OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2020 Rhif 1007 (Cy. 224)

IECHYD Y CYHOEDD, CYMRU

Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 10) (Rhondda Cynon Taf) 2020

2020 No. 1007 (W. 224)

PUBLIC HEALTH, WALES

The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 10) (Rhondda Cynon Taf) Regulations 2020

NODYN ESBONIADOL

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

Mae Rhan 2A o Ddeddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984 yn galluogi Gweinidogion Cymru, drwy reoliadau, i wneud darpariaeth at ddiben atal, diogelu rhag, rheoli neu ddarparu ymateb iechyd y cyhoedd i fynychder neu ledaeniad haint neu halogiad yng Nghymru.

Mae'r Rheoliadau hyn wedi eu gwneud mewn ymateb i'r bygythiad difrifol ac uniongyrchol i iechyd y cyhoedd a berir gan fynychder a lledaeniad coronafeirws syndrom anadlol acíwt difrifol 2 (SARS-CoV-2) yng Nghymru.

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020 (y "prif Reoliadau"). Mae'r diwygiadau—

(a) yn dynodi Bwrdeistref Sirol Rhondda Cynon Taf yn ardal diogelu iechyd leol sy'n ddarostyngedig i gyfyngiadau a gofynion penodol;

(b) yn gwneud mân ddiwygiadau, gan gynnwys darpariaethau ynghylch yr esgus rhesymol i ymgynnull o dan do ac i fynd i ardal diogelu iechyd leol neu ei gadael, gyda'r bwriad o egluro bod rhoi gwaed a thriniaethau tebyg yn dod o fewn yr esgus rhesymol sy'n bodoli i gael neu ddarparu cynhorthwy meddygol, sydd ynddo'i hun yn cynnwys cael gafael ar wasanaethau iechyd.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 2A of the Public Health (Control of Disease) Act 1984 enables the Welsh Ministers, by regulations, to make provision for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection or contamination in Wales.

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales.

These Regulations amend the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (the "principal Regulations"). The amendments—

(a) designate Rhondda Cynon Taf County Borough as a local health protection area that is subject to specific restrictions and requirements;

(b) make minor amendments, including amendments to the provisions on the reasonable excuse to gather indoors and to enter or leave a local health protection area, intended to clarify that donating blood and similar procedures fall within the reasonable excuse that exists to obtain or provide medical assistance, which itself includes accessing health services.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ni luniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has not been prepared as to the likely cost and benefit of complying with these Regulations.

OFFERYNNAU STATUDOL CYMRU

2020 Rhif 1007 (Cy. 224)

IECHYD Y CYHOEDD, CYMRU

Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 10) (Rhondda Cynon Taf) 2020

Cymeradwywyd gan Senedd Cymru

Gwnaed *am 1.04 p.m. ar 17 Medi 2020*

Gosodwyd gerbron Senedd Cymru am *am 4.45 p.m. ar 17 Medi 2020*

Yn dod i rym *am 6.00 p.m. ar 17 Medi 2020*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir gan adrannau 45C(1) a (3)(c), 45F(2) a 45P o Ddeddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984(**1**).

Mae'r Rheoliadau hyn wedi eu gwneud mewn ymateb i'r bygythiad difrifol ac uniongyrchol i iechyd y cyhoedd a berir gan fynychder a lledaeniad coronafeirws syndrom anadlol acíwt difrifol 2 (SARS-CoV-2) yng Nghymru.

Mae Gweinidogion Cymru yn ystyried bod y diwygiadau a wneir gan y Rheoliadau hyn yn gymesur â'r hyn y maent yn ceisio ei gyflawni, sef ymateb iechyd y cyhoedd i'r bygythiad hwnnw.

Yn unol ag adran 45R o'r Ddeddf honno, oherwydd brys, mae Gweinidogion Cymru o'r farn ei bod yn angenrheidiol gwneud yr offeryn hwn heb fod drafft wedi ei osod gerbron Senedd Cymru ac wedi ei gymeradwyo ganddi drwy benderfyniad.

(**1**) 1984 p. 22. Mewnosodwyd adrannau 45C, 45F a 45P gan adran 129 o Ddeddf Iechyd a Gofal Cymdeithasol 2008 (p. 14). Mae'r swyddogaethau o dan yr adrannau hyn wedi eu rhoi i "the appropriate Minister" ("y Gweinidog priodol"). O dan adran 45T(6) o Ddeddf 1984, y Gweinidog priodol, o ran Cymru, yw Gweinidogion Cymru.

