



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2007 Rhif 842 (Cy.74)

2007 No. 842 (W.74)

ANIFEILIAID, CYMRU

ANIMALS, WALES

IECHYD ANIFEILIAID

ANIMAL HEALTH

**Rheoliadau Adnabod Gwartheg
(Cymru) 2007**

**The Cattle Identification (Wales)
Regulations 2007**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Deddfwriaeth flaenorol

Mae'r Rheoliadau hyn yn dirymu ac yn ail-lunio i'r graddau y maent yn gymwys o ran Cymru ddarpariaethau -

- (a) Gorchymyn Anifeiliaid Buchol (Cofnodion, Adnabod a Symud) 1995(1);
- (b) Rheoliadau Adnabod Gwartheg 1998(2);
- (c) Rheoliadau Cronfa Ddata Gwartheg 1998(3);
- (ch) Rheoliadau Gwartheg (Adnabod Anifeiliaid Hyn) (Cymru) 2000(4).

ynghyd â'r diwygiadau i'r offerynnau hynny.

Earlier legislation

These Regulations revoke and remake insofar as they apply in relation to Wales the provisions of-

- (a) the Bovine Animals (Records, Identification and Movement) Order 1995(1);
- (b) the Cattle Identification Regulations 1998(2);
- (c) the Cattle Database Regulations 1998(3);
- (d) the Cattle (Identification of Older Animals) (Wales) Regulations 2000(4).

together with the amendments to those instruments.

Y prif newidiadau

Mae'r prif newidiadau fel a ganlyn:

Mae'r Rheoliadau yn awr yn caniatáu bod bison yn cael ei dagio hyd at 9 mis ar ôl ei eni (paragraff 1(3) o Atodlen 1).

Maent yn creu tramgwydd o drosglwyddo tagiau clust rhwng anifeiliaid (paragraff 4(5) o Atodlen 1).

Principal changes

The principal changes are as follows.

The Regulations now allow bison to be tagged up to 9 months after birth (paragraph 1(3) of Schedule 1).

They create an offence of transferring eartags between animals (paragraph 4(5) of Schedule 1).

(1) O.S. 1995/12.
(2) O.S. 1998/871.
(3) O.S. 1998/1796.
(4) O. S. 2000/3339 (Cy.217).

(1) S. I. 1995/12.
(2) S. I. 1998/871.
(3) S. I. 1998/1796.
(4) S. I. 2000/3339 (W.217).

Nid ydynt mwyach yn caniatáu'r defnydd o basbortau lloi dros dro.

Maent yn caniatáu cofrestru gwartheg yn electronig (paragraff 2(3) o Atodlen 2).

Maent yn newid y ffi o £50 am basbort o'r newydd yn lle hen un i ffi sy'n adlewyrchu gwir gost dyroddi (paragraff 4 o Atodlen 3).

Maent yn symleiddio'r darpariaethau ar gofnodion (Atodlen 5).

Y Rheoliadau

Mae'r Rheoliadau gorfodi-

Rheoliad (EC) Rhif 1760/2000 Senedd Ewrop a'r Cyngor (sy'n sefydlu system ar gyfer adnabod a chofrestru anifeiliaid buchol ac ynghylch labelu cynhyrchion cig eidion a diddymu Rheoliad y Cyngor (EC) Rhif 820/97(1));

Rheoliad y Comisiwn (EC) Rhif 494/98 sy'n gosod rheolau manwl ar gyfer gweithredu cynllun Rheoliad y Cyngor (EC) Rhif 820/97 o ran cymhwyso nifer lleiaf posibl o sancsiynau yn fframwaith y system ar gyfer adnabod a chofrestru anifeiliaid buchol(2);

Rheoliad y Comisiwn (EC) Rhif 911/2004 (sy'n gweithredu Rheoliad (EC) Rhif 1760/2000 Senedd Ewrop a'r Cyngor o ran tagiau clust, pasbortau a chofrestrau daliadau(3));a

Rheoliad y Comisiwn (EC) Rhif 644/2005 (sy'n awdurdodi system adnabod arbennig ar gyfer anifeiliaid buchol a gedwir at ddibenion diwylliannol a hanesyddol mewn mangreoedd a gymeradwywyd fel a ddarperir yn Rheoliad (EC) Rhif 1760/2000 Senedd Ewrop a'r Cyngor(4)).

Maent yn darparu ar gyfer hysbysiad o ddaliad i'r Cynulliad Cenedlaethol os cedwir gwartheg yno (rheoliad 3).

Maent yn darparu ar gyfer tagiau clust (rheoliad 4 ac Atodlen 1), cofrestru gwartheg (rheoliad 5 ac Atodlen 2), pasbortau (rheoliad 6 ac Atodlen 3) a hysbysiad o symud a marwolaeth (rheoliad 7 ac Atodlen 4).

They no longer permit the use of temporary calf passports.

They permit electronic registration of cattle (paragraph 2(3) of Schedule 2).

They change the £50 fee for replacement passports to a fee reflecting the cost of issue (paragraph 4 of Schedule 3).

They simplify the provisions on records (Schedule 5).

The Regulations

The Regulations enforce-

Regulation (EC) No. 1760/2000 of the European Parliament and of the Council (establishing a system for the identification and registration of bovine animals and regarding the labelling of beef products and repealing Council Regulation (EC) No. 820/97(1));

Commission Regulation (EC) No. 494/98 laying down detailed rules for the implementation of Council Regulation (EC) No. 820/97 as regards the application of minimum administrative sanctions in the framework of the system for the identification and registration of bovine animals(2);

Commission Regulation (EC) No. 911/2004 (implementing Regulation (EC) No. 1760/2000 of the European Parliament and of the Council as regards ear tags, passports and holding registers(3));and

Commission Regulation (EC) No. 644/2005 (authorising a special identification system for bovine animals kept for cultural and historical purposes on approved premises as provided for in Regulation (EC) No. 1760/2000 of the European Parliament and of the Council(4)).

They provide for notification of a holding to the National Assembly if cattle are kept there (regulation 3).

They make provision for eartags (regulation 4 and Schedule 1), registration of cattle (regulation 5 and Schedule 2), passports (regulation 6 and Schedule 3) and notification of movement and death (regulation 7 and Schedule 4).

(1) OJ Rhif L204, 11.8.2000, t. 1.

(2) OJ Rhif L60, 28.2.1998, t. 78.

(3) OJ Rhif L 163, 30.4.2004, t. 63.

(4) OJ Rhif L 107, 28.4.2005, t. 18.

(1) OJ No. L204, 11.8.2000, p. 1.

(2) OJ No. L60, 28.2.1998, p. 78.

(3) OJ No. L 163, 30.4.2004, p. 63.

(4) OJ No. L 107, 28.4.2005, p. 18.

Maent yn darparu i gofnodion gael eu cadw yn y ffurf a bennir yn Atodlen 5.

Maent yn darparu ar gyfer gorfodi'r Rheoliadau (Rhan 4). Gorfodir hwy gan yr awdurdod lleol (rheoliad 16).

Mae torri'r Rheoliadau'n dramgwydd, drwy gosb-

- (a) ar gollfarn ddiannod, i ddirwy nad yw'n fwy na'r uchafswm statudol neu garchariad am gyfnod nad yw'n hwy na thri mis, neu'r ddau;
- (b) ar gollfarn ar dditiad, i ddirwy neu garchariad am gyfnod nad yw'n fwy na dwy flynedd, neu'r ddau.

Mae Arfarniad Rheoliadol o'r effaith y bydd yr offeryn hwn yn ei chael ar gostau busnes ac ar y sector gwirfoddol ar gael o Gynulliad Cenedlaethol Cymru, Parc Cathays, Caerdydd CF10 3NQ.

They provide for records to be kept in the form specified in Schedule 5.

They provide for the enforcement of the Regulations (Part 4). They are enforced by the local authority (regulation 16).

Breach of the Regulations is an offence, punishable-

- (a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment not exceeding three months or to both;
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

A full regulatory appraisal of the effect that this instrument will have on the costs of business and the voluntary sector is available from the National Assembly for Wales, Cathays Park, Cardiff CF10 3NQ.

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**Rheoliadau Adnabod Gwartheg
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**The Cattle Identification (Wales)
Regulations 2007**

Wedi'u gwneud *13 Mawrth 2007*
Yn dod i rym *6 Ebrill 2007*

Made *13 March 2007*
Coming into force *6 April 2007*

CYNNWYS

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Mae Cynulliad Cenedlaethol Cymru wedi'i ddynodi at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(1) o ran polisi amaethyddol cyffredin y Gymuned Ewropeaidd(2) ac o ran mesurau yn y maes milfeddygol ar gyfer diogelu iechyd y cyhoedd(3).

The National Assembly for Wales is designated for the purposes of section 2(2) of the European Communities Act 1972(1) in relation to the common agricultural policy of the European Community(2) and in relation to measures in the veterinary field for the protection of public health(3).

Mae'r Trysorlys yn cydsynio i'r Rheoliadau hyn yn unol ag adran 56(1) o Ddeddf Cyllid 1973(4).

The Treasury consent to these Regulations in accordance with section 56(1) of the Finance Act 1973(4).

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau hyn o dan adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972 ac adran 56(1) o Ddeddf Cyllid 1973.

The National Assembly for Wales makes these Regulations under section 2(2) European Communities Act 1972 and section 56(1) of the Finance Act 1973.

(1) 1972 p. 68.

(2) O. S. 2005/2766.

(3) O. S. 2003/1246.

(4) 1973 p. 51.

(1) 1972 c. 68.

(2) S. I. 2005/2766.

(3) S. I. 2003/1246.

(4) 1973 c. 51.

RHAN 1

RHAGYMADRODD

Enwi, cymhwyso a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Adnabod Gwartheg (Cymru) 2007. Maent yn gymwys o ran Cymru a deuant i rym ar 6 Ebrill 2007.

