



**CYNULLIAD CENEDLAETHOL CYMRU**

**NATIONAL ASSEMBLY FOR WALES**

**OFFERYNNAU STATUDOL**

**STATUTORY INSTRUMENTS**

**2006 Rhif 1053 (Cy.109)**

**2006 No. 1053 (W.109)**

**ANIFEILIAID, CYMRU**

**ANIMALS, WALES**

**Gorchymyn Twbercwlosis (Cymru)  
2006**

**The Tuberculosis (Wales) Order  
2006**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

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

Mae'r Gorchymyn hwn, sy'n gymwys o ran Cymru, yn dirymu ac yn ailddeddfu Gorchymyn Twbercwlosis (Cymru a Lloegr) 1984 gyda newidiadau. Mae hefyd yn cyflwyno gorfodaeth i brofi rhai anifeiliaid cyn eu symud.

This Order, which applies in relation to Wales, revokes and re-enacts the Tuberculosis (England and Wales) Order 1984 with alterations. It also introduces an obligation to test certain animals before movement.

Mae'r prif newidiadau fel a ganlyn:

The principal changes are as follows:

Cynhwysir adweithydd o fewn y diffiniad o anifail a amheuir yn hytrach nag o anifail yr effeithiwyd arno.

A reactor is included within the definition of suspected animal rather than affected animal.

Cafodd y diffiniad o fangre a oedd yn eithrio manau cadw dros dro megis marchnadoedd ei ddileu. Mae'r diffiniad o fangre sy'n gymwys i'r Gorchymyn hwn yn Neddf Iechyd Anifeiliaid 1981. Mae'r diffiniad o garcas ac arolygydd ac arolygydd milfeddygol hefyd yn Neddf Iechyd Anifeiliaid 1981.

The definition of premises which excluded places of temporary detention such as markets has been deleted. The definition of premises which applies to this Order is in the Animal Health Act 1981. The definitions of carcase and inspector and veterinary inspector are also in the Animal Health Act 1981.

Newidiwyd y diffiniad o anifail buchol i gynnwys byfflo a bual.

The definition of bovine animal has been changed to include buffalo and bison.

Mae eithriadau yn y Gorchymyn blaenorol yn ymwneud ag anifeiliaid a gafodd eu mewnfurio wedi'u dileu.

Exclusions in the previous Order in relation to imported animals have been deleted.

O dan erthygl 5, rhaid hysbysu'r Rheolwr Milfeddygol Rhanbarthol ynghylch anifail yr effeithiwyd arno neu yr amheuir ei fod wedi'i effeithio arno, ac ni ddylid bellach hysbysu'r awdurdod lleol na'r heddlu.

Notice of an affected or suspected animal under article 5 must be given to the Divisional Veterinary Manager, and should no longer be given to the local authority or the police.

Mae'r ddyletswydd i hysbysu ynghylch carcassau yn erthygl 6 yn gymwys ar gyfer pob anifail a ffermir, gan gynnwys anifeiliaid buchol, a hefyd anifeiliaid anwes.

The duty to notify in relation to carcasses in article 6 applies to all farmed animals, including bovine animals and also to pets.

Mae ffurflenni A a B yn atodlen 1 i'r Gorchymyn blaenorol wedi'u dileu. Rhaid i hysbysiadau o dan y Gorchymyn hwn gydymffurfio â'r darpariaethau

The forms A and B in the schedule to the previous Order have been deleted. Notices under this Order must comply with the general provisions in section 83

cyffredinol yn adran 83 o Ddeddf Iechyd Anifeiliaid 1981 a gyda darpariaethau erthygl 20. Mae erthygl 20 hefyd yn darparu y gall trwyddedau o dan y Gorchymyn fod yn gyffredinol neu'n benodol.

Mae erthygl 8 yn eglurhau pŵer y Cynulliad Cenedlaethol i'w gwneud yn ofynnol i brofi ar gyfer twbercwlosis erbyn dyddiad penodol. Mae hyn yn gymwys mewn perthynas â phrofi buchesau'n rheolaidd yn unol ag amllder profi'r plwyf lle'u lleolir a hefyd mewn perthynas â phrofi ychwanegol a all fod yn ofynnol at wahanol ddibenion, er enghraifft pan fo anifeiliaid wedi cael eu symud heb brofion cyn symud.

Mae erthygl 8 hefyd yn eglurhau pŵer y Cynulliad Cenedlaethol i osod cyfyngiadau ar symud yn achos methiant i brofi erbyn dyddiad a benodwyd.

Pan fo prawf croen wedi'i wneud ond heb eto wedi cael ei ddarllen, neu pan fo prawf gwaed wedi'i gymryd ond nad yw'r canlyniad eto'n wybyddus, mae erthygl 8(5) yn gwahardd symud anifail hyd nes y ceir canlyniad prawf negyddol.

Mae'n drosedd i ymyrryd ag unrhyw brawf ar gyfer twbercwlosis (erthygl 8(6)).

Mae erthygl 9 yn cyflwyno gofyniad i gynnal prawf croen ar anifeiliaid buchol cyn eu bod yn symud o un fangre i un arall. Rhaid cynnal prawf croen ar bob anifail buchol ar gyfer twbercwlosis a hynny gyda chanlyniad negyddol ddim mwy na 60 diwrnod cyn eu symud. Nid yw'r gofyniad hwn yn gymwys i anifeiliaid sy'n dod o fewn un o'r categorïau a restrir yn erthygl 9(2).

Mae'r Atodlen i'r Gorchymyn yn nodi'r symudiadau a eithrir o'r gofyniad i brofi cyn symud. Yn ychwanegol, ceidw arolygydd milfeddygol y disgresiwn i awdurdodi rhai symudiadau heb brawf cyn symud (erthygl 11(b)).

Mae erthygl 10 yn gosod dyletswydd i gadw cofnodion o rai profion ar gyfer twbercwlosis.

Mewn osodwyd darpariaethau'n ymwneud â thail a slyri yn erthygl 15 (rhagofalon yn erbyn lledaenu haint).

Mae erthygl 19 yn gosod dyletswydd i hysbysu'r Asiantaeth Labordai Milfeddygol fod *M. bovis* yn bresennol, pan fo hwnnw wedi'i ddarganfod mewn unrhyw sampl labordy, heblaw pan fydd wedi'i gyflwyno'n fwriadol yng nghwrs ymchwil. Cyfeiriad yr Asiantaeth Labordai Milfeddygol yw: TB Diagnostic Laboratory, The Veterinary Laboratories Agency, Woodham Lane, New Haw, Addlestone, Surrey, KT15 3NB.

Mae torri'r Gorchymyn yn drosedd o dan adran 73 o Ddeddf Iechyd Anifeiliaid 1981 gyda chosb yn unol ag adran 75 o'r Ddeddf honno.

of the Animal Health Act 1981 and with the provisions of article 20. Article 20 also provides that licences under the Order may be general or specific.

Article 8 clarifies the power of the National Assembly to require tuberculosis testing by a certain date. This applies to routine testing of herds according to the testing frequency of the parish in which they are located, and also to additional testing which may be required for different purposes, for example where animals have been moved without pre-movement testing.

Article 8 also clarifies the power of the National Assembly to impose movement restrictions where there has been a failure to test by a date specified.

Where a skin test has been administered but not yet read, or where a blood test has been taken but the result is not yet known, article 8(5) prohibits the movement of an animal until a negative test result has been obtained.

It is an offence to interfere with any tuberculosis test (article 8(6)).

Article 9 introduces a requirement to skin test bovine animals before they move from one premises to another. All bovine animals must be skin tested for tuberculosis with a negative result not more than 60 days before movement. This requirement does not apply to animals falling within one of the categories listed in article 9(2).

The Schedule to the Order sets out movements which are exempt from the requirement for pre-movement testing. In addition, a veterinary inspector retains discretion to authorise certain movements without pre-movement testing (article 11(b)).

