OFFERYNNAU STATUDOL CYMRU

# 2010 Rhif 943 (Cy.97)

# ANIFEILIAID, CYMRU

## Rheoliadau Lles Anifeiliaid (Coleri Electronig) (Cymru) 2010

### NODYN ESBONIADOL

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

Gwneir y Rheoliadau hyn o dan adran 12 o Ddeddf Lles Anifeiliaid 2006 (p.45) ac maent yn gwahardd defnyddio ar gathod a chŵn unrhyw goler electronig a luniwyd i roi sioc drydan.

Mae rheoliad 1 yn diffinio "coler electronig".

Mae rheoliad 2 yn gwahardd defnyddio coler electronig ar gi neu gath.

Mae rheoliad 3 yn gwneud darpariaeth ar gyfer tramgwyddau.

Mae rheoliad 4 yn darparu pwerau i fynd i mewn a chwilio.

Mae arfarniad rheoliadol wedi'i baratoi. Gellir cael copïau o Swyddfa'r Prif Swyddog Milfeddygol, Llywodraeth Cynulliad Cymru, Parc Cathays, Caerdydd CF10 3NQ.

WELSH STATUTORY INSTRUMENTS

# 2010 No. 943 (W.97)

# ANIMALS, WALES

## The Animal Welfare (Electronic Collars) (Wales) Regulations 2010

### EXPLANATORY NOTE

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

These Regulations are made under section 12 of the Animal Welfare Act 2006 (c.45) and prohibit the use on cats and dogs of any electronic collar designed to administer an electric shock.

Regulation 1 defines "electronic collar".

Regulation 2 prohibits the use of an electronic collar on a cat or dog.

Regulation 3 makes provision for offences.

Regulation 4 provides powers of entry and search.

A regulatory appraisal has been prepared. Copies may be obtained from the Office of the Chief Veterinary Officer, the Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ.

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# ANIFEILIAID, CYMRU

## Rheoliadau Lles Anifeiliaid (Coleri Electronig) (Cymru) 2010

| | |
|---|---|
| *Gwnaed* | *23 Mawrth 2010* |
| *Yn dod i rym* | *24 Mawrth 2010* |

Gosodwyd drafft o'r Rheoliadau hyn gerbron Cynulliad Cenedlaethol Cymru, ac fe'i cymeradwywyd drwy benderfyniad yn unol ag adran 61(2) o Ddeddf Lles Anifeiliaid 2006(**1**).

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adrannau 12(1), (3)(a), (5) a 62 o Ddeddf Lles Anifeiliaid 2006(**2**), ac wedi ymgynghori â'r personau hynny y mae'n ymddangos iddynt eu bod yn cynrychioli'r buddiannau o dan sylw, yn gwneud y Rheoliadau a ganlyn:

**Enwi, cychwyn, dehongli a chymhwyso**

**1**.–(1) Enw'r Rheoliadau hyn yw Rheoliadau Lles Anifeiliaid (Coleri Electronig) (Cymru) 2010 a deuant i rym y diwrnod ar ôl eu gwneud.

(2) Yn y Rheoliadau hyn–

ystyr "coler electronig" ("*electronic collar*") yw coler a luniwyd i roi sioc drydan; ac

ystyr "y Ddeddf" ("*the Act*") yw Deddf Lles Anifeiliaid 2006.

(3) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(**1**) 2006 p. 45. Yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006, a pharagraff 34 o Atodlen 11 iddi (p.32), mae'r cyfeiriad yn adran 61(2) at "*House of Parliament*" yn cynnwys Cynulliad Cenedlaethol Cymru.

(**2**) Yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006, a pharagraff 30 o Atodlen 11 iddi, trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru ac maent bellach wedi eu breinio ynddynt hwy. Dyfynnir adran 62 am yr ystyr a roddir i "*appropriate national authority*".

WELSH STATUTORY INSTRUMENTS

# 2010 No. 943 (W.97)

# ANIMALS, WALES

## The Animal Welfare (Electronic Collars) (Wales) Regulations 2010

| | |
|---|---|
| *Made* | *23 March 2010* |
| *Coming into force* | *24 March 2010* |

A draft of these Regulations was laid before, and approved by a resolution of, the National Assembly for Wales in accordance with section 61(2) of the Animal Welfare Act 2006(**1**).

The Welsh Ministers, in exercise of the powers conferred on them by sections 12(1), (3)(a), (5) and 62 of the Animal Welfare Act 2006(**2**), and having consulted such persons appearing to them to represent the interests concerned, make the following Regulations:

**Title, commencement, interpretation and application**

**1**.–(1) The title of these Regulations is the Animal Welfare (Electronic Collars) (Wales) Regulations 2010 and they come into force on the day after they are made.

(2) In these Regulations–

"the Act" ("*y Ddeddf*") means the Animal Welfare Act 2006; and

"electronic collar" ("*coler electronig*") means a collar designed to administer an electric shock.

(3) These Regulations apply in relation to Wales.

(**1**) 2006 c. 45. By virtue of section 162 of, and paragraph 34 of Schedule 11 to, the Government of Wales Act 2006 (c.32), the reference in section 61(2) to "House of Parliament" includes the National Assembly for Wales.

(**2**) By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006, the functions of the National Assembly for Wales were transferred to and now vest in the Welsh Ministers. Section 62 is cited for the meaning given to the "appropriate national authority".

### Gwaharddiad ar ddefnyddio coleri electronig

**2**.–(1) Gwaherddir unrhyw berson rhag–

(a) gosod coler electronig ar gi neu gath;

(b) peri bod coler electronig yn cael ei gosod ar gi neu gath; nac

(c) bod yn gyfrifol am gi neu gath y mae coler electronig wedi'i gosod arnynt.

### Tramgwyddau

**3**. Mae person sy'n torri unrhyw un neu rai o'r gwaharddiadau yn rheoliad 2 yn cyflawni tramgwydd ac, ar gollfarn ddiannod, yn agored–

(a) i garchariad am gyfnod heb fod yn hwy na 51 wythnos;

(b) i ddirwy heb fod yn fwy na lefel 5 ar y raddfa safonol; neu

(c) i'r ddeubeth.

### Mynd i mewn a chwilio

**4**. Mae tramgwydd o dan y Rheoliadau hyn i'w drin fel tramgwydd perthnasol at ddibenion adran 23 o'r Ddeddf (mynd i mewn a chwilio o dan warant mewn cysylltiad â thramgwyddau).

### Prohibition on use of electronic collars

**2**.–(1) It is prohibited for a person to–

(a) attach an electronic collar to a cat or a dog;

(b) cause an electronic collar to be attached to a cat or a dog; or

(c) be responsible for a cat or a dog to which an electronic collar is attached.

### Offences

**3**. A person who breaches any of the prohibitions in regulation 2 commits an offence and, on summary conviction, is liable to–

(a) imprisonment for a period not exceeding 51 weeks;

(b) a fine not exceeding level 5 on the standard scale; or

(c) to both.

### Entry and search

**4**. An offence under these Regulations is to be treated as a relevant offence for the purpose of section 23 of the Act (entry and search under warrant in connection with offences).

*Elin Jones*

Y Gweinidog dros Faterion Gwledig, un o Weinidogion Cymru

23 Mawrth 2010

Minister for Rural Affairs, one of the Welsh Ministers

23 March 2010

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