Dehongli

2.-(1) Yn y Rheoliadau hyn-

ystyr "arolygydd" ("*inspector*") yw person a benodwyd yn arolygydd at ddibenion y Rheoliadau hyn gan y Cynulliad Cenedlaethol neu gan awdurdod lleol;

ystyr "awdurdod lleol" ("*local authority*") o ran ardal yw'r cyngor sir neu'r cyngor bwrdeistref sirol ar gyfer yr ardal honno;

ystyr "ceidwad" ("*keeper*") yw unrhyw berson sy'n gyfrifol am anifeiliaid, boed hynny'n barhaol neu dros dro, gan gynnwys pan gludir hwy neu pan fyddant mewn marchnad;

ystyr "Cynulliad Cenedlaethol" ("*National Assembly*") yw Cynulliad Cenedlaethol Cymru, Parc Cathays, Caerdydd CF10 3NQ;

ystyr "daliad" ("*holding*") yw unrhyw sefydliad, adeiladwaith neu, yn achos fferm awyr agored, unrhyw le y mae gwartheg yn cael eu dal, eu cadw neu eu trafod;

"deddfwriaeth tagio gwartheg flaenorol" ("*previous cattle tagging legislation*") yw-

- (a) Rheoliadau Adnabod Gwartheg 1998(1);
- (b) Gorchymyn Anifeiliaid Buchol (Cofnodion, Adnabod a Symud) 1995(2);
- (c) Gorchymyn Anifeiliaid Buchol (Cofnodion Adnabod, Marcio a Bridio) 1990(3);
- (ch) Gorchymyn Twbercwlosis (Cymru a Lloegr) 1984(4); a
- (d) Gorchymyn Twbercwlosis (yr Alban) 1984(5);

ystyr "dilys" ("*valid*"), o ran pasbort gwartheg, yw pasbort gwartheg a gafodd ei gwblhau'n gywir a'i lofnodi yn y lle priodol yn gywir gan bob ceidwad i'r anifail a bod rhif adnabod a disgrifiad o'r anifail yn y pasbort yn cyfateb i dagiau clust yr anifail;

(1) O. S. 1998/871.
(2) O. S. 1995/12.
(3) O. S. 1990/1867.
(4) O. S. 1984/1943.
(5) O. S. 1984/2036.

PART 1

INTRODUCTION

Title, application and commencement

1. The title of these Regulations is The Cattle Identification (Wales) Regulations 2007. They apply in relation to Wales and come into force on 6 April 2007.

Interpretation

2.-(1) In these Regulations-

"cattle" means bovine animals, including bison and buffalo;

"cattle passport" means-

- (a) a cattle passport issued in England, Wales or Scotland under Article 6(1) of Regulation (EC) No. 1760/2000;
- (b) a cattle passport issued under the Cattle Passports Order 1996(1); and
- (c) a movement document issued under the Cattle (Identification of Older Animals) (Wales) Regulations 2000(2) or the equivalent measure in Scotland, England or Northern Ireland;

"holding" means any establishment, construction or, in the case of an open-air farm, any place in which cattle are held, kept or handled;

"inspector" means a person appointed to be an inspector for the purposes of these Regulations by the National Assembly or a local authority;

"keeper" means any person responsible for animals, whether on a permanent or temporary basis, including during transportation or at a market;

"local authority" means in relation to an area the county council or county borough council for that area;

"National Assembly" means the National Assembly for Wales of Cathays Park, Cardiff CF10 3NQ;

"previous cattle tagging legislation" means-

- (a) the Cattle Identification Regulations 1998(3);
- (b) the Bovine Animals (Records, Identification and Movement) Order 1995(4);

(1) S. I. 1996/1686.
(2) S. I. 2000/3339 (W.217) as amended by S.I. 2002/273 (W.29).
(3) S. I. 1998/871.
(4) S. I. 1995/12.

ystyr "gwartheg" ("*cattle*") yw anifeiliaid buchol, gan gynnwys bison a byfflo;

ystyr "pasbort gwartheg" ("*cattle passport*") yw-

- (a) pasbort gwartheg a ddyroddwyd yng Nghymru, Lloegr neu'r Alban o dan Erthygl 6(1) o Reoliad (EC) Rhif 1760/2000;
- (b) pasbort gwartheg a ddyroddwyd o dan Orchymyn Pasbortau Gwartheg 1996(1); ac
- (c) dogfen symud a ddyroddwyd o dan Reoliadau Gwartheg (Adnabod Anifeiliaid Hyn) (Cymru) 2000(2) neu'r mesur cyfatebol yn yr Alban, Lloegr neu Ogledd Iwerddon;

ystyr "Rheoliad (EC) Rhif 1760/2000" ("Regulation (EC) No. 1760/2000") yw Rheoliad (EC) Rhif 1760/2000 Senedd Ewrop a'r Cyngor (sy'n sefydlu system ar gyfer adnabod a chofrestru anifeiliaid buchol ac sy'n ymwneud â labelu cynhyrchion cig eidion ac yn diddymu Rheoliad y Cyngor (EC) Rhif 820/97(3));

(2) Rhaid i unrhyw gymeradwyaeth, awdurdodiad, trwydded, hysbysiad neu gofrestrriad a ddyroddir o dan-

- (a) y Rheoliadau hyn,
- (b) Rheoliad (EC) Rhif 1760/2000;
- (c) Rheoliad y Comisiwn (EC) Rhif 911/2004 (sy'n gweithredu Rheoliad (EC) Rhif 1760/2000 Senedd Ewrop a'r Cyngor o ran tagiau clust, pasbortau a chofrestrau daliadau(4)); neu
- (ch) Rheoliad y Comisiwn (EC) Rhif 644/2005 (sy'n awdurdodi system adnabod arbennig ar gyfer anifeiliaid buchol a gedwir at ddibenion diwyllianol a hanesyddol mewn mangreoedd a gymeradwywyd fel a ddarperir yn Rheoliad (EC) Rhif 1760/2000 Senedd Ewrop a'r Cyngor(5)),

fod yn ysgrifenedig, caniateir i unrhyw un ohonynt gael ei wneud yn ddarostyngedig i amodau, cael ei ddiwygio, cael ei atal neu ei ddirymu drwy hysbysiad ysgrifenedig ar unrhyw bryd.

- (c) the Bovine Animals (Identification, Marking and Breeding Records) Order 1990(1);
- (d) the Tuberculosis (England and Wales) Order 1984(2); and
- (e) the Tuberculosis (Scotland) Order 1984(3);

"Regulation (EC) No. 1760/2000" means Regulation (EC) No. 1760/2000 of the European Parliament and of the Council (establishing a system for the identification and registration of bovine animals and regarding the labelling of beef products and repealing Council Regulation (EC) No. 820/97(4));

"valid", in relation to a cattle passport, means a cattle passport that has been correctly completed and signed in the appropriate place by each keeper of the animal and the identification number and description of the animal in the passport correlate to the ear tags and the animal.

(2) Any approval, authorisation, licence, notice or registration issued under-

- (a) these Regulations,
- (b) Regulation (EC) No. 1760/2000;
- (c) Commission Regulation (EC) No. 911/2004 (implementing Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards ear tags, passports and holding registers(5)); or
- (d) Commission Regulation (EC) No. 644/2005 (authorising a special identification system for bovine animals kept for cultural and historical purposes on approved premises as provided for in Regulation (EC) No. 1760/2000 of the European Parliament and of the Council(6)),

must be in writing, may be made subject to conditions and may be amended or revoked by notice in writing at any time.

(1) O. S. 1996/1686.

(2) O. S. 2000/3339 (Cy.217), fel y'u diwygiwyd gan O.S. 2002/273 (Cy.29).

(3) OJ Rhif L204, 11.8.2000, t. 1.

(4) OJ Rhif L 163, 30.4.2004, t. 65.

(5) OJ Rhif L 107, 28.4.2005, t. 18.

(1) S. I. 1990/1867.

(2) S. I. 1984/1943.

(3) S. I. 1984/2036.

(4) OJ No. L204, 11.8.2000, p. 1.

(5) OJ No. L 163, 30.4.2004, p. 65.

(6) OJ No. L 107, 28.4.2005, p. 18.

RHAN 2

Hysbysiad o ddaliadau

3.-(1) Rhaid i feddiannydd daliad sy'n dechrau cadw gwartheg ar y daliad hwnnw, ac unrhyw berson sy'n cymryd y feddiannaeth drosodd o ddaliad lle y cedwir gwartheg, hysbysu'r Cynulliad Cenedlaethol o fewn un mis-

- (a) o'i enw a'i gyfeiriad; a
- (b) cyfeiriad y daliad.

(2) Pan fydd yn derbyn hysbysiad o dan baragraff (1) rhaid i'r Cynulliad Cenedlaethol ddyroddi nod buches ar gyfer pob daliad.

(3) Rhaid i'r meddiannydd hysbysu'r Cynulliad Cenedlaethol o unrhyw newid i'r wybodaeth ym mharagraff (1) o fewn un mis.

RHAN 3

Adnabod a chofrestru gwartheg

Tagiau clust

4. Mae Atodlen 1 (tagiau clust) yn effeithiol.

Cofrestru gwartheg

5. Mae Atodlen 2 (cofrestru gwartheg) yn effeithiol.

Pasbortau gwartheg

6. Mae Atodlen 3 (pasbortau gwartheg) yn effeithiol.

Hysbysiad o symudiadau a marwolaeth

7. Mae Atodlen 4 (hysbysiad o symud neu farwolaeth) yn effeithiol.

Cofnodion

8. Mae Atodlen 5 (cofnodion) yn effeithiol.

RHAN 4

CYFFREDINOL

Codi tâl am wybodaeth

9. Caiff y Cynulliad Cenedlaethol godi tâl rhesymol am ddarparu gwybodaeth a gaiff ei storio yn y gronfa ddata sy'n ofynnol gan Erthygl 5 o Reoliad (EC) Rhif 1760/2000 ac a ddarperir yn unol ag ail baragraff Erthygl 3 o'r Rheoliad hwnnw.

PART 2

Notification of holdings

3.-(1) An occupier of a holding who begins to keep cattle on that holding, and any person who takes over the occupation of a holding where cattle are kept, must notify the National Assembly within one month of-

- (a) his or her name and address; and
- (b) the address of the holding.

(2) When it receives notification under paragraph (1) the National Assembly must issue a herdmark for each holding.

(3) The occupier must notify the National Assembly of any change to the information in paragraph (1) within one month.

