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OFFERYNNAU STATUDOL  
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WELSH STATUTORY  
INSTRUMENTS

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**2015 Rhif 2020 (Cy. 308)**

**2015 No. 2020 (W. 308)**

**AMAETHYDDIAETH, CYMRU**

**AGRICULTURE, WALES**

**DŴR, CYMRU**

**WATER, WALES**

**Rheoliadau Atal Llygredd Nitradau  
(Cymru) (Diwygio) 2015**

**The Nitrate Pollution Prevention  
(Wales) (Amendment) Regulations  
2015**

**NODYN ESBONIADOL**

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Atal Llygredd Nitradau (Cymru) 2013 (O.S. 2013/2506 (Cy. 245)) ("y Rheoliadau Nitradau") a Rheoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2010 (O.S. 2010/490) ("y Rheoliadau Cynefinoedd").

Maent yn rhoi ar waith yng Nghymru Benderfyniad y Comisiwn 2013/781/EC (OJ Rhif L 346, 20.12.13, t65) sy'n caniatáu rhanddirymiad yn unol â Chyfarwyddeb y Cyngor 91/676/EEC ynghylch diogelu dyfroedd rhag llygredd gan nitradau sy'n dod o ffynonellau amaethyddol (OJ Rhif L 375, 31.12.91, t1, a ddiwygiwyd gan OJ Rhif L 284, 31.10.03, t1, OJ Rhif L 311, 21.11.08, t1).

Mae rheoliad 3 yn diwygio rheoliad 6 (Dehongli) y Rheoliadau Nitradau. Mae rheoliad 5 yn mewnosod Rhan 3A newydd yn y Rheoliadau Nitradau sy'n cyflwyno gweithdrefn y mae'n rhaid i gais am randdirymiad gael ei wneud drwyddi ac mae'n sefydlu gweithdrefn apelio yn erbyn gwrthod cais am randdirymiad.

Mae rheoliad 6 yn mewnosod Atodlen 5 newydd yn y Rheoliadau Nitradau sy'n nodi gofynion ychwanegol y mae meddiannydd daliad a randdirymwyd i'w bodloni.

Mae rheoliad 7 yn gwneud diwygiadau canlyniadol i'r Rheoliadau Cynefinoedd.

**EXPLANATORY NOTE**

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

These Regulations amend the Nitrate Pollution Prevention (Wales) Regulations 2013 (S.I. 2013/2506 (W.245)) ("the Nitrate Regulations") and Conservation of Habitats and Species Regulations 2010 (S.I. 2010/490) ("the Habitats Regulations").

They implement in Wales Commission Decision 2013/781/EC (OJ No L 346, 20.12.13, p65) granting a derogation pursuant to Council Directive 91/676/EEC concerning the protection of waters against pollution by nitrates from agricultural sources (OJ No L 375, 31.12.91, p1, amended by OJ No L 284, 31.10.03, p1, OJ No L 311, 21.11.08, p1).

Regulation 3 amends regulation 6 (Interpretation) of the Nitrate Regulations. Regulation 5 inserts a new Part 3A into the Nitrate Regulations which introduces a procedure by which an application for a derogation must be made and establishes an appeal procedure against refusal of a derogation application.

Regulation 6 inserts a new Schedule 5 into the Nitrate Regulations which sets out additional requirements to be met by an occupier of a derogated holding.

Regulation 7 makes consequential amendments to the Habitats Regulations.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal asesiadau effaith rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, nid oedd yn angenrheidiol cynnal asesiad 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 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 Atal Llygredd Nitradau  
(Cymru) (Diwygio) 2015**

**The Nitrate Pollution Prevention  
(Wales) (Amendment) Regulations  
2015**

*Gwnaed* 11 Rhagfyr 2015

*Made* 11 December 2015

*Gosodwyd gerbron Cynulliad Cenedlaethol  
Cymru* 14 Rhagfyr 2015

*Laid before the National Assembly for Wales*  
14 December 2015

*Yn dod i rym* 8 Ionawr 2016

*Coming into force* 8 January 2016

Mae Gweinidogion Cymru wedi'u dynodi(1) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(2) mewn perthynas â materion sy'n ymwneud â diogelu dyfroedd rhag llygredd a achosir gan nitradau o ffynonellau amaethyddol a chadwraeth cynefinoedd gwyllt a fflora a ffawna ac maent yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd gan yr adran honno.

The Welsh Ministers are designated(1) for the purposes of section 2(2) of the European Communities Act 1972(2) in relation to matters relating to the protection of waters against pollution caused by nitrates from agricultural sources and the conservation of wild habitats and of flora and fauna and make the following Regulations under the powers conferred by that section.

### **Enwi, cymhwyso a chychwyn**

1. Enw'r Rheoliadau hyn yw Rheoliadau Atal Llygredd Nitradau (Cymru) (Diwygio) 2015, maent yn gymwys o ran Cymru a deuant i rym ar 8 Ionawr 2016.

### **Title, application and commencement**

1. The title of these Regulations is the Nitrate Pollution Prevention (Wales) (Amendment) Regulations 2015, they apply in relation to Wales and they come into force on 8 January 2016.

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(1) Rhoddodd O.S. 2001/2555 ac O.S. 2002/248 bwerau i Gynulliad Cenedlaethol Cymru. Yn rhinwedd adran 59 o Ddeddf Llywodraeth Cymru 2006 a pharagraff 28(1) o Atodlen 11 iddi, mae'r dynodiad hwnnw bellach wedi breinio yng Ngweinidogion Cymru.

(2) 1972 p. 68.

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(1) S.I. 2001/2555 and S.I. 2002/248 conferred powers on National Assembly for Wales. By virtue of section 59 of and paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006, the designations now vest with the Welsh Ministers.

(2) 1972 c. 68.

## Diwygio Rheoliadau Atal Llygredd Nitradau (Cymru) 2013

2. Diwygir Rheoliadau Atal Llygredd Nitradau (Cymru) 2013(1) yn unol â rheoliadau 3 i 7.

### Diwygio rheoliad 6 (dehongli)

3.—(1) Yn rheoliad 6 (dehongli), yn y man priodol yn nhrefn yr wyddor mewnosoder—

“ystyr “daliad a randdirymwyd” (“*derogated holding*”) yw daliad y mae gan randdirymiad effaith drosto;

ystyr “rhanddirymiad” (“*derogation*”) yw rhanddirymiad a roddir o dan Ran 3A o derfyn y cyfanswm o nitrogen mewn tail da byw y gellir ei ddodi ar dir bob blwyddyn yn unol â pharagraff 2(b) o Atodiad III o Gyfarwyddeb y Cyngor 91/676/EEC a Phenderfyniad y Comisiwn 2013/781/EU(2)

ystyr “cais i randdirymu” (“*derogation application*”) yw cais am randdirymiad;

(2) yn y diffiniad “cynllun gwrteithio” ar ôl y geiriau “reoliad 14(1)(c)” mewnosoder—

““neu gynlluniau eraill cyffelyb sy’n ofynnol o dan Atodlen 5.”.

