "gweithredydd busnes bwyd" yr ystyr a roddir i "*food business operator*" yn Erthygl 3.3 o Reoliad 178/2002;

ystyr "gwirhau" ("*verification*") yw gwirio, drwy archwilio a darparu tystiolaeth wrthrychol;

mae i "lagomorffiaid" yr ystyr a roddir i "*lagomorphs*" ym mhwynt 1.4 o Atodiad I i Reoliad 853/2004;

ystyr "lladd-dy" ("*slaughterhouse*") yw sefydliad a ddefnyddir i gigydda a thrin anifeiliaid, y mae eu cig wedi'i fwriadu ar gyfer ei fwyta gan bobl ac sydd -

(a) wedi'i gymeradwyo neu wedi'i gymeradwyo'n amodol o dan Erthygl 31.2 o Reoliad 882/2004; neu

(b) (er nad oes ganddo'r gymeradwyaeth neu'r gymeradwyaeth amodol sy'n ofynnol o dan Erthygl 4.3 o Reoliad 853/2004) a oedd, ar 31 Rhagfyr 2005, yn gweithredu fel lladd-dy trwyddedig o dan Reoliadau Cig Ffres (Hylendid ac Arolygu) 1995(**2**) neu Reoliadau Cig Dofednod, Cig Adar Hela a Ffermir a Chig Cwningod (Hylendid ac Arolygu) 1995(**3**);

ystyr "mangre" ("*premises*") yw unrhyw ladd-dy, sefydliad trin anifeiliaid hela neu safle torri;

ystyr "rheolaethau swyddogol" ("*official controls*") yw'r rheolaethau y mae'r Asiantaeth yn eu cyflawni o dan Reoliad 854/2004 -

(a) mewn lladd-dai, sefydliadau trin anifeiliaid

(**1**) 1992 p. 4.

(**2**) O.S. 1995/539, a ddirymwyd gydag effaith o 1 Ionawr 2006 gan O.S. 2005/3292.

(**3**) O.S. 1995/539, a ddirymwyd gydag effaith o 1 Ionawr 2006 gan O.S. 2005/3292.

have the meanings respectively given to them in Schedule 1;

"domestic ungulates" ("*carnolion domestig*")has the meaning given to it in point 1.2 of annex I to Regulations 853/2004;

"employers' National Insurance contributions" ("*cyfraniadau yswiriant gwladol cyflogwyr*") means those social security contributions for which employers are liable under Part I of the Social Security Contributions and Benefits Act 1992(**1**);

"establishment" ("*sefydliad*") has the meaning given to it in Article 2.1(c) of Regulation 852/2004;

"farmed game" ("*anifeiliaid hela a ffermir*") has the meaning given to it in point 1.6 of Annex I to Regulation 853/2004;

"food business operator" ("*gweithredydd busnes bwyd*") has the meaning given to it in Article 3.3 of Regulation 178/2002;

"fresh meat" ("*cig ffres*") has the meaning given to it in point 1.10 of Annex I to Regulation 853/2004;

"game" ("*anifeiliaid hela*") has the meaning that it bears in Regulation 853/2004;

"game-handling establishment" ("*sefydliad trin anifeiliaid hela*") means any establishment in which game and game meat obtained after hunting are prepared for placing on the market and which -

(a) is approved or conditionally approved under Article 31.2 of Regulation 882/2004; or

(b) (although lacking the approval or conditional approval that it requires under Article 4.3 of Regulation 853/2004) was, on 31 December 2005, operating as a licensed wild game processing facility under the Wild Game (Hygiene and Inspection) Regulations 1995(**2**);

"game meat" ("*cig anifeiliaid hela*") has the meaning that it bears in Regulation 853/2004;

"lagomorphs" ("*lagomorffiaid*") has the meaning given to it in point 1.4 of Annex I to Regulation 853/2004;

"meat" ("*cig*") has the meaning given to it in point 1.1 of Annex I to Regulation 853/2004;

"official controls" ("*rheolaethau swyddogol*") means the controls that the Agency performs under Regulation 854/2004 -

(a) at slaughterhouses, game-handling establishments and cutting plants, for the

(**1**) 1992 c. 4.

(**2**) S.I. 1995/2148, revoked with effect from 1 January 2006 by S.I. 2005/3292 (W.252).

hela a safleoedd torri, er mwyn gwirhau cydymffurfedd â darpariaethau Rheoliad 853/2004 i'r graddau y mae'r darpariaethau hynny'n gymwys o ran cig carnolion domestig, cig o ddofednod a lagomorffiaid, cig anifeiliaid hela a ffermir neu, yn ôl y digwydd, cig anifeiliaid hela gwyllt; a

(b) mewn lladd-dai, er mwyn gwirhau cydymffurfedd â darpariaethau Rheoliadau Lles Anifeiliaid (Cigydda neu Ladd) 1995(**1**) i'r graddau y maent yn gymwys o ran anifeiliaid a gigyddir yno ar gyfer eu bwyta gan bobl;

mae i "rhoi ar y farchnad" yr ystyr a roddir i "*placing on the market*" yn Erthygl 3.8 o Reoliad 178/2002;

ystyr "safle torri" ("*cutting plant*") yw sefydliad a ddefnyddir ar gyfer tynnu esgyrn a/neu dorri cig ffres er mwyn ei roi ar y farchnad ac sydd -

(a) sydd wedi'i gymeradwyo neu wedi'i gymeradwyo'n amodol o dan Erthygl 31.2 o Reoliad 882/2004; neu

(b) a oedd (er ei fod heb y gymeradwyaeth neu'r gymeradwyaeth amodol y mae ei hangen arno o dan erthygl 4.3 o Reoliad 853/2004) yn gweithredu ar 31 Rhagfyr 2005 fel mangre dorri drwyddedig o dan Reoliadau Cig Ffres (Hylendid ac Arolygu) 1995 neu Reoliadau Cig Dofednod, Cig Adar Hela a Ffermir a Chig Cwningod (Hylendid ac Arolygu) 1995;

mae i "sefydliad" yr ystyr a roddir i "*establishment*" ym mharagraff 2.1(c) o Reoliad 852/2004;

ystyr "sefydliad trin anifeiliaid hela" ("*game-handling establishment*") yw unrhyw sefydliad lle caiff anifeiliaid hela a chig anifeiliaid hela a geir ar ôl hela eu paratoi i'w rhoi ar y farchnad ac -

(a) sydd wedi'i gymeradwyo neu wedi'i gymeradwyo'n amodol o dan Erthygl 31.2 o Reoliad 882/2004; neu

(b) (er nad oes ganddo'r gymeradwyaeth neu'r gymeradwyaeth amodol sy'n ofynnol o dan Erthygl 4.3 o Reoliad 853/2004) a oedd, ar 31 Rhagfyr 2005, yn gweithredu fel cyfleuster prosesu anifeiliaid hela gwyllt trwyddedig o dan Reoliadau Cig Anifeiliaid Hela Gwyllt (Hylendid ac Arolygu) 1995(**2**); ac

mae i "torri" yr ystyr a roddir i "*cutting up*" yn Rheoliad 853/2004.

(**1**) O.S. 1995/731, fel y'i diwygiwyd gan O.S. 1999/400, O.S. 1999/1820, O.S. 2000/656, O.S. 2000/3352, O.S. 2001/447, O.S. 2001/3830 ac O.S. 2003/3272.