PART 3

Identification and registration of cattle

Ear tags

4. Schedule 1 (ear tags) has effect.

Registration of cattle

5. Schedule 2 (registration of cattle) has effect.

Cattle passports

6. Schedule 3 (cattle passports) has effect.

Notification of movements and death

7. Schedule 4 (notification of movement or death) has effect.

Records

8. Schedule 5 (records) has effect.

PART 4

GENERAL

Charging for information

9. The National Assembly may make a reasonable charge for providing information that is stored in the database required by Article 5 of Regulation (EC) No. 1760/2000 and provided in accordance with the second paragraph of Article 3 of that Regulation.

Pwerau arolygwyr

10.-(1) Caiff arolygydd, wrth iddo ddangos dogfen a ddilyswyd yn briodol sy'n dangos ei awdurdod, os gofynnir amdani, ar bob adeg resymol fynd ar dir neu i fangre er mwyn canfod a aethpwyd yn groes i'r canlynol -

- (a) y Rheoliadau hyn;
- (b) Teitl I o Reoliad (EC) Rhif 1760/2000;
- (c) Rheoliad y Comisiwn (EC) Rhif 494/98 (sy'n gosod rheolau manwl ar gyfer gweithredu Rheoliad y Cyngor (EC) Rhif 820/97 o ran cymhwysu y lefel isat o sanesiynau yn fframwaith y system ar gyfer adnabod a chofrestru anifeiliaid buchol(1));
- (ch) Rheoliad y Comisiwn (EC) Rhif 509/1999 (ynghylch estyn y cyfnod hiraf a osodwyd ar gyfer rhoi tagiau clust ar fison(2))
- (d) Rheoliad y Comisiwn (EC) Rhif 911/2004; ac
- (dd) Rheoliad y Comisiwn (EC) Rhif 644/2005,

ac yn y rheoliad hwn mae "mangre" yn cynnwys unrhyw le, gosodiad, cerbyd, llong, llestr, cwch, bad, hofranlong neu awyren.

(2) Dim ond os caiff y pwr ei ddefnyddio mewn cysylltiad â'r darpariaethau ym mharagraff (1) y mae pwr i fynd i fangre yn cynnwys y pwr i fynd i fangre ddomestig.

(3) Caiff arolygydd gyflawni gwiriadau ac archwiliadau sy'n angenrheidiol ar gyfer gorfodi'r darpariaethau ym mharagraff (1), a chaiff yn benodol-

- (a) casglu, corlannu ac arolygu unrhyw wartheg, a chaiff ofyn i'r ceidwad drefnu casglu, corlannu a dal gafaél ar wartheg;
- (b) cymryd samplau;
- (c) archwilio unrhyw gofnodion ar ba ffurf bynnag y bônt a chymryd copïau o'r cofnodion hynny;
- (ch) symud a chadw unrhyw gofnodion neu ddogfennau (gan gynnwys pasbortau) sy'n ymwneud â'r Rheoliadau hyn;
- (d) cael mynediad at unrhyw gyfrifiadur ac unrhyw gyfarpar neu ddeunyddiau cysylltiedig sy'n cael neu sydd wedi cael eu defnyddio mewn cysylltiad â chofnodion, a'u harchwilio a gwirio eu gweithrediad a gall ei gwneud yn ofynnol i unrhyw berson sydd â gofal dros y cyfrifiadur, y cyfarpar neu'r deunydd, neu sydd fel arall yn ymwneud â'u gweithredu, roi i'r arolygydd unrhyw gymorth y bydd yn rhesymol i'r arolygydd ofyn amdano;

Powers of inspectors

10.-(1) An inspector may, on producing a duly authenticated document showing his or her authority, if required, at all reasonable hours enter any land or premises for the purposes of ascertaining whether there is or has been any contravention of -

- (a) these Regulations;
- (b) Title I of Regulation (EC) No. 1760/2000;
- (c) Commission Regulation (EC) No. 494/98 (laying down detailed rules for the implementation of Council Regulation (EC) No. 820/97 as regards the application of minimum administrative sanctions in the framework of the system for the identification and registration of bovine animals(1));
- (d) Commission Regulation (EC) No. 509/1999 (concerning an extension of the maximum period laid down for the application of ear tags to bison(2))
- (e) Commission Regulation (EC) No. 911/2004; and
- (f) Commission Regulation (EC) No. 644/2005,

and in this regulation "premises" includes any place, installation, vehicle, ship, vessel, boat, craft, hovercraft or aircraft.

(2) The power to enter premises only includes a power to enter domestic premises if they are being used in connection with the provisions in paragraph (1).

(3) An inspector may carry out all checks and examinations necessary for the enforcement of the provisions in paragraph (1), and in particular may-

- (a) collect, pen and inspect any cattle, and may require the keeper to arrange for the collection, penning and securing of cattle;
- (b) take samples;
- (c) examine any records in whatever form, and take copies of those records;
- (d) remove and retain any records or documents (including passports) relating to these Regulations;
- (e) have access to, and inspect and check the operation of, any computer and any associated apparatus or material that is or has been used in connection with records, and may require any person having charge of, or otherwise concerned with the operation of, the computer, apparatus or material to afford him or her such assistance as he or she may reasonably require;

(1) OJ Rhif L60, 28.2.1998, t. 78.

(2) OJ Rhif L60, 9.3.1999, t. 53,

(1) OJ No. L60, 28.2.1998, p. 78.

(2) OJ No. L60, 9.3.1999, p. 53,

- (dd) os cedwir cofnodion drwy gyfrwng cyfrifiadur, caiff ei gwneud yn ofynnol bod y cofnodion yn cael eu cynhyrchu ar ffurf sy'n caniatáu mynd â hwy oddi yno;
- (e) ei gwneud yn ofynnol i unrhyw dagiau clust nas defnyddiwyd, a chofnod o'u rhifau gael eu dangos; ac
- (f) mynd â chynrychiolydd o'r Comisiwn Ewropeaidd neu unrhyw berson arall y mae o'r farn bod ei angen gydag ef.

Pwerau i gyfyngu ar symudiadau

11. Yn unol ag ail baragraff Erthygl 22(1) o Reoliad (EC) Rhif 1760/2000, caiff swyddog o'r Cynulliad Cenedlaethol gyflwyno i geidwad anifeiliaid ar ddaliad hysbysiad yn cyfyngu symudiadau gwartheg i'r daliad ac ohono os yw wedi'i fodloni bod angen hyn er mwyn gorfodi'r Rheoliad hwnnw, y Rheoliadau hyn, Rheoliad y Comisiwn (EC) Rhif 494/98, Rhif 509/1999, Rhif 911/2004 a Rhif 644/2005, a bydd unrhyw berson sy'n methu â chydymffurfio â'r hysbysiad hwnnw'n euog o dramgwydd.

Cigydda anifeiliaid heb eu marcio

12. Y Cynulliad Cenedlaethol yw'r awdurdod milfeddygol a'r awdurdod cymwys at ddibenion Erthygl 1(2) o Reoliad y Comisiwn (EC) Rhif 494/98.

Rhwystro etc

13.-(1) Mae person sydd-

- (a) yn rhwystro unrhyw berson sy'n gweithredu i roi'r Rheoliadau hyn ar waith;
- (b) heb achos rhesymol, yn methu â rhoi i unrhyw berson sydd yn gweithredu i roi'r Rheoliadau hyn ar waith, unrhyw gymorth neu wybodaeth y mae'r person hwnnw yn rhesymol yn gofyn amdano neu amdani er mwyn i'r person hwnnw gyflawni ei swyddogaethau;
- (c) yn rhoi i unrhyw berson sy'n gweithredu i roi'r Rheoliadau hyn ar waith unrhyw wybodaeth y mae'r person hwnnw sy'n rhoi'r wybodaeth yn gwybod ei bod yn anwir neu'n gamarweiniol; neu
- (ch) yn methu â dangos pasbort, dogfen neu gofnod, pan ofynnir iddo wneud hynny, i unrhyw berson sy'n gweithredu o dan y Rheoliadau hyn;

yn euog o dramgwydd.

(2) Mae unrhyw berson sy'n rhoi gwybodaeth anwir yn unrhyw hysbysiad a wneir o dan y Rheoliadau hyn yn euog o dramgwydd.

- (f) where records are kept by means of a computer, require the records to be produced in a form in which they may be taken away;
- (g) require production of any unused ear tags and record their numbers; and
- (h) take with him or her a representative of the European Commission or any other person he or she considers necessary.

Powers to restrict movements

11. In accordance with the second paragraph of Article 22(1) of Regulation (EC) No. 1760/2000, an officer of the National Assembly may serve a notice on a keeper of animals on a holding restricting the movement of cattle to or from the holding if he or she is satisfied that this is necessary for the proper enforcement of that Regulation, these Regulations, Commission Regulation (EC) No. 494/98, No. 509/1999, No. 911/2004 and No. 644/2005, and any person who fails to comply with that notice is guilty of an offence.

Slaughter of unmarked animals

12. The National Assembly is the veterinary authority and the competent authority for the purposes of Article 1(2) of Commission Regulation (EC) No. 494/98.

Obstruction etc.

13.-(1) A person who-

- (a) obstructs any person acting in the execution of these Regulations;
- (b) without reasonable cause, fails to give to any person acting in the execution of these Regulations any assistance or information that that person may reasonably require of him or her for the purposes of his or her functions;
- (c) furnishes to any person acting in the execution of these Regulations any information that he or she knows to be false or misleading; or
- (d) fails to produce a passport, document or record when required to do so to any person acting under these Regulations,

is guilty of an offence.

(2) Any person who provides false information in any notification made under these Regulations is guilty of an offence.

Tramgwyddau gan gyrrff corfforaethol

14.-(1) Os yw corff corfforaethol yn euog o dramgwydd o dan y Rheoliadau hyn, ac os profir bod y tramgwydd wedi'i wneud drwy gydsyniad neu ymoddefiad, neu wedi'i briodoli i unrhyw esgeulustod ar ran-

- (a) unrhyw gyfarwyddwr, rheolwr, ysgrifennydd neu swyddog tebyg arall o'r corff corfforaethol; neu
- (b) unrhyw berson a oedd yn honni ei fod yn gweithredu yn rhinwedd unrhyw swydd o'r fath,

bydd y person hwnnw, yn ogystal â'r corff corfforaethol, yn euog o dramgwydd a bydd yn agored i gael ei erlyn a'i gosbi yn unol â hynny.

