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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2019 Rhif 371 (Cy. 92)**

**2019 No. 371 (W. 92)**

**YMADAEL Â'R UNDEB  
EWROPEAIDD, CYMRU**

**EXITING THE EUROPEAN  
UNION, WALES**

**ANIFEILIAID, CYMRU**

**ANIMALS, WALES**

Rheoliadau Clefydau Egsotig mewn  
Anifeiliaid (Diwygiadau Amrywiol)  
(Cymru) (Ymadael â'r UE) 2019

The Exotic Diseases in Animals  
(Miscellaneous Amendments)  
(Wales) (EU Exit) Regulations 2019

**NODYN ESBONIADOL**

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

Mae'r Rheoliadau hyn wedi eu gwneud drwy arfer y pwerau a roddir gan baragraff 1(1) o Atodlen 2 a pharagraff 21 o Atodlen 7 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16) er mwyn ymdrin ag unrhyw fethiant yng nghyfraith yr UE a ddargedwir i weithredu'n effeithiol a diffygion eraill sy'n deillio o ymadawiad y Deyrnas Unedig â'r Undeb Ewropeaidd.

Mae'r Rheoliadau hyn yn gwneud diwygiadau i is-ddeddfwriaeth, sy'n gymwys o ran Cymru, ym maes rheoli ac atal clefydau egsotig mewn anifeiliaid.

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

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations are made in exercise of the powers conferred by paragraph 1(1) of Schedule 2 and paragraph 21 of Schedule 7 to the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to subordinate legislation, which apply in relation to Wales, in the field of control and prevention of exotic diseases in animals.

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

**2019 Rhif 371 (Cy. 92)**

**YMADAEL Â'R UNDEB  
EWROPEAIDD, CYMRU**

**ANIFEILIAID, CYMRU**

Rheoliadau Clefydau Egsotig mewn  
Anifeiliaid (Diwygiadau Amrywiol)  
(Cymru) (Ymadael â'r UE) 2019

*Gofynion sifftio wedi eu bodloni 28 Ionawr 2019*

*Gwnaed 25 Chwefror 2019*

*Gosodwyd gerbron Cynulliad Cenedlaethol  
Cymru 27 Chwefror 2019*

*Yn dod i rym yn unol â rheoliad 1(2)*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan baragraff 1(1) o Atodlen 2 a pharagraff 21 o Atodlen 7 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018(1), yn gwneud y Rheoliadau a ganlyn.

Mae gofynion paragraff 4(2) o Atodlen 7 i'r Ddeddf honno (sy'n ymwneud a gweithdrefn graffu briodol Cynulliad Cenedlaethol Cymru ar gyfer y Rheoliadau hyn) wedi eu bodloni.

**Enwi, cychwyn a chymhwyso**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Clefydau Egsotig mewn Anifeiliaid (Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) 2019.

(2) Daw'r Rheoliadau hyn i rym ar y diwrnod ymadael.

(3) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

**2019 No. 371 (W. 92)**

**EXITING THE EUROPEAN  
UNION, WALES**

**ANIMALS, WALES**

The Exotic Diseases in Animals  
(Miscellaneous Amendments)  
(Wales) (EU Exit) Regulations 2019

*Sift requirements satisfied 28 January 2019*

*Made 25 February 2019*

*Laid before the National Assembly for Wales  
27 February 2019*

*Coming into force in accordance with  
regulation 1(2)*

The Welsh Ministers, in exercise of the powers conferred by paragraph 1(1) of Schedule 2 and paragraph 21 of Schedule 7 to the European Union (Withdrawal) Act 2018(1), make the following Regulations.

The requirements of paragraph 4(2) of Schedule 7 to that Act (relating to the appropriate National Assembly for Wales scrutiny procedure for these Regulations) have been satisfied.

**Title, commencement and application**

1.—(1) The title of these Regulations is the Exotic Diseases in Animals (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019.

(2) These Regulations come into force on exit day.

(3) These Regulations apply in relation to Wales.

## **Gorchymyn Clwy'r Traed a'r Genau (Cymru) 2006**

2. Yng Ngorchymyn Clwy'r Traed a'r Genau (Cymru) 2006(1), ym mharagraff 7 o Atodlen 7, yn lle "another member State" rhodder "a member State, Norway, Iceland or Liechtenstein".