(**2**) O.S. 1995/2148, a ddirymwyd o 1 Ionawr 2006 ymlaen gan O.S. 2005/2059.

verification of compliance with the provisions of Regulation 853/2004 in so far as they apply in relation to meat of domestic ungulates, meat from poultry and lagomorphs, meat of farmed game or as the case may be meat of wild game; and

(b) at slaughterhouses, for the verification of compliance with the provisions of the Welfare of Animals (Slaughter or Killing) Regulations 1995(**1**) insofar as they apply in relation to animals slaughtered for human consumption there;

"official controls charge" ("*ffi rheolaethau swyddogol*") means the charge calculated in accordance with Schedule 2 and notified in accordance with regulation 3(1), (2) or (3);

"operator" ("*gweithredydd*") means a food business operator who is carrying on the business of a slaughterhouse, game-handling establishment or cutting plant or his or her duly authorised representative;

"placing on the market" ("*rhoi ar y farchnad*") has the meaning given to it in Article 3.8 of Regulation 178/2002;

"poultry" ("*dofednod*") has the meaning given to it in point 1.3 of Annex I to Regulation 853/2004;

"premises" ("*mangre*") means any slaughterhouse, game-handling establishment or cutting plant;

"slaughterhouse" ("*lladd-dy*") means an establishment used for slaughtering and dressing animals, the meat of which is intended for human consumption and which -

(a) is approved or conditionally approved under Article 31.2 of Regulation 882/2004; or

(b) (although lacking the approval or conditional approval that it requires under Article 4.3 of Regulation 853/2004) was, on 31 December 2005, operating as a licensed slaughterhouse under the Fresh Meat (Hygiene and Inspection) Regulations 1995 or the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995;

"verification" ("*gwirhau*") means checking, by examination and provision of objective evidence; and

"wild game" ("*anifeiliaid hela gwyllt*") has the meaning given to it in point 1.5 of Annex I to Regulation 853/2004.

(**1**) S.I. 1995/731, amended by S.I. 1999/400, S.I. 1999/1820 and S.I. 2000/656

Ffioedd

3.-(1) Rhaid i'r Asiantaeth, yn ddarostyngedig i ddarpariaethau canlynol y rheoliad hwn, hysbysu gweithredydd pob lladd-dy, sefydliad trin anifeiliaid hela a safle torri lle'r arferwyd rheolaethau swyddogol mewn unrhyw gyfnod cyfrifyddu o ffi rheolaethau swyddogol o ran y rheolaethau swyddogol hynny cyn gynted â phosibl ar ôl diwedd y cyfnod hwnnw.

(2) Os nad yw'r Asiantaeth yn gallu cydymffurfio â pharagraff (1) am nad oes digon o wybodaeth ar gael iddi i'w galluogi i gyfrifo'r ffi rheolaethau swyddogol ar gyfer unrhyw gyfnod cyfrifyddu o ran unrhyw fangre o'r fath a bennir yn y paragraff hwnnw, rhaid iddi hysbysu gweithredydd y fangre honno o ffi interim, sef y swm y mae'r Asiantaeth yn ei amcangyfrif (gan ystyried yr wybodaeth sydd ganddi) yw'r ffi rheolaethau swyddogol.

(3) Os yw'r Asiantaeth wedi hysbysu gweithredydd o ffi interim yn unol â pharagraff (2), a bod gwybodaeth ddigonol yn dod ar gael i'r Asiantaeth gyfrifo'r ffi rheolaethau swyddogol, rhaid iddi gyfrifo'r ffi honno ac-

(a) os yw'n fwy na'r ffi interim, rhaid iddi hysbysu'r gweithredydd o'r ffi derfynol, sef y swm y mae'r ffi rheolaethau swyddogol yn fwy na'r ffi interim; neu

(b) yn ddarostyngedig i baragraff (6), os yw'n llai na'r ffi interim, rhaid iddi roi credyd i'r gweithredydd o'r swm y mae'r ffi interim yn fwy na'r ffi rheolaethau swyddogol.

(4) Mae unrhyw ffi a hysbysir i weithredydd o dan baragraff (1), (2) neu (3) yn daladwy gan y gweithredydd i'r Asiantaeth pan hawlir hi.

(5) Os cafodd unrhyw gostau staff lladd-dy a gytunwyd eu defnyddio i gyfrifo ffi y mae angen ei hysbysu i weithredydd o dan baragraff (1), (2) neu (3), rhaid gwrthgyfrifo'r costau hynny yn erbyn swm y ffi honno wrth gyfrifo'r ffi wirioneddol a hysbysir oddi tano, ar yr amod na wneir ad-daliad i'r gweithredydd perthnasol.

(6) Os yw swm o dan baragraff (3)(b) i gael ei gredydu i weithredydd, caiff yr Asiantaeth, os yw'n penderfynu gwneud hynny, dalu'r cyfryw swm i'r gweithredydd o dan sylw yn hytrach na'i gredydu i'r gweithredydd.

Tynnu rheolaethau swyddogol yn ôl

4. Os cafodd yr Asiantaeth ddyfarniad wedi'i gofnodi yn erbyn gweithredydd unrhyw fangre am unrhyw swm sy'n daladwy o dan reoliad 3(4) ac os yw'r gweithredydd yn methu â bodloni'r dyfarniad o fewn cyfnod rhesymol wedyn, caniateir i'r Asiantaeth (ni waeth beth fo unrhyw rwymedi cyfreithiol arall sydd yn agored iddi) wrthod arfer unrhyw reolaethau swyddogol pellach yn y fangre honno hyd nes y bodlonir y dyfarniad.

Charges

3.-(1) The Agency must, subject to the following provisions of this regulation, notify the operator of each slaughterhouse, game-handling establishment and cutting plant in which official controls have been exercised in any accounting period of an official controls charge in respect of those official controls as soon as practicable after the end of that period.

(2) Where the Agency cannot comply with paragraph (1) because it has insufficient information available to it to enable it to calculate the official controls charge for any accounting period in respect of any such premises as are specified in that paragraph, it must notify the operator of those premises of an interim charge, being such amount as the Agency estimates (having regard to the information it has) the official controls charge to be.

(3) Where the Agency has notified an operator of an interim charge in accordance with paragraph (2), and sufficient information becomes available to the Agency to calculate the official controls charge, it must calculate that charge and -

(a) where it exceeds the interim charge, notify the operator of the final charge, being the amount by which the official controls charge exceeds the interim charge; or

(b) subject to paragraph (6), where it is less than the interim charge, credit to the operator the amount by which the interim charge exceeds the official controls charge.

(4) Any charge notified to an operator under paragraph (1), (2) or (3) is payable by the operator to the Agency on demand.

(5) Where any agreed slaughterhouse staff costs have been used to calculate a charge falling to be notified under paragraph (1), (2) or (3), those costs must be set off against the amount of that charge in calculating the actual charge notified thereunder, provided that no refund may be made to the relevant operator.

(6) Where under paragraph (3)(b) a sum is to be credited to an operator, the Agency may if it so determines pay such sum to the operator concerned instead of crediting it to the operator.