(2) Yn y rheoliad hwn ystyr "cyfarwyddwr" mewn perthynas â chorff corfforaethol y mae ei fusnes yn cael ei reoli gan ei aelodau, yw aelod o'r corff corfforaethol.

Cosbau

15. Mae person sy'n euog o dramgwydd o dan y Rheoliadau hyn yn atebol-

- (a) o'i gollfarnu'n ddiannod, i ddirwy nad yw'n fwy na'r uchafswm statudol neu garchariad am gyfnod nad yw'n hirach na thri mis, neu'r ddau;
- (b) ar gollfarn ar ddiad, i ddirwy neu garchariad am gyfnod nad yw'n fwy na dwy flynedd, neu'r ddau.

Gorfodi

16.-(1) Caiff y Rheoliadau hyn eu gorfodi gan yr awdurdod lleol.

(2) Caiff y Cynulliad Cenedlaethol gyfarwyddo y bydd mewn unrhyw achos penodol neu ddoarbarth o achosion yn eu gorfodi hwy ei hunan.

Dirymiadau

17. Mae'r canlynol wedi'u dirymu i'r graddau y maent yn gymwys o ran Cymru -

- (a) Gorchymyn Anifeiliaid Buchol (Cofnodion, Adnabod a Symud) 1995(1);
- (b) Rheoliadau Adnabod Gwartheg 1998(2);
- (c) Rheoliadau Cronfa Ddata Gwartheg 1998(3);
- (ch) Rheoliadau Adnabod Gwartheg (Diwygio) 1998(4);

-
- (1) O. S. 1995/12.
 - (2) O. S. 1998/871.
 - (3) O. S. 1998/1796.
 - (4) O. S. 1998/2969.

Offences by bodies corporate

14.-(1) Where a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of-

- (a) any director, manager, secretary or other similar officer of the body corporate; or
- (b) any person who was purporting to act in any such capacity,

he or she, as well as the body corporate, is guilty of the offence and be liable to be proceeded against and punished accordingly.

(2) In this regulation "director" in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

Penalties

15. A person guilty of an offence under these Regulations is liable-

- (a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment not exceeding three months or to both;
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

Enforcement

16.-(1) These Regulations are enforced by the local authority.

(2) The National Assembly may direct in any particular case or class of case that it will enforce them instead.

Revocations

17. The following are revoked insofar as they apply in relation to Wales-

- (a) the Bovine Animals (Records, Identification and Movement) Order 1995(1);
- (b) the Cattle Identification Regulations 1998(2);
- (c) the Cattle Database Regulations 1998(3);
- (d) the Cattle Identification (Amendment) Regulations 1998(4);

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- (1) S. I. 1995/12.
 - (2) S. I. 1998/871.
 - (3) S. I. 1998/1796.
 - (4) S. I. 1998/2969.

- (d) Rheoliadau Adnabod Gwartheg (Diwygio) 1999(1);
- (dd) Rheoliadau Gwartheg (Adnabod Anifeiliaid Hyn) (Cymru) 2000(2);
- (e) Rheoliadau Cronfa Ddata Gwartheg (Diwygio) (Cymru) 2002(3);
- (f) Rheoliadau Gwartheg (Adnabod Anifeiliaid Hyn) (Cymru) (Diwygio) 2002(4);
- (ff) Rheoliadau Adnabod Gwartheg (Diwygio) 2006(5); a
- (g) Rheoliadau Cronfa Ddata Gwartheg (Diwygio) 2006(6).

- (e) the Cattle Identification (Amendment) Regulations 1999(1);
- (f) the Cattle (Identification of Older Animals) (Wales) Regulations 2000(2);
- (g) the Cattle Database (Amendment) (Wales) Regulations 2002(3);
- (h) the Cattle (Identification of Older Animals) (Wales) (Amendment) Regulations 2002(4);
- (i) the Cattle Identification (Amendment) Regulations 2006(5); and
- (j) the Cattle Database (Amendment) Regulations 2006(6).

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(7)

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(7)

13 Mawrth 2007

13 March 2007

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(1) O. S. 1999/1339.
 (2) O. S. 2000/3339 (Cy.217).
 (3) O.S. 2002/304 (Cy. 35).
 (4) O. S. 2002/273 (Cy.29).
 (5) O. O. 2006/1538.
 (6) O. S. 2006/1539.
 (7) 1998 p.38.

(1) S. I. 1999/1339.
 (2) S. I. 2000/3339 (W.217).
 (3) S. I. 2002/304 (W.35).
 (4) S. I. 2002/273 (W.29).
 (5) S. I. 2006/1538.
 (6) S. I. 2006/1539.
 (7) 1998 c.38.

Rheoliad 4

Regulation 4

Tagiau clust

Ear tags

Gorfodi Erthygl 4 o Reoliad (EC) Rhif 1760/2000**Enforcement of Article 4 of Regulation (EC) No. 1760/2000**

1.-(1) O ran y Cynulliad Cenedlaethol-

1.-(1) The National Assembly-

- (a) ef yw'r awdurdod cymwys at ddibenion cymeradwyo tagiau clust at ddibenion Erthygl 4(1) o Reoliad y Comisiwn (EC) Rhif 1760/2000; a
- (b) pan gaiff gais gan weithgynhyrhydd tagiau clust a gymeradwywyd, rhaid iddo ddyroddi codau adnabod unigryw at ddibenion yr Erthygl honno, gan gydymffurfio â darpariaethau paragraff 1 a 2 o Erthygl 1 o Reoliad y Comisiwn (EC) Rhif 911/2004 (ac eithrio y caiff wrthod dyrannu rhifau o dan yr amgylchiadau a nodir yn erthygl 1(5) o'r Rheoliad hwnnw).

- (a) is the competent authority for the purposes of approving ear tags for the purposes of Article 4(1) of Regulation (EC) No. 1760/2000; and
- (b) on application from a manufacturer of approved ear tags, must issue unique identification codes for the purposes of that Article, conforming with the provisions of paragraphs 1 and 2 of Article 1 of Commission Regulation (EC) No. 911/2004 (except that he may refuse to allocate numbers in the circumstances set out in Article 1(5) of that Regulation).

(2) Y person sy'n gyfrifol am beri bod modd adnabod gwartheg drwy osod tag clust ym mhob clust yn unol ag Erthygl 4(1) o Reoliad (EC) Rhif 1760/2000 yw'r ceidwad.

(2) The person responsible for identifying cattle by means of an ear tag applied to each ear in accordance with Article 4(1) of Regulation (EC) No. 1760/2000 is the keeper.

(3) Yn unol ag Erthygl 4(2) o Reoliad (EC) Rhif 1760/2000-

(3) In accordance with Article 4(2) of Regulation (EC) No. 1760/2000-

- (a) yn achos buches odro, rhaid i'r ceidwad osod un tag clust ar y llo o fewn 36 o oriau ar ôl ei eni a'r ail dag o fewn 20 o ddiwrnodau ar ôl ei eni;
- (b) yn achos unrhyw fuches arall (heblaw bison) rhaid i'r ceidwad osod y ddau dag o fewn 20 o ddiwrnodau ar ôl geni'r llo;
- (c) yn achos bison, yn unol ag Erthyglau 1 a 2 o Reoliad y Comisiwn (EC) Rhif 509/1999, rhaid i'r ceidwad osod y ddau dag pan gaiff y lloi eu gwahanu oddi wrth eu mamau neu o fewn naw mis ar ôl eu geni, p'un bynnag yw'r cyntaf.

- (a) in the case of a dairy herd, the keeper must apply one ear tag to the calf within 36 hours of birth and the second tag within 20 days of birth;
- (b) in the case of any other herd (other than bison) the keeper must apply both tags within 20 days of birth;
- (c) in the case of bison, in accordance with Articles 1 and 2 of Commission Regulation (EC) No. 509/1999, the keeper must apply both tags when the calves are separated from their dams or within nine months of the birth, whichever is the sooner.

(4) Bydd unrhyw berson sy'n methu â chydymffurfio â'r gofyniad yn Erthygl 4(1) o Reoliad (EC) Rhif 1760/2000 i osod tag clust o fewn y cyfnod a bennir ym mharagraff (3) uchod yn euog o dramgwydd.

(4) Any person who fails to comply with the requirement in Article 4(1) of Regulation (EC) No. 1760/2000 to apply an ear tag within the period specified in paragraph (3) above is guilty of an offence.

Ffurff y tagiau clust**Form of ear tags**

2.-(1) Rhaid bod tagiau clust a osodir o dan Erthygl 4(1) o Reoliad (EC) Rhif 1760/2000 wedi'u cymeradwyo gan y Cynulliad Cenedlaethol.

2.-(1) Ear tags applied under Article 4(1) of Regulation (EC) No. 1760/2000 must be approved by the National Assembly.

(2) Yn unol â pharagraffau 1 a 2 o Erthygl 1 o Reoliad y Comisiwn (EC) Rhif 911/2004, rhaid bod gan y ddau dag clust y logo a bennir ym mharagraff 11 (yn achos tag clust deuddarn, rhaid bod y logo ar y ddau ddarn), y llythrennau "UK" a'r rhif unigryw a

(2) In accordance with paragraphs 1 and 2 of Article 1 of Commission Regulation (EC) No. 911/2004, both ear tags must have the logo specified in paragraph 11 (in the case of a two-piece ear tag, both pieces must have it), the letters "UK" and the unique number

ddyrennir gan y Cynulliad Cenedlaethol.

(3) Yn unol ag Erthygl 1(3) o'r Rheoliad hwnnw gall tag clust hefyd gael cod bar.

(4) Caniateir i'r pŵer yn erthygl 4 o Reoliad y Comisiwn (EC) Rhif 911/2004 (pŵer i ddewis deunydd neu fodel gwahanol ar gyfer yr ail dag clust) cael ei arfer gan y Cynulliad Cenedlaethol.

Symudiad o ddaliad

3.-(1) Yn ddarostyngedig i baragraff (3), bydd unrhyw berson sy'n symud anifail o ddaliad gan dorri trydydd paragraff Erthygl 4(2) o Reoliad (EC) Rhif 1760/2000 yn euog o dramgwydd.

(2) Yn ddarostyngedig i baragraff (3), mae unrhyw berson sy'n symud o ddaliad wartheg y dylid bod wedi'u tagio neu'u marcio o dan ddeddfwriaeth tagio gwartheg flaenorol na chafodd eu tagio neu'u marcio'n gywir yn euog o dramgwydd.

