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WELSH STATUTORY  
INSTRUMENTS

**2021 Rhif 1480 (Cy. 382)**

**2021 No. 1480 (W. 382)**

**YMADAEL Â'R UNDEB  
EWROPEAIDD, CYMRU**

**EXITING THE EUROPEAN  
UNION, WALES**

**BWYD, CYMRU**

**FOOD, WALES**

**ANIFEILIAID, CYMRU**

**ANIMALS, WALES**

Rheoliadau Rheolaethau  
Swyddogol (Estyn Cyfnodau  
Trosiannol a Diwygiadau  
Amrywiol) (Cymru) (Ymadael â'r  
UE) 2021

The Official Controls (Extension of  
Transitional Periods and  
Miscellaneous Amendments)  
(Wales) (EU Exit) Regulations 2021

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

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

Mae'r Rheoliadau hyn wedi eu gwneud drwy arfer y pwerau a roddir gan:

These Regulations are made in exercise of the powers conferred by:

- (a) paragraff 11A(1) o Atodlen 2 i Reoliadau'r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Cymru) 2011 (O.S. 2011/2379 (Cy. 252)) ("Rheoliadau 2011"); a
- (b) paragraff 1(1) o Atodlen 2 a pharagraff 21 o Atodlen 7 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16) er mwyn ymdrin ag unrhyw fethiant yng nghyfraith yr UE a ddargedwir i weithredu'n effeithiol a diffygion eraill sy'n deillio o ymadawiad y Deyrnas Unedig â'r Undeb Ewropeaidd.

- (a) paragraph 11A(1) of Schedule 2 to the Trade in Animals and Related Products (Wales) Regulations 2011 (S.I. 2011/2379 (W. 252)) ("the 2011 Regulations"); and

- (b) paragraph 1(1) of Schedule 2 and paragraph 21 of Schedule 7 to the European Union (Withdrawal) Act 2018 (c. 16) to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

Mae rheoliad 2 yn gwneud diwygiadau i Atodlen 5 i Reoliadau 2011 er mwyn sicrhau cysondeb ag Erthygl 56A o Reoliad (EU) 2017/625 Senedd Ewrop a'r Cyngor ar reolaethau swyddogol a gweithgareddau swyddogol eraill, fel y'i mewnosodwyd at y dibenion a grybwyllir ym mharagraff 3 o Atodiad 6, ac fel y'i diwygiwyd gan reoliad 2 o Reoliadau Rheolaethau Swyddogol (Estyn Cyfnodau Trosiannol) (Cymru a Lloegr) (Diwygio) (Rhif 2) 2021 (O.S. 2021/1443).

Regulation 2 makes amendments to Schedule 5 of the 2011 Regulations to ensure alignment with Article 56A of Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities, as inserted for the purposes mentioned in paragraph 3 of Annex 6, and as amended by regulation 2 of the Official Controls (Extension of Transitional Periods) (England and Wales) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1443).

Mae rheoliad 2 hefyd yn diwygio Atodlen 5 i Reoliadau 2011 er mwyn galluogi pwerau gorfodi i barhau i fod ar gael yn ystod y cyfnod graddoli trosiannol estynedig ac eithrio mewn safleoedd rheoli ar y ffin mewn cysylltiad ag anifeiliaid a chynhyrchion anifeiliaid yng Nghymru.

Mae rheoliad 3 yn diwygio Rheoliadau Paratoadau Cig (Diwygio ac Addasiadau Darfodol) (Cymru) (Ymadael â'r UE) 2021 (O.S. 2021/1 (Cy. 1)) er mwyn estyn yr ataliad dros dro ar y gofyniad i baratoadau cig a fewnforir i Gymru o Aelod-wladwriaethau'r AEE, Ynysoedd Ffaro, yr Ynys Las neu'r Swistir fod wedi eu rhewi'n ddwfn, gan sicrhau ei fod yn cyd-fynd â'r cyfnod graddoli trosiannol estynedig. Mae'r estyniad hwn tan hanner nos ar 30 Mehefin 2022. Cafodd y dyddiad hwn ei ddiwygio yn flaenorol gan Reoliadau Paratoadau Cig (Diwygio ac Addasiadau Darfodol) (Cymru) (Ymadael â'r UE) (Diwygio) 2021 (O.S. 2021/376 (Cy. 117)) a Rheoliadau Paratoadau Cig (Diwygio ac Addasiadau Darfodol) (Cymru) (Ymadael â'r UE) (Diwygio) (Rhif 2) 2021 (O.S. 2021/977 (Cy. 231)).

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.