Withdrawal of official controls

4. Where the Agency has had judgment entered against an operator of any premises for any sum which is payable to it under regulation 3(4) and the operator fails within a reasonable time thereafter to satisfy the judgment, the Agency may (regardless of any other legal remedy open to it) refuse to exercise any further official controls at those premises until the judgment has been satisfied.

Gwybodaeth

5.-(1) Rhaid i unrhyw berson pan hawlir hynny gan yr Asiantaeth, roi-

(a) unrhyw wybodaeth y mae'n rhesymol i'r Asiantaeth fynnu ei chael er mwyn cyfrifo'r ffi rheolaethau swyddogol neu hysbysu gweithredydd ohoni; a

(b) unrhyw dystiolaeth y mae'n rhesymol i'r Asiantaeth fynnu ei chael i'w galluogi i wirhau gwybodaeth a roddwyd iddi o dan is-baragraff (a).

(2) Bydd unrhyw berson sydd -

(a) gan honni ei fod yn cydymffurfio â pharagraff (1), yn rhoi gwybodaeth sy'n dwyllodrus neu'n gamarweiniol mewn manylyn o bwys gan wybod hynny neu sy'n ei rhoi'n ddi-hud; neu

(b) heb esgus rhesymol, yn methu â chydymffurfio o fewn cyfnod rhesymol â hawliad a wnaed o dan y paragraff hwnnw,

yn euog o dramgwydd a bydd yn atebol ar gollfarn ddiannod i ddirwy nad yw'n uwch na lefel 5 ar y raddfa safonol.

Dirymu

6. Mae Rheoliadau Cig (Rheolaethau Swyddogol) (Ffioedd) (Cymru) 2006(**1**) wedi'u dirymu.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**2**)

13 Mawrth 2007

Llywydd y Cynulliad Cenedlaethol

Information

5.-(1) Any person must, on demand being made by the Agency, supply -

(a) such information as the Agency may reasonably require for the purpose of calculating the official controls charge or notifying an operator of it; and

(b) such evidence as the Agency may reasonably require to enable it to verify information supplied under sub-paragraph (a).

(2) Any person who -

(a) in purported compliance with paragraph (1), knowingly or recklessly furnishes information which is false or misleading in a material particular; or

(b) without reasonable excuse, fails to comply within a reasonable time with a demand made under that paragraph,

is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Revocation

6. The Meat (Official Controls Charges) (Wales) Regulations 2005(**1**) are revoked.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**2**)

13 March 2007

D. Elis-Thomas

The Presiding Officer of the National Assembly

(**1**) O.S. 2006/3245 (Cy.293).

(**2**) 1998 p.38.

(**1**) S.I. 2006/3245 (W.293).

(**2**) 1998 c.38.

ATODLEN 1

Rheoliad 2(1)

DIFFINIADAU O DDEDDFWRIAETH GYMUNEDOL

Ystyr "Cyfarwyddeb 2004/41" ("*Directive 2004/41*") yw Cyfarwyddeb 2004/41/EC Senedd Ewrop a'r Cyngor sy'n diddymu cyfarwyddebau penodol ynglŷn â hylendid bwyd ac amodau iechyd ar gyfer cynhyrchu a rhoi ar y farchnad gynhyrchion penodol sy'n dod o anifeiliaid ac a fwriedir i'w bwyta gan bobl ac sy'n diwygio Cyfarwyddebau'r Cyngor 89/662/EEC a 92/118/EEC a Phenderfyniad y Cyngor 95/408/EC(**1**);

ystyr "Rheoliad 178/2002" ("*Regulation 178/2002*") yw Rheoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor, sy'n gosod egwyddorion a gofynion cyffredinol cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn gosod gweithdrefnau o ran materion diogelwch bwyd(**2**);

ystyr "Rheoliad 852/2004" ("*Regulation 852/2004*") yw Rheoliad (EC) Rhif 852/2004 Senedd Ewrop a'r Cyngor ar hylendid deunyddiau bwyd(**3**), fel y'i darllenir gyda Rheoliad 2073/2005;

ystyr "Rheoliad 853/2004" ("*Regulation 853/2004*") yw Rheoliad (EC) Rhif 853/2004 Senedd Ewrop a'r Cyngor sy'n gosod rheolau hylendid penodol ar gyfer bwyd sy'n dod o anifeiliaid(**4**), fel y'i darllenir gyda Chyfarwyddeb 2004/41, Rheoliad 1688/2005, Rheoliad 2074/2005 a Rheoliad 2076/2005;

ystyr "Rheoliad 854/2004" ("*Regulation 854/2004*") yw Rheoliad (EC) Rhif 854/2004

(**1**) OJ Rhif L157, 30.4.2004, t.33. Mae testun diwygiedig Cyfarwyddeb 2004/41/EC wedi'i osod bellach mewn Corigendwm (OJ RhifL195, 2.6.2004, t.12).

(**2**) OJ Rhif L31, 1.2.2002, t.1.

(**3**) OJ Rhif L139, 30.4.2004, t.1. Mae testun diwygiedig Rheoliad (EC) Rhif852/2004 wedi'i osod bellach mewn Corigendwm (OJ RhifL226, 25.6.2004, t.3).

(**4**) OJ Rhif L139, 30.4.2004, t.55. Mae testun diwygiedig Rheoliad (EC) Rhif853/2004 wedi'i osod bellach mewn Corigendwm (OJ RhifL226, 25.6.2004, t.22). Diwygiwyd Rheoliad (EC) Rhif 853/2004 ddiwethaf adeg gwneud yr offeryn hwn gan Reoliad y Cyngor (EC) Rhif 1791/2006 sy'n addasu Rheoliadau a Phenderfyniadau penodol ym meysydd symud rhydd ar nwyddau, rhyddid i bobl symud, cyfraith cwmnïau, polisi cystadlu, amaethyddiaeth (gan gynnwys deddfwriaeth filfeddygol a ffytoiechydol), polisi trafnidiaeth, treth, ystadegau, ynni, yr amgylchedd, cydweithredu ym meysydd cyfiawnder a materion cartref, undeb tollau, cysylltiadau allanol, polisïau tramor a diogelwch cyffredin a sefydliadau, oherwydd ymaelodaeth Bwlgaria a Romania (OJ Rhif L363, 20.12.2006, p.1.).

SCHEDULE 1

Regulation 2(1)

DEFINITIONS OF COMMUNITY LEGISLATION

"Directive 2004/41" ("*Cyfarwyddeb 2004/41*") means Directive 2004/41/EC of the European Parliament and of the Council repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC(**1**);

"Regulation 178/2002" ("*Rheoliad 178/2002*") means Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(**2**);

"Regulation 852/2004" ("*Rheoliad 852/2004*") means Regulation (EC) No. 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs(**3**) as read with Regulation 2073/2005;

"Regulation 853/2004" ("*Rheoliad 853/2004*") means Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin(**4**) as read with Directive 2004/41, Regulation 1688/2005, Regulation 2074/2005 and Regulation 2076/2005;

"Regulation 854/2004" ("*Rheoliad 854/2004*") means Regulation (EC) No. 854/2004 of the

(**1**) OJ No. L157, 30.4.2004, p.33. The revised text of Directive 2004/41/EC is now set out in a Corrigendum (OJ No. L195, 2.6.2004, p.12).

(**2**) OJ No. L31, 1.2.2002, p.1.

(**3**) OJ No. L139, 30.4.2004, p.1. The revised text of Regulation (EC) No. 852/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.3).

