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OFFERYNNAU STATUDOL CYMRU

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**2020 Rhif 1219 (Cy. 276)**

**IECHYD Y CYHOEDD, CYMRU**

**Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 4)  
(Cymru) 2020**

*Cymeradwywyd gan Senedd Cymru*

*Gwnaed* *am 1.14 p.m. ar 5 Tachwedd 2020*

*Gosodwyd gerbron Senedd Cymru* *am 4.45 p.m. ar 5 Tachwedd 2020*

*Yn dod i rym ar* *9 Tachwedd 2020*

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WELSH STATUTORY INSTRUMENTS

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**2020 No. 1219 (W. 276)**

**PUBLIC HEALTH, WALES**

**The Health Protection (Coronavirus Restrictions) (No. 4) (Wales)  
Regulations 2020**

*Approved by Senedd Cymru*

*Made* *at 1.14 p.m. on 5 November 2020*

*Laid before Senedd Cymru* *at 4.45 p.m. on 5 November 2020*

*Coming into force on* *9 November 2020*

**£18.10**





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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2020 Rhif 1219 (Cy. 276)**

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**IECHYD Y CYHOEDD,  
CYMRU**

**PUBLIC HEALTH, WALES**

**Rheoliadau Diogelu Iechyd  
(Cyfyngiadau Coronafeirws) (Rhif  
4) (Cymru) 2020**

**The Health Protection (Coronavirus  
Restrictions) (No. 4) (Wales)  
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 aciwt difrifol 2 (SARS-CoV-2) yng Nghymru. Mae'r Rheoliadau yn gosod gofynion a chyfyngiadau ar unigolion, busnesau ac eraill.

Mae 9 Rhan i'r Rheoliadau.

Mae **Rhan 1** yn darparu y daw'r Rheoliadau hyn i rym ar **9 Tachwedd 2020** a bod rhaid eu hadolygu erbyn 19 Tachwedd, o leiaf unwaith yn y cyfnod o 20 Tachwedd i 3 Rhagfyr, o leiaf unwaith yn y cyfnod o 4 Rhagfyr i 17 Rhagfyr, ac o leiaf unwaith pob 21 o ddiwrnodau ar ôl hynny. Mae hefyd yn darparu, oni chaiff y Rheoliadau eu dirymu neu eu diwygio cyn hynny, eu bod yn dod i ben ar 19 Chwefror 2021.

**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. The Regulations impose requirements and restrictions on individuals, businesses and others.

There are 9 Parts to the Regulations.

**Part 1** provides that these Regulations come into force on **9 November 2020** and must be reviewed by 19 November, at least once in the period from 20 November to 3 December, at least once in the period from 4 December to 17 December, and at least every 21 days after that. It also provides that unless the Regulations are revoked or amended before then, they expire on 19 February 2021.

Mae **Rhan 2** yn gosod cyfyngiadau ar gyfarfod â phobl eraill (y cyfeirir ato fel cymryd rhan mewn cynullïadau) ac ar ddigwyddiadau. Mae rheoliad 4 yn cyfyngu ar gynullïadau yng nghartrefi pobl (gan gynnwys eu gerddi) i ddim ond y rheini sy'n rhan o aelwyd estynedig (neu "swigen"). Mae rheoliad 5 yn darparu y caniateir ffurfio aelwyd estynedig pan fydd pob oedolyn ar hyd at 2 aelwyd yn cytuno i gael eu trin fel 1 aelwyd at ddiben cyfarfod yng nghartrefi pobl neu ar gyfer cyfarfod yn yr awyr agored (ac eithrio mewn mangre reoleiddiedig). Mae rheoliad 6 yn cynnwys cyfyngiad ar gyfarfod i ffwrdd o gartrefi pobl. Yn yr achos hwnnw, mae cynullïadau wedi eu cyfyngu i 4 o bobl, heb gynnwys plant o dan 11 oed. Fodd bynnag, nid yw hyn yn gymwys i lety gwyliau na llety teithio pan fo'r cynullïad wedi ei gyfyngu i bobl sy'n aelodau o'r un aelwyd. Mae'r cyfyngiadau yn rheoliadau 4 a 6 ill dau yn gymwys yn ddarostyngedig i eithriadau penodol a restrir, ac yn ddarostyngedig i sefyllfaoedd pan fo'n gallu bod yn rhesymol angenrheidiol ymgynnull ac nad oes dewis arall sy'n rhesymol ymarferol. Caiff mwy na 4 o bobl ymgynnull os ydynt i gyd yn rhan o'r un aelwyd, neu os ydynt yn cyfarfod yn yr awyr agored (ac eithrio mewn mangre reoleiddiedig) os ydynt i gyd yn rhan o'r un aelwyd estynedig. Mae eithriadau yn cynnwys gweithgareddau penodol "wedi eu trefnu" sy'n cynnwys hyd at 15 o bobl sy'n cyfarfod o dan do a 30 o bobl sy'n cyfarfod yn yr awyr agored. Rhaid cymryd pob mesur rhesymol i leihau'r risg o ledaenu'r coronafeirws yn ystod gweithgareddau wedi eu trefnu ac ni chaniateir iddynt ddigwydd yng nghartrefi pobl. Mae rheoliadau 7 a 8 yn gwneud darpariaeth bellach ynghylch digwyddiadau sy'n annog pobl i ymgynnull yn anghyfreithlon.

Mae **Rhan 3** yn ymwneud â theithio. Mae rheoliad 9 yn gwahardd pobl rhag mynd i Gymru neu ymadael â Chymru. Mae hyn unwaith eto yn ddarostyngedig i eithriadau penodol a restrir, ac yn ddarostyngedig i sefyllfaoedd pan fo'n gallu bod yn rhesymol angenrheidiol teithio ac nad oes dewis arall sy'n rhesymol ymarferol. Nid oes unrhyw waharddiad ar deithio o fewn Cymru.

Mae **Rhan 4** yn gosod gofynion ar bobl sydd wedi cael canlyniad positif am y coronafeirws a'u cysylltiadau agos. Mae rheoliadau 11 a 12 yn darparu na chaiff oedolion na phlant sydd wedi cael canlyniad positif am y coronafeirws ymadael â'r man lle y maent yn byw tan ddiwedd diwrnod olaf eu hynysiad (ac eithrio o dan yr amgylchiadau y darperir ar eu cyfer gan reoliad 15). Cyfrifir diwrnod olaf eu hynysiad yn unol â rheoliadau 11 a 12. Mae rheoliadau 13 a 14 yn darparu na chaiff pobl sydd wedi cael "cysylltiad agos" â rhywun sydd wedi cael canlyniad positif am y coronafeirws ymadael â'r man lle y maent yn byw tan

**Part 2** imposes limits on meeting other people (referred to as participating in gatherings) and on events. Regulation 4 limits gatherings in people's homes (including their gardens) to those who form part of an extended household (or "bubble") only. Regulation 5 provides that an extended household may be formed by all of the adults in a maximum of 2 households agreeing to be treated as 1 household for the purpose of meeting in people's homes or for meeting outdoors (other than in regulated premises). Regulation 6 contains a restriction on meeting away from people's homes. In that case, gatherings are limited to 4 people, not including children under 11. However, this does not apply to holiday or travel accommodation where the gathering is limited to people who are members of the same household. The limitations in regulations 4 and 6 both apply subject to certain listed exceptions, and subject to situations where it may be reasonably necessary to gather and there is no reasonably practicable alternative. More than 4 people may gather if they are all part of the same household, or if they meet outdoors (other than in regulated premises) if they are all part of the same extended household. Exceptions include certain "organised" activities involving up to 15 people meeting indoors and 30 people outdoors. All reasonable measures must be taken to minimise the risk of the spread of coronavirus during organised activities and they must not take place in people's homes. Regulations 7 and 8 make further provision about events that encourage people to gather illegally.

**Part 3** relates to travel. Regulation 9 prohibits people from entering or leaving Wales. This is again subject to certain listed exceptions, and subject to situations where it may be reasonably necessary to travel and there is no reasonably practicable alternative. There is no prohibition on travel within Wales.

