

## RHESTR O WELLIANNAU WEDI'U DIDOLI MARSHALLED LIST OF AMENDMENTS

### Bil Anifeiliaid Gwyllt a Sycasau (Cymru) Wild Animals and Circuses (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 gwelliannau a nodir ag 'R' yn dynodi bod yr Aelod wedi datgan buddiant  
cofrestradwy o dan Reol Sefydlog 2 neu fuddiant perthnasol o dan Reolau Sefydlog 13 neu  
17 wrth gyflwyno'r gwelliant.

Amendments marked 'R' mean that the Member has declared either a registrable interest  
under Standing Order 2 or relevant interest under Standing Orders 13 or 17 when tabling  
the amendment.

Caiff y Bil ei ystyried yn y drefn a ganlyn—  
The Bill will be considered in the following order—

Sections 1 - 13	Adrannau 1 - 13
Schedule	Atodlen
Long Title	Teitl Hir

#### **Llyr Gruffydd**

1

Section 1, page 1, after line 11, insert—

'() travels with the travelling circus,'.

Adran 1, tudalen 1, ar ôl llinell 11, mewnosoder—

'() yn teithio gyda'r sycas deithiol,'.

#### **Andrew RT Davies**

41

Section 1, page 1, after line 11, insert—

'() is trained,'.

Adran 1, tudalen 1, ar ôl llinell 11, mewnosoder—



'( ) wedi'i hyfforddi,'.

## **Llyr Gruffydd**

2

Page 1, after line 15, insert a new section –

### **[ ] Disqualification**

- (1) If a person is convicted of an offence under section 1, the court by or before which that person is convicted may, instead of or in addition to the imposition of a fine, make an order disqualifying that person under any one or more of subsections (2) to (4) for such period as it thinks fit.
- (2) Disqualification under this subsection disqualifies a person –
  - (a) from owning wild animals,
  - (b) from keeping wild animals,
  - (c) from participating in the keeping of wild animals, and
  - (d) from being party to an arrangement under which that person is entitled to control or influence the way in which wild animals are kept.
- (3) Disqualification under this subsection disqualifies a person from dealing in wild animals.
- (4) Disqualification under this subsection disqualifies a person –
  - (a) from transporting wild animals, and
  - (b) from arranging for the transport of wild animals.
- (5) Disqualification under subsection (2), (3) or (4) may be imposed in relation to wild animals generally, or in relation to wild animals of one or more kinds.
- (6) The court by which an order under subsection (1) is made may specify a period during which the offender may not make an application under section [section to be inserted by amendment 3](1) for termination of the order.
- (7) The court by which an order under subsection (1) is made may –
  - (a) suspend the operation of the order pending an appeal, or
  - (b) where it appears to the court that the offender owns or keeps a wild animal to which the order applies, suspend the operation of the order, for such period as it thinks necessary for enabling alternative arrangements to be made in respect of the wild animal.
- (8) Where a court decides not to make an order under subsection (1) in relation to an offender, it shall –
  - (a) give its reasons for the decision in open court, and
  - (b) if it is a magistrates' court, cause them to be entered in the register of its proceedings.
- (9) A person who breaches a disqualification imposed by an order under subsection (1) commits an offence.'



