OFFERYNNAU STATUDOL CYMRU

2005 Rhif 1393 (Cy.107)

AMAETHYDDIAETH, CYMRU

Rheoliadau Bwydydd Anifeiliaid (Sefydliadau a Chyfryngwyr) (Diwygio) (Cymru) 2005

Wedi'u gwneud - -	*24 Mai 2005*
Yn dod i rym - -	*31 Mai 2005*

Mae Cynulliad Cenedlaethol Cymru, gan ei fod wedi'i ddynodi(**1**) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(**2**) mewn perthynas â mesurau sy'n gysylltiedig â bwyd anifeiliaid a gynhyrchir ar gyfer anifeiliaid sy'n cynhyrchu bwyd neu fwyd anifeiliaid a roddir iddynt i'w bwydo, drwy arfer y pwerau a roddwyd gan yr adran honno, ac ar ôl ymgynghori fel sy'n ofynnol gan Erthygl 9 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor, sy'n pennu egwyddorion cyffredinol a gofynion cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn pennu gweithdrefnau o ran materion diogelwch bwyd(**3**), yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn a chymhwyso

1. Enw'r Rheoliadau hyn yw Rheoliadau Bwydydd Anifeiliaid (Sefydliadau a Chyfryngwyr) (Diwygio) (Cymru) 2005, deuant i rym ar 31 Mai 2005 ac maent yn gymwys o ran Cymru.

Diwygio Rheoliadau Porthiant (Sefydliadau a Chyfryngwyr) 1999

2. Caiff Rheoliadau Porthiant (Sefydliadau a Chyfryngwyr) 1999 ("y prif Reoliadau")(**4**) eu diwygio i'r graddau y maent yn gymwys o ran Cymru yn unol â rheoliadau 3 i 5.

3. Yn syth ar ôl rheoliad 9 (gweithdrefn sy'n berthnasol i dynnu cymeradwyaethau yn ôl) mewnosoder y rheoliad a ganlyn —

"**Fees**

9A.—(1) Subject to paragraphs (2), (3), (5), (6) and (7), an eligible person who applies to the competent body under regulation 5 or 7 to approve an establishment which is located in Wales as an establishment on which an establishment activity may be exercised shall—

(**1**) O.S. 2003/2901.
(**2**) 1972 p.68.
(**3**) OJ Rhif L31, 1.2.2002, t.1. Diwygiwyd y Rheoliad hwnnw ddiwethaf gan Reoliad (EC) Rhif 1642/2003 Senedd Ewrop a'r Cyngor (OJ Rhif L245, 29.9.2003, t.4). O dan Erthygl 3 o'r Rheoliad hwnnw mae "food law" yn rhychwantu bwyd anifeiliaid a gynhyrchir ar gyfer anifeiliaid sy'n cynhyrchu bwyd neu fwyd anifeiliaid a roddir iddynt i'w bwydo.
(**4**) O.S. 1999/1872, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(a) pay the relevant fee to the competent body; and

(b) reimburse the competent body the cost of any laboratory analysis incurred by it in connection with the application.

(2) Any fee payable under paragraph (1)(a) shall be payable at the time the application is submitted to the competent body.

(3) Any reimbursement due under paragraph (1)(b) shall be payable to the competent body on demand.

(4) In relation to any application under regulation 5 or 7, the competent body need not—

(a) take any step specified in regulation 6 until the relevant fee has been paid to it; or

(b) take any step specified in regulation 6(2) until, in accordance with paragraph (1)(b), it has been reimbursed the cost of any laboratory analysis incurred by it in connection with the application.

(5) Where an eligible person makes an application under regulation 5 seeking approval of an establishment as one on which more than one establishment activity may be exercised, he shall be liable to pay a single relevant fee, which shall be the highest one otherwise payable.

(6) Where an eligible person makes an application under regulation 7 seeking approval of an establishment as one on which more than one new establishment activity may be exercised, he shall be liable to pay a single relevant fee, which shall be the highest one otherwise payable.

(7) Any fee payable pursuant to paragraph (5) or (6) shall be treated, for the purposes of paragraphs (2) and (4)(a), as included among any fee payable under paragraph (1)(a).

(8) In this regulation "relevant fee" means the fee specified in Column 2 of Part I of Schedule 1A which is opposite to the reference in Column 1 of that Part to the application of the kind being made by the applicant.".

4. Yn syth ar ôl rheoliad 16 (gweithdrefn sy'n berthnasol i dynnu cymeradwyaethau yn ôl) mewnosoder y rheoliad a ganlyn —

"**Fees**

16A.—(1) Subject to paragraphs (2), (3), (5), (6) and (7), where the area of the competent body is in Wales, an eligible person who applies to it under regulation 12 or 14 to be approved as an intermediary who may exercise an intermediary activity shall —

(a) pay the relevant fee to the competent body; and

(b) reimburse the competent body the cost of any laboratory analysis incurred by it in connection with the application.

(2) Any fee payable under paragraph (1)(a) shall be payable at the time the application is submitted to the competent body.

(3) Any reimbursement due under paragraph (1)(b) shall be payable to the competent body on demand.

(4) In relation to any application under regulation 12 or 14, the competent body need not —

(a) take any step specified in regulation 13(1) or (3) until the relevant fee has been paid to it; or

(b) take any step specified in regulation 13(3) until, in accordance with paragraph (1)(b), it has been reimbursed the cost of any laboratory analysis incurred by it in connection with the application.