### Diwygio rheoliad 12 (dodi tail da byw – y terfyn mewn perthynas â chyfanswm y nitrogen ar gyfer yr holl ddaliad)

4. Ar ddechrau paragraff (1) o reoliad 12 (dodi tail da byw – y terfyn mewn perthynas â chyfanswm y nitrogen ar gyfer yr holl ddaliad) mewnosoder “Ac eithrio pan fo’r meddiannydd wedi cael rhanddirymiad,”.

### Mewnosod Rhan 3A newydd

5. Ar ôl Rhan 3 (Cyfyngu ar ddodi tail organig), mewnosoder—

## Amendments to the Nitrate Pollution Prevention (Wales) Regulations 2013

2. The Nitrate Pollution Prevention (Wales) Regulations 2013(1) are amended in accordance with regulations 3 to 7.

### Amendment of regulation 6 (interpretation)

3.—(1) In regulation 6 (interpretation) in the appropriate place in alphabetical order insert—

“derogated holding” (“*daliad a randdirymwyd*”) means a holding over which a derogation has effect;

“derogation” (“*rhanddirymiad*”) means a derogation granted under Part 3A from the limit of the total amount of nitrogen in livestock manure that can be applied to land each year in accordance with paragraph 2(b) of Annex III of Council Directive 91/676/EEC and Commission Decision 2013/781/EU(2)

“derogation application” (“*cais i randdirymu*”) means an application for a derogation;

(2) in the definition “fertilisation plan” after the words “regulation 14 (1) (c)” insert—

““or other similar plans required under Schedule 5.”.

### Amendment of regulation 12 (application of livestock manure – total nitrogen limit for the whole holding)

4.—(1) At the beginning of paragraph (1) of regulation 12 (application of livestock manure – total nitrogen limit for the whole holding) insert “Except where the occupier has been granted a derogation,”.

### Insertion of new Part 3A

5. After Part 3 (Limiting the application of organic manure), insert—

(1) O.S. 2013/2506 (Cy. 245).  
(2) OJ Rhif L 346, 20.12.2013, t 65.

(1) S.I. 2013/2506 (W. 245).  
(2) OJ No L 346, 20.12.2013, p 65.

## “RHAN 3A

### Rhanddirymu

#### Cais i randdirymu

**13A.**—(1) Caiff meddiannydd unrhyw ddaliad neu unrhyw berson ar ran y meddiannydd (“y ceisydd”) wneud cais i Gorff Adnoddau Naturiol Cymru am randdirymiad pan cafodd 80% neu fwy o’r ardal amaethyddol ei hau â phorfa.

(2) Mae’n rhaid i gais o dan y rheoliad hwn gynnwys gydag ef ddatganiad ysgrifenedig yn datgan y bydd y meddiannydd yn bodloni’r amodau a nodir yn Atodiad 5.

(3) Rhaid i gais i randdirymu gael ei gyflwyno erbyn 31 Rhagfyr yn y flwyddyn galendr o flaen honno y gwneir y cais ar ei chyfer.

(4) Rhaid i Weinidogion Cymru gyhoeddi’r dull a’r ffurf y mae’n rhaid i’r cais gael ei wneud ynddynt.

(5) Rhaid i Gorff Adnoddau Naturiol Cymru ganiatáu neu wrthod cais i randdirymu cyn gynted ag y bo’n ymarferol a hysbysu’r ceisydd o’r penderfyniad yn ysgrifenedig ac, os bydd Corff Adnoddau Naturiol Cymru yn gwrthod cais i randdirymu, rhaid iddo ar yr un pryd roi rhesymau dros wrthod.

(6) Rhaid i Gorff Adnoddau Naturiol Cymru wrthod cais i randdirymu pan fo o’r farn y byddai caniatáu rhanddirymiad yn cael effaith andwyol ar gyfanrwydd—

- (a) safle Ewropeaidd; neu
- (b) safle morol alltraeth Ewropeaidd,

pan fo’r safleoedd hynny wedi bod yn ddarostyngedig i asesiad priodol o dan reoliad 61 o Reoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2010(1).

(7) Pan fo Corff Adnoddau Naturiol Cymru wedi gwrthod caniatáu’r cais i randdirymu, caiff y ceisydd apelio yn unol â’r weithdrefn a nodir yn rheoliad 13B.

## “PART 3A

### Derogation

#### Application for a derogation

**13A.**—(1) An occupier of any holding or any person on the occupier’s behalf (“the applicant”) may apply to the Natural Resources Body for Wales for a derogation where 80% or more of the agricultural area is sown with grass.

(2) An application under this regulation must be accompanied by a written declaration that the occupier will meet the conditions set out in Schedule 5.

(3) A derogation application must be submitted by 31 December in the calendar year preceding that in respect of which the application is made.

(4) The Welsh Ministers must publish the manner and form in which the application must be made.

(5) The Natural Resources Body for Wales must grant or refuse a derogation application as soon as practicable and notify the applicant of the decision in writing and, where the Natural Resources Body for Wales refuses a derogation application, it must give reasons for the refusal at the same time.

(6) The Natural Resources Body for Wales must refuse a derogation application where it considers the granting of the derogation would have an adverse effect on the integrity of—

- (a) a European site; or
- (b) a European offshore marine site,

where those sites have been subject to an appropriate assessment under regulation 61 of the Conservation of Habitats and Species Regulations 2010(1).

(7) Where the Natural Resources Body for Wales has refused to grant the derogation application, the applicant may appeal in accordance with the procedure set out in regulation 13B.

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(1) O.S. 2010/490. Cafodd diwygiadau perthnasol eu gwneud gan O.S. 2012/1927.

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(1) S.I. 2010/490. Relevant amendments were made by S.I. 2012/1927.

