



RHESTR O WELLIANNAU WEDI'U DIDOLI MARSHALLED LIST OF AMENDMENTS

Bil Rheoli Ceffylau (Cymru) Control of Horses (Wales) Bill

Mae'r gwelliannau â * ar eu pwys yn rhai newydd neu'n rhai sydd wedi'u haddasu.

Amendments marked * are new or have been altered.

Mae'r testun mewn italig wedi'i ddarparu gan y sawl a gynigiodd y gwelliant perthnasol i esbonio ei ddiben ac i gynorthwyo'r darllenydd. Nid yw'r testun yn rhan o eiriad y gwelliant.

The text in italics has been provided by the proposer of the relevant amendment to explain its purpose and to aid the reader's understanding. The text does not form part of the amendment.

Caiff y Bil ei ystyried yn y drefn a ganlyn—

The Bill will be considered in the following order—

Section 1-10

Adrannau 1-10

Antoinette Sandbach

Gyda chefnogaeth / Supported by: Angela Burns

1

To insert a new section—

[] **Microchipping**

- (1) This section applies if the owner of a horse seeks its return.
- (2) If the local authority is satisfied that the horse is required to be microchipped in accordance with the Commission Regulation (and has not already been microchipped), the local authority may not return the horse unless the owner has agreed that the horse be microchipped before it is returned.

- (3) The costs incurred by the local authority in relation to the microchipping of a horse under this section constitute an element of the costs incurred by the local authority and recoverable under section 4(1).'

I fewnosod adran newydd –

[] Microsglodynnu

- (1) Mae'r adran hon yn gymwys os yw perchennog ceffyl am iddo gael ei ddychwelyd.
- (2) Os yw awdurdod lleol yn fodlon ei bod yn ofynnol bod y ceffyl yn cael ei ficrosglodynnu yn unol â Rheoliad y Comisiwn (ac nad yw wedi'i ficrosglodynnu eisoes), ni chaiff yr awdurdod lleol ddychwelyd y ceffyl oni bai bod y perchennog wedi cytuno bod y ceffyl yn cael ei ficrosglodynnu cyn ei ddychwelyd.
- (3) Mae'r costau a dynnir gan yr awdurdod lleol mewn perthynas â microsglodynnu ceffyl o dan yr adran hon yn un elfen o'r costau a dynnir gan yr awdurdod lleol ac sy'n adferadwy o dan adran 4(1).'

Alun Davies

4

Section 5, page 2, line 30, after 'if', insert ', after a horse has been seized by a local authority under section 2'.

Adran 5, tudalen 2, llinell 31, ar ôl 'gymwys', mewnosoder ', ar ôl i awdurdod lleol ymafael mewn ceffyl o dan is-adran (2).'

Antoinette Sandbach

Gyda chefnogaeth / Supported by: Angela Burns

2

Section 5, page 3, after line 6, insert –

- '(4) If the horse is required to be microchipped in accordance with the Commission Regulation (and has not already been microchipped), the local authority may not dispose of the horse (other than by way of destruction) unless the horse has been microchipped in accordance with that Regulation.'

Adran 5, tudalen 3, ar ôl llinell 6, mewnosoder –

- '(4) Os yw'n ofynnol microsglodynnu'r ceffyl yn unol â Rheoliad y Comisiwn (ac nad yw wedi'i ficrosglodynnu eisoes), ni chaiff yr awdurdod lleol waredu'r ceffyl (heblaw am trwy ei ddifa) oni bai bod y ceffyl wedi'i ficrosglodynnu yn unol â'r Rheoliad hwnnw.'

Antoinette Sandbach

Gyda chefnogaeth / Supported by: Angela Burns

9

Section 5, page 3, line 12, after 'authority', insert –

- (a) must pay from that excess any costs reasonably incurred by the occupier of the land upon which the horse was seized; and'.

Adran 5, tudalen 3, llinell 12, hepgorer 'mae'r awdurdod lleol yn' a mewnosoder –
'rhaid i'r awdurdod lleol –

- (a) dalu o'r swm dros ben hwnnw unrhyw gostau a dynnwyd yn rhesymol gan feddiannydd y tir yr ymafaelwyd y ceffyl arno; ac
- (b) mae'n'.