WELSH STATUTORY INSTRUMENTS

2020 No. 1007 (W. 224)

PUBLIC HEALTH, WALES

The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 10) (Rhondda Cynon Taf) Regulations 2020

Approved by Senedd Cymru

Made *at 1.04 p.m. on 17 September 2020*

Laid before Senedd Cymru *at 4.45 p.m. on 17 September 2020*

Coming into force *at 6.00 p.m. on 17 September 2020*

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 45C(1) and (3)(c), 45F(2) and 45P of the Public Health (Control of Disease) Act 1984(**1**).

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales.

The Welsh Ministers consider that the amendments made by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with section 45R of that Act the Welsh Ministers are of the opinion that, by reason of urgency, it is necessary to make this instrument without a draft having been laid before, and approved by a resolution of, Senedd Cymru.

(**1**) 1984 c. 22. Sections 45C, 45F and 45P were inserted by section 129 of the Health and Social Care Act 2008 (c. 14). The functions under these sections are conferred on "the appropriate Minister". Under section 45T(6) of the 1984 Act the appropriate Minister, as respects Wales, is the Welsh Ministers.

Enwi a dod i rym

1. Enw'r Rheoliadau hyn yw Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 10) (Rhondda Cynon Taf) 2020 a deuant i rym am 6.00 p.m. ar 17 Medi 2020.

Diwygio Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020

2.—(1) Mae Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020(**1**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 14(2)—

(a) yn is-baragraff (a), ar ôl "cael" mewnosoder "neu ddarparu";

(b) hepgorer is-baragraff (d).

(3) Yn rheoliad 14C—

(a) yn y pennawd, yn lle "Ardal" rhodder "Ardaloedd";

(b) yn y rheoliad—

(i) yn lle "ardal" yn y lle cyntaf y mae'n digwydd rhodder "ardaloedd";

(ii) yn lle "ardal honno" rhodder "ardaloedd hynny".

(4) Yn rheoliad 17—

(a) ym mharagraff (1)—

(i) yn is-baragraff (c), yn lle "paragraffau (2) a (3)" rhodder "paragraff (2)";

(ii) yn is-baragraff (d), yn lle "paragraffau (2) a (3)" rhodder "paragraff (2)";

(b) ym mharagraff (2), ar ôl "12(2)" mewnosoder ", neu baragraff 7 o Atodlen 4A,".

(5) Yn rheoliad 18(6A), yn y testun Cymraeg, hepgorer "neu" yn y lle cyntaf y mae'n digwydd.

(**1**) O.S. 2020/725 (Cy. 162), fel y'i diwygiwyd gan Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) 2020 (O.S. 2020/752 (Cy. 169)), Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 2) 2020 (O.S. 2020/803 (Cy. 176)), Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 3) 2020 (O.S. 2020/820 (Cy. 180)), Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 4) 2020 (O.S. 2020/843 (Cy. 186)), Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 5) 2020 (O.S. 2020/867 (Cy. 189)), Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 6) 2020 (O.S. 2020/884 (Cy. 195)), Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 7) 2020 (O.S. 2020/912 (Cy. 204)), Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 8) (Caerffili) 2020 (O.S. 2020/961 (Cy. 215)) a Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 9) 2020 (O.S. 2020/985 (Cy. 222)).

Title and coming into force

1. The title of these Regulations is The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 10) (Rhondda Cynon Taf) Regulations 2020 and they come into force at 6.00 p.m. on 17 September 2020.

Amendment of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020

2.—(1) The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020(**1**) are amended as follows.

(2) In regulation 14(2)—

(a) in sub-paragraph (a), after "obtain" insert "or provide";

(b) omit sub-paragraph (d).

(3) In regulation 14C—

(a) in the heading, for "area" substitute "areas";

(b) in the regulation—

(i) for "a local health protection area" substitute "local health protection areas";

(ii) for "that area" substitute "those areas".

(4) In regulation 17—

(a) in paragraph (1)—

(i) in sub-paragraph (c), for "paragraphs (2) and (3)" substitute "paragraph (2)";

(ii) in sub-paragraph (d), for "paragraphs (2) and (3)" substitute "paragraph (2)";

(b) in paragraph (2), after "12(2)" insert ", or paragraph 7 of Schedule 4A,".

(5) In regulation 18(6A), in the Welsh language text, omit "neu" in the first place it occurs.

