



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2019 Rhif 737 (Cy. 140)

2019 No. 737 (W. 140)

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

**EXITING THE EUROPEAN
UNION, WALES**

ANIFEILIAID, CYMRU

ANIMALS, WALES

BWYD, CYMRU

FOOD, WALES

HADAU, CYMRU

PLANT HEALTH, WALES

**IECHYD PLANHIGION,
CYMRU**

SEEDS, WALES

**Rheoliadau Materion Gwledig
(Diwygiadau Amrywiol) (Cymru)
(Ymadael â'r UE) 2019**

**The Rural Affairs (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 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16) a pharagraff 21 o Atodlen 7 iddi, 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, sy'n berthnasol i adnabod gwartheg; y fasnach mewn anifeiliaid a chynhyrchion perthynol; archwilio am weddillion a therfynau uchaf gweddillion mewn cysylltiad ag anifeiliaid a chynhyrchion anifeiliaid; eneffalopathïau sbyngffurf trosglwyddadwy; marchnata hadau ac iechyd planhigion.

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 applies in relation to Wales, relevant to cattle identification; the trade in animals and related products; examination for residues and the maximum residue limits in respect of animals and animal products; transmissible spongiform encephalopathies; seed marketing and plant health.

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

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.

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**Rheoliadau Materion Gwledig
(Diwygiadau Amrywiol) (Cymru)
(Ymadael â'r UE) 2019**

Gwnaed 6pm ar 26 Mawrth 2019

Yn dod i rym yn unol â rheoliad 1

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.

Yn unol â pharagraff 1(8) o Atodlen 7 i'r Ddeddf honno, gosodwyd drafft o'r offeryn hwn gerbron Cynulliad Cenedlaethol Cymru ac fe'i cymeradwywyd drwy benderfyniad gan Gynulliad Cenedlaethol Cymru.

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Materion Gwledig (Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) 2019.

(1) 2018 p. 16.

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**EXITING THE EUROPEAN
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ANIMALS, WALES

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**The Rural Affairs (Miscellaneous
Amendments) (Wales) (EU Exit)
Regulations 2019**

Made 6pm on 26 March 2019

*Coming into force in accordance with
regulation 1*

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.

In accordance with paragraph 1(8) of Schedule 7 to that Act a draft of this instrument has been laid before the National Assembly for Wales and approved by a resolution of the National Assembly for Wales.

Title, commencement and application

1.—(1) The title of these Regulations is the Rural Affairs (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019.

(1) 2018 c. 16.

(2) Daw'r rheoliad hwn a rheoliad 8 i rym yn union cyn y diwrnod ymadael.

(3) Daw gweddill y Rheoliadau hyn i rym ar y diwrnod ymadael.

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

Diwygio Rheoliadau Adnabod Gwartheg (Cymru) 2007

2. Ym mharagraff 13 o Ran 2 o Atodlen 3 i Reoliadau Adnabod Gwartheg (Cymru) 2007(1), hepgorer is-baragraff (2).

Diwygio Rheoliadau'r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Cymru) 2011

3.—(1) Mae Rheoliadau'r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Cymru) 2011(2) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 17, yn y geiriau o flaen is-baragraff (a)—

(a) yn lle “yw blwch 30, 31, 33 neu 34 o'r” rhodder “yw'r”; a

(b) yn lle “yn yr Undeb Ewropeaidd” rhodder “yng Nghymru”.

(3) Yn rheoliad 38, yn lle “masnach rhwng” rhodder “mewnforion o”.

Diwygio Rheoliadau Marchnata Hadau (Cymru) 2012

4. Yn rheoliad 30 o Reoliadau Marchnata Hadau (Cymru) 2012(3), yn lle'r geiriau “Mae'r Ysgrifennydd Gwladol yn gweithredu fel yr Aelod-wladwriaeth at ddibenion” rhodder “Caiff Gweinidogion Cymru ganiatáu dros dro farchnata hadau nad ydynt yn bodloni'r gofynion o ran yr egin lleiaf o dan amodau a bennir yn unol â”.