**Part 4** imposes requirements on people who have tested positive for coronavirus and their close contacts. Regulations 11 and 12 provide that adults and children who have tested positive for coronavirus must not leave the place they are living until the end of the last day of their isolation (except in the circumstances provided for by regulation 15). The last day of their isolation is calculated in accordance with regulations 11 and 12. Regulations 13 and 14 provide that people who have had "close contact" with someone who has tested positive for coronavirus must not leave the place they are living until the end of the last day of their

ddiwedd diwrnod olaf eu hynysiad (ac eithrio o dan yr amgylchiadau y darperir ar eu cyfer gan reoliad 15). Cyfrifir diwrnod olaf eu hynysiad yn unol â rheoliadau 13 a 14. Mae rheoliad 16 yn ymwneud â rhwymedigaethau oedolion mewn cysylltiad â phlant y mae'n ofynnol iddynt ynysu, mae rheoliad 17 yn galluogi i hysbysiadau a roddir o dan y Rhan hon gan swyddogion olrhain cysylltiadau gael eu tynnu'n ôl ac mae rheoliad 18 yn gwneud darpariaeth ynghylch defnyddio'r wybodaeth a ddelir gan swyddogion olrhain cysylltiadau.

Mae **Rhan 5** yn ymwneud â busnesau a gwasanaethau y mae eu mangreoedd ar agor i'r cyhoedd fel arfer. Mae rheoliad 19 yn darparu bod rhaid i fangreoedd busnesau a gwasanaethau a restrir yn Atodlen 1 fod ar gau i'r cyhoedd (er nad yw hyn yn atal gweithgareddau penodol rhag digwydd yn y fangre). Mae rheoliad 20 yn gosod cyfyngiadau ar fusnesau y mae eu mangreoedd wedi eu trwyddedu ar gyfer gwerthu alcohol. Mae'r rhain yn gwahardd alcohol rhag cael ei werthu ar ôl 10.00 p.m. ac yn ei gwneud yn ofynnol i fangreoedd fod ar gau erbyn 10.20 p.m. ar yr hwyraf.

Mae **Rhan 6** yn gwneud darpariaeth at ddiben lleihau'r risg o ddod i gysylltiad â'r coronafeirws mewn mannau lle y mae pobl yn dod ynghyd. Mae rheoliad 21 yn gymwys i "mangreoedd rheoleiddiedig" (unrhyw fan sydd ar agor i'r cyhoedd neu lle y gwneir gwaith) ac yn ei gwneud yn ofynnol: (1) i bob mesur rhesymol gael ei gymryd i sicrhau y cynhelir pellter o 2 fetr rhwng personau yn y fangre; (2) i unrhyw fesurau rhesymol eraill gael eu cymryd, er enghraifft i gyfyngu ar ryngweithio wyneb yn wyneb a chynnal hylendid; a (3) i wybodaeth gael ei darparu i'r rheini sy'n mynd i fangre neu'n gweithio mewn mangre ynghylch sut i leihau'r risg o ddod i gysylltiad â'r coronafeirws. Mae hefyd yn pennu y gall stopio gweithgaredd, cau rhan o fangre, caniatáu i staff ynysu a chasglu gwybodaeth gyswllt oddi wrth y rheini sydd yn y fangre fod yn fesurau rhesymol. Mae mesurau penodol hefyd yn gymwys i leoliadau lletygarwch. Mae rheoliadau 22 a 23 yn darparu bod rhaid gwisgo gorchuddion wyneb ar drafnidiaeth gyhoeddus, gan gynnwys mewn tacsis, ac mewn mannau penodol o dan do, yn ddarostyngedig i esemptiadau ac eithriadau a restrir. Mae rheoliad 24 yn darparu i ganllawiau gael eu dyroddi ynghylch cymhwyso'n ymarferol y gofynion a osodir gan y Rhan hon, a bod rhaid i'r rheini y mae'r gofynion yn gymwys iddynt roi sylw i'r canllawiau hynny.

isolation (except in the circumstances provided for by regulation 15). The last day of their isolation is calculated in accordance with regulations 13 and 14. Regulation 16 relates to obligations of adults in respect of children required to isolate, regulation 17 enables notices given under this Part by contact tracers to be withdrawn and regulation 18 makes provision about the use of information held by contact tracers.

**Part 5** relates to business and services whose premises are ordinarily open to the public. Regulation 19 provides that the premises of businesses and services listed in Schedule 1 must be closed to the public (though this does not prevent certain activities from taking place on the premises). Regulation 20 imposes restrictions on businesses whose premises are licensed for the sale of alcohol. These prohibit alcohol from being sold after 10.00 p.m. and require the premises to be closed by no later than 10.20 p.m.

**Part 6** makes provision for the purpose of minimising risk of exposure to coronavirus in places where people come together. Regulation 21 applies to "regulated premises" (any place which is open to the public or where work is carried out) and requires: (1) all reasonable measures to be taken to ensure that a distance of 2 metres is maintained between persons on the premises; (2) any other reasonable measures to be taken, for example to limit close face-to-face interaction and maintain hygiene; and (3) information to be provided to those entering or working at premises about how to minimise risk of exposure to coronavirus. It also specifies that stopping an activity, closing part of a premises, allowing staff to isolate and collecting contact information from those on the premises may be reasonable measures. Specific measures also apply to hospitality settings. Regulations 22 and 23 provide that face coverings must be worn on public transport, including taxis, and in certain indoor places, subject to listed exemptions and exceptions. Regulation 24 provides for guidance to be issued about the practical application of the requirements imposed by this Part, and those to whom the requirements apply must have regard to that guidance.

Mae **Rhan 7** yn ymwneud â gorfodi'r cyfyngiadau a'r gofynion. Mae rheoliad 25 yn gwneud darpariaeth ynghylch y rheini a gaiff gymryd camau gorfodi, mae rheoliad 26 yn gwneud darpariaeth bellach (yn Atodlenni 3 a 4) ynghylch gorfodi'r angen i gymryd mesurau ataliol o dan reoliad 21, mae rheoliad 27 yn ymwneud â hysbysiadau cydymffurfio, ac mae rheoliad 28 yn ymwneud â phwerau symud a gwasgaru. Mae rheoliad 29 yn gwneud darpariaeth ynghylch gorfodi'r gwaharddiad ar ddigwyddiadau penodol. Mae rheoliad 30 yn ymwneud yn benodol â gorfodi'r gofyniad i wisgo gorchudd wyneb ac mae rheoliad 31 yn ymwneud yn benodol â phlant. Mae rheoliad 32 yn cynnwys pŵer i fynd i fangre, mae rheoliad 33 yn ymwneud ag archwiliadau ar y ffyrdd gan yr heddlu ac mae rheoliad 34 yn gwneud darpariaeth ychwanegol am orfodi, gan gynnwys caniatáu i rym rhesymol gael ei ddefnyddio o dan amgylchiadau penodol.

Mae **Rhan 8** yn gwneud darpariaeth ynghylch troseddau a chosbau. Mae rheoliad 35 yn darparu bod person sydd, heb esgus rhesymol, yn torri gofynion (a restrir) yn y Rheoliadau hyn yn cyflawni trosedd. Mae hefyd yn darparu bod cynnal cynulliad mwy mewn annedd breifat yn drosedd, a bod darparu gwybodaeth anwir neu gamarweiniol i swyddog olrhain cysylltiadau yn drosedd hefyd. Mae'r troseddau honny i'w cosbi drwy ddirwy ddiderfyn. Mae rheoliad 36 yn ymwneud â throseddau gan gyrff corfforedig. Mae rheoliad 37 yn caniatáu i droseddau gael eu cosbi drwy hysbysiadau cosb benodedig, mae rheoliadau 38 i 42 yn ymwneud â swm y gosb ac mae rheoliadau 43 a 44 yn gwneud darpariaeth bellach ynghylch gweinyddu'r cosbau. Mae rheoliad 45 yn ymwneud â hunanargyhuddo ac mae rheoliad 46 yn ymwneud ag erlyn troseddau o dan y Rheoliadau.