Antoinette Sandbach

Gyda chefnogaeth / Supported by: Angela Burns

10

Section 5, page 3, line 12, after 'the' at the third place where it appears, insert 'balance of the'.

Adran 5, tudalen 3, llinell 12, hepgorer 'dalu'r' a mewnosoder 'dalu gweddill y'.

Antoinette Sandbach

Gyda chefnogaeth / Supported by: Angela Burns

6

Section 7, page 4, after line 13, insert –

- '() Welsh Minsters must refer the dispute for the consideration of an appointed person under section [*section to be inserted by amendment 7*].
- () The Welsh Ministers must, when making a determination under subsection (6), have regard to the recommendations made by the appointed person under section [*section to be inserted by amendment 7*](1).'

Adran 7, tudalen 4, ar ôl llinell 14, mewnosoder –

- '() Rhaid i Weinidogion Cymru gyfeirio'r anghydfod i'w ystyried gan berson penodedig o dan adran [*yr adran sy'n cael ei fewnosod gan welliant 7*].
- () Rhaid i Weinidogion Cymru, wrth wneud penderfyniad o dan is-adran (6), roi sylw i'r argymhellion a wneir gan y person penodedig o dan adran [*yr adran sy'n cael ei fewnosod gan welliant 7*](1).'

Llyr Huws Gruffydd

5

To insert a new section –

[] Guidance

- (1) In the exercise of its functions under this Act, a local authority must have regard to guidance given by the Welsh Ministers.
- (2) The Welsh Ministers may –
 - (a) give guidance either generally or to specified descriptions of local authorities;
 - (b) revise the guidance by giving further guidance under this section;
 - (c) withdraw the guidance by giving further guidance under this section or by notice.
- (3) The Welsh Ministers must publish any guidance or notice under this section.’.

I fewnosod adran newydd –

[] Canllawiau

- (1) Wrth arfer ei swyddogaethau o dan y Ddeddf hon, rhaid i awdurdod lleol roi sylw i ganllawiau a roddir gan Weinidogion Cymru.
- (2) Caiff Gweinidogion Cymru –
 - (a) rhoi canllawiau yn gyffredinol neu i ddisgrifiadau penodedig o awdurdodau lleol;
 - (b) diwygio’r canllawiau drwy roi canllawiau pellach o dan yr adran hon;
 - (c) tynnu’r canllawiau yn ôl drwy roi canllawiau pellach o dan yr adran hon neu drwy hysbysiad.
- (3) Rhaid i Weinidogion Cymru gyhoeddi unrhyw ganllawiau neu hysbysiad o dan yr adran hon.’.

Antoinette Sandbach

7

To insert a new section –

[] Recommendation by appointed person

- (1) The Welsh Ministers must appoint a person (“the appointed person”) to consider the dispute and make recommendations to the Welsh Ministers.
- (2) The dispute must be considered in accordance with this Act.
- (3) An appointment under paragraph (1) –
 - (a) must be in writing;
 - (b) may relate to any particular dispute specified in the appointment or to disputes of a class or description so specified;
 - (c) may be subject to such conditions as may be specified in the appointment;
 - (d) may provide for payment to be made to the appointed person.
- (4) In respect of any dispute that has not been the subject of recommendations, the Welsh

Ministers may revoke an appointment under paragraph (1) if they are –

- (a) notified in writing by the appointed person; or
- (b) are otherwise satisfied;

that the appointed person is unable to carry out the requirements of paragraph (1).

- (5) Where an appointment is so revoked in respect of any dispute, the Welsh Ministers must, as soon as practicable, appoint another person under paragraph (1) to consider the dispute.
- (6) Where a new appointment is made, the consideration of the dispute must be begun afresh.
- (7) Nothing in paragraph (6) requires any person to be given an opportunity to make fresh representations or comments or to modify or withdraw any representations or comments already made.’.