Diwygio Rheoliadau Iechyd Anifeiliaid (Ffioedd Amrywiol) (Cymru) 2018

5.—(1) Mae Rheoliadau Iechyd Anifeiliaid (Ffioedd Amrywiol) (Cymru) 2018(4) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2, yn lle'r diffiniad o “trydedd wlad” rhodder—

(2) This regulation and regulation 8 come into force immediately before exit day.

(3) The remainder of these Regulations come into force on exit day.

(4) These Regulations apply in relation to Wales.

Amendment of the Cattle Identification (Wales) Regulations 2007

2. In paragraph 13 in Part 2 of Schedule 3 to the Cattle Identification (Wales) Regulations 2007(1), omit sub-paragraph (2).

Amendment of the Trade in Animals and Related Products (Wales) Regulations 2011

3.—(1) The Trade in Animals and Related Products (Wales) Regulations 2011(2) are amended as follows.

(2) In regulation 17, in the words before paragraph (a)—

(a) omit “box 30, 31, 33 or 34 of”; and

(b) for “the European Union” substitute “Wales”.

(3) In regulation 38, for “trade between” substitute “imports from”.

Amendment of the Seed Marketing (Wales) Regulations 2012

4. In regulation 30 of the Seed Marketing (Wales) Regulations 2012(3), for the words from “Secretary of State” to “purposes of” substitute “Welsh Ministers may temporarily permit the marketing of seed not satisfying the requirements of minimum germination under conditions determined in accordance with”.

Amendment of the Animal Health (Miscellaneous Fees) (Wales) Regulations 2018

5.—(1) The Animal Health (Miscellaneous Fees) (Wales) Regulations 2018(4) are amended as follows.

(2) In regulation 2, for the definition of “third country” substitute—

(1) O.S. 2007/842 (Cy. 74), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(2) O.S. 2011/2379 (Cy. 252), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(3) O.S. 2012/245 (Cy. 39), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(4) O.S. 2018/650 (Cy. 122).

(1) S.I. 2007/842 (W. 74), to which there are amendments not relevant to these Regulations.

(2) S.I. 2011/2379 (W. 252), to which there are amendments not relevant to these Regulations.

(3) S.I. 2012/245 (W. 39), to which there are amendments not relevant to these Regulations.

(4) S.I. 2018/650 (W. 122).

“ystyr “trydedd wlad” (“*third country*”) yw gwlad ac eithrio Aelod-wladwriaeth heblaw am—

(a) yn rheoliad 4, mae iddo'r ystyr a roddir i “third country” yn Rheoliad (EC) Rhif 2160/2003 ar reoli salmonela a chyfyngau milheintiol penodedig eraill a gludir mewn bwyd; a

(b) yn rheoliad 9 ac Atodlen 6, mae iddo'r ystyr a roddir yn Rheoliadau 2011.”

(3) Yn rheoliad 4(1) hepgorer “genedlaethol”, ac yn ei bennawd hepgorer “cenedlaethol”.

(4) Yn y pennawd i Atodlen 1, hepgorer “cenedlaethol”.

Diwygio Rheoliadau Enseffalopathïau Sbyngffurf Trosglwyddadwy (Cymru) 2018

6. Yn rheoliad 5(6)(e) o Reoliadau Enseffalopathïau Sbyngffurf Trosglwyddadwy (Cymru) 2018(1), yn lle “Gomisiwn yr UE” rhodder “Weinidogion Cymru”.

Diwygio Rheoliadau Anifeiliaid a Chynhyrchion Anifeiliaid (Archwilio am Weddillion a Therfynau Uchaf Gweddillion) (Cymru) 2019

7. Yn rheoliad 2(1) o Reoliadau Anifeiliaid a Chynhyrchion Anifeiliaid (Archwilio am Weddillion a Therfynau Uchaf Gweddillion) (Cymru) 2019(2), yn y diffiniad o “sylwedd anawdurdodedig” (“*unauthorised substance*”) yn lle “yn neddfwriaeth yr UE” rhodder “yng nghyfraith yr UE a ddargedwir”.