(**4**) OJ No. L139, 30.4.2004, p.55. The revised text of Regulation (EC) No. 853/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.22). Regulation (EC) No. 853/2004 was last amended as at the making of this instrument by Council Regulation (EC) No. 1791/2006 adapting certain Regulations and Decisions in the fields of free movement of goods, freedom of movement of persons, company law, competition policy, agriculture (including veterinary and phytosanitary legislation), transport policy, taxation, statistics, energy, environment, cooperation in the fields of justice and home affairs, customs union, external relations, common foreign and security policy and institutions, by reason of the accession of Bulgaria and Romanian (OJ No. L363, 20.12.2006, p.1.).

Senedd Ewrop a'r Cyngor sy'n gosod rheolau penodol ar gyfer trefnu rheolaethau swyddogol ar gynhyrchion sy'n dod o anifeiliaid ac a fwriedir ar gyfer eu bwyta gan bobl(**1**), fel y'i darllenir gyda Chyfarwyddeb 2004/41, Rheoliad 2074/2005, Rheoliad 2075/2005 a Rheoliad 2076/2005;

ystyr "Rheoliad 882/2004" ("*Regulation 882/2004*") yw Rheoliad (EC) Rhif 882/2004 Senedd Ewrop a'r Cyngor ar reolaethau swyddogol a ddefnyddir i sicrhau bod cydymffurfedd â chyfraith bwyd anifeiliaid a chyfraith bwyd, rheolau iechyd anifeiliaid a rheolau lles anifeiliaid yn cael ei wirhau(**2**), fel y'i darllenir gyda Rheoliad 2074/2005 a Rheoliad 2076/2005;

ystyr "Rheoliad 1688/2005" ("*Regulation 1688/2005*") yw Rheoliad y Comisiwn (EC) Rhif 1688/2005 yn gweithredu Rheoliad (EC) Rhif 853/2004 Senedd Ewrop a'r Cyngor o ran gwarantau arbennig ynghylch salmonela ar gyfer llwythi o gigoedd ac wyau penodol i'r Ffindir ac i Sweden(**3**);

ystyr "Rheoliad 2073/2005" ("*Regulation 2073/2005*") yw Rheoliad y Comisiwn (EC) Rhif 2073/2005 ar feini prawf microbiolegol ar gyfer deunyddiau bwyd(**4**);

ystyr "Rheoliad 2074/2005" ("*Regulation 2074/2005*") yw Rheoliad y Comisiwn (EC) Rhif 2074/2005 yn gosod mesurau gweithredu ar gyfer cynhyrchion penodol o dan Reoliad (EC) Rhif 853/2004 Senedd Ewrop a'r Cyngor ac er mwyn trefnu rheolaethau swyddogol o dan Reoliad (EC) Rhif 854/2004 Senedd Ewrop a'r Cyngor a Rheoliad (EC) Rhif 882/2004 Senedd Ewrop a'r Cyngor, sy'n rhanddirymu Rheoliad (EC) Rhif 852/2004 Senedd Ewrop a'r Cyngor ac yn diwygio Rheoliadau (EC) Rhif 853/2004 ac (EC) Rhif 854/2004(**5**);

(**1**) OJ Rhif L139, 30.4.2004, t.206. Mae testun diwygiedig Rheoliad (EC) Rhif854/2004 wedi'i osod bellach mewn Corigendwm (OJ Rhif L226, 25.6.2004, t.83). Diwygiwyd Rheoliad (EC) Rhif 854/2004 ddiwethaf adeg gwneud yr offeryn hwn gan Reoliad y Cyngor (EC) Rhif 1791/2006

(**2**) OJ Rhif L165, 30.4.2004, t.1. Mae testun diwygiedig Rheoliad (EC) Rhif 882/2004 wedi'i osod bellach mewn Corigendwm (OJ Rhif L191, 28.5.2004, t.1). Diwygiwyd Rheoliad (EC) Rhif 882/2004 ddiwethaf adeg gwneud yr offeryn hwn gan Reoliad y Cyngor (EC) Rhif 1791/2006.

(**3**) OJ Rhif L271, 15.10.2005, t.17.

(**4**) OJ Rhif L338, 22.12.2005, t.1.

(**5**) OJ Rhif L338, 22.12.2005, t.27, fel y'i diwygiwyd ddiwethaf adeg gwneud yr offeryn hwn gan Reoliad y Cyngor (EC) Rhif 1664/2006 sy'n diwygio Rheoliad (EC) Rhif 2074/2005 o ran gweithredu mesurau ar gyfer cynhyrchion penoldol sy'n dod o anifeiliaid ac a fwriedir i'w bwyta gan bobl a diddymu mesurau gweithredu penodol (OJ Rhif L320, 18.11.2006, p.13).

European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption(**1**) as read with Directive 2004/41, Regulation 2074/2005, Regulation 2075/2005 and Regulation 2076/2005;

"Regulation 882/2004" ("*Rheoliad 882/2004*") means Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules(**2**) as read with Regulation 2074/2005 and Regulation 2076/2005;

"Regulation 1688/2005" ("*Rheoliad 1688/2005*") means Commission Regulation (EC) No. 1688/2005 implementing Regulation (EC) No. 853/2004 of the European Parliament and of the Council as regards special guarantees concerning salmonella for consignments to Finland and Sweden of certain meat and eggs(**3**);

"Regulation 2073/2005" ("Rheoliad 2073/2005") means Commission Regulation (EC) No. 2073/2005 on microbiological criteria for foodstuffs(**4**);

"Regulation 2074/2005" ("Rheoliad 2074/2005") means Commission Regulation (EC) No. 2074/2005 laying down implementing measures for certain products under Regulation (EC) No. 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No. 854/2004 of the European Parliament and of the Council and Regulation (EC) No. 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No. 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004(**5**);

(**1**) OJ No. L139, 30.4.2004, p.206. The revised text of Regulation (EC) No. 854/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.83). Regulation (EC) No. 854/2004 was last amended as at the making of this instrument by Council Regulation (EC) No. 1791/2006.

(**2**) OJ No. L165, 30.4.2004, p.1. The revised text of Regulation (EC) No. 882/2004 is now set out in a Corrigendum (OJ No. L191, 28.5.2004, p.1). Regulation (EC) No. 882/2004 was last amended as at the making of this instrument by Council Regulation (EC) No. 1791/2006.

(**3**) OJ No. L271, 15.10.2005, p.17.

(**4**) OJ No. L338, 22.12.2005, p.1, as read with the corrigenda at OJ No. L283, 14.10.2006, p.62.

(**5**) OJ No. L338, 22.12.2005, p.27, as last amended as at the making of this instrument by Council Regulation (EC) No. 1664/2006 amending Regulation (EC) No. 2074/2005 as regards implementing measures for certain products of animal origin intended for human consumption and repealing certain implementing measures (OJ No. L320, 18.11.2006, p.13).

ystyr "Rheoliad 2075/2005" ("*Regulation 2075/2005*") yw Rheoliad y Comisiwn (EC) Rhif 2075/2005 sy'n gosod rheolau penodol ar reolaethau swyddogol ar *Trichinella* mewn cig(**1**); ac

ystyr "Rheoliad 2076/2005" ("*Regulation 2076/2005*") yw Rheoliad y Comisiwn (EC) Rhif 2076/2005 sy'n gosod trefniadau trosiannol i weithredu Rheoliadau (EC) Rhif 853/2004, (EC) Rhif 854/2004 ac (EC) Rhif 882/2004 Senedd Ewrop a'r Cyngor ac yn diwygio Rheoliadau (EC) Rhif 853/2004 ac (EC) Rhif 854/2004(**2**).