Article 10 imposes a duty to retain records of certain tuberculosis tests.

Provisions relating to manure and slurry have been inserted into article 15 (precautions against spread of infection).

Article 19 imposes a duty to notify the Veterinary Laboratories Agency of the presence of *M. bovis* where this has been isolated in any laboratory sample, except where it has been deliberately introduced in the course of research. The address of the Veterinary Laboratories Agency is: TB Diagnostic Laboratory, The Veterinary Laboratories Agency, Woodham Lane, New Haw, Addlestone, Surrey, KT15 3NB.

Breach of the Order is an offence under section 73 of the Animal Health Act 1981 punishable in accordance with section 75 of that Act.

Paratowyd Arfarniad Rheoliadol ar gyfer y Rheoliadau hyn. Gellir cael copïau oddi wrth Adran yr Amgylchedd, Cynllunio a Chefn Gwlad, Llywodraeth Cynulliad Cymru, Parc Cathays, Caerdydd CF10 3NQ.

A Regulatory Appraisal has been prepared for these Regulations. Copies can be obtained from the Department for Environment, Planning and Countryside, Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ.

**2006 Rhif 1053 (Cy.109)****2006 No. 1053 (W.109)****ANIFEILIAID, CYMRU****ANIMALS, WALES****Gorchymyn Twbercwlosis (Cymru)  
2006****The Tuberculosis (Wales) Order  
2006***Wedi'u gwneud**4 Ebrill 2006**Made**4 April 2006**Yn dod i rym**2 Mai 2006**Coming into force**2 May 2006*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 1, 7(1), 8(1), 15(4), 25, 32(2), 83(2), 87(2) a 88(2) o Ddeddf Iechyd Anifeiliaid 1981(1), yn gwneud y Gorchymyn a ganlyn:

The National Assembly for Wales in exercise of powers conferred on it by sections 1, 7(1), 8(1), 15(4), 25, 32(2), 83(2), 87(2) and 88(2) of the Animal Health Act 1981(1) makes the following Order:

**Enwi, cychwyn a chymhwyso****Title, commencement and application**

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Twbercwlosis (Cymru) 2006 a daw'r Gorchymyn hwn i rym ar 2 Mai 2006.

1.-(1) The title of this Order is the Tuberculosis (Wales) Order 2006 and this Order comes into force on 2 May 2006.

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

(2) This Order applies in relation to Wales.

**Dirymu****Revocation**

2. Mae Gorchymyn Twbercwlosis (Cymru a Lloegr) 1984(2) a Gorchymyn Twbercwlosis (Cymru a Lloegr) (Diwygio) 1990(3) drwy hyn wedi'u dirymu i'r graddau y maent yn gymwys o ran Cymru.

2. The Tuberculosis (England and Wales) Order 1984(2) and the Tuberculosis (England and Wales) (Amendment) Order 1990(3) are hereby revoked in so far as they apply in relation to Wales.

**Dehongli****Interpretation**

3.-(1) Yn y Gorchymyn hwn:-

3.-(1) In this Order:-

ystyr "adweithydd" ("*reactor*") yw anifail buchol sy'n adweithio i brawf perthnasol mewn modd sy'n gyson â'i fod wedi'i effeithio arno gan dwbercwlosis;

"the Act" ("*Y Ddeddf*") means the Animal Health Act 1981;

ystyr "anifail a amheuir" ("*suspected animal*") yw anifail buchol yr amheuir ei fod wedi'i effeithio arno gan dwbercwlosis, ac mae'n cynnwys adweithydd;

"affected animal" ("*anifail yr effeithiwyd arno*") means a cow which is affected with tuberculosis of the udder or is giving tuberculous milk, or a bovine animal which is affected with tuberculous emaciation, or is excreting or discharging tuberculous material, or is affected with a chronic

(1) 1981 p.22. Trosglwyddwyd swyddogaethau a roddwyd i "the Ministers", i'r graddau y gellid eu harfer gan Ysgrifennydd Gwladol Cymru mewn perthynas â Chymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(2) O.S. 1984/1943.

(3) O.S. 1990/1869.

(1) 1981 c.22. Functions conferred on 'the Ministers' were transferred, so far as exercisable by the Secretary of State for Wales in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (transfer of Functions) Order 1999 (S.I. 1999/672).

(2) S.I. 1984/1943.

(3) S.I. 1990/1869.

ystyr "anifail buchol" ("*bovine animal*") yw gwartheg domestig o'r genws *Bos*, byfflo a bual;

ystyr "anifail yr effeithiwyd arno" ("*affected animal*") yw buwch yr effeithiwyd arni gan dwbercwlosis y pwrs neu sy'n rhoi llaeth twbercylaidd, neu anifail buchol yr effeithiwyd arno gan deneuo twbercylaidd, neu sy'n ysgarthu neu'n gollwng deunydd twbercylaidd, neu yr effeithiwyd arno gan beswch cronig, neu sy'n dangos unrhyw arwydd clinigol arall o dwbercwlosis;

ystyr "y Ddeddf" ("*the Act*") yw Deddf Iechyd Anifeiliaid 1981;

ystyr "prawf croen" ("*skin test*") yw prawf twbercwlwlin serfigol cymharol mewngroen sengl;

ystyr "prawf perthnasol" ("*relevant test*") yw prawf croen neu brawf diagnostig arall ar gyfer twbercwlosis;

ystyr "y Rheolwr Milfeddygol Rhanbarthol" ("*the Divisional Veterinary Manager*") yw'r archwiliwr milfeddygol a benodwyd gan y Cynulliad Cenedlaethol i dderbyn gwybodaeth ynghylch anifeiliaid neu garcasau yr effeithiwyd arnynt gan glefydau penodedig, neu yr amheuir eu bod wedi'u heffeithio felly, ar gyfer yr ardal lle mae'r anifail neu'r carcass;

ystyr "twbercwlosis" ("*tuberculosis*") yw heintiad â *Mycobacterium bovis* (*M.bovis*);

ystyr "uned besgi" ("*finishing unit*") yw mangre lle mae anifeiliaid buchol yn cael eu pesgi ac o'r lle y'u hanfonir i'w cigyddu.

#### **Estyn y diffiniad o "disease" a phŵer i gigydda o achos twbercwlosis**

4. At ddibenion y Ddeddf, estynnir y diffiniad o "disease" yn adran 88(1) o'r Ddeddf fel ag i gynnwys twbercwlosis, ac mae adran 32 o'r Ddeddf (pŵer i gigydda anifeiliaid) yn gynnwys o ran y clefyd hwnnw.

#### **Hysbysu ynghylch y clefyd mewn anifeiliaid buchol**

5.-(1) Rhaid i unrhyw berson sy'n amau fod anifail buchol sydd yn ei feddiant neu o dan ei ofal mewn unrhyw fangre yn anifail yr effeithiwyd arno, neu'n anifail a allai fod felly, wneud y canlynol yn ddi-oed-

- (a) hysbysu'r Rheolwr Milfeddygol Rhanbarthol
- (b) hyd y cwblheir yr ymchwiliad milfeddygol o dan erthygl 7 a chyflwyno unrhyw hysbysiad o dan yr erthygl honno-
  - (i) cadw'r anifail hwnnw yn y fangre lle mae ar yr adeg honno;
  - (ii) ei ynysu i'r graddau y mae hynny'n

cough, or shows any other clinical sign of tuberculosis;

"bovine animal" ("*anifail buchol*") means domestic cattle of the genus *Bos*, buffalo and bison;

"the Divisional Veterinary Manager" ("*Y Rheolwr Milfeddygol Rhanbarthol*") means the veterinary inspector appointed by the National Assembly to receive information about animals or carcasses affected or suspected of being affected with specified diseases, for the area in which the animal or carcase is;

"finishing unit" ("*uned besgi*") means premises where bovine animals are fattened and from where they are sent to slaughter;

"reactor" ("*adweithydd*") means a bovine animal which produces a reaction to a relevant test which is consistent with its being affected with tuberculosis;

"relevant test" ("*prawf perthnasol*") means a skin test or other diagnostic test for tuberculosis;

"skin test" ("*prawf croen*") means a single intradermal comparative cervical tuberculin test for tuberculosis;

"suspected animal" ("*anifail a amheuir*") means a bovine animal that is suspected of being affected with tuberculosis, and includes a reactor;

"tuberculosis" ("*twbercwlosis*") means infection with *Mycobacterium bovis* (*M.bovis*).