Diwygio Rheoliadau Iechyd Planhigion (Diwygio) (Cymru) (Ymadael â'r UE) 2019

8.—(1) Mae Rheoliadau Iechyd Planhigion (Diwygio) (Cymru) (Ymadael â'r UE) 2019(3) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 8(a)—

(a) yn is-baragraff (i)—

(i) yn y diffiniad a fewnosodwyd o “awdurdod iechyd planhigion priodol y DU”, ar ôl paragraff (e) mewnosoder—

“(f) o ran Beiliaeth Guernsey, Pwyllgor yr Amgylchedd a Seilwaith Taleithiau Guernsey;

““third country” (“*trydedd wlad*”) means a country other than a member State except that—

(a) in regulation 4, it has the meaning it bears in Regulation (EC) No 2160/2003 on the control of salmonella and other specified food-borne zoonotic agents; and

(b) in regulation 9 and Schedule 6, it has the meaning it bears in the 2011 Regulations;”.

(3) In regulation 4(1) and its heading, omit “national”.

(4) In the heading to Schedule 1, omit “national”.

Amendment of the Transmissible Spongiform Encephalopathies (Wales) Regulations 2018

6. In regulation 5(6)(e) of the Transmissible Spongiform Encephalopathies (Wales) Regulations 2018(1), for “EU Commission” substitute “Welsh Ministers”.

Amendment of the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (Wales) Regulations 2019

7. In regulation 2(1) of the Animals and Animal Products (Examination of Residues and Maximum Residue Limits) (Wales) Regulations 2019(2), in the definition of “unauthorised substance” (“*sylwedd anawdurdodedig*”) for “EU legislation” substitute “retained EU law”.

Amendment of the Plant Health (Amendment) (Wales) (EU Exit) Regulations 2019

8.—(1) The Plant Health (Amendment) (Wales) (EU Exit) Regulations 2019(3) are amended as follows.

(2) In regulation 8(a)—

(a) in sub-paragraph (i)—

(i) in the inserted definition of “appropriate UK plant health authority”, after paragraph (e) insert—

“(f) in relation to the Bailiwick of Guernsey, the Committee for the Environment & Infrastructure of the States of Guernsey;

(1) O.S. 2018/968 (Cy. 195), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(2) O.S. 2019/569 (Cy. 125).

(3) O.S. 2019/674 (Cy. 130).

(1) S.I. 2018 /968 (W. 195), to which there are amendments not relevant to these Regulations.

(2) S.I. 2019/569 (W. 125).

(3) S.I. 2019/674 (W. 130).

- (g) o ran Beilïaeth Jersey, Adran yr Amgylchedd Taleithiau Jersey;
- (h) o ran Ynys Manaw, Adran yr Amgylchedd, Bwyd ac Amaethyddiaeth Ynys Manaw;”;
- (ii) ar ôl y diffiniad a fewnosodwyd o “y rhestr o ddeunydd wedi ei heigio gwaharddedig”, mewnosoder—
“ystyr “tiriogaeth ddibynnol ar y Goron” (“*CD territory*”) yw Beilïaeth Guernsey, Beilïaeth Jersey neu Ynys Manaw;”;
- (b) yn lle is-baragraff (xxviii) rhodder—
“(xxviii) yn lle’r diffiniad o “trydedd wlad” rhodder—
“ystyr “trydedd wlad” (“*third country*”) yw unrhyw wlad neu diriogaeth y tu allan i Ynysoedd Prydain;”.
- (3) Yn lle rheoliad 15 rhodder—
“15. Yn erthygl 8—
(a) ym mharagraff (1)—
(i) yn lle “gyflwynir i Gymru ym mhaciau teithiwr neu dramwywr arall” rhodder “ddygir i Gymru ym mhaciau teithiwr neu dramwywr arall sy’n dod o unrhyw drydedd wlad, ac eithrio’r Undeb Ewropeaidd neu’r Swistir, neu i unrhyw ddeunydd esempt a ddygir i Gymru ym mhaciau teithiwr neu dramwywr arall sy’n dod o’r Undeb Ewropeaidd neu’r Swistir”;
- (ii) ym mharagraff (a), yn lle “(f)” rhodder “(h)”;
- (iii) ar ôl paragraff (b) mewnosoder—
“(ba) erthygl 6A(1);”;
- (iv) ar ôl is-baragraff (d), mewnosoder— “(e) erthygl 12A;”;
- (b) ym mharagraff (3)—
(i) yn is-baragraff (a), ar ôl “yw” mewnosoder “unrhyw un neu ragor o’r deunydd perthnasol a ganlyn sy’n tarddu o drydedd wlad, ac eithrio’r Undeb Ewropeaidd neu’r Swistir”;
- (g) in relation to the Bailiwick of Jersey, the Department of Environment of the States of Jersey;
- (h) in relation to the Isle of Man, the Department of Environment, Food and Agriculture of the Isle of Man;”;
- (ii) after the inserted definition of “appropriate UK plant health authority” insert—
““CD territory” (“*tiriogaeth ddibynnol ar y Goron*”) means the Bailiwick of Guernsey, the Bailiwick of Jersey or the Isle of Man;”;
- (b) for sub-paragraph (xxviii) substitute—
“(xxviii) for the definition of “third country” substitute—
““third country” (“*trydedd wlad*”) means any country or territory outside the British Islands;”.
- (3) For regulation 15 substitute—
“15. In article 8—
(a) in paragraph (1)—
(i) for the words from “introduced into Wales in the baggage of a passenger or other traveller” substitute “brought into Wales in the baggage of a passenger or other traveller coming from any third country, other than the European Union or Switzerland, or to any exempt material which is brought into Wales in the baggage of a passenger or other traveller coming from the European Union or Switzerland”;
- (ii) in paragraph (a), for “(f)” substitute “(h)”;
- (iii) after paragraph (b) insert—
“(ba) article 6A(1);”;
- (iv) after sub-paragraph (d), insert—
“(e) article 12A;”;
- (b) in paragraph (3)—
(i) in sub-paragraph (a), after “means” insert “any of the following relevant material originating in a third country, other than the European Union or Switzerland”;