"Regulation 2075/2005" ("Rheoliad 2075/2005") means Commission Regulation (EC) No. 2075/2005 laying down specific rules on official controls for *Trichinella* in meat(**1**); and

"Regulation 2076/2005" ("Rheoliad 2076/2005") means Commission Regulation (EC) No. 2076/2005 laying down transitional arrangements for the implementation of Regulations (EC) No. 853/2004, (EC) No. 854/2004 and (EC) No. 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004(**2**).

(**1**) OJ Rhif L338, 22.12.2005, t.60, fel y'i diwygiwyd ddiwethaf adeg gwneud yr offeryn hwn gan Reoliad y Cyngor (EC) Rhif 1665/2006 sy'n diwygio Rheoliad (EC) Rhif 2075/2005 sy'n gosod rheolau penodedig ar reolaethau swyddogol ar gyfer Trichinella mewn cig (OJ Rhif L320, 18.11.2006, p.46).

(**2**) OJ Rhif L338, 22.12.2005, t.83. Diwygiwyd Rheoliad (EC) Rhif 882/2004 ddiwethaf adeg gwneud yr offeryn hwn gan Reoliad y Cyngor (EC) Rhif 1666/2006 sy'n diwygio Rheoliad (EC) Rhif 2076/2006 sy'n gosod trefniadau trosiannol ar gyfer gweithredu Rheoliadau (EC) Rhif 853/2004, (EC) Rhif 854/2004 ac (EC) Rhif 882/2004 Senedd Ewrop a'r Cyngor.

(**1**) OJ No. L338, 22.12.2005, p.60, as last amended as at the making of this instrument by Council Regulation (EC) No. 1665/2006 amending Regulation (EC) No. 2075/2005 laying down specific rules on official controls for Trichinella in meat (OJ No. L.320, 18.11.2006, p.46)..

(**2**) OJ No. L338, 22.12.2005, p.83 Regulation (EC) No. 853/2004 was last amended as at the making of this instrument by Council Regulation (EC) No. 1666/2006 amending Regulation (EC) No. 2076/2005 laying down transitional arrangement for the implementation of Regulation (EC) No. 853/2004, (EC) No. 854/2004 and (EC) No. 882/2004 of the European Parliament and of the Council.

ATODLEN 2

Rheoliad 2(1)

CYFRIFO FFI RHEOLAETHAU SWYDDOGOL

Y ffi rheolaethau swyddogol

1. Yn ddarostyngedig i baragraffau (2), y ffi rheolaethau swyddogol sy'n daladwy gan weithredydd unrhyw fangre am unrhyw gyfnod cyfrifyddu yw'r lleiaf o-

(a) y swm o -

(i) y ffi safonol a dynnir mewn cysylltiad â'r fangre honno am y cyfnod hwnnw, a

(ii) unrhyw ffi ychwanegol a dynnir mewn cysylltiad â'r fangre honno am y cyfnod hwnnw yn rhinwedd paragraff 7; a

(b) y costau amser a gynhyrchir gan y fangre honno am y cyfnod hwnnw.

2.-(1) Mae'r paragraff hwn yn gymwys os yw'r ffi rheolaethau swyddogol a gyfrifir o dan baragraff 1 am unrhyw gyfnod cyfrifyddu (swm A), pan ychwanegir hi at y ffi rheolaethau swyddogol sy'n daladwy o ran pob cyfnod cyfrifyddu blaenorol sy'n dod o fewn yr un cyfnod ariannol (swm B), yn cynhyrchu cyfanswm (swm C) sy'n fwy na swm y ffi rheolaethau swyddogol a fyddai'n daladwy o dan baragraff 1 pe bai'r cyfnodau cyfrifyddu hynny yn un cyfnod cyfrifyddu (swm D).

(2) Os yw'r paragraff hwn yn gymwys, y ffi rheolaethau swyddogol sy'n daladwy gan weithredydd am gyfnod cyfrifyddu yw'r swm y mae swm D yn fwy na swm B.

(3) Yn y paragraff hwn ystyr "cyfnod ariannol" ("*financial period*") yw-

(a) y cyfnod sy'n dechrau ar 26 Mawrth 2007 ac sy'n dod i ben ar 30 Mawrth 2008; a

(b) ar ôl hynny, y cyfnod sy'n dechrau ar y dydd Llun sy'n union ar ôl y dydd Sul olaf ym mis Mawrth yn unrhyw flwyddyn ac sy'n dod i ben ar y dydd Sul olaf ym mis Mawrth yn y flwyddyn ganlynol.

Y ffi safonol

3. Caiff y ffi safonol am unrhyw gyfnod cyfrifyddu, (a fynegir mewn Ewros), sy'n daladwy gan weithredydd lladd-dy, ei gyfrifo drwy luosi'r gyfradd a roddir yn y Tabl canlynol sy'n gymwys i anifeiliaid o fath penodol â nifer yr anifeiliaid o'r math hwnnw a gafodd eu cigydda yno neu yn ôl y digwydd eu trin yno yn y cyfnod.

4. Caiff y ffi safonol am gyfnod cyfrifyddu (a fynegir mewn Ewros) sy'n daladwy gan weithredydd sefydliad trin anifeiliaid hela o ran anifeiliaid hela gwyllt a

SCHEDULE 2

Regulation 2(1)

CALCULATION OF THE OFFICIAL CONTROLS CHARGE

The official controls charge

1. Subject to paragraph 2, the official controls charge payable by the operator of any premises for any accounting period will be the lower of -

(a) the sum of -

(i) the standard charge incurred in relation to those premises for that period, and

(ii) any additional charge incurred in relation to those premises for that period by virtue of paragraph 7; and

(b) the time costs generated by those premises for that period.

2.-(1) This paragraph applies where the official controls charge calculated under paragraph 1 for any accounting period (amount A), when added to the official controls charge payable in respect of all earlier accounting periods falling within the same financial period (amount B), produces a total (amount C) which is greater than the amount of the official controls charge which would be payable under paragraph 1 if those accounting periods were one accounting period (amount D).

(2) Where this paragraph applies, the official controls charge payable by an operator for an accounting period will be the amount by which amount D exceeds amount B.

(3) In this paragraph "financial period" ("*cyfnod ariannol*") means-

(c) the period commencing on 26 March 2007 and ending on 30 March 2008; and

(d) thereafter, the period commencing on the Monday immediately following the last Sunday in March in any year and ending on the last Sunday in March in the following year.

The standard charge

3. The standard charge for any accounting period (expressed in Euros) payable by the operator of a slaughterhouse is to be calculated by multiplying the rate specified in the following Table applicable to a given type of animal by the number of animals of that type slaughtered or as the case may be dressed there in the period.

4. The standard charge for any accounting period (expressed in Euros) payable by the operator of a game-handling establishment in respect of wild game

gafodd eu trin yno yn ystod y cyfnod hwnnw ei chyfrifo drwy luosi'r gyfradd a roddir yn y Tabl canlynol sy'n gymwys i anifeiliaid o fath penodol â nifer yr anifeiliaid o'r math hwnnw a gafodd eu trin yno yn y cyfnod.