#### **Extension of definition of "disease" and power to slaughter on account of tuberculosis**

4. For the purposes of the Act, the definition of "disease" in section 88(1) of the Act is extended so as to include tuberculosis, and section 32 of the Act (power to slaughter animals) applies to that disease.

#### **Notification of disease in bovine animals**

5.-(1) Any person who suspects that a bovine animal in his or her possession or under his or her charge on any premises is or may be an affected animal, must forthwith-

- (a) notify the Divisional Veterinary Manager
- (b) pending conclusion of the veterinary inquiry under article 7 and the service of any notice under that article-
  - (i) detain that animal on the premises where it then is;
  - (ii) isolate it as far as practicable from other



ymarferol oddi wrth anifeiliaid buchol eraill; a

- (iii) arfer rhagofalon mewn perthynas â llaeth a gynhyrchwyd gan yr anifail hwnnw fel pe bai hysbysiad o dan erthygl 7 wedi'i gyflwyno'n barod.

(2) Rhaid i filfeddyg sy'n amau fod anifail a archwiliwyd ganddo yng nghwrs ei waith yn anifail yr effeithiwyd arno, neu'n anifail a allai fod felly, hysbysu'r Rheolwr Milfeddygol Rhanbarthol yn ddi-oed.

### **Hysbysu ynghylch y clefyd mewn carcassau**

6.-(1) Rhaid i unrhyw berson-

- (a) y mae yna yn ei feddiant neu o dan ei ofal mewn unrhyw fangre unrhyw garcas yr effeithiwyd arno gan dwbercwlosis, neu garcas yr amheuir ei fod felly;
- (b) sydd yng nghwrs ei waith fel milfeddyg yn archwilio unrhyw garcas o'r fath; neu
- (c) sydd yng nghwrs ei ddyletswyddau'n archwilio'r fath garcas i unrhyw ddiben;

cyn gynted ag y bydd yn amau y gallai'r carcass fod wedi'i effeithio arno gan dwbercwlosis, hysbysu'r Rheolwr Milfeddygol Rhanbarthol.

(2) Rhaid i berson y mae yna yn ei feddiant neu o dan ei ofal garcas y mae paragraff (1) yn gymwys iddo ei gadw yn y fangre lle mae ar yr adeg honno hyd nes y bydd wedi'i archwilio gan arolygwr milfeddygol.

(3) At ddibenion paragraffau (1) a (2) uchod, mae "carcas" ("*carcase*") yn golygu carcass unrhyw anifail buchol neu famal a ffermir neu famal anwes arall.

### **Ymchwiliad milfeddygol i bresenoldeb y clefyd**

7.-(1) Pan fo gan archwiliwr milfeddygol reswm i gredu bod anifail yr effeithiwyd arno neu anifail a amheuir (heblaw adweithydd) neu garcas anifail buchol yr effeithiwyd arno neu yr amheuir ei fod wedi'i effeithio arno gan dwbercwlosis yn bresennol mewn unrhyw fangre, rhaid iddo, a hynny mor gyflym ag sy'n ymarferol, gymryd pa gamau bynnag sy'n angenrheidiol i ddarganfod a yw mewn difri'n anifail neu garcas yr effeithiwyd arno neu'n anifail neu garcas a amheuir.

(2) At ddibenion cyflawni'i ddyletswyddau o dan yr erthygl hon, caiff archwiliwr milfeddygol archwilio unrhyw anifail buchol neu garcas anifail buchol yn y fangre a chymryd pa bynnag samplau o unrhyw anifail neu garcas o'r fath neu gyflawni pa bynnag brofion ag sy'n ofynnol i'r diben o wneud diagnosis.

(3) Rhaid i archwiliwr milfeddygol gyflwyno hysbysiad i geidwad unrhyw anifail buchol a archwiliwyd ganddo sydd yn ei farn yn anifail yr

bovine animals; and

- (iii) adopt precautions with respect to milk produced by that animal as if a notice under article 7 had already been served.

(2) A veterinary surgeon who suspects that an animal examined by him or her in the course of his or her practice is or may be an affected animal, must forthwith notify the Divisional Veterinary Manager.

### **Notification of disease in carcasses**

6.-(1) Any person who-

- (a) has in his or her possession or under his or her charge on any premises any carcass which is affected with or suspected of being affected with tuberculosis;
- (b) in the course of his or her practice as a veterinary surgeon, examines any such carcass; or
- (c) in the course of his or her duties, inspects any such carcass for any purpose;

must, immediately he or she suspects the carcass may be affected with tuberculosis, notify the Divisional Veterinary Manager.

(2) A person who has in his or her possession or under his or her charge a carcass to which paragraph (1) applies must detain it on the premises where it then is until it has been examined by a veterinary inspector.

(3) For the purpose of paragraphs (1) and (2) above, "carcase" means the carcass of any bovine animal or other farmed or pet mammal.

### **Veterinary enquiry as to the existence of disease**

7.-(1) Where a veterinary inspector has reason to believe an affected animal or a suspected animal (other than a reactor) or a carcass of a bovine animal which is affected with or suspected of being affected with tuberculosis is present on any premises, he or she must, with all practicable speed, take such steps as may be necessary to establish whether it is in fact an affected or suspected animal or carcass.

(2) For the purpose of carrying out his or her duties under this article a veterinary inspector may examine any bovine animal or carcass of a bovine animal on the premises and take such samples from any such animal or carcass or carry out such tests as may be required for the purpose of diagnosis.

(3) A veterinary inspector must serve a notice on the keeper of any bovine animal examined by him or her which in his or her opinion is an affected or suspected

effeithiwyd arno neu'n anifail a amheuir, yn ei gwneud yn ofynnol i'r ceidwad-

- (a) cadw'r anifail hwnnw yn unol â gofynion yr hysbysiad a'i gadw wedi'i ynysu oddi wrth anifeiliaid buchol eraill;
- (b) lle bo hynny'n briodol, yn cymryd camau i sicrhau nad yw'r llaeth a gynhyrchwyd gan yr anifail yn cael ei gymysgu â llaeth arall a'i fod yn cael ei ferwi neu ei sterileiddio mewn ffordd arall, a bod unrhyw lestr y bu'r llaeth hwnnw mewn cysylltiad ag ef cyn ei drin felly yn gorfod cael ei lanhau'n drwyadl a'i sgaldio gyda stêm neu ddŵr berwedig cyn y defnyddir y teclyn eto; ac
- (c) yn sicrhau na chaiff unrhyw anifail buchol ei symud i'r fangre neu allan ohoni, neu i unrhyw ran o'r fangre a bennir yn yr hysbysiad neu allan o'r fath ran, heblaw o dan awdurdod trwydded a roddwyd gan arolygydd.

### Profi ar gyfer twbercwlosis

8.-(1) Caiff y Cynulliad Cenedlaethol, drwy gyflwyno hysbysiad i geidwad anifail buchol, ei gwneud yn ofynnol i unrhyw anifail o'r fath gael ei brofi ar gyfer twbercwlosis erbyn dyddiad penodedig.

(2) Heb ragfarnu erthygl 13, pan fu yna fethiant i brofi anifail yn unol â hysbysiad a gyflwynwyd o dan baragraff (1) caiff y Cynulliad Cenedlaethol, drwy gyflwyno hysbysiad i geidwad yr anifail hwnnw, wahardd symud anifeiliaid buchol neu'r anifeiliaid buchol hynny a bennir yn yr hysbysiad i'r fangre neu allan ohoni, neu i unrhyw ran o'r fangre neu allan ohoni, heblaw o dan awdurdod trwydded a roddwyd gan arolygydd.