(8) Rhaid i Gorff Adnoddau Naturiol Cymru (yn ddarostyngedig i baragraff (8)) wrthod y cais os canfu bod y meddiannydd wedi torri amodau'r rhanddirymiad yn ystod y flwyddyn galendr o flaen honno y mae'r cais yn berthnasol iddi.

(9) Os canfu bod y meddiannydd wedi torri amodau'r rhanddirymiad ar ôl dyddiad y cais ond cyn i benderfyniad gael ei wneud (a chyn y flwyddyn galendr y mae'r cais yn berthnasol iddi), caiff Corff Adnoddau Naturiol Cymru, gan ystyried difrifoldeb y drosedd, ddewis caniatáu neu wrthod y cais.

(10) Os canfu bod y meddiannydd wedi torri amodau'r rhanddirymiad ar ôl i'r cais gael ei ganiatáu (ond cyn y flwyddyn galendr y mae'r cais yn berthnasol iddi), caiff Corff Adnoddau Naturiol Cymru, gan ystyried difrifoldeb y drosedd, ddirymu'r rhanddirymiad drwy anfon hysbysiad ysgrifenedig at y ceisydd cyn y flwyddyn galendr y caniatawyd y cais ar ei chyfer.

(11) Pan fo Corff Adnoddau Naturiol Cymru yn caniatáu cais mewn achos yn unol â pharagraff (8) neu'n penderfynu peidio â dirymu rhanddirymiad mewn achos yn unol â pharagraff (9), rhaid iddo wrthod y cais nesaf a wneir o dan reoliad 13A gan neu ar ran y meddiannydd.

(12) At ddibenion y rheoliad hwn, ystyrir bod person wedi torri amodau'r rhanddirymiad os—

(a) yw'r person wedi ei gollfarnu o drosedd o dan reoliad 49 sy'n deillio o dorri'r amodau hynny ac naill ai na chaiff apêl pellach ei gwneud yn erbyn y gollfarn, neu lle gwnaed apêl, aeth y penderfyniad yn erbyn y person;

(b) yw'r person wedi derbyn rhybudd syml am drosedd o'r fath.

(13) Pan fo Corff Adnoddau Naturiol Cymru wedi caniatáu'r cais i randdirymu, rhaid i Gorff Adnoddau Naturiol Cymru ddynodi'r daliad y mae'r rhanddirymiad yn gymwys ar ei gyfer yn ddaliad a randdirymwyd am y flwyddyn galendr y gwnaed y cais ar ei chyfer.

(8) The Natural Resources Body for Wales must (subject to paragraph (8)) refuse the application if the occupier has been found in breach of the derogation conditions during the calendar year preceding that to which the application relates.

(9) If the occupier is found in breach of the derogation conditions after the date of the application but before it has been determined (and before the calendar year to which the application relates), the Natural Resources Body for Wales may, taking into account the seriousness of the breach, grant or refuse the application.

(10) If the occupier is found in breach of the derogation conditions after the application has been granted (but before the calendar year to which the application relates), the Natural Resources Body for Wales may, taking into account the seriousness of the breach, revoke the derogation by sending written notice to the applicant before the calendar year for which the derogation was granted.

(11) Where the Natural Resources Body for Wales grants an application in a case within paragraph (8) or decides not to revoke a derogation in a case within paragraph (9), it must refuse the next application made under regulation 13A by or on behalf of the occupier.

(12) For the purposes of this regulation, a person is to be regarded as having been found in breach of the derogation conditions if—

(a) the person has been convicted of an offence under regulation 49 which arises from a breach of those conditions and either no further appeal may be made against the conviction or, where there was an appeal, it was decided against the person;

(b) the person has accepted a simple caution for such an offence.

(13) Where the Natural Resources Body for Wales has granted the derogation application, the holding to which the derogation applies must be designated by the Natural Resources Body for Wales as a derogated holding for the calendar year in respect of which the application was made.

(14) Rhaid i'r meddiannydd gadw cofnod o'r cais i randdirymu a'r penderfyniad.

(15) Yn y rheoliad hwn—

- (a) ystyr “safle morol alltraeth Ewropeaidd” yw safle morol alltraeth Ewropeaidd o fewn ystyr rheoliad 15 (ystyr safle morol alltraeth Ewropeaidd) o Reoliadau Cadwraeth Forol Alltraeth (Cynefinoedd Naturiol, &c.) 2007(1); a
- (b) ystyr “safle Ewropeaidd” yw safle Ewropeaidd o fewn ystyr rheoliad 8 o Reoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2010.

### Apelio yn erbyn gwrthod cais i randdirymu

**13B.**—(1) Pan fo Corff Adnoddau Naturiol Cymru wedi gwrthod cais i randdirymu, caiff y ceisydd drwy hysbysiad apelio yn erbyn y penderfyniad i banel annibynnol a benodwyd gan Weinidogion Cymru at ddibenion y Rheoliadau hyn.

(2) Rhaid i apêl o dan y rheoliad hwn gael ei chyflwyno o fewn 30 o ddiwrnodau sy'n dechrau drannoeth dyddiad y gwrthod.

(3) Rhaid i apêl o dan y rheoliad hwn gael ei gwneud yn y dull a'r ffurf a gyhoeddwyd gan Weinidogion Cymru.

(4) Rhaid i'r panel a gaiff ei benodi o dan y rheoliad hwn gynnwys odrif o bersonau (a rhaid iddo gynnwys o leiaf dri pherson).

(5) Mae penderfyniad gan y panel i'w wneud drwy fwyafrif syml.

(6) Rhaid i'r panel seilio ei benderfyniad ar—

- (a) dogfennau a gyflwynwyd iddo gan yr apelydd;
- (b) dogfennau a gyflwynwyd iddo gan Gorff Adnoddau Naturiol Cymru; ac
- (c) unrhyw wybodaeth ychwanegol gan yr apelydd neu Gorff Adnoddau Naturiol Cymru y mae'n ei hystyried sy'n angenrheidiol.

(14) The occupier must keep a record of the derogation application and decision.

(15) In this regulation—

- (a) “European offshore marine site” means a European offshore marine site within the meaning of regulation 15 (meaning of European offshore marine site) of the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(1); and
- (b) “European site” has the meaning given by regulation 8 of the Conservation of Habitats and Species Regulations 2010.

### Appeal against refusal of a derogation application

**13B.**—(1) Where the Natural Resources Body for Wales has refused a derogation application, the applicant may by notice appeal against the refusal to an independent panel appointed by the Welsh Ministers for the purpose of these Regulations.