Regulation 2 also amends Schedule 5 of the 2011 Regulations to enable enforcement powers to remain available during the extended transitional staging period other than at border control posts in respect of animals and animal products in Wales.

Regulation 3 amends the Meat Preparations (Amendment and Transitory Modification) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/1 (W. 1)) to extend the temporary suspension of the requirement for meat preparations to be deep frozen where they are imported into Wales from EEA member States, the Faroe Islands, Greenland or Switzerland, bringing it into line with the extended transitional staging period. This extension is until midnight on 30 June 2022. This date had previously been amended by the Meat Preparations (Amendment and Transitory Modification) (Wales) (EU Exit) (Amendment) Regulations 2021 (S.I. 2021/376 (W. 117)) and the Meat Preparations (Amendment and Transitory Modification) (Wales) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/977 (W. 231)).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

**2021 Rhif 1480 (Cy. 382)**

**YMADAEL Â'R UNDEB  
EWROPEAIDD, CYMRU**

**BWYD, CYMRU**

**ANIFEILIAID, CYMRU**

Rheoliadau Rheolaethau  
Swyddogol (Estyn Cyfnodau  
Trosiannol a Diwygiadau  
Amrywiol) (Cymru) (Ymadael â'r  
UE) 2021

*Cymeradwywyd gan Senedd Cymru*

*Gwnaed am 11.03 a.m. ar 22 Rhagfyr 2021*

*Gosodwyd gerbron Senedd  
Cymru am 5.45 p.m. ar 22 Rhagfyr 2021*

*Yn dod i rym 30 Rhagfyr 2021*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir gan—

- (a) paragraff 11A(1) o Atodlen 2 i Reoliadau'r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Cymru) 2011(1); a
- (b) paragraff 1(1) o Atodlen 2, a pharagraff 21 o Atodlen 7, i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018(2).

**2021 No. 1480 (W. 382)**

**EXITING THE EUROPEAN  
UNION, WALES**

**FOOD, WALES**

**ANIMALS, WALES**

The Official Controls (Extension of  
Transitional Periods and  
Miscellaneous Amendments)  
(Wales) (EU Exit) Regulations 2021

*Approved by Senedd Cymru*

*Made at 11.03 a.m. on 22 December 2021*

*Laid before Senedd  
Cymru at 5.45 p.m. on 22 December 2021*

*Coming into force 30 December 2021*

The Welsh Ministers make the following Regulations in exercise of the powers conferred by—

- (a) paragraph 11A(1) of Schedule 2 to the Trade in Animals and Related Products (Wales) Regulations 2011(1); and
- (b) paragraph 1(1) of Schedule 2, and paragraph 21 of Schedule 7, to the European Union (Withdrawal) Act 2018(2).

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(1) O.S. 2011/2379 (Cy. 252). Mewnosodwyd paragraff 11A yn Atodlen 2 gan reoliad 2(2) o Reoliadau Rheolaethau Swyddogol (Anifeiliaid, Bwyd Anifeiliaid a Bwyd, Ffioedd Iechyd Planhigion etc.) (Cymru) (Diwygio) (Ymadael â'r UE) 2020 (O.S. 2020/1639 (Cy. 344)).

(2) 2018 p. 16; gweler adran 20(1) am y diffiniad o "devolved authority". Diwygiwyd paragraff 21 o Atodlen 7 gan adran 41(4) o Ddeddf yr Undeb Ewropeaidd (Y Cytundeb Ymadael) 2020 (p. 1) a pharagraff 53(2) o Ran 2 o Atodlen 5 iddi.

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(1) S.I. 2011/2379 (W. 252). Paragraph 11A was inserted into Schedule 2 by regulation 2(2) of the Official Controls (Animals, Feed and Food, Plant Health Fees etc.) (Wales) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1639 (W. 344)).

(2) 2018 c. 16; see section 20(1) for the definition of "devolved authority". Paragraph 21 of Schedule 7 was amended by section 41(4) of, and paragraph 53(2) of Part 2 of Schedule 5 to, the European Union (Withdrawal Agreement) Act 2020 (c. 1).

Mae Gweinidogion Cymru o'r farn, oherwydd brys, ei bod yn angenrheidiol gwneud y Rheoliadau hyn heb fod drafft o'r offeryn wedi ei osod gerbron Senedd Cymru ac wedi ei gymeradwyo ganddi drwy benderfyniad(1).

### Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Rheolaethau Swyddogol (Estyn Cyfnodau Trosiannol a Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) 2021.

(2) Daw'r Rheoliadau hyn i rym ar 30 Rhagfyr 2021.