(3) Rhaid i geidwad anifail buchol gydymffurfio â phob gofyniad rhesymol a wneir gan yr arolygydd, parthed-

- (a) hwyluso archwilio'r anifail hwnnw gan yr arolygydd hwnnw;
- (b) cyflawni unrhyw brawf perthnasol ar gyfer twbercwlosis arno; neu
- (c) penderfynu ar werth yr anifail mewn achos pan fo'r Cynulliad Cenedlaethol yn bwriadu peri ei gigydda o dan adran 32 o'r Ddeddf wedi'i chymhwyso o ran twbercwlosis,

ac yn arbennig rhaid iddo drefnu ar ei draul ei hun i gasglu, corlannu a chadw unrhyw anifail o'r fath yn ddiogel os gofynnir hynny.

(4) Heb ragfarnu unrhyw achos ar gyfer trosedd o dan adran 73 o Ddeddf Iechyd Anifeiliaid 1981 yn rhinwedd y Gorchymyn hwn, pan fu yna fethiant i brofi anifail yn unol â hysbysiad a gyflwynwyd o dan baragraff (1), caiff y Cynulliad Cenedlaethol gymryd neu beri cymryd yr holl gamau a all fod yn angenrheidiol i hwyluso archwilio, profi ac, os yn briodol, penderfynu ar werth yr anifail hwnnw (yn

animal, requiring the keeper to-

- (a) detain that animal in accordance with the requirements of the notice and keep it isolated from other bovine animals;
- (b) where appropriate take steps to ensure that the milk produced by the animal is not mixed with other milk and is boiled or otherwise sterilized and that any utensil with which such milk has been in contact before it is so treated must be thoroughly cleansed and scalded with steam or boiling water before the utensil is used again; and
- (c) ensure that no bovine animal is moved on to or off the premises or such part of the premises as is specified in the notice except under the authority of a licence issued by an inspector.

### Tuberculosis testing

8.-(1) The National Assembly may by notice served on the keeper of a bovine animal, require any such animal to be tested for tuberculosis by a specified date.

(2) Without prejudice to article 13, where there has been a failure to test an animal in accordance with a notice served under paragraph (1) the National Assembly may, by notice served on the keeper of that animal, prohibit the movement of bovine animals, or of such bovine animals as are specified in the notice, on to or off the premises or any part of them, except under the authority of a licence issued by an inspector.

(3) The keeper of any bovine animal must comply with all reasonable requirements of an inspector with a view to-

- (a) facilitating the examination of that animal by that inspector;
- (b) the application to it of any relevant test for tuberculosis; or
- (c) the valuation of the animal in a case where the National Assembly intends to cause it to be slaughtered under section 32 of the Act in its application to tuberculosis,

and in particular must arrange at his or her own expense for the collection, penning and securing of any such animal if so required.

(4) Without prejudice to any proceedings for an offence under section 73 of the Animal Health Act 1981 by virtue of this Order, where there has been a failure to test an animal in accordance with a notice issued under paragraph (1), the National Assembly may take or cause to be taken all the steps that may be necessary to facilitate the examination, testing and, if appropriate, the valuation of that animal, (including the

cynnwys symud yr anifail o'r fangre lle'i cedwir), a chaiff y Cynulliad Cenedlaethol adennill cyfanswm unrhyw dreuliau a ddaeth yn rhesymol i ran y Cynulliad Cenedlaethol wrth adfer y methiant oddi wrth y person a fethodd â chydymffurfio.

(5) Pan fo prawf perthnasol wedi'i wneud ar anifail buchol, ni chaiff unrhyw berson symud yr anifail hwnnw o'r fangre lle y'i cedwir oni bai-

- (a) bod y symud hwnnw o dan awdurdod trwydded a roddwyd gan archwiliwr milfeddygol; neu
- (b) bod canlyniadau'r prawf wedi'u darllen gan arolygydd, a hynny gyda chanlyniad negyddol.

(6) Ni chaiff unrhyw berson ymyrryd â gweinyddu neu ddarllen prawf perthnasol.

### Profion cyn Symud

9.-(1) Yn ddarostyngedig i baragraff (2) ac i erthyglau 11 a 23, a heb leihau effaith gofynion Rheoliadau Ffrwythloni Artiffisial Gwartheg (Iechyd Anifeiliaid) (Cymru a Lloegr) 1985(1), ni chaiff person symud anifail buchol o unrhyw fangre oni bai fod prawf croen wedi'i wneud arno ddim mwy na 60 diwrnod cyn dyddiad y symud.

(2) Nid yw paragraff (1) yn gymwys i'r anifeiliaid canlynol-

- (a) anifeiliaid buchol mewn buchesau sy'n ddarostyngedig i gael eu profi'n rheolaidd ar gyfer twbercwlosis yn llai aml nac unwaith bob dwy flynedd;
- (b) anifeiliaid buchol sydd o dan 6 wythnos oed ar ddyddiad y symud;
- (c) anifeiliaid buchol sydd wedi bod yn bresennol yn y fangre am ddim mwy na 30 diwrnod ar ddyddiad y symud;
- (ch) anifeiliaid buchol sy'n ddarostyngedig i brofion blynyddol rheolaidd am y rhesymau canlynol yn ymwneud ag iechyd y cyhoedd yn unig-
  - (i) eu bod ar fferm y mae'r Rheolwr Milfeddygol Rhanbarthol yn ystyried ei bod yn fferm agored;
  - (ii) eu bod yn rhan o fuches y mae'r Arolygiaeth Hylendid Llaeth wedi'i chymeradwyo ar gyfer gwerthu llaeth buwch crai ar gyfer ei yfed yn syth i'r defnyddiwr terfynol, un ai drwy fanwerthu llaeth potel neu fel rhan o fusnes arlwyo ar y fferm;
  - (iii) eu bod yn rhan o fuches y defnyddir llaeth buwch crai yn rheolaidd ohoni ar gyfer cynhyrchu caws heb ei basteureiddio neu unrhyw gynhyrchion llaeth eraill heb eu pasteureiddio;

(d) anifeiliaid buchol sydd mewn canolfan gasglu

removal of that animal from the premises on which it is kept) and the amount of any expenses reasonably incurred by the National Assembly for the purpose of making good the default is recoverable by the National Assembly from the person in default.

(5) Where a relevant test has been applied to a bovine animal, a person must not move that animal from the premises on which it is kept unless-

- (a) the movement is under the authority of a licence issued by a veterinary inspector; or
- (b) the results of the test have been read by an inspector with a negative result.

(6) A person must not interfere with the administration or the reading of a relevant test.

### Pre-Movement Testing

9.-(1) Subject to paragraph (2) and to articles 11 and 23, and without prejudice to the requirements of the Artificial Insemination of Cattle (Animal Health) (England and Wales) Regulations 1985(1), a person must not move a bovine animal from any premises unless a skin test has been applied to it no more than 60 days before the date of movement.

(2) Paragraph (1) does not apply to the following animals-

- (a) bovine animals in herds that are subject to routine testing for tuberculosis less frequently than once every two years;
- (b) bovine animals that are under 6 weeks of age at the date of the movement;
- (c) bovine animals that have been present on the premises for no more than 30 days at the date of the movement;
- (d) bovine animals that are subject to routine annual testing for the following public health reasons only-
  - (i) they are on a farm considered by the Divisional Veterinary Manager to be an open farm;
  - (ii) they are part of a herd from which the Dairy Hygiene Inspectorate has approved the sale of raw cow's milk for drinking direct to the end consumer, either by retail sale of bottled milk or as part of an on-farm catering business;
  - (iii) they are part of a herd from which raw cow's milk is regularly used for the manufacture of unpasteurised cheese or other unpasteurised dairy products;

(e) bovine animals at an approved semen

(1) O.S. 1985/1861.