I fewnosod adran newydd –

[] Argymhelliad gan berson penodedig

- (1) Rhaid i Weinidogion Cymru benodi person (“y person penodedig”) i ystyried yr anghydfod ac i wneud argymhellion i Weinidogion Cymru.
- (2) Rhaid ystyried yr anghydfod yn unol â’r Ddeddf hon.
- (3) Pan wneir penodiad o dan baragraff (1) –
 - (a) rhaid gwneud y penodiad mewn ysgrifen;
 - (b) ceir gwneud y penodiad ar gyfer unrhyw anghydfod penodol a bennir yn y penodiad, neu ar gyfer dosbarth neu ddisgrifiad o anghydfod a bennir felly;
 - (c) caiff fod yn ddarostyngedig i ba bynnag amodau a bennir yn y penodiad;
 - (d) caiff ddarparu ar gyfer talu i’r person penodedig.
- (4) Mewn perthynas ag unrhyw anghydfod na fu’n destun argymhellion, caiff Gweinidogion Cymru ddirymu penodiad a wnaed o dan baragraff (1) os –
 - (a) hysbysir hwy mewn ysgrifen gan y person penodedig, neu
 - (b) os bodlonir hwy rywfodd arall,nad yw’r person penodedig yn alluog i gyflawni gofynion paragraff (1).
- (5) Pan ddirymir penodiad felly mewn perthynas ag unrhyw anghydfod, rhaid i Weinidogion Cymru, cyn gynted ag y bo’n ymarferol, benodi person arall o dan baragraff (1) i ystyried yr anghydfod.
- (6) Pan wneir penodiad newydd, rhaid i’r ystyriaeth o’r anghydfod ailddechrau o’r newydd.
- (7) **Nid oes dim ym mharagraff (6) sy’n gwneud yn ofynnol rhoi cyfle i unrhyw berson wneud sylwadau neu esboniadau newydd, nac addasu na thynnu’n ôl unrhyw sylwadau neu esboniadau a wnaed eisoes.’.**

Angela Burns

Gyda chefnogaeth / Supported by: Antoinette Sandbach

8

To insert a new section –

[] Guidance

- (1) The Welsh Ministers must issue guidance to local authorities in relation to their functions under this Act within 3 months of the day on which this Act receives Royal Assent.
- (2) In the exercise of its functions under this Act, a local authority must have regard to guidance given by the Welsh Ministers.
- (3) The Welsh Ministers may –
 - (a) give guidance either generally or to specified descriptions of local authorities;
 - (b) revise the guidance by giving further guidance under this section;
 - (c) withdraw the guidance by giving further guidance under this section or by notice.
- (4) The Welsh Ministers must publish any guidance or notice under this section.’.

I fewnosod adran newydd –

[] Canllawiau

- (1) Rhaid i Weinidogion Cymru ddyroddi canllawiau i awdurdodau lleol mewn perthynas â’u swyddogaethau o dan y Ddeddf hon o fewn 3 mis i’r diwrnod y bydd y Ddeddf hon yn cael Cydsyniad Brenhinol.
- (2) Wrth arfer ei swyddogaethau o dan y Ddeddf hon, rhaid i awdurdod lleol roi sylw i ganllawiau a roddir gan Weinidogion Cymru.
- (3) Caiff Gweinidogion Cymru –
 - (a) rhoi canllawiau yn gyffredinol neu i ddisgrifiadau penodedig o awdurdodau lleol;
 - (b) diwygio’r canllawiau drwy roi canllawiau pellach o dan yr adran hon;
 - (c) tynnu’r canllawiau yn ôl drwy roi canllawiau pellach o dan yr adran hon neu drwy hysbysiad.
- (4) Rhaid i Weinidogion Cymru gyhoeddi unrhyw ganllawiau neu hysbysiad o dan yr adran hon.’.

Antoinette Sandbach

Gyda chefnogaeth / Supported by: Angela Burns

3

Section 9, page 4, after line 25, insert –

“Commission Regulation” (“Rheoliad y Comisiwn”) means Commission Regulation (EC) No 504/2008 of 6 June 2008 implementing Council Directives 90/426/EEC and 90/427/EEC as regards methods for the identification of equidae;’.

Adran 9, tudalen 4, ar ôl llinell 27, mewnosoder –

‘Mae “Rheoliad y Comisiwn” (“Comission Regulation”) yn golygu Rheoliad y Comisiwn (EC) Rhif 504/2008 dyddiedig 6 Mehefin 2008 sy’n gweithredu Cyfarwydddebau’r Cyngor 90/426/EEC a 90/427/EEC ynghylch y dulliau o adnabod ceffylau;’.