Mae **Rhan 9** yn cynnwys termau wedi eu diffinio (rheoliad 47) a diwygiad canlyniadol (rheoliad 48).

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

**Part 7** relates to the enforcement of the restrictions and requirements. Regulation 25 makes provision about those who can take enforcement action, regulation 26 makes further provision (in Schedules 3 and 4) about enforcing the need to take preventative measures under regulation 21, regulation 27 relates to compliance notices, and regulation 28 to powers of removal and dispersal. Regulation 29 makes provision about enforcing the prohibition of certain events. Regulation 30 relates specifically to enforcing the requirement to wear a face covering and regulation 31 to children. Regulation 32 contains a power to enter premises, regulation 33 is about police road checks and regulation 34 makes additional provision about enforcement including allowing reasonable force to be used in certain circumstances.

**Part 8** makes provision about offences and penalties. Regulation 35 provides that a person who, without a reasonable excuse, contravenes (listed) requirements in these Regulations commits an offence. It also provides that holding a larger gathering in a private home is an offence, as is providing false or misleading information to a contact tracer. Those offences are punishable by an unlimited fine. Regulation 36 relates to offences by bodies corporate. Regulation 37 allows for offences to be punished by way of fixed penalty notices, regulations 38 to 42 relate to the amount of the penalty and regulations 43 and 44 make further provision about administration of the penalties. Regulation 45 relates to self-incrimination and regulation 46 relates to prosecutions of offences under the Regulations.

**Part 9** contains defined terms (regulation 47) and a consequential amendment (regulation 48).

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.

**2020 Rhif 1219 (Cy. 276)**

**2020 No. 1219 (W. 276)**

**IECHYD Y CYHOEDD,  
CYMRU**

**PUBLIC HEALTH, WALES**

**Rheoliadau Diogelu Iechyd  
(Cyfyngiadau Coronafeirws) (Rhif  
4) (Cymru) 2020**

**The Health Protection (Coronavirus  
Restrictions) (No. 4) (Wales)  
Regulations 2020**

*Cymeradwywyd gan Senedd Cymru*

*Approved by Senedd Cymru*

*Gwnaed am 1.14 p.m. ar 5 Tachwedd 2020*

*Made at 1.14 p.m. on 5 November 2020*

*Gosodwyd gerbron Senedd  
Cymru am 4.45 p.m. ar 5 Tachwedd 2020*

*Laid before Senedd  
Cymru at 4.45 p.m. on 5 November 2020*

*Yn dod i rym ar 9 Tachwedd 2020*

*Coming into force on 9 November 2020*

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

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 45B, 45C(1) and (3), 45F(2) and 45P of the Public Health (Control of Disease) Act 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 aciwt difrifol 2 (SARS-CoV-2) yng Nghymru.

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.

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

The Welsh Ministers consider that restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

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.

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 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.

(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.

## RHAN 1

### Cyflwyniad, adolygu a dod i ben

#### Enwi, cychwyn a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 4) (Cymru) 2020.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(3) Daw'r Rheoliadau hyn i rym ar 9 Tachwedd 2020.

#### Adolygu

2. Rhaid i Weinidogion Cymru adolygu'r angen am y cyfyngiadau a'r gofynion a osodir gan y Rheoliadau hyn, a pha un a yw'r cyfyngiadau a'r gofynion hynny yn gymesur â'r hyn y mae Gweinidogion Cymru yn ceisio ei gyflawni drwyddynt—

- (a) erbyn 19 Tachwedd 2020;
- (b) o leiaf unwaith yn y cyfnod o 20 Tachwedd 2020 i 3 Rhagfyr 2020;
- (c) o leiaf unwaith yn y cyfnod o 4 Rhagfyr 2020 i 17 Rhagfyr 2020;
- (d) o leiaf unwaith yn y cyfnod o 21 o ddiwrnodau sy'n dechrau â 18 Rhagfyr 2020;
- (e) o leiaf unwaith ym mhob cyfnod dilynol o 21 o ddiwrnodau.

#### Dod i ben

3.—(1) Daw'r Rheoliadau hyn i ben ar ddiwedd y dydd ar 19 Chwefror 2021.

(2) Nid yw'r rheoliad hwn yn effeithio ar ddilysrwydd unrhyw beth a wneir yn unol â'r Rheoliadau hyn cyn iddynt ddod i ben.

## RHAN 2

### Cyfyngiadau ar gynulladau a digwyddiadau

#### Cyfyngiad ar gynulladau mewn anheddau preifat

4.—(1) Ni chaiff unrhyw berson, heb esgus rhesymol, gymryd rhan mewn cynulliad mewn annedd breifat gydag unrhyw berson arall ac eithrio aelodau o'i aelwyd neu ei aelwyd estynedig.

(2) At ddibenion paragraff (1), mae gan berson esgus rhesymol—

- (a) os yw'r person yn cymryd rhan yn y cynulliad at ddiben sy'n rhesymol angenrheidiol ac nad oes dewis arall sy'n rhesymol ymarferol, neu

## PART 1

### Introduction, review and expiry

#### Title, application and coming into force

1.—(1) The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020.

(2) These Regulations apply in relation to Wales.

(3) These Regulations come into force on 9 November 2020.

#### Review

2. The Welsh Ministers must review the need for the restrictions and requirements imposed by these Regulations, and whether those restrictions and requirements are proportionate to what the Welsh Ministers seek to achieve by them—

- (a) by 19 November 2020;
- (b) at least once in the period from 20 November 2020 to 3 December 2020;
- (c) at least once in the period from 4 December 2020 to 17 December 2020;
- (d) at least once in the period of 21 days beginning with 18 December 2020;
- (e) at least once in each subsequent period of 21 days.

#### Expiry

3.—(1) These Regulations expire at the end of the day on 19 February 2021.

(2) This regulation does not affect the validity of anything done pursuant to these Regulations before they expire.

## PART 2

### Restrictions on gatherings and events

#### Restriction on gatherings in private dwellings

4.—(1) No person may, without a reasonable excuse, participate in a gathering in a private dwelling with any other person apart from members of their household or extended household.

(2) For the purposes of paragraph (1), a person has a reasonable excuse if—

- (a) the person is participating in the gathering for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or



(b) os yw un o'r amgylchiadau ym mharagraff (4) yn gymwys.

(3) Mae enghreifftiau o'r dibenion y gall fod yn rhesymol ymarferol i berson gymryd rhan mewn cynulliad atynt yn cynnwys—

- (a) cael neu ddarparu cynhorthwy meddygol, neu gael gafael ar wasanaethau milfeddygol;
- (b) gweithio neu ddarparu gwasanaethau gwirfoddol neu elusennol;
- (c) cyflawni rhwymedigaeth gyfreithiol;
- (d) darparu, cael neu gael gafael ar ofal neu gynhorthwy, gan gynnwys gofal plant neu ofal personol perthnasol o fewn ystyr "relevant personal care" ym mharagraff 7(3B) o Atodlen 4 i Ddeddf Diogelu Grwpiau Hyglwyf 2006(1), pan fo'r person sy'n cael y gofal yn berson hyglwyf;
- (e) mewn perthynas â phlant nad ydynt yn byw ar yr un aelwyd â'u rhieni, neu un o'u rhieni, parhau â threfniadau presennol ar gyfer gweld rhieni a phlant, a chyswllt rhyngddynt, ac at ddibenion yr is-baragraff hwn, mae "rhiant" yn cynnwys person nad yw'n rhiant i'r plentyn, ond sydd â chyfrifoldeb rhiant dros y plentyn neu sydd â gofal drosto;
- (f) symud cartref;
- (g) ymgymryd â gweithgareddau mewn cysylltiad â phrynu, gwerthu, gosod neu rentu eiddo preswyl;
- (h) cael gafael ar wasanaethau addysgol neu gael y gwasanaethau hynny.