(1) S.I. 1985/1861.



semen wedi'i chymeradwyo.

(3) At ddibenion paragraff (1), dyddiad y prawf yw dyddiad y pigiad gyda thwbercwlin.

(4) At ddibenion paragraff (2) (ch) (i) o'r erthygl hon, ystyr "fferm agored" ("*open farm*") yw fferm sy'n agored ar gyfer ymweliadau gan y cyhoedd neu adrannau o'r cyhoedd.

### **Cofnodion o brofion ar gyfer twbercwlosis**

**10.**-(1) Pan fo prawf croen wedi'i wneud ar anifail buchol, rhaid i'r Cynulliad Cenedlaethol roi cofnod mewn ysgrifenedig o ganlyniadau'r prawf i geidwad yr anifail hwnnw cyn gynted ag sy'n ymarferol ar ôl i ganlyniadau'r prawf gael eu darllen gan arolygydd.

(2) Nid yw paragraff (1) yn gymwys i anifeiliaid y mae eu symud wedi'i wahardd neu'n parhau wedi'i wahardd o dan y Gorchymyn hwn yn dilyn y prawf.

(3) Rhaid i geidwad unrhyw anifail y mae paragraff (1) yn gymwys iddo-

- (a) cadw cofnod o ganlyniad y prawf am gyfnod o 3 blynedd a 60 diwrnod ar ôl dyddiad y pigiad gyda thwbercwlin; a
- (b) dangos y cofnod hwnnw pan fo arolygydd yn gofyn hynny.

### **Symudiadau a Ganiateir**

**11.** Er gwaethaf erthygl 9, fe ganiateir y symudiadau canlynol-

- (a) symudiadau a bennir yn yr Atodlen; a
- (b) unrhyw symudiad o dan awdurdod trwydded a roddwyd gan arolygydd milfeddygol.

### **Gwaharddiadau**

**12.**-(1) Ni chaiff person frechu anifail buchol yn erbyn twbercwlosis heb ganiatâd ysgrifenedig y Cynulliad Cenedlaethol.

(2) Ni chaiff person drin anifail buchol ar gyfer twbercwlosis heb ganiatâd ysgrifenedig y Cynulliad Cenedlaethol.

(3) Ni chaiff person brofi anifail buchol ar gyfer twbercwlosis heblaw gyda chaniatâd ysgrifenedig y Cynulliad Cenedlaethol, a rhaid i berson y rhoddir y fath ganiatâd iddo adrodd i'r Cynulliad Cenedlaethol ynghylch canlyniad y prawf cyn gynted ag y gŵyr beth yw'r canlyniad hwnnw.

### **Gwaharddiadau ar symud anifeiliaid**

**13.** Heb leihau effaith erthyglau 7(3)(c) ac 8(2), caiff arolygydd, at ddiben rheoli neu rwystro ymlediad twbercwlosis, drwy gyflwyno hysbysiad i geidwad anifeiliaid buchol a gedwir yn y fangre a bennir yn yr hysbysiad, wahardd symud anifeiliaid buchol, neu'r

collection centre.

(3) For the purposes of paragraph (1) the date of a test is the date of injection of tuberculin.

(4) For the purposes of paragraph (2) (d) (i) of this article, "open farm" ("*fferm agored*") means a farm which is open for visits by the public or by sections of the public.

### **Tuberculosis test records**

**10.**-(1) Where a skin test has been applied to a bovine animal, the National Assembly must, as soon as practicable after the results of the test have been read by an inspector, give the keeper of that animal a record in writing of the results of the test.

(2) Paragraph (1) does not apply to animals in respect of which movement is, or remains prohibited under this Order following the test.

(3) The keeper of any animal to which paragraph (1) applies must-

- (a) retain the record of the results of the test for a period of 3 years and 60 days following the date of injection of tuberculin; and
- (b) produce such record when requested to do so by an inspector.

### **Permitted Movements**

**11.** Notwithstanding article 9, the following movements are permitted-

- (a) movements specified in the Schedule; and
- (b) any movement under the authority of a licence issued by a veterinary inspector.

### **Prohibitions**

**12.**-(1) A person must not vaccinate a bovine animal against tuberculosis without the consent in writing of the National Assembly.

(2) A person must not treat a bovine animal for tuberculosis without the consent in writing of the National Assembly.

(3) A person must not test a bovine animal for tuberculosis except with the consent in writing of the National Assembly and a person to whom any such consent is given must, as soon as he or she knows the result of the test, report it immediately to the National Assembly.

### **Prohibition on movement of animals**

**13.** Without prejudice to articles 7(3)(c) and 8(2), an inspector may, for the purpose of controlling or preventing the spread of tuberculosis, by notice served on the keeper of bovine animals kept on such premises as are specified in the notice, prohibit the movement of

anifeiliaid buchol hynny a bennir yn yr hysbysiad, i'r fangre honno neu allan ohoni, heblaw o dan awdurdod trwydded a roddwyd gan arolygydd.

### **Hysbysu ynghylch y bwriad i gigydda anifeiliaid**

**14.**-(1) Pan fo'r Cynulliad Cenedlaethol yn bwriadu cigydda anifail buchol o dan adran 32 o'r Ddeddf fel y mae wedi'i chymhwyso i dwbercwlosis, rhaid i arolygydd gyflwyno hysbysiad i geidwad yr anifail yn hysbysu'r ceidwad o'r bwriad i gigydda ac yn mynnu fod y ceidwad yn cadw'r anifail hyd y cyflawnir y cigydda hwnnw (neu hyd nes y caiff ei drosglwyddo a'i symud ar gyfer y cigydda hwnnw) yn y rhan honno o'r fangre a bennir yn yr hysbysiad ac yn ei ynysu i'r graddau y mae hynny'n ymarferol oddi wrth ba bynnag anifeiliaid eraill a bennir felly.

(2) Pan fo hysbysiad wedi ei gyflwyno o dan baragraff (1), ni chaiff person symud yr anifail, ac eithrio ar gyfer ei gigydda, heblaw o dan awdurdod trwydded a roddwyd gan arolygydd.

### **Rhagofalon rhag lleadaenu haint**

**15.**-(1) Pan fo arolygydd milfeddygol wedi'i fodloni fod unrhyw anifail buchol a gedwir mewn unrhyw fangre'n anifail yr effeithiwyd arno neu'n adweithydd, caiff yr arolygydd milfeddygol, drwy gyflwyno hysbysiad i geidwad unrhyw anifail o'r fath, ei gwneud yn ofynnol-

- (a) bod y ceidwad yn trin ac yn storio tail neu slyri o unrhyw le a ddefnyddiwyd gan unrhyw anifail o'r fath yn unol â gofynion yr hysbysiad;
- (b) na fydd y ceidwad yn gwasgaru unrhyw tail nac yn chwistrellu neu'n gwasgaru unrhyw slyri o unrhyw le a ddefnyddiwyd gan unrhyw anifail o'r fath heblaw yn unol â gofynion yr hysbysiad;
- (c) na fydd y ceidwad yn symud unrhyw tail, slyri neu unrhyw wastraff anifail arall o'r fangre heblaw o dan awdurdod trwydded a roddwyd gan arolygydd;
- (ch) bod y ceidwad yn cymryd y fath gamau ag sy'n rhesymol ymarferol i rwystro unrhyw anifail buchol yn y fangre rhag heintio unrhyw anifail buchol a gedwir mewn unrhyw fangre gyffiniol;
- (d) bod y ceidwad yn trefnu ynysu unrhyw anifail neu anifeiliaid buchol sydd wedi'u pennu yn yr hysbysiad mewn unrhyw ran neu rannau o'r fangre a bennir;
- (dd) bod y ceidwad yn sicrhau na chaiff unrhyw ran neu rannau o'r fangre a bennir yn yr hysbysiad eu defnyddio gan unrhyw anifail buchol sydd yn y fangre, neu gan ba bynnag anifail neu anifeiliaid a bennir;

bovine animals, or of such bovine animals as are specified in the notice, on to or off such premises, except under the authority of a licence issued by an inspector.

