Certified copy from legislation.gov.uk Publishing

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

2023 Rhif 261 (Cy. 38)

ANIFEILIAID, CYMRU

LLES ANIFEILIAID

Rheoliadau Lles Anifeiliaid (Cludo) (Diwygiadau Amrywiol) (Cymru) 2023

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliad y Cyngor (EC) Rhif 1/2005 ar ddiogelu anifeiliaid wrth iddynt gael eu cludo ac yn ystod gweithrediadau cysylltiedig (EUR 2005/1) ac yn gwneud darpariaeth at ddibenion Rheoliad (EU) 2017/625 Senedd Ewrop a'r Cyngor ar reolaethau swyddogol a gweithgareddau swyddogol eraill a gyflawnir i sicrhau y cymhwysir y gyfraith o ran bwyd a bwyd anifeiliaid, rheolau ar iechyd a lles anifeiliaid, iechyd planhigion a chynhyrchion diogelu planhigion (EUR 2017/625).

Mae rheoliad 2 yn amnewid, o ran Cymru, Atodiad 2 newydd i Reoliad y Cyngor (EC) Rhif 1/2005 sy'n ymwneud â llunio a chwblhau cofnodion teithiau sy'n ofynnol o dan Erthygl 5(4) o'r Rheoliad hwnnw ar gyfer teithiau penodol sy'n ymwneud â chludo anifeiliaid.

Mae rheoliad 3 yn pennu, o ran Cymru, y dyddiad y daw'r mesurau trosiannol yn Erthygl 154(2) o Reoliad (EU) 2017/625 i ben. O 6 Ebrill 2023 ymlaen, bydd Erthygl 21 o'r Rheoliad hwnnw yn gymwys yn llawn yn lle'r darpariaethau cyfatebol yn Rheoliad y Cyngor (EC) Rhif 1/2005.

Mae rheoliad 4 yn gwneud diwygiadau canlyniadol i Orchymyn Lles Anifeiliaid (Cludo) (Cymru) 2007 (O.S. 2007/1047 (Cy. 105)).

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

Certified copy from legislation.gov.uk Publishing

OFFERYNNAU STATUDOL
CYMRU

2023 Rhif 261 (Cy. 38)

ANIFEILIAID, CYMRU

LLES ANIFEILIAID

Rheoliadau Lles Anifeiliaid (Cludo) (Diwygiadau Amrywiol) (Cymru) 2023

Gwnaed	*6 Mawrth 2023*
Gosodwyd gerbron Senedd Cymru	*8 Mawrth 2023*
Yn dod i rym	*6 Ebrill 2023*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir gan Erthyglau 30(1) a 30a(8) o Reoliad y Cyngor (EC) Rhif 1/2005 ar ddiogelu anifeiliaid wrth iddynt gael eu cludo ac yn ystod gweithrediadau cysylltiedig(**1**) ("Rheoliad (EC) Rhif 1/2005") ac Erthyglau 144(6) a 154(2) o Reoliad (EU) 2017/625 Senedd Ewrop a'r Cyngor ar reolaethau swyddogol a gweithgareddau swyddogol eraill a gyflawnir i sicrhau y cymhwysir y gyfraith o ran bwyd a bwyd anifeiliaid, rheolau ar iechyd a lles anifeiliaid, iechyd planhigion a chynhyrchion diogelu planhigion(**2**) ("Rheoliad (EU) 2017/625").

Yn unol ag Erthygl 30a(9) o Reoliad (EC) Rhif 1/2005 ac Erthygl 144(7) o Reoliad (EU) 2017/625, mae Gweinidogion Cymru wedi ymgynghori â'r cyrff neu'r personau hynny yr ymddengys iddynt hwy eu bod yn cynrychioli'r buddiannau y mae'n debygol y bydd y Rheoliadau hyn yn effeithio'n sylweddol arnynt a'r

(**1**) EUR 2005/1, a ddiwygiwyd gan O.S. 2019/588 (fel y'i diwygiwyd gan O.S. 2020/1590); mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol. *Gweler* Erthygl 2a ar gyfer y diffiniad o "the appropriate authority".