### Diwygiadau i Reoliadau'r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Cymru) 2011

2.—(1) Mae Atodlen 5 (cymhwyso Rhan 3, ei rhanddirymu a'i haddasu, mewn perthynas â thiriogaethau sy'n ddarostyngedig i drefniadau mewnforio trosiannol arbennig) i Reoliadau'r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Cymru) 2011(2) wedi ei diwygio fel a ganlyn.

(2) Ym mharagraff 5 (rhanddirymu rheoliad 14: amseru hysbysiad mewnforio)—

(a) yn is-baragraff (3)—

(i) yn lle "O 1 Ionawr 2022" rhodder "Yn ddarostyngedig i is-baragraff (3A), o 1 Ionawr 2022";

(ii) ar ôl "cynhyrchion sy'n tarddu o anifeiliaid" mewnosoder "neu sgil-gynhyrchion anifeiliaid nad yw is-baragraff (2)(c) eisoes yn ymdrin â hwy";

(b) ar ôl is-baragraff (3) mewnosoder—

"(3A) Nid yw is-baragraff (3) yn gymwys i nwyddau perthnasol—

(a) sydd o fewn cwmpas Erthygl 7 neu Erthygl 10 o Reoliad Dirprwyedig y Comisiwn (EU) 2019/2122 sy'n ategu Rheoliad (EU) 2017/625 Senedd Ewrop a'r Cyngor o ran categorïau penodol o anifeiliaid a nwyddau sydd wedi eu hesemptio rhag rheolaethau

The Welsh Ministers are of the opinion, that, by reason of urgency, it is necessary to make these Regulations without a draft of the instrument being laid before, and approved by a resolution of, Senedd Cymru(1).

### Title and commencement

1.—(1) The title of these Regulations is the Official Controls (Extension of Transitional Periods and Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021.

(2) These Regulations come into force on 30 December 2021.

### Amendments to the Trade in Animals and Related Products (Wales) Regulations 2011

2.—(1) Schedule 5 (application of, derogations from, and modifications to, Part 3 in relation to territories subject to special transitional import arrangements) of the Trade in Animals and Related Products (Wales) Regulations 2011(2) is amended as follows.

(2) In paragraph 5 (derogation from regulation 14: timing of notification of importation)—

(a) in sub-paragraph (3)—

(i) for "From 1 January 2022" substitute "Subject to sub-paragraph (3A), from 1 January 2022";

(ii) after "products of animal origin" insert "or animal by-products not already covered by sub-paragraph (2)(c)";

(b) after sub-paragraph (3), insert—

"(3A) Sub-paragraph (3) does not apply to relevant goods which—

(a) are within the scope of Article 7 or Article 10 of Commission Delegated Regulation (EU) 2019/2122 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards certain categories of animals and goods

(1) Mae'r cyfeiriadau yn Neddf yr Undeb Ewropeaidd (Ymadael) 2018 at Gynulliad Cenedlaethol Cymru bellach yn cael effaith fel cyfeiriadau at Senedd Cymru yn rhinwedd adran 150A(2) o Ddeddf Llywodraeth Cymru 2006 (p. 32). Gweler paragraffau 7 a 38 o Atodlen 7 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 am ddarpariaeth ynghylch y weithdrefn sy'n gymwys i'r offeryn hwn.

(2) Mewnosodwyd Atodlen 5 gan reoliad 32 o O.S. 2020/1612 (Cy. 337). Diwygiwyd paragraff 5(3) gan reoliad 2 o O.S. 2021/384 (Cy. 122), O.S. 2021/847 (Cy. 197) ac O.S. 2021/1094 (Cy. 260).

(1) The references in the European Union (Withdrawal) Act 2018 to the National Assembly for Wales now have effect as references to Senedd Cymru by virtue of section 150A(2) of the Government of Wales Act 2006 (c. 32). See paragraphs 7 and 38 of Schedule 7 to the European Union (Withdrawal) Act 2018 for provision about the procedure that applies to this instrument.

(2) Schedule 5 was inserted by regulation 32 of S.I. 2020/1612 (W. 337). Paragraph 5(3) was amended by regulations 2 of S.I. 2021/384 (W. 122), S.I. 2021/847 (W. 197) and S.I. 2021/1094 (W. 260).

swyddogol mewn safleoedd rheoli ar y ffin, rheolaethau penodol ar fagiâu personol teithwyr ac ar lwythi bach o nwyddau a anfonir at bersonau naturiol na fwriedir eu rhoi ar y farchnad(1); neu

- (b) a fewnforir i Brydain Fawr o Weriniaeth Iwerddon pan fodlonir yr amod ym mharagraff (3B).