(2) An appeal under this regulation must be submitted before the end of 30 days beginning with the day after the date of the refusal.

(3) An appeal under this regulation must be made in the form and manner published by the Welsh Ministers.

(4) The panel appointed under this regulation must consist of an odd number of persons (and must consist of at least 3 persons).

(5) A decision of the panel is to be made by simple majority.

(6) The panel must base its decision on—

- (a) documents submitted to it by the appellant;
- (b) documents submitted to it by the Natural Resources Body for Wales; and
- (c) such additional information from the appellant or the Natural Resources Body for Wales as it considers necessary.

(7) At ddibenion paragraff (6)(c), caiff y panel—

- (a) gofyn i'r apelydd neu i Gorff Adnoddau Naturiol Cymru ddarparu'r wybodaeth ychwanegol; neu
- (b) mewn amgylchiadau eithriadol, gynnal gwrandawriad llafar lle caiff yr apelydd a Chorff Adnoddau Naturiol Cymru ymddangos.

(8) Os bydd y panel yn caniatáu apêl o dan y rheoliad hwn, rhaid i Gorff Adnoddau Naturiol Cymru ddynodi'r daliad dan sylw fel daliad a randdirymwyd am y flwyddyn galendr y gwnaed y cais ar ei chyfer.

(9) Ar ôl penderfynu ar apêl o dan y rheoliad hwn, rhaid i'r panel—

- (a) cyn gynted ag y bo'n rhesymol ymarferol, hysbysu Corff Adnoddau Naturiol Cymru, yr apelydd a Gweinidogion Cymru o'i benderfyniad yn ysgrifenedig; a
- (b) pan fo'n gwrthod yr apêl, rhoi'r rhesymau dros wrthod.

(10) Rhaid i bob parti mewn apêl o dan y rheoliad hwn ysgwyddo ei gostau ei hun.

#### **Daliadau a randdirymwyd**

**13C.** Mae Atodlen 5 yn cael effaith mewn perthynas â daliadau a randdirymwyd.”.

#### **Mewnosod Atodlen 5 newydd**

**6.** Ar ôl Atodlen 4 (Y cynydau a ganiateir am y cyfnod gwaharddedig), mewnosoder gynnwys yr Atodlen i'r Rheoliadau hyn.

#### **Diwygio Rheoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2010**

**7.**—(1) Yn rheoliad 101(1)(b) o Reoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2010(1) yn lle “2008” rhodder “2013”.

(7) For the purposes of paragraph (6)(c), the panel may—

- (a) request the appellant or the Natural Resources Body for Wales to provide the additional information; or
- (b) in exceptional circumstances, convene an oral hearing at which the appellant and the Natural Resources Body for Wales may appear.

(8) If the panel allows an appeal under this regulation, the Natural Resources Body for Wales must designate the holding concerned as a derogated holding for the calendar year for which the application was made.

(9) Having determined an appeal under this regulation, the panel must—

- (a) as soon as reasonably practicable, notify in writing the Natural Resources Body for Wales, the appellant and the Welsh Ministers of its determination; and
- (b) where it refuses the appeal, give the reasons for its refusal.

(10) Each party to an appeal under this regulation must bear its own costs.

#### **Derogated holdings**

**13C.** Schedule 5 has effect in relation to derogated holdings.”.

#### **Insertion of new Schedule 5**

**6.** After Schedule 4 (Permitted Crops for the Closed Period), insert the contents of the Schedule to these Regulations.

#### **Amendment of the Conservation of Habitats and Species Regulations 2010**

**7.** In regulation 101(1)(b) of the Conservation of Habitats and Species Regulations 2010 (1) for “2008” substitute “2013”.



*Rebecca Evans*

Y Dirprwy Weinidog Ffermio a Bwyd, un o  
Weinidogion Cymru  
11 Rhagfyr 2015

Deputy Minister for Farming and Food, one of the  
Welsh Ministers  
11 December 2015

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## “ATODLEN 5 Rheoliad 13C

## Daliadau a rannirymwyd

1. Mae'r gofynion ychwanegol a ganlyn yn gymwys i ddaliadau a rannirymwyd.

**Cyflwyniad**

2. Yn yr Atodlen hon ystyr “y meddiannydd” yw “meddiannydd daliad a rannirymwyd”

**Rhanddirymiad oddi wrth y mesurau sy'n llywodraethu'r terfyn ar ddodi tail da byw**

3. Rhaid i feddiannydd daliad a rannirymwyd sicrhau yn unrhyw flwyddyn galendr y rhoddyd rhanddirymiad ynglŷn â hi bod—

$$A \geq (Ngl / 250) + (Nngl / 170)$$

lle—

*A* yw ardal y daliad a rannirymwyd (hectarau), fel y mae ar 1 Ionawr ar gyfer y flwyddyn galendr honno;

*Ngl* yw cyfanswm y nitrogen (cilogramau) mewn tail da byw gan dda byw sy'n pori, p'un a ddodir ef yn uniongyrchol gan anifail neu wrth ei daenu;

*Nngl* yw cyfanswm y nitrogen (cilogramau) mewn tail da byw gan dda byw nad ydynt yn pori, p'un a ddodir ef yn uniongyrchol gan anifail neu wrth ei daenu.

**Cynllunio'r modd y mae gwartaith ffosffad yn cael ei daenu**

4.—(1) Yn ychwanegol at lunio cynlluniau ynghylch taenu nitrogen o dan reoliad 14 (cynllunio'r modd y mae gwartaith nitrogen yn cael ei daenu) rhaid i'r meddiannydd—

- (a) asesu faint o ffosforws yn y pridd sy'n debygol o fod ar gael i'w amsugno gan y cnwd yn ystod y tymor tyfu (“y cyflenwad ffosforws yn y pridd”);

## “SCHEDULE 5 Regulation 13C

## Derogated holdings

1. The following additional requirements apply to derogated holdings.

**Introductory**

2. In this Schedule “the occupier” means the occupier of a derogated holding.

**Derogation from the measures governing the limit on application of livestock manure**

3. An occupier of a derogated holding must ensure that in any calendar year for which the derogation has been granted—

$$A \geq (Ngl / 250) + (Nngl / 170)$$

where—

*A* is the area of the derogated holding (hectares), as existing on 1 January for that calendar year;

*Ngl* is the total amount of nitrogen (kilogrammes) in livestock manure from grazing livestock, whether applied directly by an animal or by spreading;

*Nngl* is the total amount of nitrogen (kilogrammes) in livestock manure from non-grazing livestock, whether applied directly by an animal or by spreading.