(4) Yr amgylchiadau y cyfeirir atynt ym mharagraff (1)(b) yw bod y person yn—

- (a) darparu neu'n cael cynhorthwy brys;
- (b) osgoi salwch, anaf neu risg arall o niwed;
- (c) cymryd rhan mewn cynulliad o ddim mwy na 4 o bobl pan fo'r holl bersonau yn y cynulliad—
  - (i) yn byw yn yr un fangre, a
  - (ii) yn rhannu cyfleusterau toiled, ymolchi, bwyta neu goginio gyda'i gilydd.

(5) Nid yw'r rheoliad hwn yn gymwys i berson sy'n ddigartref.

(b) one of the circumstances in paragraph (4) applies.

(3) Examples of purposes for which it may be reasonably necessary for a person to participate in a gathering include—

- (a) obtaining or providing medical assistance, or accessing veterinary services;
- (b) working or providing voluntary or charitable services;
- (c) meeting a legal obligation;
- (d) providing, receiving or accessing care or assistance, including childcare or relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006(1), where the person receiving the care is a vulnerable person;
- (e) in relation to children who do not live in the same household as their parents, or one of their parents, continuing existing arrangements for access to, and contact between, parents and children, and for the purposes of this sub-paragraph, "parent" includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child;
- (f) moving home;
- (g) undertaking activities in connection with the purchase, sale, letting, or rental of residential property;
- (h) accessing or receiving educational services.

(4) The circumstances referred to in paragraph (2)(b) are that the person is—

- (a) providing or receiving emergency assistance;
- (b) avoiding illness, injury or other risk of harm;
- (c) participating in a gathering of no more than 4 people where all the persons in the gathering—
  - (i) live in the same premises, and
  - (ii) share toilet, washing, dining or cooking facilities with each other.

(5) This regulation does not apply to a person who is homeless.

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(1) 2006 p. 47. Mewnosodwyd paragraff 7(3B) gan adran 66(2) o Ddeddf Diogelu Rhyddidau 2011 (p. 9).

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(1) 2006 c. 47. Paragraph 7(3B) was inserted by section 66(2) of the Protection of Freedoms Act 2012 (c. 9).

## **Aelwydydd estynedig**

5.—(1) Caiff 2 aelwyd gytuno i gael eu trin fel aelwyd estynedig at ddibenion rheoliad 4 neu 6(2)(b).

(2) Er mwyn cytuno i gael eu trin fel aelwyd estynedig, rhaid i bob oedolyn ar y 2 aelwyd gytuno.

(3) Ni chaiff aelwyd ond cytuno i gael ei thrin fel pe bai'n rhan o 1 aelwyd estynedig.

(4) Mae aelwyd yn peidio â chael ei thrin fel pe bai'n rhan o aelwyd estynedig os yw unrhyw oedolion yn yr aelwyd yn peidio â chytuno i gael eu trin fel pe baent yn rhan o'r aelwyd estynedig.

(5) Os yw aelwyd yn peidio â chael ei thrin fel pe bai'n rhan o aelwyd estynedig, ni chaiff yr aelwyd gytuno i gael ei thrin fel pe bai'n rhan o aelwyd estynedig gydag unrhyw aelwyd arall.

## **Cyfyngiad ar gynulliadau mewn mannau cyhoeddus**

6.—(1) Ni chaiff unrhyw berson, heb esgus rhesymol, gymryd rhan mewn cynulliad—

- (a) sy'n digwydd yn unman ac eithrio—
  - (i) mewn annedd breifat, neu
  - (ii) mewn llety gwyliau neu lety teithio, a
- (b) sy'n cynnwys mwy na 4 o bobl, heb gynnwys—
  - (i) unrhyw blant o dan 11 oed, na
  - (ii) gofalwr person sy'n cymryd rhan yn y cynulliad.

(2) Ond caiff person gymryd rhan mewn cynulliad o'r fath—

- (a) sy'n digwydd o dan do neu mewn unrhyw ran o fangre reoleiddiedig sydd yn yr awyr agored, os yw'r holl bersonau sy'n cymryd rhan yn y cynulliad yn aelodau o'r un aelwyd, neu
- (b) sy'n digwydd yn yr awyr agored ac eithrio mewn mangre reoleiddiedig, os yw'r holl bersonau sy'n cymryd rhan yn y cynulliad—
  - (i) yn aelodau o'r un aelwyd, neu
  - (ii) yn aelodau o'r un aelwyd estynedig.

(3) Ni chaiff unrhyw berson, heb esgus rhesymol, gymryd rhan mewn cynulliad sy'n digwydd mewn llety gwyliau neu lety teithio oni bai bod yr holl bersonau sy'n cymryd rhan yn y cynulliad yn aelodau o'r un aelwyd.

## **Extended households**

5.—(1) 2 households may agree to be treated as an extended household for the purposes of regulation 4 or 6(2)(b).

(2) To agree to be treated as an extended household, all of the adults of the 2 households must agree.

(3) A household may only agree to be treated as being in 1 extended household.

(4) A household ceases to be treated as being in an extended household if any adults in the household ceases to agree to be treated as being in the extended household.

(5) If a household ceases to be treated as being in an extended household, the household may not agree to be treated as being in an extended household with any other household.

## **Restriction on gatherings in public places**

6.—(1) No person may, without a reasonable excuse, participate in a gathering which—

- (a) takes place anywhere other than—
  - (i) in a private dwelling, or
  - (ii) in holiday or travel accommodation, and
- (b) consists of more than 4 people, not including—
  - (i) any children under the age of 11, or
  - (ii) the carer of a person who is participating in the gathering.

(2) But a person may participate in such a gathering which—

- (a) takes place indoors or in any part of regulated premises that is outdoors, if all the persons participating in the gathering are members of the same household, or
- (b) takes place outdoors other than in regulated premises, if all the persons participating in the gathering are—
  - (i) members of the same household, or
  - (ii) members of the same extended household.

(3) No person may, without a reasonable excuse, participate in a gathering which takes place in holiday or travel accommodation unless all the persons participating in the gathering are members of the same household.

(4) At ddibenion paragraffau (1) a (3), mae gan berson esgus rhesymol—

- (a) os yw'r person yn cymryd rhan yn y cynulliad at ddiben sy'n rhesymol angenrheidiol ac nad oes dewis arall sy'n rhesymol ymarferol, neu
- (b) os yw un o'r amgylchiadau ym mharagraff (6) yn gymwys.

(5) Mae enghreifftiau o'r dibenion y gall fod yn rhesymol angenrheidiol i berson gymryd rhan mewn cynulliad atynt yn cynnwys—

- (a) cael neu ddarparu cynhorthwy meddygol, neu gael gafael ar wasanaethau milfeddygol;
- (b) gweithio neu ddarparu gwasanaethau gwirfoddol neu elusennol;
- (c) cyflawni rhwymedigaeth gyfreithiol, gan gynnwys mynd i'r llys neu fodloni amodau mechnïaeth, neu gymryd rhan mewn achos cyfreithiol;
- (d) darparu, cael neu gael gafael ar ofal neu gynhorthwy, gan gynnwys gofal plant neu ofal personol perthnasol o fewn ystyr "relevant personal care" ym mharagraff 7(3B) o Atodlen 4 i Ddeddf Diogelu Grwpiau Hyglwyf 2006, pan fo'r person sy'n cael y gofal yn berson hyglwyf;
- (e) mewn perthynas â phlant nad ydynt yn byw ar yr un aelwyd â'u rhieni, neu un o'u rhieni, parhau â threfniadau presennol ar gyfer gweld rhieni a phlant, a chyswllt rhyngddynt, ac at ddibenion yr is-baragraff hwn, mae "rhiant" yn cynnwys person nad yw'n rhiant i'r plentyn, ond sydd â chyfrifoldeb rhiant dros y plentyn neu sydd â gofal drosto;
- (f) symud cartref;
- (g) ymgymryd â gweithgareddau mewn cysylltiad â phrynu, gwerthu, gosod neu rentu eiddo preswyl;
- (h) cael gafael ar wasanaethau cyhoeddus neu gael y gwasanaethau hynny;
- (i) cael gafael ar wasanaethau addysgol neu gael y gwasanaethau hynny.