Tudalen 1, ar ôl llinell 15, mewnosoder adran newydd –

**[1] Anghymhwysio**

- (1) Os dyfernir person yn euog o drosedd o dan adran 1, caiff y llys y dyfernir y person yn euog ganddo neu ger ei fron, yn hytrach na gosod dirwy neu yn ogystal â'i gosod, wneud gorchymyn yn anghymhwyso'r person hwnnw o dan unrhyw un neu ragor o is-adrannau (2) i (4) am unrhyw gyfnod sy'n addas ym marn y llys.
- (2) Mae anghymhwysiad o dan yr is-adran hon yn anghymhwysio person rhag –
  - (a) bod yn berchen ar anifeiliaid gwyllt,
  - (b) cadw anifeiliaid gwyllt,
  - (c) cymryd rhan mewn cadw anifeiliaid gwyllt, a
  - (d) bod yn barti mewn trefniant lle y mae gan y person hwnnw yr hawl i reoli'r ffordd y cedwir anifeiliaid gwyllt neu ddylanwadu ar y ffordd y'u cedwir.
- (3) Mae anghymhwysiad o dan yr is-adran hon yn anghymhwysio person rhag ymdrin ag anifeiliaid gwyllt.
- (4) Mae anghymhwysiad o dan yr is-adran hon yn anghymhwysio person rhag –
  - (a) cludo anifeiliaid gwyllt, a
  - (b) trefnu i gludo anifeiliaid gwyllt.
- (5) Caniateir anghymhwysio o dan is-adran (2), (3) neu (4) mewn perthynas ag anifeiliaid gwyllt yn gyffredinol, neu mewn perthynas ag anifeiliaid o un fath neu fwy.
- (6) Caiff y llys sy'n gwneud gorchymyn o dan is-adran (1) bennu cyfnod pryd na chaniateir i droseddwr wneud cais o dan adran [yr adran sydd i'w mewnosod gan welliant 3](1) i derfynu'r gorchymyn.
- (7) Caiff y llys sy'n gwneud y gorchymyn o dan is-adran (1) –
  - (a) gohirio gweithrediad y gorchymyn wrth aros am apêl, neu
  - (b) pan fo'n ymddangos i'r llys bod y troseddwr yn berchen ar anifail gwyllt neu'n cadw anifail gwyllt y mae'r gorchymyn yn gymwys iddo, ohirio gweithrediad y gorchymyn, am unrhyw gyfnod sy'n angenrheidiol ym marn y llys er mwyn gallu gwneud trefniadau amgen mewn perthynas â'r anifail gwyllt.
- (8) Os bydd llys yn penderfynu peidio â gwneud gorchymyn o dan is-adran (1) mewn perthynas â throseddwr, rhaid iddo –
  - (a) rhoi ei resymau dros y penderfyniad mewn llys agored, a
  - (b) os mai llys ynadon ydyw, peri i'r rhesymau gael eu cynnwys yn y gofrestr o'i drafodion.
- (9) Mae person sy'n torri anghymhwysiad a osodir gan orchymyn o dan is-adran (1) yn cyflawni trosedd.'.

**Llyr Gruffydd**

3

Page 1, after line 15, insert a new section –



**[ ] Termination of disqualification under section [section to be inserted by amendment 2]**

- (1) A person who is disqualified by virtue of an order under section [section to be inserted by amendment 2] may apply to the appropriate court for the termination of the order.
- (2) No application under subsection (1) may be made—
  - (a) before the end of the period of one year beginning with the date on which the order is made,
  - (b) where a previous application under that subsection has been made in relation to the same order, before the end of the period of one year beginning with the date on which the previous application was determined, or
  - (c) before the end of any period specified under section [section to be inserted by amendment 2](6) or subsection (5) below in relation to the order.
- (3) On an application under subsection (1), the court may—
  - (a) terminate the disqualification,
  - (b) vary the disqualification so as to make it less onerous, or
  - (c) refuse the application.
- (4) When determining an application under subsection (1), the court shall have regard to the character of the applicant, their conduct since the imposition of the disqualification and any other circumstances of the case.
- (5) Where the court refuses an application under subsection (1), it may specify a period during which the applicant may not make a further application under that subsection in relation to the order concerned.
- (6) The court may order an applicant under subsection (1) to pay all or part of the costs of the application.
- (7) In subsection (1), the reference to the appropriate court is to—
  - (a) the court which made the order under section [section to be inserted by amendment 2], or
  - (b) in the case of an order made by a magistrates' court, to a magistrates' court acting for the same local justice area as that court.'