(ii) ar ôl paragraff (a) mewnosoder—

“(aa) ystyr “deunydd esempt” (“*exempt material*”) yw unrhyw feintiau bach o ddeunydd perthnasol sy’n tarddu o’r Undeb Ewropeaidd neu’r Swistir, ac eithrio planhigion *Castanea* Mill. a fwriedir ar gyfer eu plannu, planhigion *Fraxinus* L. a fwriedir ar gyfer eu plannu neu blanhigion, ac eithrio hadau, *Platanus* L. a fwriedir ar gyfer eu plannu;”

(4) Yn rheoliad 27—

(a) ym mharagraff (a)—

- (i) yn nhestun is-baragraff (e) a amnewidiwyd, yn lle “o Brydain Fawr” rhodder “o’r Deyrnas Unedig neu diriogaeth ddibynnol ar y Goron”;
- (ii) yn nhestun is-baragraff (f) a amnewidiwyd, ar ôl “Deyrnas Unedig” mewnosoder “neu diriogaeth ddibynnol ar y Goron”;

(b) ym mharagraff (b)—

- (i) yn nhestun is-baragraff (1B)(d) a fewnosodwyd, ar ôl “Deyrnas Unedig” mewnosoder “neu diriogaeth ddibynnol ar y Goron”;
- (ii) yn nhestun is-baragraff (1B)(e) a fewnosodwyd, ar ôl “Deyrnas Unedig” mewnosoder “neu diriogaeth ddibynnol ar y Goron”;

(5) Yn rheoliad 28—

(a) ym mharagraff (b)—

- (i) yn nhestun paragraff (1)(a) a amnewidiwyd, ar y diwedd mewnosoder “neu diriogaeth ddibynnol ar y Goron”;
- (ii) yn nhestun paragraff (1)(b) a amnewidiwyd, yn lle’r geiriau “o dan erthygl 12” rhodder “ar ran Gweinidogion Cymru o dan erthygl 12(1) neu gan neu ar ran awdurdod iechyd planhigion priodol arall y DU mewn dull cyfatebol;”;
- (iii) ar ôl testun paragraff (1)(b) a amnewidiwyd mewnosoder—

(ii) after paragraph (a) insert—

“(aa) “exempt material” (“*deunydd esempt*”) means any small quantity of relevant material originating in the European Union or Switzerland, other than plants of *Castanea* Mill. intended for planting, plants of *Fraxinus* L. intended for planting or plants, other than seeds, of *Platanus* L. intended for planting;”

(4) In regulation 27—

(a) in paragraph (a)—

- (i) in the substituted text of sub-paragraph (e) for “the United Kingdom” substitute “the United Kingdom or a CD territory”;
- (ii) in the substituted text of sub-paragraph (f), after “United Kingdom” insert “or a CD territory”;

(b) in paragraph (b)—

- (i) in the inserted text of paragraph (1B)(d), after “United Kingdom” insert “or a CD territory”;
- (ii) in the inserted text of paragraph (1B)(e), after “United Kingdom” insert “or a CD territory”.

