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CYMRU

WELSH STATUTORY
INSTRUMENTS

2021 Rhif 192 (Cy. 43)

2021 No. 192 (W. 43)

ANIFEILIAID, CYMRU

ANIMALS, WALES

IECHYD ANIFEILIAID

ANIMAL HEALTH

**Gorchymyn Milheintiau (Diwygio)
(Cymru) 2021**

**The Zoonoses (Amendment)
(Wales) Order 2021**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Milheintiau 1989 (O.S. 1989/285) ("y Gorchymyn") at y dibenion a ganlyn—

This Order amends the Zoonoses Order 1989 (S.I. 1989/285) ("the Order") for the following purposes—

- (a) i ychwanegu coronafeirws syndrom anadlol aciwt difrifol 2 (SARS-CoV-2) i'r rhestr o organeddau a ddynodir at ddibenion adran 29 o Ddeddf Iechyd Anifeiliaid 1981 (p. 22) (organeddau y mae darpariaethau a benodir o'r Ddeddf honno yn gymwys iddynt). Mae dynodi SARS-CoV-2 yn gymwys mewn perthynas ag achosion lle mae'r organedd yn cael ei gario mewn mamaliaid (*erthygl 3*);
- (b) i ychwanegu'r manylion sydd yn rhaid adrodd yn eu cylch mewn perthynas â SARS-CoV-2 (*erthygl 5*);
- (c) i ragnodi'r manylion sydd i'w cynnwys mewn adroddiad sydd angen ei lofnodi mewn perthynas ag *Echinococcus multilocularis* o dan adran 8A o'r Gorchymyn (*erthygl 6*).

- (a) to add severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) to the organisms designated for the purposes of section 29 of the Animal Health Act 1981 (c. 22) (organisms to which specified provisions of that Act apply). The designation of SARS-CoV-2 applies in relation to cases where that organism is carried in mammals (*article 3*);
- (b) to add the particulars of the reporting requirement in relation to SARS-CoV-2 (*article 5*);
- (c) to prescribe the particulars to be included in a signed report in relation to *Echinococcus multilocularis* under article 8A of the Order (*article 6*).

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, ni luniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn.

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

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ANIMAL HEALTH

**Gorchymyn Milheintiau (Diwygio)
(Cymru) 2021**

**The Zoonoses (Amendment)
(Wales) Order 2021**

Gwnaed 24 Chwefror 2021

Made 24 February 2021

Yn dod i rym 25 Chwefror 2021

Coming into force 25 February 2021

Mae Gweinidogion Cymru yn gwneud y Gorchymyn hwn drwy arfer y pwerau a roddir gan adrannau 1, 7(1), 8(1), 17(1), 23, 29 a 72 o Ddeddf Iechyd Anifeiliaid 1981(1).

The Welsh Ministers make this Order in exercise of the powers conferred by sections 1, 7(1), 8(1), 17(1), 23, 29 and 72 of the Animal Health Act 1981(1).

Enwi, cymhwyso a chychwyn

Title, application and commencement

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Milheintiau (Diwygio) (Cymru) 2021.

1.—(1) The title of this Order is the Zoonoses (Amendment) (Wales) Order 2021.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

(2) This Order applies in relation to Wales.

(3) Daw'r Gorchymyn hwn i rym ar 25 Chwefror 2021.

(3) This Order comes into force on 25 February 2021.

Diwygio Gorchymyn Milheintiau 1989

Amendment of the Zoonoses Order 1989

2. Mae Gorchymyn Milheintiau 1989(2) wedi ei ddiwygio fel a ganlyn.

2. The Zoonoses Order 1989(2) is amended as follows.

(1) Mae swyddogaethau "the Ministers" o dan Ddeddf Iechyd Anifeiliaid 1981 (p. 22) (fel y'u diffinnir yn adran 86(1) o'r Ddeddf honno) yn arferadwy gan Weinidogion Cymru (o ran Cymru), yn rhinwedd Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672), Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 2004 (O.S. 2004/3044) ac adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi.

(2) O.S. 1989/285, a ddiwygiwyd gan O.S. 2011/2883.

(1) Functions of "the Ministers" under the Animal Health Act 1981 (c. 22) (as defined in section 86(1) of that Act) are exercisable by the Welsh Ministers (in relation to Wales), by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), the National Assembly for Wales (Transfer of Functions) Order 2004 (S.I. 2004/3044) and section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

(2) S.I. 1989/285, amended by S.I. 2011/2883.

Diwygio erthygl 4

3. Yn erthygl 4—

- (a) ym mharagraff (1)—
 - (i) yn lle “animals and poultry” rhodder “a relevant host”,
 - (ii) ar ddiwedd is-baragraff (a), hepgorer “and”,
 - (iii) ar ddiwedd is-baragraff (b), yn lle “.” rhodder “; and”, a
 - (iv) ar ôl is-baragraff (b) mewnosoder—
“(c) severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).”;
- (b) ar ôl paragraff (2) mewnosoder—
“(3) In this article, “relevant host” means—
 - (a) in the case of organisms mentioned in paragraph (1)(a) and (b), any animal or poultry;
 - (b) in the case of the organism mentioned in paragraph (1)(c), any mammal.”

Diwygio erthygl 8

4. Yn erthygl 8—

- (a) ym mharagraff (1), yn lle “a designated organism” rhodder “an organism designated by article 4(1)(a) or (b)”;
- (b) ym mharagraff (5)(a), yn lle “a bull, cow, steer, heiver, calf, horse, deer, sheep, goat, pig or rabbit” rhodder “cattle (including water buffalo and bison), horse, deer, sheep, goat, pig or rabbit”.