Tudalen 1, ar ôl llinell 15, mewnosoder adran newydd—

**[ ] Terfynu anghymhwysiad o dan adran [yr adran sydd i'w mewnosod gan welliant 2]**

- (1) Caiff person sydd wedi'i anghymhwyso yn rhinwedd gorchymyn o dan adran [yr adran sydd i'w mewnosod gan welliant 2] wneud cais i derfynu'r gorchymyn gyda'r llys priodol.
- (2) Ni chaniateir gwneud cais o dan is-adran (1)—
  - (a) cyn diwedd y cyfnod o flwyddyn sy'n dechrau â'r dyddiad y gwneir y gorchymyn,
  - (b) pan fo cais blaenorol o dan yr is-adran honno wedi'i wneud mewn perthynas â'r un gorchymyn, cyn diwedd y cyfnod o flwyddyn sy'n dechrau â'r dyddiad y pennwyd y cais blaenorol, neu



- (c) cyn diwedd unrhyw gyfnod a bennir o dan adran [yr adran sydd i'w mewnosod gan welliant 2](6) neu is-adran (5) isod mewn perthynas â'r gorchymyn.
- (3) O ran cais o dan is-adran (1), caiff y llys –
- (a) terfynu'r anghymhwysiad,
  - (b) amrywio'r anghymhwysiad er mwyn ei wneud yn llai beichus, neu
  - (c) gwrthod y cais.
- (4) Wrth bennu cais o dan is-adran (1), rhaid i'r llys roi sylw i gymeriad y sawl sy'n gwneud cais, ei ymddygiad ers gosod yr anghymhwysiad ac unrhyw amgylchiadau eraill ynghylch yr achos.
- (5) Os bydd y llys yn gwrthod cais o dan is-adran (1), caiff bennu cyfnod pryd na chaniateir i'r sawl sy'n gwneud cais wneud cais pellach o dan yr is-adran honno mewn perthynas â'r gorchymyn o dan sylw.
- (6) Caiff y llys orchymyn i'r sawl sy'n gwneud cais o dan is-adran (1) dalu holl gostau'r cais neu ran o'r costau hynny.
- (7) Yn is-adran (1), mae'r cyfeiriad at y llys priodol yn gyfeiriad at –
- (a) y llys a wnaeth y gorchymyn o dan adran [yr adran sydd i'w mewnosod gan welliant 2], neu
  - (b) yn achos gorchymyn a wneir gan lys ynadon, lys ynadon sy'n gweithredu ar ran yr un ardal cyfiawnder lleol â'r llys hwnnw.'.

**Andrew RT Davies**

**42**

Page 2, after line 12, insert a new section –

*'Guidance*

**[ ] Guidance**

- (1) The Welsh Ministers must issue guidance to assist in the interpretation of what is, and what is not, to be considered to be a travelling circus in section 4.
- (2) The Welsh Ministers may revise any guidance issued under this section.
- (3) The Welsh Ministers must arrange for any guidance issues or revised under this section to be published.'

Tudalen 2, ar ôl llinell 12, mewnosoder adran newydd –

*'Canllawiau*

**[ ] Canllawiau**

- (1) Rhaid i Weinidogion Cymru ddyroddi canllawiau i gynorthwyo i ddehongli beth yw, a beth nad yw, i gael ei ystyried yn sycras deithiol yn adran 4.
- (2) Caiff Gweinidogion Cymru adolygu unrhyw ganllawiau a ddyroddir o dan yr adran hon.



- (3) Rhaid i Weinidogion Cymru wneud trefniadau ar gyfer cyhoeddi unrhyw ganllawiau a ddyroddir neu a adolygir o dan yr adran hon.'.

## **Llyr Gruffydd**

4

Page 4, after line 20, insert a new section –

### **[ ] Guidance**

- (1) The Welsh Ministers must issue guidance to support the implementation of the Bill.
- (2) Such guidance must include, but is not limited to –
  - (a) guidance on the meaning of wild animal,
  - (b) guidance on the meaning of travelling circus, and
  - (c) guidance on the meaning of exhibit.
- (3) The Welsh Ministers may revise any guidance issued under this section.
- (4) The Welsh Ministers must arrange for any guidance issued or revised under this section to be published.'.