(3) Os bydd anifail mewn marchnad heb gael ei dagio neu'i farcio'n gywir, caiff arolygydd ddyroddi trwydded i'r ceidwad yn caniatáu i'r anifail gael ei symud o'r farchnad i ddaliad a bennir yn y drwydded.

(4) Bydd unrhyw berson a fydd yn symud anifail gan dorri'r drwydded neu dorri unrhyw amod o'r drwydded yn euog o dramgwydd.

Tagiau clust o'r newydd

4.-(1) Y Cynulliad Cenedlaethol yw'r awdurdod cymwys at ddibenion Erthygl 4(5) o Reoliad y Comisiwn (EC) Rhif 1760/2000, a bydd unrhyw berson sydd naill ai'n tynnu neu'n ailosod tag clust (neu dag clust a roed ynghlwm o dan ddeddfwriaeth tagio gwartheg flaenorol) heb ganiatâd yn groes i'r Erthygl honno neu Erthygl 4(4) o Reoliad (EC) Rhif 1760/2000 yn euog o dramgwydd.

(2) Os bydd ceidwad anifail a anwyd ym Mhrydain Fawr ar neu ar ôl 1 Ionawr 1998 yn darganfod bod tag clust yn annarllenadwy neu wedi cael ei golli, rhaid iddo, o fewn 28 o ddiwrnodau ar ôl y darganfyddiad, ei ailosod gan dag clust arall sy'n dwyn yr un rhif (rhaid iddo fod yn brif dag os oedd y gwreiddiol yn brif dag, neu'n brif dag neu'n ail dag oes oedd y tag gwreiddiol yn ail dag) ac mae methu â gwneud hynny'n dramgwydd.

(3) Os bydd ceidwad anifail a anwyd ym Mhrydain Fawr cyn 1 Ionawr 1998 yn darganfod bod tag clust yn annarllenadwy neu wedi cael ei golli, rhaid iddo, o fewn 28 o ddiwrnodau ar ôl y darganfyddiad, naill ai ei aildagio gan dag clust sengl arall, neu ei aildagio â thagiau dwbl yn unol â'r Rheoliadau hyn, ac mae unrhyw berson sy'n methu â gwneud hynny'n euog o dramgwydd.

allocated by the National Assembly.

(3) In accordance with Article 1(3) of that Regulation an ear tag may also have a bar code.

(4) The power in Article 4 of Commission Regulation (EC) No. 911/2004 (a power to choose other material or model for the second ear tag) may be exercised by the National Assembly.

Movement from a holding

3.-(1) Subject to paragraph (3), any person who moves an animal from a holding in breach of the third paragraph of Article 4(2) of Regulation (EC) No. 1760/2000 is guilty of an offence.

(2) Subject to paragraph (3), any person who moves from a holding cattle that should have been tagged or marked under previous cattle tagging legislation and that are not correctly tagged or marked is guilty of an offence.

(3) If an animal at a market is not correctly tagged or marked, an inspector may issue a licence to the keeper permitting the animal to be moved from the market to a holding specified in the licence.

(4) Any person who moves an animal in breach of the licence or any condition of the licence is guilty of an offence.

Replacement ear tags

4.-(1) The National Assembly is the competent authority for the purposes of Article 4(5) of Regulation (EC) No. 1760/2000, and any person who either removes or replaces an ear tag (or an ear tag attached under previous cattle tagging legislation) without permission in contravention of that Article or Article 4(4) of Regulation (EC) No. 1760/2000 is guilty of an offence.

(2) If a keeper of an animal born in Great Britain on or after 1 January 1998 discovers that an ear tag has become illegible or has been lost, he or she must, within 28 days of the discovery, replace it with another ear tag bearing the same number (which must be a primary tag if the original was primary, or a primary or secondary tag if the original tag was secondary) and failure to do is an offence.

(3) If a keeper of an animal born in Great Britain before 1 January 1998 discovers that an ear tag has become illegible or has been lost, he or she must, within 28 days of the discovery, either re-tag it with another single tag, or re-tag it with double tags in accordance with these Regulations, and any person failing to do so is guilty of an offence.

(4) Os bydd anifail a anwyd y tu allan i Brydain Fawr yn colli tag clust rhaid i'r ceidwad, o fewn 28 o ddiwrnodau o ddarganfod bod y tag clust tag wedi cael ei golli, ei aildagio gan ddefnyddio tag o'r newydd-

(a) sy'n dwyn logo'r goron a bennir ym mharagraff 11; a

(b) sy'n dwyn y cod adnabod gwreiddiol,

a bydd unrhyw berson sy'n methu â gwneud hynny'n euog o dramgwydd.

(5) Mae'n dramgwydd i osod tag clust ar anifail os cafodd ei ddefnyddio cyn hynny i ddarnodi anifail gwahanol.

(6) Mae'n dramgwydd i osod tag clust ar anifail os cafodd rhif y tag clust ei ddefnyddio eisoes ar anifail gwahanol.

(7) Nid yw paragraffau (2) i (4) yn gymwys i feddiannydd lladd-dy neu weithredydd marchnad.

Newid rhif tag clust

5. Os caiff anifail a anwyd cyn 1 Ionawr 1998 ei aildagio gan rif tag clust gwahanol, rhaid i'r ceidwad, o fewn 14 o ddiwrnodau ar ôl gosod y tag clust a beth bynnag cyn bod yr anifail yn cael ei symud oddi ar y daliad, hysbysu'r Cynulliad Cenedlaethol o'r rhif tag clust newydd a dychwelyd yr hen basbort gwartheg gyda chais bod pasbort gwartheg newydd yn cael ei ddyroddi gyda'r rhif tag clust newydd a bydd methu â gwneud hynny'n dramgwydd.

Tagiau clust i anifeiliaid a gedwir at ddibenion diwylliannol neu hanesyddol

6.-(1) Caiff person sy'n cadw gwartheg at ddibenion diwylliannol neu hanesyddol wneud cais i'r Cynulliad Cenedlaethol i gofrestru ei ddaliad at y diben hwn yn unol ag Erthygl 1 o Reoliad y Comisiwn (EC) Rhif 644/2005.

(2) Os yw'r Cynulliad Cenedlaethol wedi cymeradwyo daliad ar gyfer y dibenion hyn, mae'r rhanddirymiad sy'n ymwneud â thagio yn erthygl 2 o'r Rheoliad hwnnw yn gymwys, ar yr amod bod y gwartheg yn cael eu darnodi drwy gyfrwng darnodydd electronig sydd yn y bolws cnoi cil.

Marciau dros dro

7. Os nad yw anifail wedi cael ei dagio yn unol â'r Rheoliadau hyn neu'n unol â deddfwriaeth tagio gwartheg flaenorol, caiff arolygydd osod marc adnabod arno.

Masnach o fewn y Gymuned

8. Mae'n dramgwydd i draddodi anifail ar gyfer masnach o fewn y Gymuned oni chafodd ei dagio ym mhob clust â thag clust a gymeradwywyd gan y Cynulliad Cenedlaethol yn unol ag Erthygl 4(1) o Reoliad (EC) Rhif 1760/2000.

(4) If an animal born outside Great Britain loses an ear tag the keeper must, within 28 days of discovering that the ear tag has been lost, re-tag it using a replacement tag that has-

(a) the crown logo specified in paragraph 11; and

(b) the original identification code,

and any person failing to do so is guilty of an offence.

(5) It is an offence to apply an ear tag to an animal if it has previously been used to identify a different animal.

(6) It is an offence to apply an ear tag to an animal if the ear tag number has already been used on a different animal.

(7) Paragraphs (2) to (4) do not apply to the occupier of a slaughterhouse or the operator of a market.

Change of ear tag number

5. If an animal born before 1 January 1998 is re-tagged with a different ear tag number, the keeper must, within 14 days of the new ear tag being attached and in any event before the animal is moved off the holding, notify the National Assembly of the new ear tag number and return the old cattle passport with an application for a new cattle passport to be issued with the new ear tag number, and failure to do so is an offence.

Ear tags for animals kept for cultural or historical purposes

6.-(1) A person who keeps cattle for cultural or historical purposes may apply to the National Assembly to have his or her holding registered for this purpose in accordance with Article 1 of Commission Regulation (EC) No. 644/2005.

(2) If the National Assembly has approved a holding for these purposes, the derogation relating to tagging in Article 2 of that Regulation applies provided that the cattle are identified by means of an electronic identifier contained in a ruminal bolus.

Temporary marks

7. If an animal is not tagged in accordance with these Regulations or previous cattle tagging legislation, an inspector may apply an identification mark to it.

Intra-Community trade

8. It is an offence to consign an animal for intra-Community trade unless it is tagged in each ear with an ear tag approved by the National Assembly in accordance with Article 4(1) of Regulation (EC) No. 1760/2000.

Mewnforion o drydydd gwledydd

9.-(1) Mae unrhyw berson sy'n methu â gosod tagiau clust ar anifail a fewnforiwyd o drydedd wlad o fewn 20 o ddiwrnodau ar ôl i'r anifail gael ei ryddhau o safle arolygu ar y ffin lle y'i mewnforiwyd, a beth bynnag cyn i'r anifail adael y daliad cyrchu, fel a bennir yn Erthygl 4(3) o Reoliad (EC) Rhif 1760/2000, yn euog o dramgwydd.

(2) Mae'n amddiffyniad i unrhyw berson a gaiff ei gyhuddo o dan y rheoliad hwn i brofi-

- (a) pan fewnforiwyd yr anifail, bod y daliad cyrchu yn lladd-dy, a
- (b) bod yr anifail wedi'i gigydda o fewn 20 o ddiwrnodau ar ôl ymadael â'r safle arolygu ar y ffin.

Addasu a storio tagiau clust

10.-(1) Mae'n dramgwydd i addasu, difodi neu ddifwyno tag clust a osodwyd o dan Reoliad (EC) Rhif 1760/2000 neu o dan ddeddfwriaeth tagio gwartheg flaenorol, neu farc dros dro a osodwyd gan arolygydd yn unol â pharagraff 7 (marciau dros dro).