Y math o anifail	*Cyfradd fesul math o anifail mewn Ewros*
Anifeiliaid buchol	
· 6 wythnos oed neu fwy pan gigyddir hwy	4.7183
· yn llai na 6 wythnos oed pan gigyddir hwy	2.6213
Equidae ac uncarnolion eraill	4.6134
Moch gan gynnwys baeddod gwyllt	
· pwysau carcas llai na 25 kg	0.5243
· pwysau carcas mwy na neu'n gytbwys â 25 kg	1.3631
Defaid, geifr ac anifeiliaid eraill sy'n cnoi cil nas rhestrir yn rhywle arall yn y Tabl hwn	
· pwysau carcas llai na 12 kg	0.1835
· pwysau carcas rhwng 12 a 18 kg yn gynhwysol	0.3670
· pwysau carcas mwy na 18 kg	0.5243
Dofednod, cwningod, adar hela bach a helfilod daear	
· pob brwyliad; pob iâr gast; dofednod eraill, cwningod, adar hela bach a helfilod daear sy'n pwyso llai na 2 kg	0.0105
· dofednod (nad ydynt yn frwyliaid neu'n ieir cast), cwningod, adar hela bach a helfilod daear sy'n pwyso o leiaf 2 kg (ac eithrio'r rheini sy'n oedolion ac sy'n pwyso o leiaf 5 kg)	0.0210
· dofednod (nad ydynt yn frwyliaid neu'n ieir cast), cwningod, adar hela bach a helfilod daear (sydd i gyd yn oedolion) ac sy'n pwyso o leiaf 5 kg	0.0419
Estrysiaid ac adar di-gêl eraill	1.3631
Mamaliaid tir ac adar o fath nas crybwyllir uchod	1.3631

dressed there during that period is to be calculated by multiplying the rate specified in the following Table applicable to a given type of animal by the number of animals of that type dressed there in the period.

Type of animal of animal in	*Rate per type Euros*
Bovine animals	
· aged 6 weeks or more at slaughter	4.7183
· aged less than 6 weeks at slaughter	2.6213
Equidae and other solipeds	4.6134
Pigs including wild boar	
· carcase weight less than 25 kg	0.5243
· carcase weight greater than or equal to 25 kg	1.3631
Sheep, goats and other ruminants not listed elsewhere in this Table	
· carcase weight less than 12 kg	0.1835
· carcase weight between 12 and 18 kg inclusive	0.3670
· carcase weight greater than 18 kg	0.5243
Poultry, rabbits, small game birds and ground game	
· all broilers; all cast hens; other poultry, rabbits, small game birds and ground game weighing less than 2 kg	0.0105
· poultry (not being broilers or cast hens), rabbits, small game birds and ground game weighing at least 2 kg (except those which are adult and weigh at least 5 kg)	0.0210
· poultry (not being broilers or cast hens), rabbits, small game birds and ground game (all being adult) and weighing at least 5 kg	0.0419
Ostriches and other ratites	1.3631
Land mammals and birds of a type not mentioned above	1.3631

5. Mae'r ffi safonol am unrhyw gyfnod cyfrifyddu (a fynegir mewn Ewros), sy'n daladwy gan weithredydd safle torri neu sefydliad trin anifeiliaid hela o ran cig y daethpwyd ag ef i'r safle neu'r sefydliad i'w dorri neu neu i dynnu'r esgyrn yno, i'w chyfrifo drwy luosi â 3.1455 y nifer o dunelli o gig y daethpwyd ag ef i'r safle neu'r sefydliad o dan sylw yn ystod y cyfnod hwnnw i'w dorri neu i dynnu'r esgyrn yno.

6. Trosir y ffi safonol (a fynegir mewn Ewros) i bunnoedd drwy ei luosi â'r gyfradd drosi Ewro / sterling sy'n gymwys yn y flwyddyn y cyflawnwyd y rheolaethau swyddogol a arweiniodd at godi'r ffi.

7.-(1) Os bydd yr Asiantaeth o ran cyfnod cyfrifyddu yn tynnu costau uwch oherwydd aneffeithlonrwydd yng ngweithrediad y fangre, caiff, yn unol â'r paragraff hwn, ychwanegu ffi ychwanegol at y ffi safonol a dynnwyd mewn cysylltiad â'r fangre am y cyfnod hwnnw.

(2) Bydd y ffi ychwanegol yn swm sy'n hafal i'r costau amser a gynhyrchir gan yr aneffeithlonrwydd am y cyfnod cyfrifyddu o dan sylw.

(3) Ni chaiff yr Asiantaeth godi ffi ychwanegol yn unol â'r paragraff hwn onid yw wedi hysbysu'r gweithredydd o'i bwriad i wneud hynny.

(4) Rhaid rhoi'r hysbysiad y cyfeirir ato yn is-baragraff (3) cyn gynted ag y bo'n ymarferol ar ôl i'r Asiantaeth benderfynu ei bod yn dymuno codi ffi ychwanegol yn unol â'r paragraff hwn.

(5) At ddibenion y paragraff hwn ystyr "aneffeithlonrwydd" ("*inefficiency*") yw aneffeithlonrwydd ar ran y gweithredydd ac mae'n cynnwys yn benodol-

(a) oedi cyn dechrau cigydda y gellir ei briodoli i'r gweithredydd;

(b) torri i lawr mecanyddol oherwydd diffyg cynnal a chadw;

(c) camau gorfodi a gymerir gan yr Asiantaeth neu gan swyddog;

(ch) tangyflogaeth arolygwyr a achosir oherwydd methiant y gweithredydd i lynu wrth yr oriau gwaith neu'r arferion gwaith a gytunwyd at ddibenion y paragraff hwn yn unol ag is-baragraff (6);

(d) darpariaeth annigonol o staff cigydda a achosir gan fethiant y gweithredydd i lynu at oriau gwaith neu arferion gwaith a gytunwyd at ddibenion y paragraff hwn yn unol ag is-baragraff (6);

(dd) oedi a achosir gan risgiau i iechyd neu ddiogelwch arolygwyr y gellir eu priodoli i'r gweithredydd; ac

5. The standard charge for any accounting period (expressed in Euros) payable by the operator of a cutting plant or of a game-handling establishment in respect of meat brought into the plant or establishment for the purposes of being cut up or boned there is to be calculated by multiplying by 3.1455 the number of tonnes of meat brought into the plant or establishment concerned during that period to be cut up or boned there.

6. The standard charge (expressed in Euros) is converted into sterling by multiplying it by the Euro / sterling conversion rate applicable in the year the official controls giving rise to the charge were carried out.

7.-(1) Where in respect of an accounting period the Agency incurs increased costs because of inefficiency in the operation of premises, it may, in accordance with this paragraph, add an additional charge to the standard charge incurred in relation to the premises for that period.

(2) The additional charge is a sum equal to the time costs generated by the inefficiency for the accounting period concerned.

(3) The Agency may not make an additional charge in accordance with this paragraph unless it has notified the operator of its intention to do so.

(4) The notification referred to in sub-paragraph (3) must be given as soon as is practicable after the Agency has concluded that it wishes to make an additional charge in accordance with this paragraph.