(6) Yr amgylchiadau y cyfeirir atynt ym mharagraff (4)(b) yw bod y person yn—

- (a) darparu neu'n cael cynhorthwy brys;
- (b) osgoi salwch, anaf neu risg arall o niwed;
- (c) mynd i weinyddiad priodas neu ffurfiad partneriaeth sifil—
  - (i) fel parti i'r briodas neu'r bartneriaeth sifil,
  - (ii) os caiff ei wahodd i fynd i'r briodas neu'r bartneriaeth sifil, neu

(4) For the purposes of paragraphs (1) and (3), a person has a reasonable excuse if—

- (a) the person is participating in the gathering for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or
- (b) one of the circumstances in paragraph (6) applies.

(5) Examples of purposes for which it may be reasonably necessary for a person to participate in a gathering include—

- (a) obtaining or providing medical assistance, or accessing veterinary services;
- (b) working or providing voluntary or charitable services;
- (c) meeting a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (d) providing, receiving or accessing care or assistance, including childcare or relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006, where the person receiving the care is a vulnerable person;
- (e) in relation to children who do not live in the same household as their parents, or one of their parents, continuing existing arrangements for access to, and contact between, parents and children, and for the purposes of this sub-paragraph, "parent" includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child;
- (f) moving home;
- (g) undertaking activities in connection with the purchase, sale, letting, or rental of residential property;
- (h) accessing or receiving public services;
- (i) accessing or receiving educational services.

(6) The circumstances referred to in paragraph (4)(b) are that the person is—

- (a) providing or receiving emergency assistance;
- (b) avoiding illness, injury or other risk of harm;
- (c) attending a solemnisation of a marriage or formation of a civil partnership—
  - (i) as a party to the marriage or civil partnership,
  - (ii) if invited to attend, or

- (iii) fel gofawlwr person sy'n mynd i'r briodas neu'r bartneriaeth sifil;
  - (d) mynd i angladd—
    - (i) fel person sy'n gyfrifol am drefnu'r angladd,
    - (ii) os caiff ei wahodd gan berson sy'n gyfrifol am drefnu'r angladd, neu
    - (iii) fel gofawlwr person sy'n mynd i'r angladd;
  - (e) cymryd rhan mewn cynulliad o ddim mwy na 15 o bobl, heb gynnwys personau o dan 11 oed, mewn mangre reoleiddiedig i—
    - (i) dathlu gweinyddiad priodas neu ffurfiad partneriaeth sifil sy'n digwydd ar neu ar ôl 22 Awst 2020;
    - (ii) dathlu bywyd person ymadawedig y cynhelir ei angladd ar neu ar ôl 22 Awst 2020;
  - (f) mynd i addoldy;
  - (g) athletwr elit ac yn hyfforddi neu'n cystadlu;
  - (h) darparu hyfforddiant neu gymorth arall i athletwr elit, neu'n darparu cymorth mewn digwyddiad chwaraeon nad yw ond athletwyr elit yn cystadlu ynddo;
  - (i) cymryd rhan mewn gweithgaredd wedi ei drefnu o dan do neu hwyluso'r gweithgaredd hwnnw—
    - (i) lle nad yw mwy na 15 o bobl yn bresennol heb gynnwys personau o dan 11 oed na phersonau sy'n gweithio yn y digwyddiad neu sy'n darparu gwasanaethau elusennol ynddo, a
    - (ii) lle nad oes unrhyw alcohol yn cael ei yfed;
  - (j) cymryd rhan mewn gweithgaredd wedi ei drefnu yn yr awyr agored neu hwyluso'r gweithgaredd hwnnw—
    - (i) lle nad yw mwy na 30 o bobl yn bresennol, heb gynnwys personau o dan 11 oed na phersonau sy'n gweithio yn y digwyddiad neu sy'n darparu gwasanaethau elusennol ynddo, a
    - (ii) lle nad oes unrhyw alcohol yn cael ei yfed;
  - (k) cymryd rhan mewn gweithgaredd wedi ei drefnu, neu hwyluso'r gweithgaredd hwnnw, er datblygiad neu lesiant plant (gan gynnwys chwaraeon, cerddoriaeth a gweithgareddau hamdden eraill megis y rheini a ddarperir ar gyfer plant y tu allan i oriau'r ysgol ac yn ystod gwyliau'r ysgol).
- (iii) as the carer of a person attending;
  - (d) attending a funeral—
    - (i) as a person responsible for arranging the funeral,
    - (ii) if invited by a person responsible for arranging the funeral, or
    - (iii) as the carer of a person attending;
  - (e) participating in a gathering of no more than 15 people, not including persons under the age of 11, at regulated premises to—
    - (i) celebrate a solemnisation of a marriage or formation of a civil partnership that takes place on or after 22 August 2020;
    - (ii) celebrate the life of a deceased person whose funeral is held on or after 22 August 2020;
  - (f) attending a place of worship;
  - (g) an elite athlete and is training or competing;
  - (h) providing coaching or other support to an elite athlete, or providing support at a sporting event at which only elite athletes are competing;
  - (i) participating in or facilitating an indoor organised activity at which—
    - (i) no more than 15 people are in attendance, not including persons under the age of 11 or persons working, or providing voluntary services, at the event, and
    - (ii) no alcohol is consumed;
  - (j) participating in or facilitating an outdoor organised activity at which—
    - (i) no more than 30 people are in attendance, not including persons under the age of 11 or persons working, or providing voluntary services, at the event, and
    - (ii) no alcohol is consumed;
  - (k) participating in or facilitating an organised activity for the development or well-being of children (including sports, music and other recreational activities such as those provided for children outside of school hours and during school holidays).

(7) Nid yw'r rheoliad hwn yn gymwys i berson sy'n ddigartref.

### **Gwaharddiad ar drefnu digwyddiadau**

7.—(1) Ni chaiff unrhyw berson, heb esgus rhesymol, ymwneud â threfnu—

- (a) digwyddiad a gynhelir yn gyfan gwbl neu'n bennaf o dan do lle y mae mwy na 15 o bobl yn bresennol, neu
- (b) digwyddiad a gynhelir yn gyfan gwbl neu'n bennaf yn yr awyr agored lle y mae mwy na 30 o bobl yn bresennol,

heb gynnwys personau o dan 11 oed na phersonau sy'n gweithio yn y digwyddiad neu sy'n darparu gwasanaethau elusennol ynddo.

(2) At ddibenion paragraff (1)—

- (a) nid yw person yn ymwneud â threfnu digwyddiad os nad yw'r person ond yn ymwneud â'r digwyddiad drwy fynd iddo;
- (b) mae esgus rhesymol yn cynnwys pan fo'r person wedi cymryd pob mesur rhesymol i sicrhau nad yw mwy na 15 neu 30 yn bresennol, yn ôl y digwydd;
- (c) nid yw'r canlynol i'w trin yn ddigwyddiadau—
  - (i) arddangos ffilm;
  - (ii) marchnad;
  - (iii) gwasanaeth crefyddol;
  - (iv) digwyddiad chwaraeon nad yw ond athletwyr elit yn cystadlu ynddo.

### **Gwaharddiad ar drefnu digwyddiadau cerddoriaeth penodol sydd heb eu trwyddedu**

8.—(1) Ni chaiff unrhyw berson ymwneud â threfnu digwyddiad cerddorol perthnasol sydd heb ei drwyddedu.

(2) At ddibenion y rheoliad hwn, ystyr “digwyddiad cerddorol perthnasol sydd heb ei drwyddedu” yw digwyddiad—

- (a) y mae mwy na 30 o bobl yn bresennol ynddo,
- (b) lle y mae cerddoriaeth yn cael ei chwarae neu ei pherfformio at ddiben adloniant, neu at ddibenion sy'n cynnwys y diben hwnnw, a
- (c) lle o ran chwarae neu berfformio cerddoriaeth—
  - (i) y mae'n weithgaredd trwyddedadwy (o fewn ystyr Deddf Trwyddedu 2003(1)), a

(7) This regulation does not apply to a person who is homeless.

