O F F E R Y N N A U   S T A T U D O L   C Y M R U

2019 Rhif 372 (Cy. 93)

YMADAEL Â'R UNDEB EWROPEAIDD, CYMRU

ANIFEILIAID, CYMRU

Rheoliadau Dileu a Rheoli Afiechydon Milheintiol (Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) 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 diwygio is-ddeddfwriaeth sy'n gymwys o ran Cymru, mewn perthynas â monitro a rheoli afiechydon milheintiol yn gyffredinol, ac mewn perthynas â thwbercwlosis yn benodol.

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.

W E L S H   S T A T U T O R Y   I N S T R U M E N T S

2019 No. 372 (W. 93)

EXITING THE EUROPEAN UNION, WALES

ANIMALS, WALES

The Zoonotic Disease Eradication and Control (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019

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 relation to the monitoring and control of zoonotic disease general, and in relation to tuberculosis specifically.

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.

OFFERYNNAU STATUDOL CYMRU

2019 Rhif 372 (Cy. 93)

YMADAEL Â'R UNDEB EWROPEAIDD, CYMRU

ANIFEILIAID, CYMRU

Rheoliadau Dileu a Rheoli Afiechydon Milheintiol (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 â 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 Dileu a Rheoli Afiechydon Milheintiol (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.

(**1**) 2018 p. 16.

WELSH STATUTORY INSTRUMENTS

2019 No. 372 (W. 93)

EXITING THE EUROPEAN UNION, WALES

ANIMALS, WALES

The Zoonotic Disease Eradication and Control (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 Zoonotic Disease Eradication and Control (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019.

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

(3) These Regulations apply in relation to Wales.

(**1**) 2018 c. 16.

Diwygio Rheoliadau Milheintiau (Monitro) (Cymru) 2007

2.—(1) Mae Rheoliadau Milheintiau (Monitro) (Cymru) 2007(**1**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2—

(a) ym mharagraff (1), hepgorer y diffiniad o "y Gyfarwyddeb";

(b) ar ôl paragraff (2) mewnosoder—

"(3) Ym mharagraff (2), ystyr "y Gyfarwyddeb" yw Cyfarwyddeb 2003/99/EC Senedd Ewrop a'r Cyngor ar fonitro milheintiau a chyfryngau milheintiol(**2**)."

(3) Hepgorer rheoliad 3.

(4) Yn rheoliad 5—

(a) ar ddiwedd paragraff (d), mewnosoder "ac";

(b) hepgorer paragraff (e) a'r "ac" o'i flaen.

Diwygio Gorchymyn Twbercwlosis (Cymru) 2010

3.—(1) Mae Gorchymyn Twbercwlosis (Cymru) 2010(**3**) wedi ei ddiwygio fel a ganlyn.

(2) Yn erthygl 2, hepgorer y diffiniad o "statws rhydd rhag twbercwlosis".

(3) Yn erthygl 11(3), yn lle "pa un a oes gan y fuches sy'n cynnwys yr anifail hwnnw statws rhydd rhag twbercwlosis neu beidio" rhodder "pa un a yw'r fuches sy'n cynnwys yr anifail hwnnw yn fuches dan gyfyngiadau ai peidio".

(4) Yn erthygl 12(3A)(d), yn lle "bod y fuches odro wedi colli ei statws rhydd rhag twbercwlosis" rhodder "ei bod yn fuches dan gyfyngiadau".

(5) Yn erthygl 14(4), yn lle "yn colli neu'n adennill ei statws rhydd rhag twbercwlosis" rhodder "yn dod neu'n peidio â bod yn fuches dan gyfyngiadau".

(6) Yn Atodlen 2, ym mharagraff 8, yn lle is-baragraff (c) rhodder—

"(c) buches sydd wedi bod yn fuches dan gyfyngiadau ar unrhyw adeg yn ystod y 18 mis sy'n dod i ben ar ddyddiad y symud; neu".

(**1**) O.S. 2007/2459 (Cy. 207), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**2**) O.J. Rhif L 325, 12.12.2003, t. 31, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Cyngor (EU) 2013/20/EU (O.J. Rhif L 158, 10.06.2013, t. 234).

(**3**) O.S. 2010/1379 (Cy. 122), a ddiwygiwyd gan O.S. 2011/692 (Cy. 104), 2014/632 (Cy. 72), 2015/1773 (Cy. 245), 2016/328 (Cy. 104), 2017/711 (Cy. 168).

Amendment of the Zoonoses (Monitoring) (Wales) Regulations 2007

2.—(1) The Zoonoses (Monitoring) (Wales) Regulations 2007(**1**) are amended as follows.

(2) In regulation 2—

(a) in paragraph (1), omit the definition of "the Directive";

(b) after paragraph (2) insert—

"(3) In paragraph (2), "the Directive" means Directive 2003/99/EC of the European Parliament and of the Council on the monitoring of zoonoses and zoonotic agents(**2**)."

(3) Omit regulation 3.

(4) In regulation 5—

(a) at the end of paragraph (e), insert "and";

(b) omit paragraph (g) and the "and" before it.

Amendment of the Tuberculosis (Wales) Order 2010

3.—(1) The Tuberculosis (Wales) Order 2010(**3**) is amended as follows.

(2) In article 2, omit the definition of "tuberculosis-free status".

(3) In article 11(3), for "has tuberculosis-free status" substitute "is a restricted herd".

(4) In article 12(3A)(e), for "of the loss of tuberculosis-free status of the dairy herd" substitute "that it is a restricted herd."

(5) In article 14(4), for "loses or regains its tuberculosis-free status" substitute "becomes or ceases to be a restricted herd".

(6) In Schedule 2, in paragraph 8, for sub-paragraph (c) substitute—

"(c) herd that has been a restricted herd at any time during the 18 months ending on the date of the movement; or".

(**1**) S.I. 2007/2459 (W. 207), to which there are amendments not relevant to these Regulations.

(**2**) O.J. No L 325, 12.12.2003, p. 31, as last amended by Council Directive (EU) 2013/20/EU (O.J. No L 158, 10.06.2013, p. 234).

(**3**) S.I. 2010/1379 (W. 122), amended by S.I. 2011/692 (W. 104), 2014/632 (W. 72), 2015/1773 (W. 245), 2016/328 (W. 104), 2017/711 (W. 168).

Lesley Griffiths

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig, un o Weinidogion Cymru
25 Chwefror 2019

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

©Ⓗ Hawlfraint y Goron 2019

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Jeff James, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2019

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

£4.90

W201902261025 03/2019

http://www.legislation.gov.uk/id/wsi/2019/372

ISBN 978-0-348-20367-7

9 780348 203677