(2) Rhaid i unrhyw berson y mae ganddo yn ei feddiant dagiau clust a ddyroddwyd ar gyfer dibenion y Rheoliadau hyn eu cadw mewn lle diogel, ac mae methu â gwneud hynny'n dramgwydd.

Logo ar gyfer tagiau clust

11. Dyma logo'r goron ar gyfer tagiau clust-



Imports from third countries

9.-(1) Any person who fails to apply ear tags to an animal imported from a third country within 20 days of the animal being released from the border inspection post at which it was imported, and in any event before the animal leaves the holding of destination, as specified in Article 4(3) of Regulation (EC) No. 1760/2000, is guilty of an offence.

(2) It is a defence for any person charged under this regulation to prove that-

- (a) when the animal was imported, the holding of destination was a slaughterhouse, and
- (b) the animal was slaughtered within 20 days of leaving the border inspection post.

Alteration and storage of ear tags

10.-(1) It is an offence to alter, obliterate or deface an ear tag applied under Regulation (EC) No. 1760/2000 or previous cattle tagging legislation, or a temporary mark applied by an inspector in accordance with paragraph 7 (application of temporary marks).

(2) Any person who has in his or her possession unused ear tags issued for the purposes of these Regulations must keep them in a secure place, and failure to do so is an offence.

Logo for ear tags

11. The crown logo for ear tags is-



Rheoliad 5

Regulation 5

Cofrestru gwartheg

Registration of cattle

Cofrestru

1. Mae'n dramgwydd i fethu â chofrestru anifail yn unol â'r Atodlen hon.

Dull cofrestru

2.-(1) Rhaid i gais i gofrestru anifail gael ei wneud i'r Cynulliad Cenedlaethol.

(2) Cofrestrir drwy wneud cais am basbort.

(3) Rhaid gwneud y cais-

- (a) drwy ddefnyddio gwefan ryngweithiol y Cynulliad Cenedlaethol;
- (b) drwy ddefnyddio meddalwedd a gymeradwywyd gan y Cynulliad Cenedlaethol; neu
- (c) yn ysgrifenedig, drwy ddefnyddio'r ffurflen gais a ddarperir gan y Cynulliad Cenedlaethol,

a rhaid darparu'r holl wybodaeth sy'n ofynnol.

Cofrestru genedigaeth

3.-(1) Pan enir llo rhaid i'w geidwad ei gofrestru o fewn 7 niwrnod ar ôl y dyddiad y caiff ei dagio (neu, yn achos buches odro, o'r dyddiad pan osodir ail dag clust ar yr anifail).

(2) Yn achos bison, y terfyn amser ar gyfer cofrestru yw 7 niwrnod ar ôl genedigaeth y llo, p'un a yw'r llo wedi cael ei dagio ai peidio, a rhaid i'r cais ddatgan y rhif tag y bwriedir ei ddefnyddio ar gyfer yr anifail.

Cofrestru gwartheg y dygir hwy i mewn o aelod-wladwriaeth arall etc.

4.-(1) Os dygir gwartheg i mewn o aelod-wladwriaeth arall, Ynysoedd y Sianel, Ynys Manaw neu Ogledd Iwerddon, rhaid i'r ceidwad, o fewn 15 o ddiwrnodau ar ôl i anifail gyrraedd y daliad cyrchu-

- (a) ei gofrestru gyda'r Cynulliad Cenedlaethol, a
- (b) rhoi ei basbort gwartheg (os oes un) i'r Cynulliad Cenedlaethol.

(2) Os dygir gwartheg i mewn o le a bennir ym mharagraff (1) a bod y daliad cyrchu yn farchnad neu'n dir sioe, nid yw darpariaethau paragraff (1) yn gymwys nes bod yr anifail yn cyrraedd daliad nad yw'n farchnad neu'n dir sioe.

(3) Nid yw'r gofyniad i gofrestru'n gymwys o ran gwartheg mewn lladd-dy.

Registration

1. It is an offence to fail to register an animal in accordance with this Schedule.

Method of registration

2.-(1) An application to register an animal must be made to the National Assembly.

(2) Registration is by means of an application for a passport.

(3) The application must be made-

- (a) using the National Assembly's interactive website;
- (b) using software approved by the National Assembly; or
- (c) in writing, using the application form provided by the National Assembly,

and must provide all the required information.

Registration of birth

3.-(1) When a calf is born its keeper must register it within 7 days from the date it is tagged (or, in the case of a dairy herd, from the date on which the second ear tag is applied to the animal).

(2) In the case of bison, the time limit for registration is 7 days from the birth of the calf, whether or not the animal has been tagged, and the application must state the tag number intended to be used for the animal.

Registration of cattle brought in from another member State etc.

4.-(1) If cattle are brought in from another member State, the Channel Islands, the Isle of Man or Northern Ireland, the keeper must, within 15 days of an animal arriving at the holding of destination-

- (a) register it with the National Assembly, and
- (b) surrender its cattle passport (if any) to the National Assembly.

(2) If cattle are brought in from a place specified in paragraph (1) and the holding of destination is a market or a showground, the provisions of paragraph (1) do not apply until the animal reaches a holding that is not a market or a showground.

(3) The requirement to register does not apply in relation to cattle at a slaughterhouse.

Gwartheg o'r tu allan i'r Undeb Ewropeaidd

5.-(1) Yn achos gwartheg a fewnforir o'r tu allan i'r Undeb Ewropeaidd rhaid i'r ceidwad gofrestru anifail o fewn 15 o ddiwrnodau ar ôl y dyddiad y mae'n rhaid tagio'r anifail yn unol â pharagraff cyntaf Erthygl 4(3) o Reoliad (EC) Rhif 1760/2000.

(2) Nid yw'r gofyniad i gofrestru'n gymwys o ran gwartheg mewn lladd-dy.

ATODLEN 3

Rheoliad 6

Pasbortau gwartheg

RHAN 1

Pasbortau

Dyrodidi pasbort

1.-(1) Os bydd y Cynulliad Cenedlaethol yn derbyn cais wedi ei gwblhau'n llawn ac yn gywir i gofrestru anifail o fewn y terfynau amser penodedig, rhaid iddo ddyrodidi pasbort gwartheg ar gyfer yr anifail hwnnw.

(2) Caiff y Cynulliad Cenedlaethol ddyrodidi un os yw'n derbyn cais y tu allan i'r amser penodedig, ond dim ond os yw wedi'i fodloni am fanylion adnabod yr anifail a bod yr holl wybodaeth sydd yn y cais yn gywir.

(3) Erys y pasbort yn eiddo i'r Cynulliad Cenedlaethol bob amser.

Cadw pasbortau gwartheg

2.-(1) Rhaid i geidwad gadw'r pasbort gwartheg ar gyfer pob anifail (oni chafodd ei gyflwyno i'r Cynulliad Cenedlaethol) a'i ddangos i arolygydd pan gaiff ei hawlio.

(2) Mae methu â chydymffurfio â'r paragraff hwn yn dramgwydd.

Pasbortau gwartheg a gollwyd a phasbortau yn eu lle

3.-(1) Os bydd pasbort gwartheg yn cael ei gollu, ei ddwyn neu ei ddifa, rhaid i geidwad yr anifail y mae'n ymwneud ag ef hysbysu'r Cynulliad Cenedlaethol yn ysgrifenedig o fewn 14 o ddiwrnodau ar ôl dod yn ymwybodol o'r ffaith a gwneud cais am basport o'r newydd yn ei lle.

Cattle from outside the European Union

5.-(1) In the case of cattle imported from outside the European Union the keeper must register an animal within 15 days from the date that the animal must be tagged in accordance with the first paragraph of Article 4(3) of Regulation (EC) No. 1760/2000.

(2) The requirement to register does not apply in relation to cattle at a slaughterhouse.

SCHEDULE 3

Regulation 6

Cattle passports

PART 1

Passports

Issue of a passport

1.-(1) If the National Assembly receives a fully completed and accurate application for the registration of an animal within the specified time limits, it must issue a cattle passport for that animal.

(2) The National Assembly may issue one if it receives an application outside the specified time, but only if it is satisfied of the animal's identity and that all the information in the application is accurate.

(3) The passport remains the property of the National Assembly at all times.

Retention of cattle passports

2.-(1) A keeper must retain the cattle passport for each animal (unless it has been submitted to the National Assembly) and produce it to an inspector on demand.

(2) Failure to comply with this paragraph is an offence.

Lost cattle passports and replacements

3.-(1) If a cattle passport is lost, stolen or destroyed, the keeper of the animal to which it relates must notify the National Assembly in writing within 14 days of becoming aware of the fact and apply for a replacement.

(2) Caiff y Cynulliad Cenedlaethol roi pasbort gwartheg o'r newydd dim ond os yw wedi'i fodloni ei fod yn gallu olrhain symudiadau'r anifail ers ei eni neu ers ei fewnforio.

(3) Os nad yw Cynulliad Cenedlaethol yn darparu pasbort o'r newydd yn lle'r hen un, rhaid peidio â symud yr anifail y mae'n ymwneud ag ef oddi ar y daliad ac eithrio (o dan awdurdod trwydded a roddir gan y Cynulliad Cenedlaethol) i ganolfan gasglu a awdurdodwyd felly o dan Reoliadau Sgil-gynhyrchion Anifeiliaid (Cymru) 2006(1).

(4) Os bydd person sydd wedi cael pasbort gwartheg o'r newydd yn lle'r hen un wedyn yn dod o hyd i'r pasbort gwartheg gwreiddiol, rhaid iddo hysbysu'r Cynulliad Cenedlaethol o fewn 7 niwrnod gan amgáu'r pasbort gwartheg gwreiddiol gyda'r hysbysiad.

(5) Bydd unrhyw berson sy'n methu â chydymffurfio ag unrhyw un o ddarpariaethau'r paragraff hwn yn euog o dramgwydd.

Ffioedd

4.-(1) Caiff y Cynulliad Cenedlaethol osod ffi am roi pasbort gwartheg o'r newydd yn lle hen un.

(2) Y ffi yw'r swm y mae'r Cynulliad Cenedlaethol yn ystyried sy'n rhesymol i'w alluogi i dalu ei gostau wrth roi pasbort o'r newydd yn lle'r hen un.

(3) Rhaid i'r Cynulliad Cenedlaethol roi cyhoedduswydd i'r ffi ar ei wefan.