### **Prohibition on organising events**

7.—(1) No person may, without a reasonable excuse, be involved in organising—

- (a) an event held wholly or mainly indoors at which more than 15 people are in attendance, or
- (b) an event held wholly or mainly outdoors at which more than 30 people are in attendance,

not including persons under the age of 11 or persons working, or providing voluntary services, at the event.

(2) For the purposes of paragraph (1)—

- (a) a person is not involved in organising an event if the person's only involvement is attending it;
- (b) a reasonable excuse includes where the person has taken all reasonable measures to ensure that no more than 15 or 30 people are in attendance, as the case may be;
- (c) the following are not to be treated as events—
  - (i) the showing of a film;
  - (ii) a market;
  - (iii) a religious service;
  - (iv) a sporting event at which only elite athletes are competing.

### **Prohibition on organising certain unlicensed music events**

8.—(1) No person may be involved in organising a relevant unlicensed music event.

(2) For the purposes of this regulation “relevant unlicensed music event” means an event—

- (a) at which more than 30 people are in attendance,
- (b) at which music is played or performed for the purpose, or for purposes which include the purpose, of entertainment, and
- (c) where the playing or performance of the music is—
  - (i) a licensable activity (within the meaning of the Licensing Act 2003(1)), and

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(1) 2003 p. 17.

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(1) 2003 c. 17.

- (ii) nas cynhelir o dan awdurdodiad nac yn unol ag awdurdodiad (o fewn yr ystyr a roddir i “authorisation” gan adran 136(5) o’r Ddeddf honno).

(3) At ddibenion y rheoliad hwn, nid yw person yn ymwneud â threfnu digwyddiad cerddorol perthnasol sydd heb ei drwyddedu os nad yw’r person ond yn ymwneud â’r digwyddiad drwy fynd iddo.

## RHAN 3

### Cyfyngiadau ar deithio

#### Cyfyngiad ar deithio i Gymru ac o Gymru

9.—(1) Ni chaiff unrhyw berson sy’n byw y tu allan i Gymru fynd i Gymru neu aros yng Nghymru heb esgus rhesymol.

(2) Ni chaiff unrhyw berson sy’n byw yng Nghymru ymadael â Chymru heb esgus rhesymol.

(3) At ddibenion paragraffau (1) a (2), mae gan berson esgus rhesymol—

- (a) os yw’r person yn ymadael â Chymru neu’n mynd i Gymru at ddiben sy’n rhesymol angenrheidiol ac nad oes dewis arall sy’n rhesymol ymarferol;
- (b) os yw un o’r amgylchiadau ym mharagraff (5) yn gymwys.

(4) Mae enghreifftiau o ddibenion y gall fod yn rhesymol ymarferol i berson fynd i Gymru neu ymadael â Chymru atynt yn cynnwys—

- (a) ceisio neu ddarparu cynhorthwy meddygol, neu gael gafael ar wasanaethau milfeddygol;
- (b) gweithio neu ddarparu gwasanaethau gwirfoddol neu elusennol;
- (c) cyflawni rhwymedigaeth gyfreithiol, gan gynnwys mynd i’r llys neu fodloni amodau mechnïaeth, neu gymryd rhan mewn achos llys;
- (d) darparu, cael neu gael gafael ar ofal neu gynhorthwy, gan gynnwys gofal plant neu ofal personol perthnasol o fewn ystyr “relevant personal care” ym mharagraff 7(3B) o Atodlen 4 i Ddeddf Diogelu Grwpiau Hyglwyf 2006, pan fo’r person sy’n cael y gofal yn berson hyglwyf;
- (e) mewn perthynas â phlant nad ydynt yn byw ar yr un aelwyd â’u rhieni, neu un o’u rhieni, parhau â threfniadau presennol ar gyfer gweld rhieni a phlant, a chyswllt rhyngddynt, ac at ddibenion yr is-baragraff hwn, mae “rhiant” yn cynnwys person nad yw’n rhiant i’r plentyn, ond sydd â chyfrifoldeb rhiant dros y plentyn neu sydd â gofal drosto;

- (ii) not carried on under and in accordance with an authorisation (within the meaning given by section 136(5) of that Act).

(3) For the purposes of this regulation, a person is not involved in organising a relevant unlicensed music event if the person’s only involvement is attending it.

## PART 3

### Restrictions on travel

#### Restriction on travel to and from Wales

9.—(1) No person living outside Wales may enter or remain in Wales without a reasonable excuse.

(2) No person living in Wales may leave Wales without a reasonable excuse.

(3) For the purposes of paragraphs (1) and (2), a person has a reasonable excuse if—

- (a) the person leaves or enters Wales for a purpose that is reasonably necessary and there is no reasonably practicable alternative;
- (b) one of the circumstances in paragraph (5) applies.

(4) Examples of purposes for which it may be reasonably necessary for a person to enter or leave Wales include—

- (a) obtaining or providing medical assistance, or accessing veterinary services;
- (b) working or providing voluntary or charitable services;
- (c) meeting a legal obligation, including attending court or satisfying bail conditions, or participating in legal proceedings;
- (d) providing, receiving or accessing care or assistance, including childcare or relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006, where the person receiving the care is a vulnerable person;
- (e) in relation to children who do not live in the same household as their parents, or one of their parents, continuing existing arrangements for access to, and contact between, parents and children, and for the purposes of this sub-paragraph, “parent” includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child;

- (f) symud cartref;
- (g) ymgymryd â gweithgareddau mewn cysylltiad â phrynu, gwerthu, gosod neu rentu eiddo preswyl;
- (h) cael gafael ar wasanaethau cyhoeddus neu gael y gwasanaethau hynny;
- (i) cael gafael ar wasanaethau addysgol;
- (j) cael—
- (i) bwyd a chyflenwadau meddygol ar gyfer y rheini ar yr un aelwyd (gan gynnwys anifeiliaid ar yr aelwyd) neu ar gyfer personau hygllwyf;
- (ii) cyflenwadau ar gyfer cynnal, cynnal a chadw a gweithrediad hanfodol yr aelwyd, neu aelwyd person hygllwyf;
- (k) cael arian oddi wrth unrhyw fusnes neu wasanaeth a restrir ym mharagraff 3 neu 4 o Ran 1 o Atodlen 2 neu adneuo arian gydag unrhyw fusnes neu wasanaeth o'r fath;
- (l) cymryd rhan mewn gweithgaredd wedi ei drefnu, neu hwyluso'r gweithgaredd hwnnw, er datblygiad neu lesiant plant (gan gynnwys chwaraeon, cerddoriaeth a gweithgareddau hamdden eraill megis y rheini a ddarperir ar gyfer plant y tu allan i oriau'r ysgol ac yn ystod gwyliau'r ysgol).
- (5) Yr amgylchiadau y cyfeirir atynt ym mharagraff (3)(b) yw bod yw person yn—
- (a) darparu neu gael cynhorthwy brys;
- (b) osgoi salwch, anaf neu risg arall o niwed;
- (c) mynd i weinyddiad priodas neu ffurfiadartneriaeth sifil—
- (i) fel parti i'r briodas neu'r bartneriaeth sifil,
- (ii) os caiff ei wahodd i fynd i'r briodas neu'r bartneriaeth sifil, neu
- (iii) fel gofalwr person sy'n mynd i'r briodas neu'r bartneriaeth sifil;
- (d) mynd i angladd—
- (i) fel person sy'n gyfrifol am drefnu'r angladd,
- (ii) os caiff ei wahodd gan berson sy'n gyfrifol am drefnu'r angladd, neu
- (iii) fel gofalwr person sy'n mynd i'r angladd;
- (e) athletwr elît ac yn hyfforddi ac yn cystadlu;
- (f) darparu hyfforddiant neu gymorth arall i athletwr elît, neu'n darparu cymorth mewn digwyddiad chwaraeon nad yw ond athletwyr elît yn cystadlu ynddo;
- (f) moving home;
- (g) undertaking activities in connection with the purchase, sale, letting, or rental of residential property;
- (h) accessing or receiving public services;
- (i) accessing educational services;
- (j) obtaining—
- (i) food and medical supplies for those in the same household (including animals in the household) or for vulnerable persons;
- (ii) supplies for the essential upkeep, maintenance and functioning of the household, or the household of a vulnerable person;
- (k) obtaining money from or depositing money with any business or service listed in paragraph 3 or 4 of Part 1 of Schedule 2;
- (l) participating in or facilitating an organised activity for the development or well-being of children (including sports, music and other recreational activities such as those provided for children outside of school hours and during school holidays).
- (5) The circumstances referred to in paragraph (3)(b) are that the person is—
- (a) providing or receiving emergency assistance;
- (b) avoiding illness, injury or other risk of harm;
- (c) attending a solemnization of a marriage or formation of a civil partnership—
- (i) as a party to the marriage or civil partnership,
- (ii) if invited to attend, or
- (iii) as the carer of a person attending;
- (d) attending a funeral—
- (i) as a person responsible for arranging the funeral,
- (ii) if invited by a person responsible for arranging the funeral, or
- (iii) as the carer of a person attending;
- (e) an elite athlete and is training and competing;
- (f) providing coaching or other support to an elite athlete, or providing support at a sporting event at which only elite athletes are competing;