**Planning the spreading of phosphate fertiliser**

4.—(1) In addition to the production of nitrogen spreading plans under regulation 14 (planning the spreading of nitrogen fertiliser) the occupier must—

- (a) assess the amount of phosphorus in the soil that is likely to be available for uptake by the crop during the growing season (“the soil phosphorus supply”);

- (b) cyfrifo'r maint gorau posibl o wrtaith ffosffad y dylid ei daenu ar y cnwd, gan gymryd i ystyriaeth faint o ffosfforws sydd ar gael o'r cyflenwad ffosfforws yn y pridd; ac
- (c) llunio cynllun ar gyfer taenu gwrtaith ffosffad ar gyfer y tymor tyfu hwnnw.

(2) Rhaid i'r meddiannydd wneud hyn —

- (a) yn achos unrhyw gnwd ac eithrio glaswelltir parhaol, cyn taenu unrhyw wrtaith ffosffad am y tro cyntaf at ddibenion gwrteithio cnwd a blannwyd neu y bwriedir ei blannu; a
- (b) yn achos glaswelltir parhaol, bob blwyddyn gan ddechrau ar 1 Ionawr cyn taenu gwrtaith ffosffad.

### **Gofynion eraill ar gyfer y cynlluniau gwrteithio**

**5.—**(1) Rhaid i'r cynllun gwrteithio ar gyfer y daliad a randdiryw—

- (a) cynnwys bras-gynllun sy'n dynodi lleoliad y caeau mae'r cynllun yn berthnasol iddynt; a
- (b) datgan yn glir mewn perthynas ag unrhyw gae y cyfeirir ato yn y cynllun natur y gwrtaith i'w ddefnyddio.

(2) Rhaid i'r cynllun gwrteithio gofnodi—

- (a) y cyflenwad ffosfforws yn y pridd a'r dull a ddefnyddir i gadarnhau'r ffigur hwn;
- (b) y maint gorau posibl o wrtaith ffosffad y dylid ei daenu ar y cnwd, gan gymryd i ystyriaeth faint o ffosfforws sydd ar gael o'r cyflenwad ffosfforws yn y pridd;
- (c) faint o nitrogen sy'n debygol o fod ar gael i'w amsugno gan y cnwd o unrhyw dail organig y bwriedir ei daenu i'w amsugno gan y cnwd yn y tymor tyfu yn ystod y flwyddyn galendr y taenir ef ynddi;
- (d) faint o ffosffad sy'n debygol o gael ei gyflenwi i fodloni gofyniad y cnwd o unrhyw dail organig a daenir neu y bwriedir ei daenu yn ystod y flwyddyn galendr;

- (b) calculate the optimum amount of phosphate fertiliser that should be spread on the crop, taking into account the amount of phosphorus available from the soil phosphorus supply; and
- (c) produce a plan for the spreading of phosphate fertiliser for that growing season.

(2) The occupier must do this—

- (a) in the case of any crop other than permanent grassland, before spreading any phosphate fertiliser for the first time for the purpose of fertilising a crop planted or intended to be planted; and
- (b) in the case of permanent grassland, each year beginning on 1 January before the spreading of phosphate fertiliser.

### **Other requirements for fertilisation plans**

**5.—**(1) The fertilisation plan for the derogated holding must—

- (a) include a sketch plan indicating the location of the fields to which the plan relates; and
- (b) clearly state in relation to any field referred to in the plan the nature of the fertilizer to be used.

(2) The fertilisation plan must record—

- (a) the soil phosphorus supply and the method used to establish this figure;
- (b) the optimum amount of phosphate fertiliser that should be spread on the crop, taking into account the amount of phosphorus from the soil phosphorus supply;
- (c) the amount of nitrogen likely to be available for uptake by the crop from any organic manure intended to be spread for crop uptake in the growing season during the calendar year in which it is spread;
- (d) the amount of phosphate likely to be supplied to meet the requirement of the crop from any organic manure spread or intended to be spread during the calendar year;

- (e) faint o wrtaith nitrogen a weithgynhychwyd sydd ei angen (hynny yw, y maint gorau posibl o nitrogen y mae ei angen ar y cnwd gan ddidynnu faint o nitrogen a fydd ar gael i'r cnwd ei amsugno o unrhyw dail organig a daenir yn ystod y flwyddyn galendr honno); ac
- (f) faint o wrtaith ffosffad a weithgynhychwyd sydd ei angen (hynny yw, y maint gorau posibl o ffosffad y mae ei angen ar y cnwd gan ddidynnu faint o ffosffad a glyfenwir i'r cnwd ei amsugno o unrhyw dail organig a daenir at ddibenion gwrteithio'r cnwd yn ystod y flwyddyn galendr honno).

### Samplu a dadansoddi pridd

6.—(1) Bob pedair blynedd o leiaf rhaid i'r meddiannydd ymgymryd â samplu a dadansoddi pridd ar gyfer cyflenwad o ffosfforws o bob pum hectar o leiaf o ardal amaethyddol y daliad a rannir ymwyd sydd o dan yr un drefn gnydio a math o bridd.

(2) Caiff meddiannydd ddibynnu ar ganlyniadau blaenorol samplu a dadansoddi pridd ffosfforws o ardal amaethyddol y daliad a rannir ymwyd sydd o dan yr un drefn gnydio a math o bridd at ddibenion is-baragraff (1), ar yr amod y cyflawnwyd y samplu a'r dadansoddi hwnnw o fewn pedair blynedd cyn y rhanddirymiad.

(3) Pan na chyflawnwyd samplu a dadansoddi pridd ffosfforws o ardal amaethyddol y daliad a rannir ymwyd sydd o dan yr un drefn gnydio a math o bridd o fewn pedair blynedd i'r rhanddirymiad gael ei ganiatáu, rhaid cyflawni'r samplu a dadansoddi hwnnw fel a ganlyn—

- (a) 75% o'r ardal amaethyddol heb fod yn hwyrach na 12 mis ar ôl caniatáu'r rhanddirymiad; a
- (b) 100% o'r ardal amaethyddol heb fod yn hwyrach na 12 mis ar ôl y dyddiad y rhoddir y caniatâd nesaf am y rhanddirymiad i'r meddiannydd.