## **Rheoliadau Clwy'r Traed a'r Genau (Rheoli Brechu) (Cymru) 2006**

3.—(1) Diwygir Rheoliadau Clwy'r Traed a'r Genau (Rheoli Brechu) (Cymru) 2006(2) fel a ganlyn.

(2) Yn rheoliad 9, ar ôl paragraff (3) mewnosoder—

“(4) At ddbenion paragraff (1)(c), mae pwynt 3.2 o Atodiad X i Gyfarwyddeb y Cyngor 2003/85/EC i'w ddarllen fel pe bai—

- (a) y cyfeiriad at “Member States” yn gyfeiriad at “the Welsh Ministers”;
- (b) Erthygl 2(u) o Gyfarwyddeb 2001/89/EC fel y mae'n gymwys i bwynt 3.2 wedi ei haddasu fel bod—
  - (i) y geiriau “region, as defined in Article 2(2)(p) of Council Directive 64/432/EEC”, wedi eu disodli gan “county or county borough in Wales”;
  - (ii) “such a region” wedi ei ddisodli gan “such a county or county borough”.

(3) Yn rheoliad 27—

- (a) yn lle “o fewn y Gymuned” rhodder “ag Aelod-wladwriaeth, Norwy, Gwlad yr Iâ neu Liechtenstein”;
- (b) disodlir pennawd y rheoliad hwnnw gan “Masnach mewn anifeiliaid a frechwyd”.

(4) Yn rheoliad 35(2)(a), yn lle “rhwymedigaethau UE” rhodder “chyfraith yr UE a ddargedwir”.

## **Rheoliadau Ffliw Adar (Mesurau Atal) (Cymru) 2006**

4.—(1) Diwygir Rheoliadau Ffliw Adar (Mesurau Atal) (Cymru) 2006(3) fel a ganlyn.

(2) Yn rheoliad 9(5), yn lle'r geiriau o “gan y Comisiwn Ewropeaidd” hyd at y diwedd, rhodder “yn unol ag Erthygl 56(2) o Gyfarwyddeb y Cyngor

## **The Foot and Mouth Disease (Wales) Order 2006**

2. In the Foot and Mouth Disease (Wales) Order 2006(1), in paragraph 7 of Schedule 7, for “another member State” substitute “a member State, Norway, Iceland or Liechtenstein”.

## **The Foot-and-Mouth Disease (Control of Vaccination) (Wales) Regulations 2006**

3.—(1) The Foot-and-Mouth Disease (Control of Vaccination) (Wales) Regulations 2006(2) are amended as follows.

(2) In regulation 9, after paragraph (3) insert—

“(4) For the purposes of paragraph (1)(c), point 3.2 of Annex X of Council Directive 2003/85/EC is to be read as if—

- (a) the reference to “Member States” were a reference to “the Welsh Ministers”;
- (b) Article 2(u) of Directive 2001/89/EC as it applies to point 3.2 were modified so that—
  - (i) for the words “region, as defined in Article 2(2)(p) of Council Directive 64/432/EEC”, there were substituted “county or county borough in Wales”;
  - (ii) for “such a region” there were substituted “such a county or county borough”.

(3) In regulation 27—

- (a) for “intra-Community trade” substitute “trade with a member State, Norway, Iceland or Liechtenstein”;
- (b) the heading to that regulation becomes “Trade in vaccinated animals”.

(4) In regulation 35(2)(a), for “EU obligations” substitute “retained EU law”.

## **The Avian Influenza (Preventive Measures) (Wales) Regulations 2006**

4.—(1) The Avian Influenza (Preventive Measures) (Wales) Regulations 2006(3) are amended as follows.

(2) In regulation 9(5), for the words from “by the European Commission” to the end, substitute “in accordance with Article 56(2) of Council Directive

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(1) O.S. 2006/179 (Cy. 30) y ceir diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(2) S.I. 2006/180 (Cy. 31) fel y'i diwygiwyd gan O.S. 2011/1043 ac y ceir diwygiadau eraill iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(3) O.S. 2006/2803 (Cy. 242) fel y'i diwygiwyd gan O.S. 2011/1043 ac y ceir diwygiadau eraill iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

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(1) S.I. 2006/179 (W. 30) to which there are amendments not relevant to these Regulations.