(**2**) EUR 2017/625; yr offerynnau diwygio perthnasol yw O.S. 2020/1481, 2022/846. *Gweler* Erthygl 3(2A) ar gyfer y diffiniad o "the appropriate authority".

Certified copy from legislation.gov.uk Publishing

cyrff neu'r personau eraill hynny y maent yn ystyried eu bod yn briodol.

Enwi, rhychwant, cymhwyso a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Lles Anifeiliaid (Cludo) (Diwygiadau Amrywiol) (Cymru) 2023.

(2) Mae'r Rheoliadau hyn—

(a) yn rhychwantu Cymru a Lloegr;

(b) yn gymwys o ran Cymru;

(c) yn dod i rym ar 6 Ebrill 2023.

Diwygio Rheoliad y Cyngor (EC) Rhif 1/2005

2. Yn lle Atodiad 2 i Reoliad (EC) Rhif 1/2005 rhodder yr Atodiad a geir yn yr Atodlen i'r Rheoliadau hyn.

Y dyddiad penodedig at ddibenion Erthygl 154(2) o Reoliad (EU) 2017/625

3. Y dyddiad penodedig at ddibenion Erthygl 154(2) o Reoliad (EU) 2017/625 yw 6 Ebrill 2023.

Diwygio Gorchymyn Lles Anifeiliaid (Cludo) (Cymru) 2007

4.—(1) Mae Gorchymyn Lles Anifeiliaid (Cludo) (Cymru) 2007(**1**) wedi ei ddiwygio fel a ganlyn.

(2) Yn erthygl 2(3), ar ôl is-baragraff (b) mewnosoder—

";

(c) Rheoliad (EU) 2017/625 Senedd Ewrop a'r Cyngor ar reolaethau swyddogol a gweithgareddau swyddogol eraill a gyflawnir i sicrhau y cymhwysir y gyfraith o ran bwyd a bwyd anifeiliaid, rheolau ar iechyd a lles anifeiliaid, iechyd planhigion a chynhyrchion diogelu planhigion".

(3) Yn erthygl 24—

(a) yn lle paragraff (4) rhodder—

"(4) Caiff arolygydd gymryd copïau o unrhyw ddogfen—

(a) a arolygwyd er mwyn canfod a gydymffurfiwyd â darpariaethau'r Gorchymyn hwn, Rheoliad y Cyngor (EC) Rhif 1/2005, Rheoliad y Cyngor

(**1**) O.S. 2007/1047 (Cy. 105) a ddiwygiwyd gan O.S. 2019/684 (Cy. 131); mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol.

Certified copy from legislation.gov.uk Publishing

(EC) Rhif 1255/97 neu Reoliad (EU) 2017/625;

(b) a arolygwyd wrth gynnal rheolaethau swyddogol o dan Reoliad (EU) 2017/625.";

(b) ym mharagraff (7), yn lle "bwynt 8" rhodder "baragraff 13(b)".

(4) Yn erthygl 27(a), ar ôl "1255/97", mewnosoder ", Rheoliad (EU) 2017/625".

Lesley Griffiths
Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd
6 Mawrth 2023

Certified copy from legislation.gov.uk Publishing

YR ATODLEN

Rheoliad 2

Atodiad 2 Newydd i Reoliad (EC) Rhif 1/2005

“ANNEX 2

Articles 5(4) and 8(2)

JOURNEY LOG

Interpretation

1. In this Annex—

(a) “journey” means a journey of the kind described in Article 5(4);

(b) “organiser” means the person who has overall responsibility for planning a journey and preparing the journey log in respect of the journey;

(c) references in paragraphs 7, 8, 10, 11, 13 and 14 to the journey log in relation to a journey are to the journey log which is or was required to accompany the animals during the journey (as the case may be).

Form of journey log

2. A journey log must comprise the following sections—

Section 1 – Planning

Section 2 – Place of departure

Section 3 – Place of destination or place of transit

Section 4 – Declaration by transporter

Section 5 – Specimen anomaly report

3. Each Section must be in the form published by the Appropriate Minister from time to time and, where the journey log is in paper form, the Sections must be fastened together.