(5) In regulation 28—

(a) in paragraph (b)—

- (i) in the substituted text of paragraph (1)(a), at the end insert “or a CD territory”;
- (ii) in the substituted text of paragraph (1)(b), for the words from “under article 12” substitute “on behalf of the Welsh Ministers under article 12(1) or by or on behalf of another appropriate UK plant health authority in an equivalent manner;”;
- (iii) after the substituted text of paragraph (1)(b) insert—

- “(c) yn achos unrhyw ddeunydd perthnasol hysbysadwy sy’n tarddu o’r Undeb Ewropeaidd neu’r Swistir a ddygwyd i fan cyrraedd yn y Deyrnas Unedig, unrhyw ddeunydd perthnasol a bennir yn y rhestr o ddeunydd a reolir sy’n tarddu o’r Undeb Ewropeaidd neu’r Swistir ac yr hysbyswyd Gweinidogion Cymru amdano yn unol ag erthygl 6(1), neu yr hysbyswyd awdurdod iechyd planhigion priodol y DU amdano yn unol â gofynion cyfatebol o dan y Gorchymyn Iechyd Planhigion perthnasol.”;
- (iv) yn nhestun paragraff (2)(a) a amnewidiwyd, ar y diwedd mewnosoder “neu diriogaeth ddibynnol ar y Goron”;
- (v) yn lle testun paragraff (2)(b) a amnewidiwyd rhodder—
- “(b) unrhyw ddeunydd perthnasol o ddisgrifiad a bennir yn y rhestr o ddeunydd a reolir mewn ardaloedd sy’n rhydd rhag plâu mewn cysylltiad â’r ardal berthnasol yn y DU sy’n rhydd rhag plâu a ollyngir ar ran Gweinidogion Cymru o dan erthygl 12(1) neu gan neu ar ran awdurdod iechyd planhigion priodol arall y DU mewn dull cyfatebol;
- (c) yn achos unrhyw ddeunydd perthnasol hysbysadwy sy’n tarddu o’r Undeb Ewropeaidd neu’r Swistir a ddygwyd i fan cyrraedd yn y Deyrnas Unedig, unrhyw ddeunydd perthnasol a bennir yn y rhestr o ddeunydd a reolir mewn ardaloedd sy’n rhydd rhag plâu mewn cysylltiad â’r ardal berthnasol yn y DU sy’n rhydd rhag plâu—
- (i) sy’n tarddu o’r Undeb Ewropeaidd neu’r Swistir; a
- (ii) yr hysbyswyd Gweinidogion Cymru amdano yn unol ag erthygl 6(1), neu yr hysbyswyd yr awdurdod iechyd planhigion priodol y DU amdano yn unol â gofynion cyfatebol o dan y Gorchymyn Iechyd Planhigion perthnasol.”;
- “(c) in the case of any notifiable relevant material originating in the European Union or Switzerland which was brought into a point of entry in the United Kingdom, any relevant material specified in the list of controlled material which originates in the European Union or Switzerland and was notified to the Welsh Ministers in accordance with article 6(1), or to the appropriate UK plant health authority in accordance with equivalent requirements under the relevant Plant Health Order.”;
- (iv) in the substituted text of paragraph (2)(a), at the end insert “or a CD territory”;
- (v) for the substituted text of paragraph (2)(b) substitute—
- “(b) any relevant material of a description specified in the list of pest free area controlled material in respect of the relevant UK pest free area that has been discharged on behalf of the Welsh Ministers under article 12(1) or by or on behalf of another appropriate UK plant health authority in an equivalent manner;
- (c) in the case of any notifiable relevant material originating in the European Union or Switzerland which was brought into a point of entry in the United Kingdom, any relevant material specified in the list of pest free area controlled material in respect of the relevant UK pest free area which—
- (i) originates in the European Union or Switzerland; and
- (ii) was notified to the Welsh Ministers in accordance with article 6(1), or to the appropriate UK plant health authority in accordance with equivalent requirements under the relevant Plant Health Order.”;