5. Ar ôl erthygl 8 mewnosoder—

“Reporting of presence of the organism designated by article 4(1)(c)

8ZA.—(1) Subject to paragraphs (3) and (4) below, where the presence or former presence of the organism designated by article 4(1)(c) is identified in a sample taken from a mammal or the carcase of a mammal, by a laboratory examination or by a serological or other examination carried out elsewhere than at a laboratory, the person in charge of the laboratory, or, in the case of an examination carried out elsewhere than at a laboratory, the person carrying out such examination shall forthwith make to a veterinary officer of the Minister a written or oral report containing the particulars specified in Schedule 2 to this Order.

Amendment to article 4

3. In article 4—

- (a) in paragraph (1)—
 - (i) for “animals and poultry” substitute “a relevant host”,
 - (ii) at the end of sub-paragraph (a), omit “and”,
 - (iii) at the end of sub-paragraph (b), for “.” substitute “; and”, and
 - (iv) after sub-paragraph (b) insert—
“(c) severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).”;
- (b) after paragraph (2) insert—
“(3) In this article, “relevant host” means—
 - (a) in the case of organisms mentioned in paragraph (1)(a) and (b), any animal or poultry;
 - (b) in the case of the organism mentioned in paragraph (1)(c), any mammal.”

Amendment to article 8

4. In article 8—

- (a) in paragraph (1), for “a designated organism” substitute “an organism designated by article 4(1)(a) or (b)”;
- (b) in paragraph (5)(a), for “a bull, cow, steer, heiver, calf, horse, deer, sheep, goat, pig or rabbit” substitute “cattle (including water buffalo and bison), horse, deer, sheep, goat, pig or rabbit”.

5. After article 8 insert—

“Reporting of presence of the organism designated by article 4(1)(c)

8ZA.—(1) Subject to paragraphs (3) and (4) below, where the presence or former presence of the organism designated by article 4(1)(c) is identified in a sample taken from a mammal or the carcase of a mammal, by a laboratory examination or by a serological or other examination carried out elsewhere than at a laboratory, the person in charge of the laboratory, or, in the case of an examination carried out elsewhere than at a laboratory, the person carrying out such examination shall forthwith make to a veterinary officer of the Minister a written or oral report containing the particulars specified in Schedule 2 to this Order.

(2) A person who is under an obligation to make a report under paragraph (1) above shall, if so required by an officer of the appropriate Minister, supply that officer with a culture or diagnostic material of the designated organism in respect of which that obligation arose.

(3) Nothing in paragraph (1) above shall require a person to make a report where that person's knowledge or suspicion of the presence or the former presence of a designated organism results from an identification made by or on behalf of, the appropriate Minister.

(4) For the purposes of this article, "veterinary officer of the Minister" means an officer of the Minister who is a person registered in the register of veterinary surgeons or in the supplementary veterinary register."

(2) A person who is under an obligation to make a report under paragraph (1) above shall, if so required by an officer of the appropriate Minister, supply that officer with a culture or diagnostic material of the designated organism in respect of which that obligation arose.

(3) Nothing in paragraph (1) above shall require a person to make a report where that person's knowledge or suspicion of the presence or the former presence of a designated organism results from an identification made by or on behalf of, the appropriate Minister.

(4) For the purposes of this article, "veterinary officer of the Minister" means an officer of the Minister who is a person registered in the register of veterinary surgeons or in the supplementary veterinary register."

Diwygio erthygl 8A

6. Yn erthygl 8A—

(a) ym mharagraff (1), yn lle "carcass" rhodder "carcase of an animal";

(b) ar ôl paragraff (2) mewnosoder—

"(2A) The particulars of which notice must be given are—

(a) the species of mammal in which (or in the carcase of which) the organism is, or is suspected to be or have been present;

(b) the name of the owner or keeper of the animal;

(c) the address of the premises at which the mammal or carcase is present;

(d) the name and address of the person by whom the notice is given;

(e) the date on which notice is given.

(2B) Notice given under this article must be signed by the person providing the information under paragraph (2A).";

(c) yn lle paragraff (3) rhodder—

"(3) For the purposes of this article, "animal" means any kind of mammal except man."

Diwygio Atodlen 2

7. Yn Atodlen 2, ar ôl paragraff 2 mewnosoder—

"2A. The name and address of the owner or keeper of the animal or carcase in which the sample of the designated organism is isolated or the previous presence of that organism is detected."

Amendment to article 8A

6. In article 8A—

(a) in paragraph (1), for "carcass" substitute "carcase of an animal";

(b) after paragraph (2) insert—

"(2A) The particulars of which notice must be given are—

(a) the species of mammal in which (or in the carcase of which) the organism is, or is suspected to be or have been present;

(b) the name of the owner or keeper of the animal;

(c) the address of the premises at which the mammal or carcase is present;

(d) the name and address of the person by whom the notice is given;

(e) the date on which notice is given.

(2B) Notice given under this article must be signed by the person providing the information under paragraph (2A).";

(c) for paragraph (3) substitute—

"(3) For the purposes of this article, "animal" means any kind of mammal except man."

Amendment to Schedule 2

7. In Schedule 2, after paragraph 2 insert—

"2A. The name and address of the owner or keeper of the animal or carcase in which the sample of the designated organism is isolated or the previous presence of that organism is detected."

Lesley Griffiths

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig,
un o Weinidogion Cymru
24 Chwefror 2021

Minister for Environment, Energy and Rural Affairs,
one of the Welsh Ministers
24 February 2021

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