Tudalen 4, ar ôl llinell 22, mewnosoder adran newydd –

### **[ ] Canllawiau**

- (1) Rhaid i Weinidogion Cymru ddyroddi canllawiau i gefnogi'r gwaith o weithredu'r Bil.
- (2) Rhaid i ganllawiau o'r fath gynnwys y canlynol, ond nid ydynt wedi'u cyfyngu i hynny –
  - (a) canllawiau ar ystyr anifail gwyllt,
  - (b) canllawiau ar ystyr sycras deithiol, ac
  - (c) canllawiau ar ystyr arddangos.
- (3) Caiff Gweinidogion Cymru ddiwygio unrhyw ganllawiau a ddyroddir o dan yr adran hon.
- (4) Rhaid i Weinidogion Cymru drefnu bod unrhyw ganllawiau a ddyroddir neu a ddiwygir o dan yr adran hon yn cael eu cyhoeddi.'.

## **Llyr Gruffydd**

5

Section 12, page 4, line 30, leave out 'on 1 December 2020' and insert 'at the end of the period of two months beginning with the day on which this Act receives Royal Assent'.

Adran 12, tudalen 4, llinell 32, hepgorer '1 Rhagfyr 2020' a mewnosoder 'ddiwedd y cyfnod o ddau fis sy'n dechrau â'r diwrnod y caiff y Ddeddf hon y Cydsyniad Brenhinol'.

## **Llyr Gruffydd**

6

Schedule, page 5, line 11, after 'inspector', insert 'or a constable'.

Atodlen, tudalen 5, llinell 15, ar ôl 'arolygydd', mewnosoder 'neu gwnstabl'.



**Llyr Gruffydd**

7

Schedule, page 5, line 23, after 'inspector' at the first place where it appears, insert 'or a constable'.

Atodlen, tudalen 5, llinell 23, ar ôl 'arolygydd' yn y lle cyntaf y mae'n ymddangos, mewnosoder 'neu gwnstabl'.

**Llyr Gruffydd**

8

Schedule, page 5, line 23, after 'inspector' at the second place where it appears, insert 'or constable'.

Atodlen, tudalen 5, llinell 23, ar ôl 'arolygydd' yn yr ail le y mae'n ymddangos, mewnosoder 'neu'r cwnstabl'.

**Llyr Gruffydd**

9

Schedule, page 5, line 31, after 'inspector', insert 'or a constable'.

Atodlen, tudalen 5, llinell 32, ar ôl 'arolygydd', mewnosoder 'neu gwnstabl'.

**Llyr Gruffydd**

10

Schedule, page 5, line 32, after 'inspector', insert 'or constable'.

Atodlen, tudalen 5, llinell 34, ar ôl 'arolygydd', mewnosoder 'neu'r cwnstabl'.

**Llyr Gruffydd**

11

Schedule, page 6, line 1, after 'inspector', insert 'or a constable'.

Atodlen, tudalen 6, llinell 1, ar ôl 'arolygydd', mewnosoder 'neu gwnstabl'.

**Llyr Gruffydd**

12

Schedule, page 6, line 2, after 'inspector', insert 'or constable'.

Atodlen, tudalen 6, llinell 2, ar ôl 'arolygydd', mewnosoder 'neu'r cwnstabl'.

**Llyr Gruffydd**

13

Schedule, page 6, line 14, after 'inspector', insert 'or constable'.

Atodlen, tudalen 6, llinell 15, ar ôl 'arolygydd', mewnosoder 'neu'r cwnstabl'.

**Llyr Gruffydd**

14

Schedule, page 6, line 25, after 'inspector', insert 'or a constable'.

Atodlen, tudalen 6, llinell 27, ar ôl 'arolygydd', mewnosoder 'neu gwnstabl'.





**Llyr Gruffydd** 15

Schedule, page 6, line 26, after 'inspector's', insert 'or constable's'.

Atodlen, tudalen 6, llinell 28, ar ôl 'arolygydd', mewnosoder 'neu'r cwnstabl'.

**Llyr Gruffydd** 16

Schedule, page 6, line 28, after 'inspector', insert 'or a constable'.

Atodlen, tudalen 6, llinell 30, ar ôl 'arolygydd', mewnosoder 'neu gwnstabl'.

**Llyr Gruffydd** 17

Schedule, page 6, line 29, after 'inspector', insert 'or constable'.