(4) Mae'r ffi'n daladwy gyda'r cais a nis ad-delir hi os bydd y ceisydd yn tynnu ei gais yn ôl neu os na fydd y Cynulliad Cenedlaethol yn gallu cael digon o wybodaeth i ddyroddi pasbort yn lle'r hen un.

Atafaelu pasbortau gwartheg

5.-(1) Caiff swyddog o'r Cynulliad Cenedlaethol neu o awdurdod lleol gyflwyno hysbysiad i geidwad yn ei gwneud yn ofynnol iddo ildio pasbort -

- (a) os nad oes anifail ar y daliad ar gyfer y pasbort hwnnw;
- (b) os nad yw'r pasbort yn disgrifio'n gywir yr anifail yr honnir ei fod yn gysylltiedig ag ef, neu os dyroddwyd y pasbort ar gyfer anifail gwahanol;
- (c) os yw rhif y tag clust yn y pasbort yn wahanol i rif y tag clust ar yr anifail;
- (ch) os nad yr un yw manylion y symudiadau ar y pasbort a manylion y symudiadau yn y gronfa ddata a gedwir gan y Cynulliad Cenedlaethol yn unol â'r Rheoliadau hyn neu yn y cofnodion a gedwir gan y ceidwad yn unol â'r Rheoliadau hyn;

a bydd unrhyw berson sy'n methu â chydymffurfio â hysbysiad o'r fath yn euog o dramgwydd.

(1) O. S. 2006/1293 (Cy.127).

(2) The National Assembly may only provide a replacement cattle passport if it is satisfied that it can accurately reconstruct the movements of the animal since birth or importation.

(3) If the National Assembly does not provide a replacement, the animal to which it relates must not be moved off a holding except (under the authority of a licence granted by the National Assembly) to a collection centre authorised as such under the Animal By-Products (Wales) Regulations 2006(1).

(4) If a person who has obtained a replacement cattle passport subsequently finds the original cattle passport, he or she must notify the National Assembly within 7 days and enclose with the notification the original cattle passport.

(5) Any person who fails to comply with any provision of this paragraph is guilty of an offence.

Fees

4.-(1) The National Assembly may set a fee for a replacement cattle passport.

(2) The fee is the amount that the National Assembly considers reasonable to enable it to meet its expenses in replacing the passport.

(3) The National Assembly must publicise the fee on its website.

(4) The fee is payable with the application and is not refundable if the applicant withdraws the application or the National Assembly is unable to obtain sufficient information to issue a replacement passport.

Confiscation of cattle passports

5.-(1) An officer of the National Assembly or a local authority may serve a notice on a keeper requiring him or her to surrender a passport if-

- (a) there is no animal on the holding for that passport;
- (b) the passport does not correctly describe the animal to which it purports to relate, or the passport was issued for a different animal;
- (c) the ear tag number in the passport is different from the ear tag number on the animal;
- (d) the movement details on the passport are not the same as the movement details on the database kept by the National Assembly in accordance with these Regulations or in the records kept by the keeper in accordance with these Regulations;

and any person who fails to comply with such a notice is guilty of an offence.

(1) S. I. 2006/1293 (W.127).

(2) Ni chaiff y Cynulliad Cenedlaethol ddychwelyd pasbort hyd nes y mae wedi'i fodloni bod y pasbort yn disgrifio'n gywir anifail ym meddiant y ceidwad a bod cofnodion o'r symudiadau yn y pasbort yn gywir.

Anifeiliaid a gafodd eu dwyn

6. Os collir anifail â phasbort gwartheg neu os caiff ei ddwyn, rhaid i'r ceidwad anfon y pasbort gwartheg at y Cynulliad Cenedlaethol o fewn 7 niwrnod ar ôl dod yn ymwybodol o'r ffaith, ynghyd â manylion ysgrifenedig o'r hyn a ddigwyddodd, ac mae methu â gwneud hynny'n dramgwydd.

Addasiadau

7. Mae'n dramgwydd i addasu neu ddifwyno unrhyw wybodaeth mewn pasbort gwartheg.

Camdefnyddio pasbort

8. Mae'n dramgwydd i ddefnyddio pasbort gwartheg mewn cysylltiad ag anifail heblaw'r anifail y rhoddwyd ef ar ei gyfer.

RHAN 2

Symudiadau gan ddefnyddio pasbortau

Symud oddi ar ddaliad

9.-(1) Pan symudir gwartheg oddi ar ddaliad, rhaid i'r ceidwad sicrhau bod y pasbort gwartheg wedi'i farcio â dyddiad y symud a rhaid iddo'i lofnodi yn y lle priodol.

(2) Rhaid iddo roi'r pasbort gwartheg wedi'i gwblhau'n briodol i'r cludwr cyn i'r gwartheg gael eu symud oddi ar y daliad.

(3) Mae methu â chydymffurfio â'r paragraff hwn yn dramgwydd.

Cludo gwartheg

10.-(1) Rhaid i unrhyw un sy'n cludo gwartheg sicrhau bod pasbort gwartheg dilys gyda phob anifail drwy gydol y daith.

(2) Mae methu â chydymffurfio â'r paragraff hwn yn dramgwydd.

(3) Ond, os nad y cludwr yw perchennog yr anifeiliaid, mae'n amddiffyniad iddo i brofi nad oedd unrhyw reswm ganddo i gredu nad oedd pasbort gwartheg dilys gydag anifail.

Symud i ddaliad

11.-(1) Pan symudir gwartheg i ddaliad, rhaid i'r

(2) The National Assembly may not return a passport until it is satisfied that the passport accurately describes an animal in the possession of the keeper and that the movement entries in the passport are accurate.

Stolen animals

6. If an animal with a cattle passport is lost or stolen, the keeper must send the cattle passport to the National Assembly within 7 days of becoming aware of the fact, together with written details of what has occurred, and failure to do so is an offence.

Alterations

7. It is an offence to alter or deface any information in a cattle passport.

Misusing a passport

8. It is an offence to use a cattle passport in relation to an animal other than the animal for which it was granted.

PART 2

Movement using passports

Movement off a holding

9.-(1) When cattle are moved off a holding, the keeper must ensure that the cattle passport is marked with the date of movement and must sign it in the appropriate place.

(2) He or she must give the cattle passport duly completed to the transporter before the cattle are moved off the holding.

(3) Failure to comply with this paragraph is an offence.

Transporting cattle

10.-(1) Anyone transporting cattle must ensure that each animal is accompanied throughout its journey by a valid cattle passport.

(2) Failure to comply with this paragraph is an offence.

(3) But, if the transporter is not the owner of the animals, it is a defence for him or her to prove that he or she had no reason to believe that an animal was not accompanied by a valid cattle passport

Movement on to a holding

11.-(1) When cattle are moved on to a holding, the

cludwr roi pob pasbort gwartheg ar gyfer pob anifail i'r ceidwad newydd (neu, os yw'r symud yn digwydd drwy farchnad, rhaid iddo ei roi i weithredydd y farchnad, a rhaid iddo yntau wedyn ei roi i'r ceidwad newydd).

(2) Rhaid i'r ceidwad newydd neu weithredydd y farchnad sicrhau bod y pasbort gwartheg wedi'i farcio â'r canlynol-

- (a) dyddiad y symud i'r daliad,
- (b) enw a chyfeiriad y ceidwad (neu, yn achos marchnad, gweithredydd y farchnad) a rhif y daliad, gan ddefnyddio os yw hynny'n ymarferol y cod bar a ddarperir gan y Cynulliad Cenedlaethol,

a rhaid iddo'i lofnodi.

(3) Rhaid iddo wneud hyn o fewn 36 o oriau ar ôl i'r anifail gyrraedd.

(4) Ni chaiff neb symud yr anifail oddi ar y daliad nes bod y pasbort wedi'i gwblhau yn unol â'r paragraff hwn.

(5) Mae methu â chydymffurfio â'r paragraff hwn yn dramgwydd.

Mewnforio gwartheg

12.-(1) Yn achos gwartheg a ddygir i Gymru o'r tu allan i Brydain Fawr, caniateir symud yr anifail o'r fan y daeth i mewn i Gymru i'r daliad lle y mae'n rhaid ei gofrestru yn unol â pharagraff 4 neu 5 o Atodlen 2 gan ddefnyddio'i basbort (os oes un ganddo) neu ei ddogfen symud.

(2) Os oes ganddo basbort, rhaid i'w geidwad ei gwblhau yn unol â'r Atodlen hon, ac mae methu â gwneud hynny'n dramgwydd.

Allforion

13.-(1) Pan fydd gwartheg yn cael eu hallforio i drydydd gwledydd rhaid i'r ceidwad anfon y pasbortau gwartheg at y Cynulliad Cenedlaethol o fewn saith niwrnod, ac mae methu â gwneud hynny'n dramgwydd.

(2) Pan fydd gwartheg yn cael eu cludo'r tu allan i Brydain Fawr i gyrchfan yn yr Undeb Ewropeaidd, rhaid i'r cludwr sicrhau bod ei basport gyda phob anifail, ac mae methu â gwneud hynny'n dramgwydd.

Marchnadoedd a chrynoadau anifeiliaid

14.-(1) Mae gweithredydd marchnad neu grynhoad anifeiliaid arall yn cyflawni tramgwydd os derbynir unrhyw wartheg heb basbort gwartheg dilys (neu, yn achos gwartheg a fewnforir, dogfennau'n caniatáu iddynt gael eu symud).

transporter must give each animal's cattle passport to the new keeper (or, if moved through a market, he or she must give it to the market operator, who must then give it to the new keeper).

(2) The new keeper or market operator must ensure that the cattle passport is marked with-

- (a) the date of movement on to the holding,
- (b) the name and address of the keeper (or, in the case of a market, the operator of the market) and the holding number, using if practicable the bar code label provided by the National Assembly,

and must sign it.

(3) He or she must do this within 36 hours of the arrival of the animal

(4) No one may move the animal off the holding until the passport has been completed in accordance with this paragraph.

(5) Failure to comply with this paragraph is an offence.

Imported cattle

12.-(1) In the case of cattle brought into Wales from outside Great Britain, the animal may be moved from the place it was brought into Wales to the holding at which it must be registered in accordance with paragraph 4 or 5 of Schedule 2 using its passport (if it has one) or its movement document.