- (e) the amount of manufactured nitrogen fertiliser required (that is, the optimum amount of nitrogen required by the crop less the amount of nitrogen that will be available for crop uptake from any organic manure spread during that calendar year); and
- (f) the amount of manufactured phosphate fertiliser required (that is, the optimum amount of phosphate required by the crop less the amount of phosphate supplied for crop uptake from any organic manure spread for the purpose of fertilising the crop during that calendar year).

### Soil sampling and analysis

6.—(1) At least every four years the occupier must undertake soil sampling and analysis for the supply of phosphorus of at least every five hectares of the agricultural area of the derogated holding under the same cropping regime and soil type.

(2) An occupier may rely on the results of previous phosphorus soil sampling and analysis of the agricultural area of the derogated holding under the same cropping regime and soil type for the purposes of sub-paragraph (1), provided such sampling and analysis was carried out within four years before the derogation.

(3) Where phosphorus soil sampling and analysis of the agricultural area of the derogated holding under the same cropping regime and soil type has not been carried out within four years before the grant of the derogation, such sampling and analysis must be carried out as follows—

- (a) 75% of the agricultural area no later than 12 months after the grant of the derogation; and
- (b) 100% of the agricultural area no later than 12 months after the date on which the derogation is next granted to the occupier.

### **Yr wybodaeth ychwanegol sydd i'w chofnodi yn ystod y flwyddyn**

7.—(1) Yn ychwanegol at yr wybodaeth sydd i'w chofnodi o dan reoliad 15 (yr wybodaeth ychwanegol sydd i'w chofnodi yn ystod y flwyddyn) rhaid i'r meddiannydd, cyn taenu tail organig, gofnodi—

- (a) cyfanswm cynnwys ffosffad y tail organig; a
- (b) faint o ffosffad sy'n debygol o gael ei gyflenwi o'r tail organig y bwriedir ei daenu at ddibenion gwrteithio'r cnwd yn y tymor tyfu y taenir ef ynddo.

(2) Yn ychwanegol at ofynion is-baragraff (1) rhaid i'r meddiannydd, cyn taenu gwrtaith ffosffad a weithgynhyrchwyd, gofnodi—

- (a) faint sydd ei angen (hynny yw, y maint gorau posibl o ffosffad y mae ei angen ar y cnwd gan ddiynnu faint o ffosffad a gyflenwir i'r cnwd ei amsugno o unrhyw dail organig a daenir); a
- (b) y dyddiad a drefnwyd ar gyfer taenu (mis).

### **Mapiau risg**

8.—(1) Yn ychwanegol at y gofynion o dan reoliad 19 (mapiau risg), rhaid i fap risg—

- (a) dangos pob cae wedi'i farcio â rhif cyfeirnod neu rif sy'n galluogi croesgyfeirio at gaeau a gofnodwyd yn y cynlluniau gwrteithio;
- (b) cyfateb i ardal amaethyddol y daliad a randdirymwyd; ac
- (c) cael ei gwblhau erbyn 1 Mawrth yn y flwyddyn galendr y mae'r rhanddirymiad yn berthnasol iddi.

(2) Pan fo newid mewn amgylchiadau yn effeithio ar fater y cyfeiriwyd ato ym mharagraff (1), rhaid i'r meddiannydd ddiweddarar'r map risg o fewn mis i'r newid.

### **Cynnal y daliad a randdirymwyd yn ddaliad glaswelltir**

9. Rhaid i'r meddiannydd gynnal y daliad i sicrhau bod o leiaf 80% o'r ardal amaethyddol yn cael ei hau â phorfa yn ystod y flwyddyn y mae'r rhanddirymiad yn berthnasol iddi.

### **Additional information to be recorded during the year**

7.—(1) In addition to the information to be recorded under regulation 15 (additional information to be recorded during the year) the occupier must, before spreading organic manure, record—

- (a) the total phosphate content of the organic manure; and
- (b) the amount of phosphate likely to be supplied from the organic manure intended to be spread for the purpose of fertilising the crop in the growing season in which it is spread.

(2) In addition to the requirements of subparagraph (1) the occupier must, before spreading manufactured phosphate fertiliser, record—

- (a) the amount required (that is, the optimum amount of phosphate required by the crop less the amount of phosphate that will be supplied for crop uptake from any organic manure spread); and
- (b) the planned date for spreading (month).

### **Risk maps**

8.—(1) In addition to the requirements under regulation 19 (risk maps), the risk map must—

- (a) show each field marked with a reference number or number to enable cross reference to fields recorded in fertilisation plans;
- (b) correspond with the agricultural area of the derogated holding; and
- (c) be completed by 1 March in the calendar year to which the derogation applies.

(2) Where a change in circumstances affects a matter referred to in paragraph (1), the occupier must update the map within one month of the change.

### **Maintaining the derogated holding as a grassland holding**

9. The occupier must maintain the holding to ensure at least 80% of the agricultural area is sown with grass during the calendar year to which the derogation applies.

### **Cyfnod gwaharddedig ar gyfer aredig porfa ar y daliad a rannirymwyd**

**10.** Ni chaiff neb—

- (a) aredig glaswelltir dros dro ar briddoedd tywodlyd rhwng 1 Gorffennaf a 31 Rhagfyr;
- (b) aredig porfa ar briddoedd tywodlyd cyn 16 Ionawr lle y cafodd tail da byw ei daenu ar y borfa honno rhwng 1 Medi a 31 Rhagfyr yn y flwyddyn galendr flaenorol; ac
- (c) aredig porfa ar briddoedd nad ydynt yn briddoedd tywodlyd cyn 16 Ionawr lle y cafodd tail da byw ei daenu ar y borfa honno rhwng 15 Hydref yn y flwyddyn galendr flaenorol a 15 Ionawr.

### **Hadu cnydau ar ôl porfa ar y daliad a rannirymwyd**

**11.** Pan fo porfa ar y daliad a rannirymwyd yn cael ei haredig, rhaid bod y tir—

- (a) wedi'i hau gan gnwd sydd â galw mawr am nitrogen o fewn pedair wythnos sy'n dechrau drannoeth dyddiad aredig y borfa; neu
- (b) wedi'i hau gan borfa o fewn chwe wythnos sy'n dechrau drannoeth dyddiad aredig y borfa.

### **Cylchdro cnydau ar y daliad a rannirymwyd**

**12.** Rhaid i gylchdro cnydau ar y daliad a rannirymwyd beidio â chynnwys codlysiâu neu blanhigion eraill sy'n trosi nitrogen atmosfferig ac eithrio porfa sydd â llai na 50% o feillion, neu unrhyw godlysiâu eraill gyda phorfa wedi'i hau oddi tanynt.