Obligations of the organiser

4. The organiser of a journey must—

(a) compile a journey log for the journey in accordance with paragraphs 2 and 3;

(b) complete and sign Section 1 of the journey log;

Certified copy from legislation.gov.uk Publishing

(c) submit the completed and signed copy of Section 1 of the journey log to the competent authority for its written approval, in the manner required by the competent authority, at least two working days before the proposed departure date;

(d) comply with any written instructions from the competent authority for the purpose of enabling the competent authority to verify whether the details of the proposed journey in Section 1 of the journey log are realistic and indicate compliance with this Regulation; and

(e) ensure that the proposed journey does not commence before the competent authority has confirmed in writing that—

(i) it is satisfied that the details of the proposed journey in Section 1 of the journey log are realistic and indicate compliance with this Regulation; and

(ii) the GB transporters named in the journey log have valid transporter authorisations, valid certificates of approval for their means of transport and valid certificates of competence for any drivers and attendants.

5. The organiser must ensure that the journey log which has been approved for a journey in accordance with paragraph 4(e)(i) accompanies the animals throughout the entire journey from their place of departure to their place of destination.

6. In paragraph 4—

(a) “proposed departure date” means the day on which the proposed journey set out in Section 1 of the journey log is to commence;

(b) “GB transporter” means a transporter who is authorised to carry out journeys in accordance with Article 11;

(c) in point (e), the reference to the details of the proposed journey in Section 1 of the journey log includes any details which have been amended following the submission of that Section to the competent authority pursuant to point (c) of paragraph 4.

Certified copy from legislation.gov.uk Publishing

Completion of Sections 2 and 3 of a journey log

7. Where the place of departure, the place of transit (if any) or the place of destination in respect of a journey is in Great Britain, the keeper of the animals at any such place must—

(a) complete and sign Section 2 or 3 of the journey log (as the case may be) at the relevant time; and

(b) inform the competent authority as soon as possible of any reservations the keeper may have regarding compliance with this Regulation by—

(i) completing a copy of Section 5 of the journey log; and

(ii) transmitting the completed copy of that Section, together with a copy of Section 1 of the journey log, to the competent authority.

8. Where the place of departure, the place of transit (if any) or the place of destination in respect of a journey is outside Great Britain, the organiser must ensure that the keeper of the animals at any such place—

(a) completes and signs Section 2 or 3 of the journey log (as the case may be) at the relevant time; and

(b) informs the competent authority as soon as possible of any reservations the keeper may have regarding compliance with this Regulation by—

(i) completing a copy of Section 5 of the journey log; and

(ii) transmitting the completed copy of that Section, together with a copy of Section 1 of the journey log, to the competent authority.

9. In paragraphs 7(a) and 8(a), “relevant time”, in relation to a journey, means—

(a) in the case of the keeper of the animals at the place of departure, immediately prior to the loading of the animals at the place of departure;

(b) in the case of the keeper of the animals at a place of transit or at the place of destination, immediately after the animals have been unloaded at the place of transit or the place of destination (as the case may be).

Certified copy from legislation.gov.uk Publishing

Completion of Section 4 of a journey log

10. Where the animals being transported on a journey are transported from their place of departure to their place of destination by a single transporter, the transporter must complete and sign Section 4 of the journey log on completion of the journey.

11. Where the animals being transported on a journey are transported from their place of departure to their place of destination by more than one transporter—

(a) any transporter who is responsible for transporting the animals in Great Britain must complete and sign Section 4 of the journey log at the relevant time; and

(b) the organiser of the journey must ensure that any transporter who is only responsible for transporting the animals for a stage of the journey which takes place entirely outside Great Britain completes and signs Section 4 of the journey log for the journey at the relevant time.

12. In paragraph 11, "the relevant time" means on completion of that part of the journey for which the transporter was responsible for transporting the animals.

Submission and retention of a journey log

13. The organiser of a journey must ensure that—

(a) the journey log has been properly completed and signed before the journey log is submitted to the competent authority pursuant to point (b); and

(b) the completed and signed journey log, or where the journey log is in paper form, a copy of the completed and signed journey log, is submitted to the competent authority no later than one month after the day on which the animals were unloaded at their place of destination.

14. Where the journey log is in paper form, the organiser must keep the original completed and signed journey log for a period of three years following completion of the journey and make it available to the competent authority on request."