(**1**) S.I. 2020/725 (W. 162), as amended by the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) Regulations 2020 (S.I. 2020/752 (W. 169)), the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/803 (W. 176)), the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/820 (W. 180)), the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 4) Regulations 2020 (S.I. 2020/843 (W. 186)), the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 5) Regulations 2020 (S.I. 2020/867 (W. 189)), the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 6) Regulations 2020 (S.I. 2020/884 (W. 195)), the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 7) Regulations 2020 (S.I. 2020/912 (W. 204)), the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 8) (Caerphilly) Regulations 2020 (S.I. 2020/961 (W. 215)) and the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 9) Regulations 2020 (S.I. 2020/985 (W. 222)) .

(6) Yn rheoliad 20(1)(a), yn lle "baragraff 5(1) o Atodlen 4A" rhodder "baragraffau 5(1) neu 7(1) o Atodlen 4A".

(7) Yn Atodlen 4A—

(a) yn lle paragraff 1 rhodder—

"RHAN 1

Ardaloedd diogelu iechyd lleol

Ardaloedd diogelu iechyd lleol

1. At ddibenion y Rheoliadau hyn, mae'r ardaloedd a ganlyn yn ardaloedd diogelu iechyd lleol—

(a) Bwrdeistref Sirol Caerffili;

(b) Bwrdeistref Sirol Rhondda Cynon Taf.

RHAN 2

Cyfyngiadau sy'n gymwys mewn cysylltiad â phob ardal diogelu iechyd leol "

(b) ar ddiwedd yr Atodlen mewnosoder—

"RHAN 3

Cyfyngiadau nad ydynt yn gymwys ond mewn cysylltiad â Bwrdeistref Sirol Rhondda Cynon Taf

7.—(1) O ran person sy'n gyfrifol am fangre drwyddedig ym Mwrdeistref Sirol Rhondda Cynon Taf sydd wedi ei hawdurdodi i werthu neu gyflenwi alcohol i'w yfed yn y fangre—

(a) rhaid iddo gau'r fangre am neu cyn 11.00 p.m. bob dydd, a

(b) ni chaiff agor y fangre cyn 6.00 a.m. bob dydd.

(2) Nid yw is-baragraff (1) yn caniatáu i'r fangre drwyddedig fod ar agor yn groes i awdurdodiad sydd wedi ei ganiatáu neu ei roi mewn cysylltiad â'r fangre.

(3) Yn y paragraff hwn—

(a) mae "mangre drwyddedig" yn fangre y mae awdurdodiad wedi ei ganiatáu neu ei roi ar gyfer gwerthu neu gyflenwi alcohol mewn cysylltiad â hi;

(6) In regulation 20(1)(a), for "paragraph 5(1) of Schedule 4A" substitute "paragraphs 5(1) or 7(1) of Schedule 4A".

(7) In Schedule 4A—

(a) for paragraph 1 substitute—

"PART 1

Local health protection areas

Local health protection areas

1. For the purposes of these Regulations, the following areas are local health protection areas—

(a) Caerphilly County Borough;

(b) Rhondda Cynon Taf County Borough.

PART 2

Restrictions applying in respect of each local health protection area"

(b) at the end of the Schedule insert—

"PART 3

Restrictions applying only in respect of Rhondda Cynon Taf County Borough

7.—(1) A person responsible for licensed premises in Rhondda Cynon Taf County Borough authorised to sell or supply alcohol for consumption on the premises—

(a) must close the premises at or before 11.00 p.m. each day, and

(b) may not open the premises before 6.00 a.m. each day.

(2) Sub-paragraph (1) does not allow the licensed premises to be open in contravention of an authorisation granted or given in respect of the premises.

(3) In this paragraph—

(a) "licensed premises" are premises in respect of which an authorisation has been granted or given for the sale or supply of alcohol;

(b) mae i "awdurdodiad" yr ystyr a roddir i "authorisation" gan adran 136(5) o Ddeddf Trwyddedu 2003(**1**)."

(b) "authorisation" has the meaning given by section 136(5) of the Licensing Act 2003(**1**)."

Mark Drakeford

Y Prif Weinidog, un o Weinidogion Cymru
Am 1.04 p.m. ar 17 Medi 2020

First Minister, one of the Welsh Ministers
At 1.04 p.m. on 17 September 2020

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(**1**) 2003 p. 17.

(**1**) 2003 c. 17.

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