(2) S.I. 2006/180 (W. 31) as amended by S.I. 2011/1043 and to which there are other amendments not relevant to these Regulations.

(3) S.I. 2006/2803 (W. 242) as amended by S.I. 2011/1043 and to which there are other amendments not relevant to these Regulations.

2005/94/EC ynghylch mesurau Cymunedol i reoli fflw adar ac yn diddymu Cyfarwyddeb 92/40/EEC fel y'i darllenir gydag Erthygl 5 o Benderfyniad y Comisiwn 2007/598 ynghylch mesurau i atal fflw adar pathogenig iawn rhag ymledu i adar caeth eraill a gedwir mewn swau a mangreoedd cyrff, sefydliadau a chanolfannau a gymeradwywyd" (ond nid yw'r troednodyn i reoliad 9(5) i gael ei ddisodli).

(3) Yn rheoliad 11, ym mharagraffau (2)(a) a (3), hepgorer "arall".

(4) Yn rheoliad 18(3)(c), yn lle "rhwymedigaethau Cymunedol" rhodder "cyfraith yr UE a ddargedwir".

### **Gorchymyn Fflw Adar a Fflw sy'n Dod o Adar mewn Mamaliaid (Cymru) (Rhif 2) 2006**

5.—(1) Diwygir Gorchymyn Fflw Adar a Fflw sy'n Dod o Adar mewn Mamaliaid (Cymru) (Rhif 2) 2006(1) fel a ganlyn.

(2) Yn erthygl 22(2), yn lle "another" rhodder "a".

(3) Yn erthygl 32, yn lle "intra-Community or international trade" rhodder "export outside the United Kingdom".

(4) Yn erthygl 50(1)(b)(ii), yn lle "another", yn y ddau le y mae'n digwydd, rhodder "a".

(5) Yn erthygl 63(5), yn lle "intra-Community or international trade" rhodder "export outside the United Kingdom".

### **Rheoliadau Fflw Adar (Brechu) (Cymru) (Rhif 2) 2006**

6.—(1) Diwygir Rheoliadau Fflw Adar (Brechu) (Cymru) (Rhif 2) 2006(2) fel a ganlyn.

(2) Yn rheoliad 2—

(a) ym mharagraff (1)—

(i) yn lle'r diffiniad o "cynllun brechu brys" rhodder—

"ystyr "cynllun brechu brys" ("*emergency vaccination plan*") yw cynllun brechu brys a gyhoeddir yn unol ag Erthygl 53 o'r Gyfarwyddeb fel y'i darllenir gyda'r addasiadau a nodir ym mharagraff (3)";

(ii) yn lle'r diffiniad o "cynllun brechu ataliol" rhodder—

"ystyr "cynllun brechu ataliol" ("*preventive vaccination plan*") yw cynllun brechu ataliol a gyhoeddir yn unol ag Erthygl 56 o'r Gyfarwyddeb

2005/94/EC on Community measures for the control of avian influenza and repealing Directive 92/40/EEC as read with Article 5 of Commission Decision 2007/598 concerning measures to prevent the spread of highly pathogenic avian influenza to other captive birds kept in zoos and approved bodies, institutes or centres" (but the footnote to regulation 9(5) is not to be substituted).

(3) In regulation 11, in paragraphs (2)(a) and (3), for "another" substitute "a".

(4) In regulation 18(3)(c), for "EU obligations" substitute "retained EU law".

### **The Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No 2) Order 2006**

5.—(1) The Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No 2) Order 2006(1) is amended as follows.

(2) In article 22(2), for "another" substitute "a".

(3) In article 32, for "intra-Community or international trade" substitute "export outside the United Kingdom".

(4) In article 50(1)(b)(ii), for "another", in both places where it occurs, substitute "a".

(5) In article 63(5), for "intra-Community or international trade" substitute "export outside the United Kingdom".

### **The Avian Influenza (Vaccination) (Wales) (No.2) Regulations 2006**

6.—(1) The Avian Influenza (Vaccination) (Wales) (No.2) Regulations 2006(2) are amended as follows.