(5) For the purposes of this paragraph "inefficiency" ("*aneffeitholonrwydd*") means inefficiency on the part of the operator and includes in particular -

(a) delay in the start of slaughtering attributable to the operator;

(b) mechanical breakdown caused by lack of maintenance;

(c) enforcement action taken by the Agency or an official;

(d) under-employment of inspectors caused by the operator's failure to adhere to the working hours or working practices agreed for the purposes of this paragraph pursuant to sub-paragraph (6);

(e) insufficient provision of slaughter staff caused by the operator's failure to adhere to the working hours or working practices agreed for the purposes of this paragraph pursuant to sub-paragraph (6);

(f) delays caused by risks to the health or safety of inspectors attributable to the operator; and

(e) unrhyw newid i oriau gwaith neu arferion gwaith a gytunwyd at ddibenion y paragraff hwn yn unol ag is-baragraff (6) y gellir eu priodoli i'r gweithredydd.

(6) At ddibenion is-baragraffau (5)(ch), (d) ac (e), rhaid i'r Asiantaeth a'r gweithredydd gytuno ar oriau gwaith ac arferion gwaith a pharhau i adolygu'r oriau gwaith a'r arferion gwaith a gytunwyd.

(7) Os yw'n ymddangos i'r Asiantaeth a'r gweithredydd, ar ôl unrhyw adolygiad o'r fath, ei bod yn briodol i wneud hynny, caniateir iddynt drwy gytundeb pellach amrywio unrhyw oriau gwaith neu arferion gwaith a gytunwyd yn unol ag is-baragraff (6).

(8) Os bydd unrhyw oriau gwaith neu arferion gwaith wedi cael eu hamrywio yn unol ag is-baragraff (7), rhaid eu trin fel pe baent wedi cael eu cytuno yn unol ag is-baragraff (6).

(9) Ni chaniateir codi ffi ychwanegol yn unol â'r paragraff hwn o ran unrhyw gostau uwch a dynnwyd oherwydd unrhyw amrywiad mewn oriau gwaith neu arferion gwaith nad yw'n newid oriau gwaith neu arferion gwaith a gytunwyd yn unol ag is-baragraff (6).

8.-(1) Caiff gweithredydd nad yw'n cytuno y gellir cyfiawnhau ffi ychwanegol o dan baragraff 7 ofyn am benderfyniad ar y cwestiwn gan berson a enwebwyd at y diben yn unol ag is-baragraff (3)(a).

(2) Rhaid gwneud cais o dan is-baragraff (1) o fewn wythnos ar ôl i'r Asiantaeth roi hysbysiad i'r gweithredydd o dan baragraff 7(3).

(3) Os bydd gweithredydd yn gwneud cais o dan is-baragraff (1)-

(a) rhaid i'r Asiantaeth enwebu person i benderfynu'r mater o'r rhestr a sefydlwyd o dan is-baragraff (4);

(b) rhaid i'r person a enwebir roi cyfle i'r gweithredydd a'r Asiantaeth wneud sylwadau ar y mater sydd i'w benderfynu; ac

(c) rhaid i'r person a enwebir, o fewn mis o'i enwebiad, benderfynu a oes ffi ychwanegol yn daladwy a hysbysu'r gweithredydd a'r Asiantaeth o'i benderfyniad.

(4) Rhaid i'r Asiantaeth sefydlu a chadw rhestr o bobl y caniateir eu henwebu at ddibenion y paragraff hwn a rhaid iddi ymgynghori â'r cyrff hynny y mae'n ymddangos iddi eu bod yn cynrychioli gweithredwyr cyn cynnwys unrhyw berson ar y rhestr.

Costau amser

9. Cyfrifir y costau amser a gynhyrchir gan unrhyw fangre yn unrhyw gyfnod cyfrifyddu (yn ddarostyngedig i baragraffau 10 ac 11) drwy-

(g) any change to the working hours or working practices agreed for the purposes of this paragraph pursuant to sub-paragraph (6) which is attributable to the operator.

(6) For the purposes of sub-paragraph (5)(d), (e) and (g), the Agency and the operator must agree working hours and working practices and keep the working hours and working practices so agreed under review.

(7) Where, following any such review, it appears to the Agency and the operator that it is appropriate to do so, they may by further agreement vary any working hours or working practices agreed pursuant to sub-paragraph (6).

(8) Where any working hours or working practices have been varied pursuant to sub-paragraph (7) they must be treated as having been agreed pursuant to sub-paragraph (6).

(9) No additional charge may be made in accordance with this paragraph in respect of any increased costs incurred because of any variation in working hours or working practices which does not alter the working hours or working practices which have been agreed in accordance with sub-paragraph (6).

8.-(1) An operator who does not agree that an additional charge is justified under paragraph 7 may request that the question be determined by a person nominated for the purpose pursuant to sub-paragraph (3)(a).

(2) A request under sub-paragraph (1) must be made within 1 week of the Agency giving the operator notice under paragraph 7(3).

(3) Where an operator makes a request under sub-paragraph (1) -

(a) the Agency must nominate a person to determine the question from the list established under sub-paragraph (4);

(b) the person so nominated must give the operator and the Agency an opportunity to make representations on the question to be determined; and

(c) the person so nominated must, within 1 month of being nominated, decide whether an additional charge is payable and notify the operator and the Agency of his or her decision.

(4) The Agency must establish and maintain a list of people who may be nominated for the purposes of this paragraph and consult those organisations appearing to represent operators before including any person on the list.

Time costs

9. The time costs generated by any premises in any accounting period is (subject to paragraphs 10 and 11) calculated by -

(a) lluosi'r amser (a fynegir mewn oriau a ffracsiynau o awr) a dreulir gan bob arolygydd sy'n arfer rheolaethau swyddogol yn y fangre honno yn y cyfnod gan y tâl wrth yr awr sy'n gymwys i'r arolygydd hwnnw a benderfynir yn unol â pharagraffau 12 i 14;

(b) ychwanegu'r canlyniadau at ei gilydd; ac

(c) ychwanegu unrhyw gostau staff lladd-dy a gytunwyd am y cyfnod hwnnw.

10. Mae'r costau amser o ran unrhyw reolaethau swyddogol yn cynnwys unrhyw daliadau goramser neu lwfansau eraill tebyg a delir i'r arolygydd o dan sylw o dan ei gontract cyflogaeth neu ei gontract am wasanaethau am arfer y rheolaethau swyddogol hynny.

11. Wrth benderfynu cyfanswm yr amser a dreuliwyd yn arfer rheolaethau swyddogol, mae unrhyw amser a dreuliwyd gan arolygydd-

(a) yn teithio i fangre neu o fangre lle mae'r arolygydd yn arfer rheolaethau swyddogol ac y caiff ei dalu amdano o dan gontract cyflogaeth neu gontract am wasanaethau;

(b) yn unrhyw fangre yr aeth yr arolygydd iddi at ddibenion arfer rheolaethau swyddogol ac y caiff ei dalu amdano o dan gontract cyflogaeth neu gontract am wasanaethau (ni waeth a fydd yr arolygydd yn gallu arfer rheolaethau swyddogol yno ai peidio); ac

(c) yn unrhyw le arall-

(i) pan fo'r arolygydd ar gael i arfer rheolaethau swyddogol ond nad yw mewn gwirionedd yn eu harfer, a

(ii) pan gaiff ei dalu o dan ei gontract cyflogaeth neu ei gontract am wasanaethau,

i'w gyfrifo fel pe bai'n amser yr oedd yr arolygydd yn arfer rheolaethau swyddogol.