- (vi) yn nhestun paragraff (3) a amnewidiwyd—
- (aa) yn y geiriau cyn is-baragraff (a), ar ôl “dirioogaethau eraill y DU” mewnosoder “neu dirioogaeth ddibynnol ar y Goron”;
- (bb) ar y diwedd mewnosoder—
“(e) yn achos deunydd perthnasol y bwriedir iddo fynd i dirioogaeth ddibynnol ar y Goron, unrhyw ddeunydd perthnasol o ddisgrifiad a bennir at ddibenion y paragraff hwn yn y ddeddfwriaeth iechyd planhigion sy’n gymwys yn y dirioogaeth honno sy’n ddibynnol ar y Goron”;
- (b) ar y diwedd mewnosoder—
“(g) ar ôl paragraff (10) mewnosoder—
“(11) Ym mharagraffau (1) a (2), mae i “Gorchymyn Iechyd Planhigion perthnasol” yr un ystyr ag sydd iddo yn Rhan 2 (gweler erthygl 3).”.
- (6) Yn rheoliad 34, yn lle paragraff (b) rhodder—
“(b) ym mharagraff (4) yn lle is-baragraffau (a) a (b) rhodder—
“(a) ystyr “gweithredwr proffesiynol” (“*professional operator*”) yw unrhyw berson sydd, wrth ei waith o fasnachu, rhedeg busnes neu broffesiwn, yn ymwneud â phlannu, bridio, cynhyrchu, mewnfario, marchnata neu ddsbarthu planhigion;
(aa) ystyr “manylion a bennir” (“*specified details*”), mewn perthynas â lot, yw ei tharddiad, ei thraddodwr, ei thraddodai, ei chyrchfan, ei rhif cyfresol neu wythnosol unigol neu rif swp unigol pasbort planhigion y DU, ei manylion adnabod a’i nifer;
(b) ystyr “planhigion penodedig *Xylella*” (“*Xylella specified plants*”) yw planhigion a bennir ym mharagraff 13 o Ran E o’r rhestr o ddeunydd a reolir sydd wedi eu tyfu am o leiaf ran o’u bywyd mewn, neu wedi eu symud drwy—
- (vi) in the substituted text of paragraph (3)—
- (aa) in the words before sub-paragraph (a), after “UK territory” insert “or a CD territory”;
- (bb) at the end insert—
“(e) in the case of relevant material destined for a CD territory, any relevant material of a description specified for the purposes of this paragraph in the applicable plant health legislation of that CD territory”;
- (b) at the end insert—
“(g) after paragraph (10) insert—
“(11) In paragraphs (1) and (2), “relevant Plant Health Order” has the same meaning as in Part 2 (see article 3).”.
- (6) In regulation 34 for paragraph (b) substitute—
“(b) in paragraph (4), for sub-paragraphs (a) and (b) substitute—
“(a) “professional operator” means any person who, in the course of a trade, business or profession, is involved in planting, breeding, producing, importing, marketing or distributing plants;
(aa) “specified details”, in relation to a lot, means its origin, consignor, consignee, place of destination, individual serial, week or batch number of the UK plant passport, identity and quantity;
(b) “*Xylella* specified plants” means plants specified in paragraph 13 of Part E of the list of regulated material which have been grown for a part of their life in, or have been moved through—

- (i) ardal a ddarnodir o dan baragraff 5 o Atodlen 15 i'r Rheoliadau Iechyd Planhigion neu, o ran yr Alban, o dan ddarpariaethau cyfatebol yng Ngorchmynion yr Alban; neu
- (ii) tiriogaeth ddibynnol ar y Goron lle y cadarnhawyd bod *Xylella fastidiosa* (Wells et al.) yn bresennol;”

- (i) an area demarcated under paragraph 5 of Schedule 15 to the Plant Health Regulations or, in relation to Scotland, under equivalent provisions in the Scotland Orders; or
- (ii) a CD territory in which *Xylella fastidiosa* (Wells et al.) has been confirmed to be present;”;

(7) Yn rheoliad 42(b)(i), yn lle “y Deyrnas Unedig” rhodder “y Deyrnas Unedig, tiriogaeth ddibynnol ar y Goron,”.