(2) In regulation 2—

(a) in paragraph (1)—

(i) for the definition of "emergency vaccination plan" substitute—

““emergency vaccination plan” ("*cynllun brechu brys*") means an emergency vaccination plan published in accordance with Article 53 of the Directive as read with the modifications set out in paragraph (3)";

(ii) for the definition of "preventive vaccination plan" substitute—

““preventive vaccination plan” ("*cynllun brechu ataliol*") means a preventive vaccination plan published in accordance with Article 56 of the

(1) O.S. 2006/2927 (Cy. 262) y ceir diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(2) O.S. 2006/2932 (Cy. 265) y ceir diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(1) S.I. 2006/2927 (W. 262) to which there are amendments not relevant to these Regulations.

(2) S.I. 2006/2932 (W. 265) to which there are amendments not relevant to these Regulations.

fel y'i darllenir gyda'r addasiadau a nodir ym mharagraff (4)";

(b) ar ôl paragraff (2) mewnosoder—

“(3) At ddibenion y diffiniad o “cynllun brechu brys” ym mharagraff (1), mae Erthygl 53 o'r Gyfarwyddeb i'w darllen fel pe bai wedi ei haddasu fel a ganlyn—

(a) ym mharagraff 1—

- (i) yn lle “A Member State” rhodder “The Welsh Ministers”;
- (ii) yn lle'r geiriau o “the Member State concerned” hyd at y diwedd rhodder “Wales”;

(b) ym mharagraff 2—

- (i) yn lle “a Member State intends” rhodder “the Welsh Ministers intend”;
- (ii) yn lle “it shall submit an emergency vaccination plan to the Commission for its approval” rhodder “the Welsh Ministers must publish an emergency vaccination plan”;
- (iii) yn is-baragraff (g), yn lle “the measures provided for in Sections 3, 4 and 5 of Chapter IV and Section 3 of Chapter V” rhodder “any provision of—

(i) the Avian Influenza (Preventive Measures) (Wales) Regulations 2006 (S.I. 2006/2803);

(ii) the Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No. 2) Order 2006 (S.I. 2006/2927);

(iii) the Avian Influenza (Vaccination) (Wales) (No. 2) Regulations 2006 (S.I. 2006/2932);

(c) hepgorer paragraff 3.

(4) At ddibenion y diffiniad o “cynllun brechu ataliol” ym mharagraff (1), mae Erthygl 56 o'r Gyfarwyddeb i gael ei darllen fel pe bai wedi ei haddasu fel a ganlyn—

(a) ym mharagraff 1—

- (i) yn lle “Member States” rhodder “The Welsh Ministers”;
- (ii) yn lle “their territory” rhodder “Wales”;

Directive as read with the modifications set out in paragraph (4)”;

(b) after paragraph (2) insert—

“(3) For the purposes of the definition of “emergency vaccination plan” in paragraph (1), Article 53 of the Directive is to be read as if it were modified as follows—

(a) in paragraph 1—

- (i) for “A Member State” substitute “The Welsh Ministers”;
- (ii) for the words from “the Member State concerned” to the end substitute “Wales”;

(b) in paragraph 2—

- (i) for “a Member State intends” substitute “the Welsh Ministers intend”;
- (ii) for “it shall submit an emergency vaccination plan to the Commission for its approval” substitute “the Welsh Ministers must publish an emergency vaccination plan”;
- (iii) in sub-paragraph (g), for “the measures provided for in Sections 3, 4 and 5 of Chapter IV and Section 3 of Chapter V” substitute “any provision of—

(i) the Avian Influenza (Preventive Measures) (Wales) Regulations 2006 (S.I. 2006/2803);

(ii) the Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No. 2) Order 2006 (S.I. 2006/2927);

(iii) the Avian Influenza (Vaccination) (Wales) (No. 2) Regulations 2006 (S.I. 2006/2932);

(c) omit paragraph 3.