- (g) teithio ar drafnidiaeth gyhoeddus ar daith sy'n dechrau yng Nghymru ac yn gorffen yng Nghymru;
- (h) teithio i gymryd rhan mewn cynulliad gydag aelwyd estynedig y person yn unol â rheoliad 4 neu 6(2)(b).

- (g) travelling on public transport on a journey which begins and ends in Wales;
- (h) travelling to participate in a gathering with the person's extended household in accordance with regulation 4 or 6(2)(b).

## RHAN 4

### Gofyniad i ynysu etc.

#### PENNOD 1

Gofyniad i ynysu etc. pan fo person yn cael canlyniad positif am y coronafeirws neu wedi dod i gysylltiad agos â pherson o'r fath

#### Dehongli'r Rhan

**10.**—(1) Yn y Rhan hon ystyr “cysylltiad agos” yw cysylltiad y mae swyddog olrhain cysylltiadau yn ystyried y gall arwain at risg o haint neu halogiad â'r coronafeirws, gan gynnwys—

- (a) dod i gysylltiad wyneb yn wyneb â pherson o bellter o lai nag 1 metr;
- (b) treulio mwy na 15 munud o fewn 2 fetr i berson;
- (c) teithio mewn car neu gerbyd bach arall gyda pherson neu'n agos i berson ar awyren neu yn yr un cerbyd mewn trên.

(2) Yn rheoliadau 11 a 13, mae cyfeiriadau at “oedolyn” (“O”) yn cynnwys cyfeiriadau at blentyn sy'n 16 neu'n 17 oed.

(3) At ddibenion y Rhan hon, mae gan berson gyfrifoldeb dros blentyn os oes gan y person—

- (a) gwarchodaeth neu ofal am y plentyn am y tro, neu
- (b) cyfrifoldeb rhiant dros y plentyn.

(4) At ddibenion y Rheoliadau hyn, nid yw hysbysiad drwy ap ffôn clyfar Covid 19 y GIG a ddatblygir ac a weithredir gan yr Ysgrifennydd Gwladol yn hysbysiad.

#### Gofyniad i ynysu: oedolyn â'r coronafeirws

**11.**—(1) Mae'r rheoliad hwn yn gymwys pan fo swyddog olrhain cysylltiadau yn hysbysu oedolyn (“O”) fod O wedi cael canlyniad positif am y coronafeirws ar neu ar ôl 9 Tachwedd 2020.

(2) Ni chaiff O ymadael â'r man lle y mae O yn byw, neu fod y tu allan i'r man hwnnw, cyn diwedd diwrnod olaf ynysiad O oni bai bod rheoliad 15 yn gymwys.

## PART 4

### Requirement to isolate etc.

#### CHAPTER 1

Requirement to isolate etc. where person tests positive for coronavirus or has close contact with such person

#### Interpretation of Part

**10.**—(1) In this Part, “close contact” means contact that a contact tracer considers may lead to a risk of infection or contamination with coronavirus, including—

- (a) having face-to-face contact with a person at a distance of less than 1 metre;
- (b) spending more than 15 minutes within 2 metres of a person;
- (c) travelling in a car or other small vehicle with a person or in close proximity to a person on an aeroplane or in the same carriage of a train.

(2) In regulations 11 and 13, references to an “adult” (“A”) include references to a child aged 16 or 17.

(3) For the purposes of this Part, a person has responsibility for a child if the person has—

- (a) custody or charge of the child for the time being, or
- (b) parental responsibility for the child.

(4) For the purposes of these Regulations, notification by means of the NHS Covid 19 smartphone app developed and operated by the Secretary of State is not a notification.

#### Requirement to isolate: adult with coronavirus

**11.**—(1) This regulation applies where an adult (“A”) is notified by a contact tracer that A has tested positive for coronavirus on or after 9 November 2020.

(2) A may not leave or be outside the place where A is living before the end of the last day of A's isolation unless regulation 15 applies.



(3) Os yw swyddog olrhain cysylltiadau yn gofyn am hynny, rhaid i O hysbysu'r swyddog—

(a) am enw pob person sy'n byw yn y man lle y mae O yn byw, a

(b) am gyfeiriad y man hwnnw.

(4) Diwrnod olaf ynysiad O yw diwrnod olaf y cyfnod o 10 niwrnod sy'n dechrau â diwrnod y prawf a arweiniodd at roi'r hysbysiad y cyfeirir ato ym mharagraff (1).

(5) Ond pan fo O yn rhoi gwybod i swyddog olrhain cysylltiadau y diwrnod y datblygodd symptomau gyntaf, diwrnod olaf ynysiad O yw diwrnod olaf y cyfnod o 10 niwrnod sy'n dechrau â'r diwrnod y mae O yn rhoi gwybod mai dyna'r diwrnod y datblygodd y symptomau gyntaf.

### **Gofyniad i ynysu: plentyn â'r coronafeirws**

**12.**—(1) Mae'r rheoliad hwn yn gymwys pan fo swyddog olrhain cysylltiadau yn hysbysu oedolyn ("O") fod plentyn ("P") y mae O yn gyfrifol amdano wedi cael canlyniad positif am y coronafeirws ar neu ar ôl 9 Tachwedd 2020.

(2) Ni chaiff P ymadael â'r man lle y mae P yn byw, neu fod y tu allan i'r man hwnnw, cyn diwedd diwrnod olaf ynysiad P oni bai bod rheoliad 15 yn gymwys.

(3) Os yw swyddog olrhain cysylltiadau yn gofyn am hynny, rhaid i O hysbysu'r swyddog—

(a) am enw pob person sy'n byw yn y man lle y mae P yn byw, a

(b) am gyfeiriad y man hwnnw.

(4) Diwrnod olaf ynysiad P yw diwrnod olaf y cyfnod o 10 niwrnod sy'n dechrau â diwrnod y prawf a arweiniodd at roi'r hysbysiad y cyfeirir ato ym mharagraff (1).

(5) Ond mewn achos pan fo O yn rhoi gwybod i swyddog olrhain cysylltiadau y diwrnod y datblygodd P symptomau gyntaf, diwrnod olaf ynysiad P yw diwrnod olaf y cyfnod o 10 niwrnod sy'n dechrau â'r diwrnod y mae O yn rhoi gwybod mai dyna'r diwrnod y datblygodd P symptomau gyntaf.