### **Cofnodi maint y daliad a rannirymwyd**

**13.—(1)** Rhaid i feddiannydd gofnodi cyfanswm yr ardal amaethyddol a'r ardal o borfa yn y daliad a rannirymwyd erbyn 1 Mawrth yn y flwyddyn galendr y mae'r rannirymiad yn berthnasol iddi.

(2) Os bydd maint y daliad a rannirymwyd neu ardal o borfa oddi mewn iddo yn newid rhaid i'r meddiannydd ddiweddarau'r cofnod o fewn mis sy'n dechrau drannoeth y newid.

### **Closed period for ploughing grass on the derogated holding**

**10.** No person shall—

- (a) plough temporary grassland on sandy soils between 1 July and 31 December;
- (b) plough grass on sandy soils before 16 January where livestock manure has been spread on that grass between 1 September and 31 December in the previous calendar year; and
- (c) plough grass on soils that are not sandy soils before 16 January where livestock manure has been spread on that grass between 15 October in the previous calendar year and 15 January.

### **Sowing of crops following grass on the derogated holding**

**11.** Where any grass on the derogated holding is ploughed, the land must be—

- (a) sown with a crop with high nitrogen demand within four weeks beginning on the day after the date of ploughing grass; or
- (b) sown with grass within six weeks beginning on the day after the date of ploughing grass.

### **Crop rotation on the derogated holding**

**12.** Crop rotation on the derogated holding must not include leguminous or other plants fixing atmospheric nitrogen except for grass with less than 50% clover, or any other leguminous plants that are under-sown with grass.

### **Recording the size of the derogated holding**

**13.—(1)** An occupier must record the total agricultural area and the area of grass within the derogated holding by 1 March in the calendar year to which the derogation applies.

(2) If the size of the derogated holding or area of grass within it changes the occupier must update the record within one month beginning on the day after the change.

### **Cofnodion ynglŷn â storio tail yn ystod y cyfnod storio**

**14.** Yn ychwanegol at ofynion rheoliad 37 (cofnodion ynglŷn â storio tail yn ystod y cyfnod storio) rhaid i'r meddiannydd wneud cofnod sy'n disgrifio'r systemau siediau da byw a storio tail ynghyd â faint o le storio tail sydd ar gael ar y daliad erbyn 1 Mawrth yn y flwyddyn galendr y mae'r rhanddirymiad yn berthnasol iddi.

### **Cofnod o'r nitrogen a'r ffosffad a gynhyrchir gan anifeiliaid**

**15.—**(1) Rhaid i'r meddiannydd gofnodi nifer y da byw a ddisgwylir a'r categori (yn unol â'r categorïau yn Nhablau 1 a 2 yn Atodlen 1) i'w cadw ar y daliad yn ystod y flwyddyn galendr y mae'r rhanddirymiad yn berthnasol iddi.

(2) Yn dilyn y gofynion ynghylch cofnodi yn is-baragraff (1), rhaid i'r meddiannydd wedyn gyfrifo a chofnodi faint o nitrogen a ffosffad mewn tail y disgwylir i'r da byw eu cynhyrchu ar y daliad yn ystod y flwyddyn honno gan ddefnyddio Tablau 1 a 2 yn Atodlen 1.

(3) Rhaid i'r cofnodion sydd i'w gwneud yn unol ag is-baragraffau (1) a (2) gael eu gwneud cyn 1 Mawrth yn y flwyddyn galendr dan sylw.

### **Tail da byw y bwriedir dod ag ef i'r daliad a rhanddirymwyd neu ei anfon oddi yno**

**16.—**(1) Rhaid i'r meddiannydd—

- (a) gwneud cofnod o'r math o dail da byw a faint ohono y bwriedir dod ag ef i'r daliad a'i anfon oddi yno yn ystod y flwyddyn galendr y mae'r rhanddirymiad yn berthnasol iddi; a
- (b) asesu a chofnodi faint o nitrogen sydd yn y tail da byw a gofnodwyd o dan is-baragraff (1)(a) yn unol â rheoliad 39(4) a Rhannau 1 a 2 o Atodlen 3.

(2) Rhaid i'r cofnodion sydd i'w gwneud o dan is-baragraff (1) gael eu gwneud cyn 1 Mawrth yn ystod y flwyddyn galendr y mae'r rhanddirymiad yn berthnasol iddi.

### **Records relating to storage of manure during the storage period**

**14.** In addition to the requirements of regulation 37 (records relating to storage of manure during the storage period) the occupier must make a record describing the livestock housing and manure storage systems together with the volume of manure storage in place on the holding by 1 March in the calendar year to which the derogation applies.

### **Record of nitrogen and phosphate produced by animals**

**15.—**(1) The occupier must make a record of the expected number and category (in accordance with the categories in Tables 1 and 2 in Schedule 1) of livestock to be kept on the derogated holding during the calendar year to which the derogation relates.

(2) Following the record making requirements in sub-paragraph (1), the occupier must then calculate and record the amount of nitrogen and phosphate in manure expected to be produced by the livestock on the holding during that year using Tables 1 and 2 in Schedule 1.

(3) The records to be made in accordance with sub-paragraphs (1) and (2) must be made before 1 March for the calendar year concerned.

### **Livestock manure intended to be brought on to or sent off the derogated holding**

**16.—**(1) The occupier must—

- (a) make a record of the type and amount of livestock manure that is intended to be brought on to the holding and sent off the holding during the calendar year to which the derogation relates; and
- (b) assess and record the amount of nitrogen in the livestock manure recorded under sub-paragraph (1)(a) in accordance with regulation 39(4) and Parts 1 and 2 of Schedule 3.

(2) The records to be made under sub-paragraph (1) must be made by 1 March for the calendar year to which the derogation relates.

### **Cofnodion o'r cnydau a heuwyd**

**17.** Yn ychwanegol at ofynion rheoliad 42 (cofnodion o'r cnydau a heuwyd) rhaid i feddiannydd sy'n bwriadu taenu gwrtaith ffosffad, o fewn wythnos o hau cnwd gofnodi—

- (a) y cnwd a heuwyd; a
- (b) y dyddiad hau.