(4) For the purposes of the definition of “preventive vaccination plan” in paragraph (1), Article 56 of the Directive is to be read as if it were modified as follows—

(a) in paragraph 1—

- (i) for “Member States” substitute “The Welsh Ministers”;
- (ii) for “their territory” substitute “Wales”;

(b) ym mharagraff 2—

- (i) yn lle “a Member State intends” rhodder “the Welsh Ministers intend”;
- (ii) yn lle “it shall submit a preventive vaccination plan to the Commission for its approval” rhodder “the Welsh Ministers must publish a preventive vaccination plan”;
- (iii) yn is-baragraff (g), yn lle “the measures provided for in Sections 3, 4 and 5 of Chapter IV and Section 3 of Chapter V” rhodder “any provision of—
  - (i) the Avian Influenza (Preventive Measures) (Wales) Regulations 2006 (S.I. 2006/2803);
  - (ii) the Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No. 2) Order 2006 (S.I. 2006/2927);
  - (iii) the Avian Influenza (Vaccination) (Wales) (No. 2) Regulations 2006 (S.I. 2006/2932)”;

(c) hepgorer paragraff 3.

(3) Yn rheoliad 6(3), yn lle “pan gyflwynir hysbysiad brechu brys ar ôl i gynllun brechu brys gael ei ddwyn gerbron y Comisiwn Ewropeaidd a'i gymeradwyo ganddo yn unol ag Erthyglau 53 a 54 o'r Gyfarwyddeb” rhodder “gyhoeddir”.

(4) Yn rheoliad 7(2)(b), yn lle “wedi'i ddwyn gerbron y Comisiwn Ewropeaidd ac wedi'i gymeradwyo ganddo yn unol ag Erthyglau 56 a 57 o'r Gyfarwyddeb” rhodder “wedi'i gyhoeddi”.

(5) Yn rheoliad 10—

- (a) disodlir y pennawd gan “Brechu brys heb gynllun wedi'i gyhoeddi”;
- (b) ym mharagraff (1), yn lle “gymeradwyo gan y Comisiwn Ewropeaidd yn unol ag Erthygl 54 o'r Gyfarwyddeb” rhodder “gyhoeddi”;
- (c) ym mharagraff (7), yn lle “i gynllun brechu brys gael ei gymeradwyo gan y Comisiwn Ewropeaidd yn unol ag Erthygl 54 o'r Gyfarwyddeb” rhodder “i gynllun sy'n cyfateb i gynllun brechu brys gael ei gyhoeddi gan Weinidogion yr Alban, yr Ysgrifennydd Gwladol neu Weithrediaeth Gogledd Iwerddon, yn ôl y digwydd”.

(b) in paragraph 2—

- (i) for “a Member State intends” substitute “the Welsh Ministers intend”;
- (ii) for “it shall submit a preventive vaccination plan to the Commission for its approval” substitute “the Welsh Ministers must publish a preventive vaccination plan”;
- (iii) in sub-paragraph (g), for “the measures provided for in Sections 3, 4 and 5 of Chapter IV and Section 3 of Chapter V” substitute “any provision of—
  - (i) the Avian Influenza (Preventive Measures) (Wales) Regulations 2006 (S.I. 2006/2803);
  - (ii) the Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No. 2) Order 2006 (S.I. 2006/2927);
  - (iii) the Avian Influenza (Vaccination) (Wales) (No. 2) Regulations 2006 (S.I. 2006/2932);

(c) omit paragraph 3.”

(3) In regulation 6(3), for “submitted to and approved by the European Commission in accordance with Articles 53 and 54 of the Directive” substitute “published”.

(4) In regulation 7(2)(b), for “submitted to and approved by the European Commission in accordance with Articles 56 and 57 of the Directive” substitute “published”.

(5) In regulation 10—

- (a) the heading becomes “Emergency vaccination without a published plan”;
- (b) in paragraph (1), for “approved by the European Commission in accordance with Article 54 of the Directive” substitute “published”;
- (c) in paragraph (7), for “an emergency vaccination plan has been approved by the European Commission in accordance with Article 54 of the Directive” substitute “a plan equivalent to an emergency vaccination plan has been published by the Scottish Ministers, the Secretary of State or the Northern Ireland Executive, as the case may be”.

(6) Yn rheoliad 19(3)(c), yn lle “rhwymedigaethau UE” rhodder “cyfraith yr UE a ddargedwir”.