### **Notification of intended slaughter of animals**

**14.**-(1) Where the National Assembly intends to cause a bovine animal to be slaughtered under section 32 of the Act in its application to tuberculosis, an inspector must serve a notice on the keeper of the animal informing the keeper of the intended slaughter and requiring the keeper to detain the animal pending such slaughter (or pending its surrender and removal for such slaughter) on such part of the premises as is specified in the notice and to isolate it as far as practicable from such other animals as are so specified.

(2) Where a notice has been served under paragraph (1), a person must not move the animal, other than to slaughter, except under the authority of a licence issued by an inspector.

### **Precautions against spread of infection**

**15.**-(1) Where a veterinary inspector is satisfied that any bovine animal kept on any premises is an affected animal or a reactor, the veterinary inspector may, by notice served on the keeper of any such animal, require the keeper-

- (a) to treat and store manure or slurry from any place which has been used by any such animal in accordance with the requirements of the notice;
- (b) not to spread any manure or to spray or spread any slurry from any place which has been used by any such animal otherwise than in accordance with the requirements of the notice;
- (c) not to remove manure, slurry or other animal waste from the premises except under authority of a licence issued by an inspector;
- (d) to take such steps as may be reasonably practicable to prevent any bovine animal kept on the premises from infecting any bovine animal kept on any adjoining premises;
- (e) to arrange for the isolation of any bovine animal or animals which may be specified in the notice on any specified part or parts of the premises;
- (f) to ensure that any part or parts of the premises specified in the notice must not be used by any bovine animal on the premises, or by such animal or animals as may be specified;

- (e) bod y ceidwad ar ei draul ei hun, ac o fewn pa amser bynnag ac ym mha fodd bynnag ag a bennir yn yr hysbysiad, yn glanhau ac yn diheintio pa bynnag ran neu rannau o'r fangre a bennir;
- (f) bod y ceidwad yn glanhau ac yn diheintio pob teclyn a phob eitem arall a ddefnyddiwyd ar gyfer ac o gwmpas anifail y mae'r hysbysiad yn berthnasol iddo o fewn pa amser bynnag ac ym mha fodd bynnag ag a bennir yn yr hysbysiad.

(2) Os yw unrhyw berson y cyflwynir hysbysiad iddo o dan baragraff (1) yn methu â chydymffurfio â gofynion yr hysbysiad, caiff y Cynulliad Cenedlaethol, heb ragfarnu unrhyw achos a allai ddeillio o'r methiant hwnnw, gyflawni neu beri cyflawni gofynion yr hysbysiad, a chaiff y Cynulliad Cenedlaethol adennill cyfanswm unrhyw dreuliau a ddaeth yn rhesymol i ran y Cynulliad Cenedlaethol wrth adfer y methiant oddi wrth y person a fethodd â chydymffurfio.

#### **Anifeiliaid a amheuir mewn marchnadoedd, sioeau ac arwerthiannau**

**16.** Pan fo arolygydd milfeddygol yn credu'n rhesymol fod anifail buchol mewn unrhyw fangre lle mae sioe, arddangosfa, marchnad, arwerthiant neu ffair yn cael ei gynnal yn anifail yr effeithiwyd arno gan dwbercwlosis neu'n un yr amheuir ei fod wedi'i effeithio arno felly, neu'n un a fu'n agored i gael ei heintio â thwbercwlosis, caiff yr arolygydd-

- (a) drwy gyflwyno hysbysiad i geidwad yr anifail, ei gwneud yn ofynnol i symud yr anifail hwnnw o'r fangre honno, ac (yn ôl dewis ceidwad yr anifail) ei gymryd-
  - (i) i ladd-dy i'w gigydda'n syth; neu
  - (ii) yn ôl i'r fangre y daethpwyd â'r anifail ohoni i'r sioe, arddangosfa, marchnad, arwerthiant neu ffair; neu
  - (iii) i ba bynnag fangre arall a gymeradwyir gan yr arolygydd milfeddygol ar gyfer y diben;
- (b) drwy gyflwyno hysbysiad i'r person sy'n gyfrifol am y fangre fynnu-
  - (i) ei fod yn sicrhau nad yw unrhyw ran neu rannau o'r fangre a bennir yn yr hysbysiad yn cael eu defnyddio gan unrhyw anifail buchol arall am ba gyfnod bynnag a bennir yn yr hysbysiad;
  - (ii) ei fod ar ei draul ei hun, ac o fewn pa amser bynnag ac ym mha fodd bynnag ag a ddynodir yn yr hysbysiad-
    - (aa) yn glanhau ac yn diheintio pa bynnag ran neu rannau o'r fangre a bennir yn yr hysbysiad;

- (g) at his or her own expense, and within such time and in such manner as may be specified in the notice, to cleanse and disinfect such part or parts of the premises as may be specified;
- (h) to cleanse and disinfect all utensils and other articles used for or about an animal to which the notice relates within such time and in such manner as may be specified in the notice.

(2) If any person on whom a notice is served under paragraph (1) fails to comply with the requirements of the notice, the National Assembly may, without prejudice to any proceedings arising out of such default, carry out or cause to be carried out the requirements of the notice, and the amount of any expenses reasonably incurred by the National Assembly for the purpose of making good the default is recoverable by the National Assembly from the person in default.

#### **Suspected animals in markets, shows and sales**

**16.** Where a veterinary inspector reasonably believes that a bovine animal on any premises at which a show, exhibition, market, sale or fair is being held, is affected or suspected of being affected with, or has been exposed to infection by tuberculosis, he or she may-

- (a) by notice served on the keeper of the animal, require that animal to be removed from those premises, and (as the keeper of the animal may elect) taken-
  - (i) to a slaughterhouse for immediate slaughter; or
  - (ii) back to the premises from which the animal was brought to the show, exhibition, market, sale or fair; or
  - (iii) to such other premises as may be approved by the veterinary inspector for the purpose;
- (b) by notice served on the person in charge of the premises-
  - (i) require him or her to ensure that any part or parts of the premises specified in the notice must not be used by any other bovine animal for such period as may be specified in the notice;
  - (ii) require him or her at his or her own expense, and within such time and in such manner as may be specified in the notice to-
    - (aa) cleanse and disinfect such part or parts of the premises as may be specified in the notice;

(bb) yn cael gwared ar unrhyw tail, slyri neu wastraff anifeiliaid arall, gwellt, sarn neu ddeunydd arall sydd wedi dod i gysylltiad ag anifail o'r fath, neu a allai fod wedi dod i gysylltiad ag ef.

(2) Pan symudir anifail buchol yn unol â pharagraff (1)(a)(ii) neu (iii) rhaid ei ynysu'n syth ac ni chaniateir ei symud eto heblaw o dan awdurdod trwydded a roddwyd gan arolygydd.

#### **Rheoli haint oddi wrth anifeiliaid eraill**

17.-(1) Pan fo arolygydd milfeddygol yn credu'n rhesymol fod anifail a gedwir mewn unrhyw fangre wedi'i effeithio arno gan dwbercwlosis neu o bosib wedi'i effeithio arno felly, caiff yr arolygydd drwy gyflwyno hysbysiad i feddiannydd y fangre honno-

- (a) ei gwneud yn ofynnol i'r meddiannydd gadw'r anifail dan reolaeth yn y fath fodd ag a bennir yn yr hysbysiad neu'n ei gadw o fewn pa bynnag ran o'r fangre a bennir; a
- (b) gwahardd symud anifeiliaid i'r fangre honno neu oddi arni, heblaw o dan awdurdod trwydded a roddwyd gan arolygydd.