12. Rhaid i'r Asiantaeth benderfynu tâl yr awr sy'n gymwys i arolygwyr, a chaiff benderfynu graddau gwahanol i arolygwyr gwahanol neu ddosbarthiadau gwahanol o arolygydd, gan ystyried am lefel cymwysterau a phrofiad arolygwyr gwahanol neu ddosbarthiadau o arolygydd ac ystyried y gost o arfer rheolaethau swyddogol o ran arolygwyr gwahanol neu ddosbarthiadau gwahanol o arolygydd.

13. Rhaid cyfrifo'r tâl yr awr i unrhyw arolygydd neu ddosbarth o arolygydd fel ei fod yn adlewyrchu y cyfryw gyfrannedd o gostau'r eitemau a restrir yn Atodiad VI i Reoliad 882/2004 a dynnwyd gan yr arolygydd hwnnw neu'r dosbarth hwnnw o arolygydd wrth arfer rheolaethau swyddogol (ond heb gynnwys unrhyw gostau ychwanegol a gymerwyd i ystyriaeth yn unol â pharagraff 10) ag y bydd yr Asiantaeth yn credu ei fod yn briodol ei ddosrannu i'r tâl hwnnw yr awr;

(a) multiplying the time (expressed in hours and fractions of an hour) spent by each inspector exercising official controls at those premises in the period by the hourly rate applicable to that inspector determined or varied in accordance with paragraphs 12 to 14;

(b) adding the results together; and

(c) adding any agreed slaughterhouse staff costs for the period.

10. The time costs in respect of any official controls include any overtime payments or other similar allowances made to the inspector concerned under his or her contract of employment or contract for services for exercising those official controls.

11. In determining the total time spent in exercising official controls, any time spent by an inspector-

(a) in travelling to or from premises at which the inspector exercises official controls and for which he or she is paid under a contract of employment or contract for services;

(b) at any premises to which the inspector has gone for the purpose of exercising official controls and for which he or she is paid under a contract of employment or contract for services (regardless of whether or not he or she is able to exercise official controls there); and

(c) at any other place-

(i) when the inspector is available for exercising official controls but is not in fact exercising any such controls, and

(ii) for which the inspector is paid under his or her contract of employment or contract for services,

is to be counted as if it were time when the inspector was exercising official controls.

12. The Agency must determine the hourly rate applicable to inspectors, and may determine different rates for different inspectors or different classes of inspector, having regard to the level of qualifications and experience of different inspectors or classes of inspector and to the cost of exercising official controls by different inspectors or classes of inspector.

13. The hourly rate for any inspector or class of inspector is to be calculated so as to reflect such proportion of the costs of the items listed in Annex VI to Regulation 882/2004 incurred by that inspector or class of inspector in exercising official controls (excluding any additional costs taken into account pursuant to paragraph 10) as the Agency considers it proper to apportion to that hourly rate.

14. Caiff yr Asiantaeth amrywio unrhyw gyfradd a benderfynir yn unol â pharagraff 12 os yw'n ymddangos iddi, o ystyried y ffactorau a nodir ym mharagraff 13, ei bod yn angenrheidiol gwneud hynny.

15. Cyn penderfynu neu amrywio'r tâl yn ôl yr awr yn unol â pharagraffau 12 i 14, rhaid i'r Asiantaeth ymgynghori â'r gweithredwyr hynny y mae'n debygol yr effeithir arnynt gan y tâl hwnnw yn ôl yr awr.

Diffiniadau

16. Yn yr Atodlen hon -

(a) mae i "cynorthwyydd swyddogol" a "milfeddyg swyddogol" yr ystyr a roddir i "*official auxiliary*" a "*official veterinarian*" yn eu trefn yn Erthygl 2.1(h) ac (f) o Reoliad 854/2004;

(b) ystyr "arolygydd" ("*inspector*") yw milfeddyg swyddogol neu gynorthwyydd swyddogol;

(c) ystyr "y ffi safonol" ("*the standard charge*"), o ran unrhyw ladd-dy, sefydliad trin anifeiliaid hela neu safle torri am unrhyw gyfnod cyfrifyddu, yw'r ffi a gyfrifir yn unol â pharagraff 3, 4 neu 5, yn ôl y digwydd, a drosir i sterling yn unol â pharagraff 6;

(ch) ystyr "cyfradd drosi Ewro / sterling" ("*the Euro / sterling conversion rate*") sy'n gymwys o ran unrhyw flwyddyn o dan sylw yw-

(i) am 2007, 1 Ewro = £0.67410, a

(ii) ym mhob blwyddyn ar ôl hynny, y gyfradd a gyhoeddir yng nghyfres C o Gyfnodolyn Swyddogol y Cymunedau Ewropeaidd ar ddiwrnod gwaith cyntaf Medi y flwyddyn flaenorol neu, os na chyhoeddir cyfradd ynddo ar y diwrnod hwnnw, y gyfradd gyntaf a gyhoeddir ynddo ar ôl hynny; a

(d) ystyr "costau amser" ("*time costs*"), o ran unrhyw sefydliad am unrhyw gyfnod cyfrifyddu, yw'r costau a gyfrifir yn unol â pharagraffau 9 i 11;

14. The Agency may vary any rate determined pursuant to paragraph 12 where, having regard to variations in the costs referred to in paragraph 13, it appears to it to be necessary to do so.

15. Prior to determining or varying hourly rates in accordance with paragraphs 12 to 14, the Agency must consult such operators as are likely to be affected by those rates.

Definitions

16. In this Schedule -

(a) "official auxiliary" ("*cynorthwyydd swyddogol*") and "official veterinarian" ("*milfeddyg swyddogol*") have the meanings respectively given to them in Article 2.1(h) and (f) of Regulation 854/2004;

(b) "inspector" ("*arolygydd*") means an official veterinarian or an official auxiliary;

(c) "the standard charge" ("*y ffi safonol*") means, in relation to any slaughterhouse, game-handling establishment or cutting plant for any accounting period, the charge calculated in accordance with paragraph 3, 4 or 5, as the case may be, converted into sterling in accordance with paragraph 6;

(d) "the Euro / sterling conversion rate" ("*cyfradd drosi Ewro / sterling*") applicable in respect of any given year is -

(i) for 2007, 1 Euro = £0.67410, and

(ii) in each subsequent year, the rate published in the C Series of the Official Journal of the European Communities on the first working day of the September of the preceding year or, if no rate is published in it on that day, the first rate published in it thereafter; and

(e) "time costs" ("*costau amser*") means, in relation to any establishment for any accounting period, the costs calculated in accordance with paragraphs 9 to 11.

OFFERYNNAU STATUDOL

2007 Rhif 843 (Cy.75)

BWYD, CYMRU

Rheoliadau Cig (Ffioedd Rheolaethau Swyddogol) (Cymru) 2007

STATUTORY INSTRUMENTS

2006 No. 843 (W.75)

FOOD, WALES

The Meat (Official Controls Charges) (Wales) Regulations 2007

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£3.50

W0070/03/07 ON