(2) If it has a passport its keeper must complete it in accordance with this Schedule, and failure to do so is an offence.

Exports

13.-(1) Where cattle are exported to third countries the keeper must send the cattle passports to the National Assembly within seven days, and failure to do so is an offence.

(2) When cattle are transported outside Great Britain to a destination within the European Union the transporter must ensure that each animal is accompanied by its passport, and failure to do so is an offence.

Markets and animal gatherings

14.-(1) The operator of a market or other animal gathering commits an offence if any cattle are accepted without a valid cattle passport (or, in the case of imported cattle, documentation permitting them to be moved).

(2) Yn y paragraff hwn a'r paragraff canlynol ystyr "crynhoad anifeiliaid" yw achlysur pan fydd anifeiliaid yn cael eu casglu at ei gilydd at un neu fwy o'r dibenion canlynol-

- (a) gwerthiant, sioe neu arddangosfa;
- (b) llwyth ar ei daith ymlaen; neu
- (c) archwiliad i gadarnhau bod gan yr anifeiliaid nodweddion brid penodol.

Trwyddedau

15. Caiff swyddog o'r Cynulliad Cenedlaethol (neu, yn achos anifail mewn marchnad, crynhoad anifeiliaid neu ladd-dy, caiff arolygydd) ddyroddi trwydded ar unrhyw adeg i symud gwartheg heb basbort gwartheg os yw wedi'i fodloni bod angen gwneud hynny ac nad yw'n ymarferol i gael gafael ar un.

ATODLEN 4

Rheoliad 7

Hysbysiad o symud neu farwolaeth

Hysbysiad o symud

1.-(1) Rhaid i geidwad hysbysu'r Cynulliad Cenedlaethol o fewn tri diwrnod o unrhyw symud o wartheg i ddaliad neu oddi arno-

- (a) drwy ddefnyddio gwefan ryngweithiol y Cynulliad Cenedlaethol;
- (b) drwy ddefnyddio meddalwedd a gymeradwywyd gan y Cynulliad Cenedlaethol; neu
- (c) yn ysgrifenedig, drwy ddefnyddio'r cerdyn symud a ddarperir gan y Cynulliad Cenedlaethol,

a rhaid darparu'r holl wybodaeth sy'n ofynnol.

(2) Mae methu â chydymffurfio â'r paragraff hwn yn dramgwydd.

Hysbysiad o farwolaeth

2.-(1) Pan gigyddir anifail mewn lladd-dy, rhaid i feddiannydd y lladd-dy hysbysu'r farwolaeth drwy lenwi manylion y farwolaeth yn y pasbort a'i roi i'r milfeddyg swyddogol neu i'w gynrychiolydd ar adeg y cigydd.

(2) Os cigyddir anifail y tu allan i ladd-dy ond ei fod yn cael ei anfon i ladd-dy er mwyn ei drin, rhaid i'r ceidwad lenwi'r manylion am y farwolaeth yn y pasbort a'i anfon gyda'r anifail i'r lladd-dy, a rhaid i feddiannydd y lladd-dy hysbysu'r farwolaeth drwy roi'r pasbort i'r milfeddyg swyddogol neu i'w gynrychiolydd pan fydd yr anifail yn cyrraedd y lladd-dy.

(2) In this and the following paragraph "animal gathering" means an occasion at which animals are brought together for one or more of the following purposes-

- (a) a sale, show or exhibition;
- (b) onward consignment; or
- (c) inspection to confirm the animals possess specific breed characteristics.

Licences

15. An officer of the National Assembly (or, in the case of an animal at a market, animal gathering or slaughterhouse, an inspector) may at any time issue a licence for cattle to be moved without a cattle passport if he or she is satisfied that it is necessary to do so and that it is not practicable to obtain one.

SCHEDULE 4

Regulation 7

Notification of movement or death

Notification of movement

1.-(1) A keeper must notify the National Assembly within three days of any movement of cattle on to or off a holding-

- (a) using the National Assembly's interactive website;
- (b) using software approved by the National Assembly; or
- (c) in writing, using the movement card provided by the National Assembly,

and must provide all the required information.

(2) Failure to comply with this paragraph is an offence.

Notification of death

2.-(1) When an animal is slaughtered in a slaughterhouse, the occupier of the slaughterhouse must notify the death by completing the death details in the passport and giving it to the official veterinarian or his or her representative at the time of slaughter.

(2) If an animal is slaughtered outside a slaughterhouse but sent to a slaughterhouse for dressing, the keeper must complete the death details in the passport and send it with the animal to the slaughterhouse, and the occupier of the slaughterhouse must notify the death by giving the passport to the official veterinarian or his or her representative when the animal arrives at the slaughterhouse.

(3) Yn unrhyw achos arall, pan fydd anifail yn marw neu'n cael ei ladd, rhaid i'r ceidwad hysbysu'r farwolaeth drwy lenwi manylion am y farwolaeth yn y pasbort a'i anfon at y Cynulliad Cenedlaethol o fewn saith niwrnod.

(4) Os nad oes pasbort gwartheg gan anifail, rhaid i'r ceidwad hysbysu ei farwolaeth i'r Cynulliad Cenedlaethol yn ysgrifenedig o fewn saith niwrnod, gan gynnwys y rhif tag clust, dyddiad y farwolaeth a'r daliad lle y bu farw.

(5) Yn y paragraff hwn ystyr "milfeddyg swyddogol" yw'r person a benodir i'r swydd gan yr Asiantaeth Safonau Bwyd.

(6) Mae methu â chydymffurfio â'r paragraff hwn yn dramgwydd.

ATODLEN 5

Rheoliad 8

Cofnodion

Gwneud cofnod

1.-(1) Yn unol ag Erthygl 7(1), yr indent cyntaf ac Erthygl 7(4) o Reoliad (EC) Rhif 1760/2000 (cadw cofrestr cyfredol) mae unrhyw berson sy'n methu â llenwi cofrestr yn unol â'r paragraff hwn, yn euog o dramgwydd.

(2) Rhaid iddo lenwi'r gofrestr ar yr adegau canlynol-

- (a) yn achos symud anifail i ddaliad neu oddi arno, o fewn 36 o oriau ar ôl y symud;
- (b) yn achos genedigaeth anifail mewn buches odro, o fewn saith niwrnod ar ôl yr enedigaeth;
- (c) yn achos genedigaeth anifail nad yw mewn buches odro, o fewn 30 o ddiwrnodau ar ôl yr enedigaeth;
- (ch) yn achos marwolaeth anifail, o fewn 7 niwrnod ar ôl y farwolaeth;
- (d) yn achos ailosod tag clust o'r newydd pan fo newid yn rhif y tag clust, o fewn 36 o oriau ar ôl ei ailosod.

(3) Rhaid i'r gofrestr gynnwys yr wybodaeth yn Erthygl 8 o 911/2004 ac, yn ychwanegol at hynny, manylion pwy yw'r fam (yn achos trosglwyddo embryo, manylion pwy yw'r fam fenthyg ac, os yw'n hysbys, y fam enetig)(1) (yn achos anifail a anwyd cyn 1 Ebrill 1995 nad oes ganddo dag clust, rhaid cofnodi'r marc adnabod yn hytrach na'r rhif tag clust).

(1) Mae'r wybodaeth sy'n ofynnol a fformat addas ar gael yn <http://defraweb/animalh/tracing/cattle/passport/records/records-index.htm>

(3) In any other case, when an animal dies or is killed the keeper must notify the death by completing the death details in the passport and sending it to the National Assembly within seven days.

(4) If an animal does not have a cattle passport, the keeper must notify its death to the National Assembly in writing within seven days, and include the ear tag number, the date of death and the holding on which it died.

(5) In this paragraph "official veterinarian" means the person appointed as such by the Food Standards Agency.

(6) Failure to comply with this paragraph is an offence.

SCHEDULE 5

Regulation 8

Records

Making a record

1.-(1) In accordance with Article 7(1), first indent and Article 7(4) of Regulation (EC) No. 1760/2000 (keeping an up-to-date register) any person who fails to complete a register in accordance with this paragraph, is guilty of an offence.

(2) He or she must complete it at the following times-

- (a) in the case of the movement of an animal on or off a holding, within 36 hours of the movement;
- (b) in the case of the birth of an animal in a dairy herd, within seven days of the birth;
- (c) in the case of the birth of an animal otherwise than in a dairy herd, within 30 days of the birth;
- (d) in the case of the death of an animal, within 7 days of the death;
- (e) in the case of a replacement ear tag where the ear tag number is changed, within 36 hours of the replacement.

(3) The register must contain the information in Article 8 of Regulation (EC) No. 911/2004 and, in addition, the identification of the dam (in the case of embryo transfer, the surrogate dam and, if known, genetic dam)(1) (in the case of an animal born before 1 April 1995 that does not have an ear tag, the identification mark must be recorded instead of the ear tag number).

(1) The required information and a suitable format is available at <http://defraweb/animalh/tracing/cattle/passport/records/records-index.htm>

Darparu gwybodaeth

2. Bydd unrhyw berson sy'n methu â chydymffurfio ag Erthygl 7(3) (darparu gwybodaeth) yn euog o dramgwydd.

Cadw cofnodion

3.-(1) At ddibenion Erthygl 7(4) o Reoliad (EC) Rhif 1760/2000, rhaid cadw'r gofrestr am 10 mlynedd yn achos fferm a 3 blynedd mewn unrhyw achos arall, ac yn y ddau achos o ddiwedd y flwyddyn galendr y gwnaed y cofnod diwethaf ynddi; a rhaid cadw unrhyw gofnod a wnaed o dan Orchymyn Anifeiliaid Buchol (Cofnodion, Adnabod a Symud) 1995 am yr un cyfnod.

(2) Mae methu â chydymffurfio â'r paragraff hwn yn dramgwydd.

Provision of information

2. Any person who fails to comply with Article 7(3) of Regulation (EC) No. 1760/2000. (provision of information) is guilty of an offence.

Retention of records

3.-(1) For the purposes of Article 7(4) of Regulation (EC) No. 1760/2000, the register must be kept for 10 years in the case of a farm and 3 years in any other case, in both cases from the end of the calendar year in which the last entry was made; and any record made under the Bovine Animals (Records, Identification and Movement) Order 1995 must be kept for the same period.

(2) Failure to comply with this paragraph is an offence.

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