(2) At ddibenion paragraff (1) uchod, mae "anifail" ("*animal*") yn golygu unrhyw fath o famal heblaw dyn, ond nid anifail buchol.

#### **Marcio anifeiliaid buchol**

18.-(1) Os caiff ei gyfarwyddo i wneud hynny gan arolygydd, rhaid i geidwad anifeiliaid buchol a gedwir mewn unrhyw fangre farcio'r anifeiliaid hynny yn y modd a ofynnir gan yr arolygydd.

(2) Caiff yr arolygydd farcio anifeiliaid buchol a gedwir mewn unrhyw fangre.

(3) Ni chaiff neb newid neu ymyrryd ag unrhyw farc a roddwyd o dan yr erthygl hon.

#### **Adnabod *M. bovis* mewn labordy**

19.-(1) Pan adnabyddir presenoldeb yr organeb *M. bovis* drwy archwilio mewn labordy sampl a gymerwyd o unrhyw famal (heblaw dyn) neu o garcas, cynhyrchion neu amgylchoedd unrhyw famal o'r fath, rhaid i'r person sy'n gyfrifol am y labordy hwnnw hysbysu'r Asiantaeth Labordai Milfeddygol yn ddi-oed.

(2) Nid yw'r ddyletswydd i hysbysu'r Asiantaeth Labordai Milfeddygol ym mharagraff (1) yn gymwys pan fo *M. bovis* yn bresennol yn y sampl oherwydd ei osod yno'n fwiadol fel rhan o ymchwil sy'n cynnwys defnyddio'r organeb honno.

(bb) dispose of any manure, slurry or other animal waste, straw, litter or other matter that has, or might have, come into contact with such animal.

(2) Where a bovine animal is moved in accordance with paragraph (1)(a)(ii) or (iii) it must immediately be put into isolation and must not be moved again except under the authority of a licence issued by an inspector.

#### **Control of infection from other animals**

17.-(1) Where a veterinary inspector reasonably believes that an animal kept on any premises is or may be affected with tuberculosis, he or she may by notice served on the occupier of such premises-

- (a) require the occupier to keep the animal under control in such manner as may be specified in the notice or to confine it to such part of the premises as may be specified; and
- (b) prohibit the movement of animals on to or off such premises, except under the authority of a licence issued by an inspector.

(2) For the purposes of paragraph (1) above "animal" ("*anifail*") means any kind of mammal except man, but not a bovine animal.

#### **Marking of bovine animals**

18.-(1) If he or she is directed to do so by an inspector, the keeper of bovine animals kept on any premises must mark such animals in the manner required by the inspector.

(2) The inspector may mark bovine animals kept on any premises.

(3) A person must not change or interfere with any mark which has been applied under this article.

#### **Isolation of *M. bovis* in a laboratory**

19.-(1) Where the presence of the organism *M. bovis* is identified by a laboratory examination of a sample taken from any mammal (other than man) or from the carcase, products or surroundings of any such mammal, the person in charge of that laboratory must immediately notify the Veterinary Laboratories Agency.

(2) The duty to notify the Veterinary Laboratories Agency in paragraph (1) above, does not apply where *M. bovis* is present in the sample as a result of its deliberate introduction as part of research involving the use of that organism.

## **Darpariaethau Cyffredinol parthed Hysbysiadau a Thrwyddedau**

**20.**-(1) Rhaid i unrhyw drwydded a roddir o dan y Gorchymyn hwn fod mewn ysgrifed, caiff fod yn gyffredinol neu'n benodol, a gellir ei gwneud yn ddarostyngedig i amodau.

(2) Gellir diwygio, atal dros dro neu ddileu trwydded a roddwyd o dan y Gorchymyn hwn ar unrhyw adeg drwy gyflwyno hysbysiad pellach gan arolygydd.

## **Dangos trwyddedau**

**21.** Pan symudir anifail buchol o dan awdurdod trwydded (heblaw trwydded gyffredinol) a roddwyd o dan y Gorchymyn hwn-

- (a) rhaid i drwydded fynd gyda'r anifail drwy gydol y symud hwnnw o dan y drwydded; a
- (b) rhaid i'r person sy'n gyfrifol am yr anifail sy'n cael ei symud o dan awdurdod trwydded, pan ofynnir hynny gan arolygydd o dan y Gorchymyn hwn, roi ei enw a'i gyfeiriad a rhaid iddo ddangos y drwydded a chaniatáu cymryd copi ohoni.

## **Gorfodi**

**22.**-(1) Rhaid gorfodi'r Gorchymyn hwn gan yr awdurdod lleol.

(2) Caiff y Cynulliad Cenedlaethol gyfarwyddo, mewn perthynas ag achosion o ddisgrifiad penodol neu ynglŷn ag unrhyw achos penodol, fod yn rhaid i'r Cynulliad Cenedlaethol gyflawni dyletswydd gorfodi a osodwyd ar awdurdod lleol o dan y Gorchymyn hwn yn hytrach na'r awdurdod lleol.

## **Darpariaethau Trosiannol**

**23.** Hyd at ac yn cynnwys 28 Chwefror 2007, ni fydd erthygl 9 yn gymwys i anifeiliaid sy'n llai na 15 mis oed ar ddyddiad y symud.

## **Arbedion**

**24.** Rhaid i unrhyw hysbysiad a gyflwynwyd neu drwydded neu ganiatâd a roddwyd o dan Orchymyn Twbercwlosis (Lloegr a Chymru) 1984 ac sy'n effeithiol ar yr adeg y daw'r Gorchymyn hwn i rym aros mewn grym fel pe bai'n hysbysiad a gyflwynwyd neu'n drwydded neu ganiatâd a roddwyd o dan y Gorchymyn hwn.

## **General Provisions as to Notices and Licences**

**20.**-(1) Any licence issued under this Order must be in writing, may be general or specific, and may be made subject to conditions.

(2) A notice served or licence issued under this Order may be amended, suspended or withdrawn at any time by further notice issued by an inspector.

## **Production of licences**

**21.** Where a bovine animal is moved under the authority of a licence (other than a general licence) issued under this Order-

- (a) the animal must be accompanied throughout such movement by the licence; and
- (b) the person in charge of the animal being moved under the authority of a licence must, on demand made under this Order by an inspector, furnish his or her name and address and must produce the licence and allow a copy of it to be taken.

## **Enforcement**

**22.**-(1) This Order must be enforced by the local authority.

(2) The National Assembly may direct, in relation to cases of a particular description or any particular case, that an enforcement duty imposed on a local authority under this Order must be discharged by the National Assembly and not by the local authority.

## **Transitional Provisions**

**23.** Up to and including 28th February 2007 article 9 does not apply to animals aged below 15 months on the date of the movement.

## **Savings**

**24.** Any notice issued, or licence or consent granted under the Tuberculosis (England and Wales) Order 1984 and having effect at the coming into force of this Order must remain in force as if it were a notice issued or licence or consent granted under this Order.



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

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

4 Ebrill 2006

4 April 2006

*D. Elis-Thomas*

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

## Symudiadau a Ganiateir

## Permitted Movements

Caniateir y symudiadau canlynol heb brofion cyn symud:

The following movements are permitted without pre movement testing:

**Symud ar gyfer cigydd**

1. Symud anifail buchol yn uniongyrchol ar gyfer ei cigydd.

**Movement to slaughter**

1. The movement of a bovine animal direct to slaughter.

**Symud i farnadoedd cigydd**

2. Symud anifail buchol yn uniongyrchol i farnad o'r hon y mae pob anifail yn mynd yn uniongyrchol i'w cigydd.

**Movement to slaughter markets**

2. The movement of a bovine animal direct to a market from which all animals go direct to slaughter.

**Symud i unedau pesgi wedi'u heithrio**

3. Symud anifail buchol yn uniongyrchol i uned besgi wedi'i heithrio, sef uned besgi sydd wedi'i chymeradwyo gan y Cynulliad Cenedlaethol ar gyfer derbyn anifeiliaid buchol nad ydynt wedi derbyn prawf ar gyfer twbercwlosis cyn eu symud yn unol â'r Gorchymyn hwn.