Atodlen, tudalen 6, llinell 31, ar ôl 'arolygydd', mewnosoder 'neu'r cwnstabl'.

**Llyr Gruffydd** 18

Schedule, page 6, line 31, after 'inspector', insert 'or constable'.

Atodlen, tudalen 6, llinell 33, ar ôl 'arolygydd', mewnosoder 'neu'r cwnstabl'.

**Llyr Gruffydd** 19

Schedule, page 6, line 33, after 'inspector', insert 'or constable'.

Atodlen, tudalen 6, llinell 35, ar ôl 'arolygydd', mewnosoder 'neu'r cwnstabl'.

**Llyr Gruffydd** 20

Schedule, page 6, line 35, after 'inspector', insert 'or constable'.

Atodlen, tudalen 6, llinell 37, ar ôl 'arolygydd', mewnosoder 'neu'r cwnstabl'.

**Llyr Gruffydd** 21

Schedule, page 7, line 1, after 'inspector', insert 'or constable'.

Atodlen, tudalen 7, llinell 1, ar ôl 'arolygydd', mewnosoder 'neu'r cwnstabl'.

**Llyr Gruffydd** 22

Schedule, page 7, line 2, after 'inspector', insert 'or constable'.

Atodlen, tudalen 7, llinell 2, ar ôl 'arolygydd', mewnosoder 'neu'r cwnstabl'.

**Llyr Gruffydd** 23

Schedule, page 7, line 3, after 'inspector', insert 'or constable'.





Atodlen, tudalen 7, llinell 3, ar ôl 'arolygydd', mewnosoder 'neu gwnstabl'.

**Llyr Gruffydd**

24

Schedule, page 7, line 4, after 'inspector', insert 'or constable'.

Atodlen, tudalen 7, llinell 4, ar ôl 'arolygydd', mewnosoder 'neu'r cwnstabl'.

**Llyr Gruffydd**

25

Schedule, page 7, line 6, after 'inspector', insert 'or constable'.

Atodlen, tudalen 7, llinell 6, ar ôl 'arolygydd', mewnosoder 'neu gwnstabl'.

**Llyr Gruffydd**

26

Schedule, page 7, line 8, after 'inspector', insert 'or constable'.

Atodlen, tudalen 7, llinell 8, ar ôl 'arolygydd', mewnosoder 'neu gwnstabl'.

**Llyr Gruffydd**

27

Schedule, page 7, line 9, after 'inspector', insert 'or constable'.

Atodlen, tudalen 7, llinell 9, ar ôl 'arolygydd', mewnosoder 'neu'r cwnstabl'.

**Llyr Gruffydd**

28

Schedule, page 7, line 11, after 'inspector', insert 'or constable'.

Atodlen, tudalen 7, llinell 12, ar ôl 'arolygydd', mewnosoder 'neu'r cwnstabl'.

**Llyr Gruffydd**

29

Schedule, page 7, line 14, after 'inspector', insert 'or a constable'.

Atodlen, tudalen 7, llinell 14, ar ôl 'arolygydd', mewnosoder 'neu gwnstabl'.

**Andrew RT Davies**

43

Schedule, page 7, line 16, leave out 'including' and insert 'excluding'.

Atodlen, tudalen 7, llinell 16, hepgorer 'gan gynnwys' a mewnosoder 'ac eithrio'.

**Llyr Gruffydd**

30

Schedule, page 7, line 19, after 'inspector', insert 'or constable'.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version.



**Llyr Gruffydd**

**31**

Schedule, page 7, line 20, after 'inspector', insert 'or constable'.

Atodlen, tudalen 7, llinell 20, ar ôl 'arolygydd', mewnosoder 'neu'r cwnstabl'.

**Andrew RT Davies**

**44**

Schedule, page 7, line 21, leave out 'including' and insert 'excluding'.

Atodlen, tudalen 7, llinell 21, hepgorer 'gan gynnwys' a mewnosoder 'ac eithrio'.

**Llyr Gruffydd**

**32**

Schedule, page 7, line 34, after 'inspector', insert 'or constable'.