(7) In regulation 42(b)(i), for “United Kingdom,” substitute “United Kingdom, a CD territory,”.

(8) Yn rheoliad 48(a), ar ôl is-baragraff (i) mewnosoder—

(8) In regulation 48(a), after sub-paragraph (i) insert—

“(ia) hepgorer paragraffau (v) a (vi) o is-baragraff (a);”.

“(ia) omit paragraphs (v) and (vi) of sub-paragraph (a);”.

(9) Yn rheoliad 51—

(9) In regulation 51—

- (a) ym mharagraff (d)(viii) yn lle “i'r Deyrnas Unedig” rhodder “i'r Deyrnas Unedig neu diriogaeth ddibynnol ar y Goron”;
- (b) ym mharagraff (e), yn lle'r geiriau ym mharagraff (i) rhodder “yn lle “yn rhywle arall yn yr Undeb Ewropeaidd” rhodder “mewn un o diriogaethau eraill y DU neu mewn tiriogaeth ddibynnol ar y Goron””;
- (c) ym mharagraff (h), ar ôl testun paragraff 8(a) a fewnosodwyd, mewnosoder—

- (a) in paragraph (d)(viii), for “the United Kingdom” substitute “the United Kingdom or a CD territory”;
- (b) in paragraph (e), for the words in paragraph (i) substitute “for “elsewhere in the European Union” substitute “in another UK territory or a CD territory””;
- (c) in paragraph (h), after the inserted text of paragraph 8(a) insert—

“(aa) mewn perthynas â deunydd lluosogi planhigion ffrwythau a phlanhigion ffrwythau—

“(aa) in relation to fruit plant propagating material and fruit plants—

- (i) a gynhyrchir yn Lloegr, yn Rhan 2 o Atodlen 2 i Reoliadau Marchnata Planhigion Ffrwythau a Deunyddiau Lluosogi (Lloegr) 2017(1);
- (ii) a gynhyrchir yng Nghymru, yn Rhan 2 o Atodlen 2 i Reoliadau Marchnata Planhigion Ffrwythau a Deunyddiau Lluosogi (Cymru) 2017(2);

- (i) produced in England, in Part 2 of Schedule 2 to the Marketing of Fruit Plant and Propagating Material (England) Regulations 2017(1);
- (ii) produced in Wales, in Part 2 of Schedule 2 to the Marketing of Fruit Plant and Propagating Material (Wales) Regulations 2017(2);

(1) O.S. 2017/595, a ddiwygiwyd gan O.S. 2019/131.

(2) O.S. 2017/691 (Cy. 163), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(1) S.I. 2017/595, amended by S.I. 2019/131.

(2) S.I. 2017/691 (W.163), to which there are amendments not relevant to these Regulations.

- (c) a gynhyrchir yn yr Alban, yn Rhan 2 o Atodlen 5 i Reoliadau Marchnata Planhigion Ffrwythau a Deunyddiau Lluosogi (Yr Alban) 2017(1);
- (iv) a gynhyrchir yng Ngogledd Iwerddon, yn Rhan 2 o Atodlen 2 i Reoliadau Marchnata Planhigion Ffrwythau a Deunyddiau Lluosogi (Gogledd Iwerddon) 2017(2);”.
- (iii) produced in Scotland, in Part 2 of Schedule 5 to the Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017(1);
- (iv) produced in Northern Ireland, in Part 2 of Schedule 2 to the Marketing of Fruit Plant and Propagating Material Regulations (Northern Ireland) 2017(2);”.

Lesley Griffiths

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig,
un o Weinidogion Cymru
26 Mawrth ar 6pm

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Minister for Environment, Energy and Rural Affairs,
one of the Welsh Ministers
26 March at 6pm

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(1) O.S.A. 2017/177, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.
(2) Rh.St. 2017 Rhif 119, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(1) S.S.I. 2017/177, to which there are amendments not relevant to these Regulations.
(2) S.R. 2017 No. 119, to which there are amendments not relevant to these Regulations.

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