**Movement to exempt finishing units**

3. The movement of a bovine animal direct to an exempt finishing unit, being a finishing unit which has been approved by the National Assembly for the reception of bovine animals which have not been pre-movement tested for tuberculosis in accordance with this Order.

**Symud i farnadoedd wedi'u heithrio**

4. Symud anifail buchol yn uniongyrchol i farnad wedi'i heithrio, sef marchnad sydd wedi'i chymeradwyo gan y Cynulliad Cenedlaethol ar gyfer derbyn anifail buchol nad ydynt wedi derbyn profion ar gyfer twbercwlosis cyn eu symud yn unol â'r Gorchymyn hwn, ar yr amod ei fod un ai'n cael ei ddychwelyd yn uniongyrchol i'r fangre y daeth ohoni, neu'n uniongyrchol i uned besgi a esemptiwyd neu a gymeradwywyd neu'n uniongyrchol i'w cigydd.

**Movements to exempt markets**

4. The movement of a bovine animal direct to an exempt market, being a market which has been approved by the National Assembly for the reception of bovine animals which have not been pre-movement tested for tuberculosis in accordance with this Order, provided that it is either returned direct to its premises of origin, direct to an exempt or approved finishing unit or direct to slaughter.

**Symudiadau i ganolfannau casglu wedi'u cymeradwyo**

5. Symud anifail buchol yn uniongyrchol i ganolfan gasglu wedi'i chymeradwyo, sef canolfan gasglu sydd wedi'i chymeradwyo gan y Cynulliad Cenedlaethol ar gyfer derbyn anifeiliaid buchol sy'n dod o fangreoedd sydd dan gyfyngiadau symud mewn perthynas â thwbercwlosis.

**Movements to approved collecting centres**

5. The movement of a bovine animal direct to an approved collecting centre, being a collecting centre approved by the National Assembly for the reception of bovine animals which come from premises which are under movement restriction in relation to tuberculosis.

**Symud i unedau pesgi wedi'u cymeradwyo**

6. Symud anifail buchol yn uniongyrchol i uned besgi wedi'i chymeradwyo, sef uned besgi sydd wedi'i chymeradwyo gan y Cynulliad Cenedlaethol ar gyfer derbyn anifeiliaid buchol sy'n dod o fangreoedd sydd dan gyfyngiadau symud mewn perthynas â thwbercwlosis.

**Movements to approved finishing units**

6. The movement of a bovine animal direct to an approved finishing unit, being a finishing unit approved by the National Assembly for the reception of bovine animals which come from premises which are under movement restriction in relation to tuberculosis.

## **Tir comin**

7.-(1) Symud anifail buchol rhwng tiroedd dros ba rai y mae gan berchennog neu geidwad yr anifail hawl tir comin cofrestredig ac-

- (a) mangre sydd wedi'i meddiannu gan berchennog neu geidwad yr anifail ac y mae'r hawl tir comin cofrestredig fel arfer yn cael ei harfer mewn perthynas â hi; neu
- (b) mangre sydd wedi'i meddiannu gan unrhyw berson arall sydd â hawl tir comin cofrestredig dros y tir hwnnw ac y mae'r hawl tir comin cofrestredig fel arfer yn cael ei harfer mewn perthynas â hi.

(2) Symud anifail buchol rhwng mangre sydd wedi'i meddiannu gan berchennog neu geidwad yr anifail ac y mae hawl tir comin cofrestredig fel arfer yn cael ei harfer mewn perthynas â hi, a mangre sydd wedi'i meddiannu gan unrhyw berson arall sydd â hawl tir comin cofrestredig dros y tir hwnnw ac y mae hawl tir comin cofrestredig y person arall hwnnw fel arfer yn cael ei harfer mewn perthynas â hi.

(3) Yn y paragraff hwn, mae "hawl tir comin cofrestredig" ("*registered right of common*") yn golygu hawl tir comin a gofrestrwyd o dan Ddeddf Cofrestru Tir Comin 1965 neu hawl tir comin sydd wedi'i eithrio o'r fath gofrestru ond sydd wedi'i gofrestru, ei ddynodi, ei gysylltu, neu wedi'i gydnabod, ei barhau neu ei gadw o dan unrhyw un o'r canlynol neu'n unol â hwy: Deddf y Fforest Newydd 1854, 1949, 1964 a 1970, a Deddfau Fforest Epping 1878 a 1880, neu Ddeddf Dinas Llundain (Pwerau Amrywiol) 1977, neu unrhyw hawl neu ganiatâd tebyg a arferir yn Fforest y Ddena.

## **Symud o fewn grŵp meddiannaeth unigol**

8. Symud anifail buchol rhwng mangreoedd sydd mewn grŵp meddiannaeth unigol sydd wedi'i gymeradwyo, a hynny'n set o fangreoedd a awdurdodwyd gan y Cynulliad Cenedlaethol fel grŵp meddiannaeth unigol o ganlyniad iddynt gael eu cysylltu yn nhermau eu rheoli.

## **Symud ar gyfer triniaeth filfeddygol**

9. Symud anifail buchol i le ar gyfer triniaeth filfeddygol ar yr amod ei fod yn cael ei ddychwelyd i'r fangre y daeth ohoni ar ôl y driniaeth neu'i fod yn cael ei ladd neu'n mynd yn uniongyrchol i'w gigydda.

## **Symud i sioeau amaethyddol**

10. Symud anifail buchol i sioe amaethyddol neu gyfres o sioeau ar yr amod ei fod yn cael ei ddychwelyd yn uniongyrchol i'r fangre y daeth ohoni ar ôl y sioe neu'r sioeau.

## **Common land**

7.-(1) The movement of a bovine animal between land over which the owner or keeper of the animal has a registered right of common and-

- (a) premises occupied by the owner or keeper of the animal and in relation to which the registered right of common is customarily exercised; or
- (b) premises occupied by any other person who has a registered right of common over that land and in relation to which the registered right of common is customarily exercised.

(2) The movement of a bovine animal between premises occupied by the owner or keeper of the animal and in relation to which a registered right of common over land is customarily exercised and premises occupied by any other person who has a registered right of common over that land and in relation to which the registered right of common of that other person is customarily exercised.

(3) In this paragraph "registered right of common" ("*hawl tir comin cofrestredig*") means a right to common registered under the Commons Registration Act 1965 or a right of common which is exempt from such registration but which is registered, designated, attached, or otherwise recognised, continued or preserved under and in accordance with any of the New Forest Act 1854, 1949, 1964 and 1970, the Epping Forest Acts 1878 and 1880 or the City of London (Various Powers) Act 1977 or any like right or permission exercised in the Forest of Dean.

## **Movement within a sole occupancy group**

8. The movement of a bovine animal between premises in an approved sole occupancy group, being a set of premises authorised by the National Assembly as a sole occupancy group as a result of being linked in terms of their control.

## **Movement for veterinary treatment**

9. The movement of a bovine animal to a place for veterinary treatment provided that it is returned direct to its premises of origin after the treatment, or is killed or goes direct to slaughter.

## **Movement to agricultural shows**

10. The movement of a bovine animal to an agricultural show or series of shows provided that it is returned direct to its premises of origin after the show or shows.

---

OFFERYNNAU STATUDOL

---

**2006 Rhif 1053 (Cy.109)**

**ANIFEILIAID, CYMRU**

Gorchymyn Twbercwlosis (Cymru)  
2006

---

STATUTORY INSTRUMENTS

---

**2006 No. 1053 (W.109)**

**ANIMALS, WALES**

The Tuberculosis (Wales) Order  
2006

©© Hawlfraint y Goron 2006

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2006

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

**£3.00**

W308/04/06

ON