(3B) Yr amod yw fod y nwyddau wedi eu cynhyrchu yng Ngogledd Iwerddon neu yng Ngweriniaeth Iwerddon, ac at y dibenion hyn cymerir bod nwyddau wedi eu cynhyrchu yng Ngogledd Iwerddon neu yng Ngweriniaeth Iwerddon os ydynt wedi eu prosesu yno.”

(3) Yn lle paragraff 8(a) (addasu rheoliad 20: gweithredu yn dilyn methiant gwiriadau neu yn dilyn cipio – cynhyrchion) rhodder—

“(a) ym mharagraff (1)—

- (i) “yw gwiriadau” wedi ei roi yn lle “yw’r gwiriadau mewn safle rheoli ar y ffin”;
- (ii) “neu, yn achos nwyddau perthnasol, nad yw’n cydymffurfio â darpariaethau Atodlen 5” wedi ei fewnosod ar ôl “Rheoliad Rheolaethau Swyddogol”.”

(4) Yn lle paragraff 9 (addasu rheoliad 23: gweithredu yn dilyn methiant gwiriadau neu yn dilyn cipio – anifeiliaid) rhodder—

“Mae rheoliad 23 yn gymwys fel pe bai, ym mharagraff (1)—

- (a) “yw gwiriadau” wedi ei roi yn lle “yw’r gwiriadau mewn safle rheoli ar y ffin”;
- (b) “neu, yn achos nwyddau perthnasol, nad yw’n cydymffurfio â darpariaethau Atodlen 5,” wedi ei fewnosod ar ôl “Rheoliad Rheolaethau Swyddogol”.”

### **Diwygiad i Reoliadau Paratodau Cig (Diwygio ac Addasiadau Darfodol) (Cymru) (Ymadael â’r UE) 2021**

3. Yn rheoliad 3(1) (addasiadau darfodol i Benderfyniad y Comisiwn 2000/572/EC) o Reoliadau Paratodau Cig (Diwygio ac Addasiadau Darfodol) (Cymru) (Ymadael â’r UE) 2021(2), yn lle “31 Rhagfyr 2021” rhodder “30 Mehefin 2022”.

exempted from official controls at border control posts, specific controls on passengers’ personal luggage and on small consignments of goods sent to natural persons which are not intended to be placed on the market(1); or

- (b) are imported into Great Britain from the Republic of Ireland where the condition in paragraph (3B) is met.

(3B) The condition is that the goods were produced in Northern Ireland or the Republic of Ireland, and for these purposes goods are taken to be produced in Northern Ireland or the Republic of Ireland if they are processed there.”;

(3) For paragraph 8(a) (modification of regulation 20: action following failure of checks or seizure – products) substitute—

“(a) in paragraph (1)—

- (i) for “the checks at a border control post” there were substituted “checks”;
- (ii) after “Official Controls Regulation” there were inserted “or, in the case of relevant goods, does not comply with the provisions of Schedule 5”;

(4) For paragraph 9 (modification of regulation 23: action following failure of checks or seizure – animals) substitute—

“Regulation 23 applies as if, in paragraph (1)—

- (a) for “the checks at a border control post” there were substituted “checks”;
- (b) after “Official Controls Regulation” there were inserted “or, in the case of relevant goods, does not comply with the provisions of Schedule 5.”.

### **Amendment to the Meat Preparations (Amendment and Transitory Modification) (Wales) (EU Exit) Regulations 2021**

3. In regulation 3(1) (transitory modification of Commission Decision 2000/572/EC) of the Meat Preparations (Amendment and Transitory Modification) (Wales) (EU Exit) Regulations 2021(2), for “31 December 2021” substitute “30 June 2022”.

(1) EUR 2019/2122, a ddiwygiwyd gan O.S. 2020/1482 a 2021/453.

(2) O.S. 2021/1 (Cy. 1), a ddiwygiwyd gan O.S. 2021/376 (Cy. 117) ac O.S. 2021/977 (Cy. 231).

(1) EUR 2019/2122, amended by S.I. 2020/1482 and 2021/453.

(2) S.I. 2021/1 (W. 1), amended by S.I. 2021/376 (W. 117) and S.I. 2021/977 (W. 231).

*Lesley Griffiths*

Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r  
Trefnydd, un o Weinidogion Cymru  
Am 11.03 a.m. ar 22 Rhagfyr 2021

Minister for Rural Affairs and North Wales, and  
Trefnydd, one of the Welsh Ministers  
At 11.03 a.m. on 22 December 2021

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