### **Gorchymyn Ffliw Adar (H5N1 mewn Dofednod) (Cymru) 2006**

7.—(1) Diwygir Gorchymyn Ffliw Adar (H5N1 mewn Dofednod) (Cymru) 2006(1) fel a ganlyn.

(2) Yn erthygl 2—

(a) Yn y diffiniad o “approved body”, yn lle’r geiriau o “in accordance with” hyd at y diwedd rhodder “—

- (a) where the body is in Wales, by the Welsh Ministers,
- (b) where the body is in England, by the Secretary of State,
- (c) where the body is in Scotland, by the Scottish Ministers,
- (d) where the body is in Northern Ireland, by the Northern Ireland Executive, or
- (e) where the body is in a member State, in accordance with Article 2(1)(c) of Directive 92/65/EEC laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC;”

(b) ar ôl y diffiniad o “temporary movement restriction zone” mewnosoder—

““third country” means any country that is neither the United Kingdom nor a member State;”

(3) Yn erthyglau 9(1), 10(1) ac 11(1), hepgorer y gair “other”.

(4) Yn erthyglau 9(3)(c) a 10(3)(c) ac (e), yn lle “another” rhodder “a”.

(5) Yn erthygl 12, hepgorer paragraffau (1)(b) a (2).

(6) Yn erthygl 14—

(a) ym mharagraff (1)(d), yn lle “another” rhodder “a”;

(b) ar ôl paragraff (3) mewnosoder—

“(3A) In paragraph (2)(p), the reference to “the competent authority” includes the Secretary of State, the Welsh Ministers, the Scottish Ministers or the Northern Ireland Assembly, as the case may be.”

(6) In regulation 19(3)(c), for “EU obligations” substitute “retained EU law”.

### **The Avian Influenza (H5N1 in Poultry) (Wales) Order 2006**

7.—(1) The Avian Influenza (H5N1 in Poultry) (Wales) Order 2006(1) is amended as follows.

(2) In article 2—

(a) In the definition of “approved body”, for the words from “in accordance with” to the end substitute “—

- (a) where the body is in Wales, by the Welsh Ministers,
- (b) where the body is in England, by the Secretary of State,
- (c) where the body is in Scotland, by the Scottish Ministers,
- (d) where the body is in Northern Ireland, by the Northern Ireland Executive, or
- (e) where the body is in a member State, in accordance with Article 2(1)(c) of Directive 92/65/EEC laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC;”

(b) after the definition of “temporary movement restriction zone” insert—

““third country” means any country that is neither the United Kingdom nor a member State;”

(3) In articles 9(1), 10(1) and 11(1), omit the word “other”.

(4) In articles 9(3)(c) and 10(3)(c) and (e), for “another” substitute “a”.

(5) In article 12, omit paragraphs (1)(b) and (2).

(6) In article 14—

(a) in paragraph (1)(d), for “another” substitute “a”;

(b) after paragraph (3) insert—

“(3A) In paragraph (2)(p), the reference to “the competent authority” includes the Secretary of State, the Welsh Ministers, the Scottish Ministers or the Northern Ireland Assembly, as the case may be.”

(1) O.S. 2006/3309 (Cy. 299) fel y’i diwygiwyd gan O.S. 2011/600 (Cy. 88), O.S. 2011/2377 (Cy. 250), ac O.S. 2014/517 (Cy. 60).

(1) S.I. 2006/3309 (W. 299) as amended by S.I. 2011/600 (W. 88), S.I. 2011/2377 (W. 250), and S.I. 2014/517 (W. 60).

### **Rheoliadau'r Tafod Glas (Cymru) 2008**

**8.** Yn Rheoliadau'r Tafod Glas (Cymru) 2008(1), yn lle rheoliad 19(4) rhodder—

“(4) Dim ond os yw'r penderfyniad i ddefnyddio'r brechlyn wedi ei seilio ar ganlyniad asesiad risg penodol a gyflawnwyd gan Weinidogion Cymru y caniateir i Weinidogion Cymru roi trwydded o dan baragraff (1) neu ddatgan parth o dan baragraff (2).”