Atodlen, tudalen 7, llinell 35, ar ôl 'arolygydd', mewnosoder 'neu'r cwnstabl'.

**Llyr Gruffydd**

**33**

Schedule, page 7, line 37, after 'inspector', insert 'or constable'.

Atodlen, tudalen 7, llinell 38, ar ôl 'arolygydd' yn y lle cyntaf y mae'n ymddangos, mewnosoder 'neu gwnstabl'.

**Llyr Gruffydd**

**34**

Schedule, page 7, line 38, after 'inspector', insert 'or constable'.

Atodlen, tudalen 7, llinell 38, ar ôl 'arolygydd' yn yr ail le y mae'n ymddangos, mewnosoder 'neu'r cwnstabl'.

**Andrew RT Davies**

**45**

Schedule, page 7, after line 38, insert –

- '[ ] (1) A veterinary surgeon or suitably trained person with an appropriate level of expertise in the health and welfare requirements of animals on the premises, who is taken on to the premises in accordance with paragraph 8(a) may –
- (a) examine, measure or test an animal that is found on the premises;
  - (b) take a sample from an animal.
- (2) The Welsh Ministers may specify in regulations one or more categories of persons who are able to be regarded as being suitably trained for the purposes of sub-paragraph (1), above.
- (3) Regulations made under sub-paragraph (2) may make different provision for different animals.'

Atodlen, tudalen 7, ar ôl llinell 38, mewnosoder –



- [ ] (1) Caiff milfeddyg neu berson ar y fangre sydd wedi'i hyfforddi'n addas a chanddo lefel briodol o arbenigedd mewn anghenion iechyd a lles anifeiliaid yr eir ag ef i'r fangre yn unol â pharagraff 8(a) –
- (a) archwilio, mesur neu brofi anifail a ganfyddir ar y fangre;
  - (b) cymryd sampl o anifail.
- (2) Caiff Gweinidogion Cymru bennu mewn rheoliadau un neu ragor o gategorïau o bersonau sy'n gallu cael eu hystyried yn bersonau sydd wedi'i hyfforddi'n addas at ddibenion is-baragraff (1) uchod.
- (3) Caiff rheoliadau a wneir o dan is-baragraff (2) wneud darpariaethau gwahanol ar gyfer anifeiliaid gwahanol.'

**Llyr Gruffydd** 35

Schedule, page 8, line 18, after 'inspector', insert 'or constable'.

Atodlen, tudalen 8, llinell 21, ar ôl 'arolygydd', mewnosoder 'neu gwnstabl'.

**Llyr Gruffydd** 36

Schedule, page 8, line 19, after 'inspector's', insert 'or constable's'.

Atodlen, tudalen 8, llinell 22, ar ôl 'arolygydd', mewnosoder 'neu'r cwnstabl'.

**Llyr Gruffydd** 37

Schedule, page 8, line 22, after 'inspector', insert 'or a constable'.

Atodlen, tudalen 8, llinell 25, ar ôl 'arolygydd', mewnosoder 'neu gwnstabl'.

**Llyr Gruffydd** 38

Schedule, page 8, line 23, after 'inspector', insert 'or constable'.

Atodlen, tudalen 8, llinell 26, ar ôl 'arolygydd', mewnosoder 'neu gwnstabl'.

**Llyr Gruffydd** 39

Schedule, page 8, line 24, after 'inspector', insert 'or constable'.

Atodlen, tudalen 8, llinell 27, ar ôl 'arolygydd', mewnosoder 'neu'r cwnstabl'.

**Llyr Gruffydd** 40

Schedule, page 8, after line 24, insert –



*'Powers of constables under this schedule*

- 14 The powers conferred on constables by this schedule are without prejudice to any powers conferred on constables apart from this schedule.'

Atodlen, tudalen 8, ar ôl llinell 27, mewnosoder –

*'Pwerau cwnstabiliaid o dan yr atodlen hon*

- 14 Nid yw'r pwerau a roddir i gwnstabiliaid gan yr atodlen hon yn lleihau effaith unrhyw bwerau a roddir i gwnstabiliaid ar wahân i'r atodlen hon.'