### **Cofnodion o daenu gwrtaith ffosffad**

**18.** Yn ychwanegol at ofynion rheoliad 43 (cofnodion o daenu gwrtaith nitrogen) rhaid i feddiannydd gofnodi—

- (a) o fewn wythnos o daenu tail organig—
  - (i) cyfanswm y cynnwys ffosfforws; a
  - (ii) faint o ffosffad a gyflenwyd i'w amsugno gan y cnwd; a
- (b) o fewn wythnos o daenu gwrtaith ffosffad a weithgynhyrchwyd—
  - (i) y dyddiad taenu; a
  - (ii) faint o ffosffad a daenwyd.

### **Cofnodi dyddiad yr aredig**

**19.** Yn ychwanegol at ofynion rheoliad 44 (cofnodion dilynol) rhaid i feddiannydd gofnodi o fewn wythnos o aredig y daliad a randdirymwyd, ddyddiad yr aredig hwnnw.

### **Cyfrifon gwrteithio**

**20.**—(1) Rhaid i feddiannydd, neu unrhyw berson ar ran y meddiannydd, gyflwyno cyfrifon gwrteithio ar gyfer y flwyddyn galendr i Gorff Adnoddau Naturiol Cymru erbyn 30 Ebrill y flwyddyn ganlynol.

(2) Rhaid i Gorff Adnoddau Naturiol Cymru gyhoeddi'r dull a'r ffurf y mae'n rhaid i gyfrif gwrteithio gael ei wneud ynddynt.

- (3) (Rhaid i'r cyfrif gwrteithio gofnodi—
  - (a) cyfanswm ardal amaethyddol y daliad a randdirymwyd;
  - (b) yr ardal o'r daliad a randdirymwyd a orchuddiwyd gan—
    - (i) gwenith gaeaf;
    - (ii) gwenith gwanwyn;

### **Records of crops sown**

**17.** In addition to the requirements of regulation 42 (records of crops sown) an occupier who intends to spread phosphate fertiliser must, within one week of sowing a crop record—

- (a) the crop sown; and
- (b) the date of sowing.

### **Records of spreading phosphate fertiliser**

**18.** In addition to the requirements of regulation 43 (records of spreading nitrogen fertiliser), an occupier must record—

- (a) within one week of spreading organic manure—
  - (i) the total phosphorus content; and
  - (ii) the amount of phosphate that was supplied for uptake by the crop; and
- (b) within one week of spreading manufactured phosphate fertiliser—
  - (i) the date of spreading; and
  - (ii) the amount of phosphate spread.

### **Recording the date of ploughing**

**19.** In addition to the requirements of regulation 44 (subsequent records) an occupier must record within one week of ploughing on the derogated holding, the date of that ploughing.

### **Fertilisation accounts**

**20.**—(1) An occupier, or any person on behalf of the occupier, must submit fertilisation accounts for the calendar year to the Natural Resources Body for Wales by 30 April of the following year.

(2) The Natural Resources Body for Wales must publish the manner and form in which the fertilisation account must be made.

- (3) The fertilisation account must record—
  - (a) the total agricultural area of the derogated holding;
  - (b) the area of the derogated holding covered by—
    - (i) winter wheat;
    - (ii) spring wheat;



- (iii) haidd gaeaf;
  - (iv) haidd gwanwyn;
  - (v) rêp had olew gaeaf;
  - (vi) betys siwgr;
  - (vii) tatws;
  - (viii) indrawn porthi;
  - (ix) porfa; a
  - (x) cnydau eraill;
- (c) nifer a chategori'r anifeiliaid a gadwyd ar y daliad a randdirymwyd yn ystod y flwyddyn galendr flaenorol yn unol â'r categorïau a ddisgrifir yn Nhablau 1 a 2 yn Atodlen 1;
- (d) faint o nitrogen a ffosffad oedd yn y tail a gynhyrchwyd gan yr anifeiliaid ar y daliad a randdirymwyd yn ystod y flwyddyn galendr flaenorol gan ddefnyddio Tablau 1 a 2 yn Atodlen 1;
- (e) faint o dail da byw, ei nodweddion a pha fath a ddygwyd i'r daliad a randdirymwyd neu ei anfon oddi yno yn ystod y flwyddyn galendr y mae'r rhanddirymiad yn berthnasol iddi;
- (f) faint o nitrogen a ffosffad oedd yn y tail a gofnodwyd o dan is-baragraff (3)(e) a gyfrifwyd yn unol â pharagraff 14(2);
- (g) pwysau (tunelli) a chynnwys nitrogen yr holl stociau gwrrtaith nitrogen a weithgynhyrchwyd a gadwyd ar y daliad a randdirymwyd rhwng 1 Ionawr a 31 Rhagfyr yn ystod y flwyddyn galendr y mae'r rhanddirymiad yn berthnasol iddi; a
- (h) pwysau (tunelli) a chynnwys nitrogen yr holl wrtaith nitrogen a weithgynhyrchwyd a ddygwyd i'r daliad a randdirymwyd a'i anfon oddi yno rhwng 1 Ionawr a 31 Rhagfyr yn ystod y flwyddyn galendr y mae'r rhanddirymiad yn berthnasol iddi.”.
- (iii) winter barley;
  - (iv) spring barley;
  - (v) winter oilseed rape;
  - (vi) sugar beet;
  - (vii) potatoes;
  - (viii) forage maize;
  - (ix) grass; and
  - (x) other crops;
- (c) the number and category of animals kept on the derogated holding during the previous calendar year in accordance with the categories described in Tables 1 and 2 in Schedule 1;
- (d) the amount of nitrogen and phosphate in the manure produced by the animals on the derogated holding during the previous calendar year using Tables 1 and 2 in Schedule 1;
- (e) the amount, type and characteristics of livestock manure brought on to or sent off the derogated holding during the calendar year to which the derogation relates;
- (f) the amount of nitrogen and phosphate in the manure recorded under subparagraph (3)(e) calculated in accordance with paragraph 14(2);
- (g) the weight (tonnes) and nitrogen content of all manufactured nitrogen fertiliser stocks kept on the derogated holding between 1 January and 31 December in the calendar year to which the derogation relates; and
- (h) the weight (tonnes) and nitrogen content of all manufactured nitrogen fertiliser brought on to and sent off the derogated holding between 1 January and 31 December in the calendar year to which the derogation relates.”.





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OFFERYNNAU STATUDOL  
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**2015 Rhif 2020 (Cy. 308)**

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Rheoliadau Atal Llygredd Nitradau  
(Cymru) (Diwygio) 2015

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