### **Rheoliadau Cynhyrchion sy'n Dod o Anifeiliaid (Rheoli Clefydau) (Cymru) 2008**

**9.**—(1) Diwygir Rheoliadau Cynhyrchion sy'n Dod o Anifeiliaid (Rheoli Clefydau) (Cymru) 2008(2) fel a ganlyn.

(2) Yn rheoliad 17, yn lle paragraff (15) rhodder—

“(15) Caiff arolygydd sy'n mynd i mewn i unrhyw fangre, sefydliad neu gerbyd fynd ag unrhyw bersonau eraill y mae'n barnu eu bod yn angenrheidiol.”

(3) Yn Atodlen 3, ym mharagraff 1(b), hepgorer paragraff (iii).

### **Gorchymyn Compartmentau Dofednod (Cymru) 2010**

**10.** Yng Ngorchymyn Compartmentau Dofednod (Cymru) 2010(3), yn erthygl 5(1)(dd) yn lle “â chynrychiolydd o'r Comisiwn Ewropeaidd gydag ef neu” mewnosoder “ag”.

### **Rheoliadau Clefyd Affricanaidd y Ceffylau (Cymru) 2013**

**11.**—(1) Diwygir Rheoliadau Clefyd Affricanaidd y Ceffylau (Cymru)(4) fel a ganlyn.

(2) Yn rheoliad 20(1)(a), yn lle “gadarnhau'n swyddogol at ddibenion Cyfarwyddeb y Cyngor 92/35/EEC, sy'n gosod rheolau a mesurau rheoli i drechu clefyd Affricanaidd y ceffylau” rhodder “gadarnhau”.

(3) Yn lle rheoliad 29(8)(b) rhodder—

“(b) mynd ag unrhyw bersonau eraill y mae'n barnu eu bod yn angenrheidiol.”

### **The Bluetongue (Wales) Regulations 2008**

**8.** In the Bluetongue (Wales) Regulations 2008(1), for regulation 19(4) substitute—

“(4) The Welsh Ministers may only grant a licence under paragraph (1) or declare a zone under paragraph (2) if the decision to use the vaccine is based on the result of a specific risk assessment carried out by the Welsh Ministers.”

### **The Products of Animal Origin (Disease Control) (Wales) Regulations 2008**

**9.**—(1) The Products of Animal Origin (Disease Control) (Wales) Regulations 2008(2) are amended as follows.

(2) In regulation 17, for paragraph (15) substitute—

“(15) An inspector who enters any premises, establishment or vehicle may be accompanied by such other persons as the inspector considers necessary.”

(3) In Schedule 3, in paragraph 1(b), omit paragraph (iii).

### **The Poultry Compartments (Wales) Order 2010**

**10.** In the Poultry Compartments (Wales) Order 2010(3), in article 5(1)(f) omit “a representative of the European Commission or”.

### **The African Horse Sickness (Wales) Regulations 2013**

**11.**—(1) The African Horse Sickness (Wales) Regulations 2013(4) are amended as follows.

(2) In regulation 20(1)(a), for “officially confirmed for the purposes of Council Directive 92/35/EEC laying down control rules and measures to combat African horse sickness” substitute “confirmed”.

(3) For regulation 29(8)(b) substitute—

“(b) be accompanied by such other persons as the inspector considers necessary.”

(1) O.S. 2008/1090 (Cy. 116) fel y'i diwygiwyd gan O.S. 2012/2403 (Cy. 257) ac y ceir diwygiadau eraill iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(2) O.S. 2008/1275 (Cy. 132) fel y'i diwygiwyd gan O.S. 2018/806 (Cy. 162) ac y ceir diwygiadau eraill iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(3) O.S. 2010/1780 (Cy. 169).

(4) O.S. 2013/1662 (Cy. 158).

(1) S.I. 2008/1090 (W. 116) as amended by S.I. 2012/2403 (W. 257) and to which there are other amendments not relevant to these Regulations.

(2) S.I. 2008/1275 (W. 132) as amended by S.I. 2018/806 (W. 162) and to which there are other amendments not relevant to these Regulations.

(3) S.I. 2010/1780 (W. 169).

(4) S.I. 2013/1662 (W. 158).



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un o Weinidogion Cymru  
25 Chwefror 2019

Minister for Environment, Energy, and Rural Affairs,  
one of the Welsh Ministers  
25 February 2019

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