### **Gofyniad i ynysu ar ôl cysylltiad agos: oedolyn**

**13.**—(1) Mae'r rheoliad hwn yn gymwys pan fo swyddog olrhain cysylltiadau yn hysbysu oedolyn ("O") fod O wedi dod i gysylltiad agos ar neu ar ôl 9 Tachwedd 2020 â pherson sydd wedi cael canlyniad positif am y coronafeirws ("C").

(2) Ni chaiff O ymadael â'r man lle y mae O yn byw, neu fod y tu allan i'r man hwnnw, cyn diwedd diwrnod olaf ynysiad O oni bai bod rheoliad 15 yn gymwys.

(3) If requested by a contact tracer, A must notify the contact tracer—

(a) of the name of each person living at the place A is living, and

(b) of the address of that place.

(4) The last day of A's isolation is the last day of the period of 10 days beginning with the day of the test which led to the notification referred to in paragraph (1) being given.

(5) But where A reports to a contact tracer the day on which symptoms first developed, the last day of A's isolation is the last day of the period of 10 days beginning with the day which A reports as being the day on which the symptoms first developed.

### **Requirement to isolate: child with coronavirus**

**12.**—(1) This regulation applies where an adult ("A") is notified by a contact tracer that a child ("C") for whom A is a responsible adult has tested positive for coronavirus on or after 9 November 2020.

(2) C may not leave or be outside the place where C is living before the end of the last day of C's isolation unless regulation 15 applies.

(3) If requested by a contact tracer, A must notify the contact tracer—

(a) of the name of each person living at the place where C is living, and

(b) of the address of that place.

(4) The last day of C's isolation is the last day of the period of 10 days beginning with the date of the test which led to the notification referred to in paragraph (1) being given.

(5) But in a case where A reports to a contact tracer the day on which C's symptoms first developed, the last day of C's isolation is the last day of the period of 10 days beginning with the day which A reports as being the day on which C's symptoms first developed.

### **Requirement to isolate after close contact: adult**

**13.**—(1) This regulation applies where an adult ("A") is notified by a contact tracer that A has had close contact on or after 9 November 2020 with a person who has tested positive for coronavirus ("P").

(2) A may not leave or be outside the place where A is living before the end of the last day of A's isolation unless regulation 15 applies.

(3) Rhaid i O hysbysu swyddog olrhain cysylltiadau, os yw'n gofyn am hynny, am gyfeiriad y man lle y mae O yn byw.

(4) Diwrnod olaf ynysiad O yw diwrnod olaf y cyfnod o 14 o ddiwrnodau sy'n dechrau â'r diwrnod y mae swyddog olrhain cysylltiadau yn ei gofnodi fel y diwrnod olaf y daeth O i gysylltiad agos ag C cyn i O gael yr hysbysiad y cyfeirir ato ym mharagraff (1).

(5) Ond pan fo O yn byw yn yr un man ag C, diwrnod olaf ynysiad O yw—

- (a) pan fo C, neu, pan fo C yn blentyn, oedolyn cyfrifol (“OC”) ar ran C, yn rhoi gwybod i swyddog olrhain cysylltiadau y diwrnod y datblygodd C symptomau gyntaf, diwrnod olaf y cyfnod o 14 o ddiwrnodau sy'n dechrau â'r diwrnod y mae C, neu OC, yn rhoi gwybod mai dyna'r diwrnod y datblygodd C symptomau gyntaf;
- (b) pan na roddir gwybod am unrhyw symptomau, diwrnod olaf y cyfnod o 14 o ddiwrnodau sy'n dechrau â diwrnod y prawf a arweiniodd at roi'r hysbysiad i C, neu OC, fod C wedi cael canlyniad positif am y coronafeirws.

#### **Gofyniad i ynysu ar ôl cysylltiad agos: plentyn**

**14.**—(1) Mae'r rheoliad hwn yn gymwys pan fo swyddog olrhain cysylltiadau yn hysbysu oedolyn (“O”) fod plentyn (“P”) y mae O yn gyfrifol amdano wedi dod i gysylltiad agos ar neu ar ôl 9 Tachwedd 2020 â pherson sydd wedi cael canlyniad positif am y coronafeirws (“C”).

(2) Ni chaiff P ymadael â'r man lle y mae P yn byw, neu fod y tu allan i'r man hwnnw, cyn diwedd diwrnod olaf ynysiad P oni bai bod rheoliad 15 yn gymwys.

(3) Rhaid i O hysbysu swyddog olrhain cysylltiadau, os yw'n gofyn am hynny, am gyfeiriad y man lle y mae P yn byw.

(4) Diwrnod olaf ynysiad P yw diwrnod olaf y cyfnod o 14 o ddiwrnodau sy'n dechrau â'r diwrnod y mae swyddog olrhain cysylltiadau yn ei gofnodi fel y diwrnod olaf y daeth P i gysylltiad agos ag C cyn i O gael yr hysbysiad y cyfeirir ato ym mharagraff (1).

(5) Ond pan fo P yn byw yn yr un man ag C, diwrnod olaf ynysiad P yw—

- (a) pan fo C, neu, pan fo C yn blentyn, oedolyn cyfrifol (“OC”) ar ran C, yn rhoi gwybod i swyddog olrhain cysylltiadau y diwrnod y datblygodd C symptomau gyntaf, diwrnod olaf y cyfnod o 14 o ddiwrnodau sy'n dechrau â'r diwrnod y mae C, neu OC, yn rhoi gwybod mai dyna'r diwrnod y datblygodd C symptomau gyntaf, neu

(3) A must notify a contact tracer, if requested, of the address of the place where A is living.

(4) The last day of A's isolation is the last day of the period of 14 days beginning with the day which a contact tracer records as being the last day on which A had close contact with P before A received the notification referred to in paragraph (1).

(5) But where A is living in the same place as P, the last day of A's isolation is—

- (a) where P, or, where P is a child, a responsible adult (“R”) on P's behalf, reports to a contact tracer the day on which P's symptoms first developed, the last day of the period of 14 days beginning with the day on which P, or R, reports as being the day on which P's symptoms first developed;
- (b) where no symptoms are reported, the last day of the period 14 days beginning with the day of the test which led to the notification being given to P, or R, that P had tested positive for coronavirus.

#### **Requirement to isolate after close contact: child**

**14.**—(1) This regulation applies where an adult (“A”) is notified by a contact tracer that a child (“C”) for whom A is responsible has had close contact on or after 9 November 2020 with a person who has tested positive for coronavirus (“P”).

(2) C may not leave or be outside the place where C is living before the end of the last day of C's isolation unless regulation 15 applies.

(3) A must notify a contact tracer, if requested, of the address of the place where C is living.

(4) The last day of C's isolation is the last day of the period of 14 days beginning with the day which a contact tracer records as being the last day on which C had close contact with P before A received the notification referred to in paragraph (1).

(5) But where C is living in the same place as P, the last day of C's isolation is—

- (a) where P, or, where P is a child, a responsible adult (“R”) on P's behalf, reports to a contact tracer the day on which P's symptoms first developed, the last day of the period of 14 days beginning with the day on which P, or R, reports as being the day on which P's symptoms first developed, or

- (b) pan na roddir gwybod am unrhyw symptomau, diwrnod olaf y cyfnod o 14 o ddiwrnodau sy'n dechrau â diwrnod y prawf a arweiniodd at roi'r hysbysiad i C, neu OC, fod C wedi cael canlyniad positif am y coronafeirws.

- (b) where no symptoms are reported, the last day of the period 14 days beginning with the day of the test which led to the notification being given to P, or R, that P had tested positive for coronavirus.

### Gofynion ynysu: eithriadau

15.—(1) Mae paragraff (2) yn gymwys pan fo'n ofynnol i berson beidio ag ymadael â'r man lle y mae'r person yn byw, neu fod y tu allan iddo, yn rhinwedd rheoliad 11(2), 12(2), 13(2) neu 14(2).

(2) Caiff y person ymadael â'r man lle y mae'r person yn byw a bod y tu allan iddo am gyhyd ag y bo'n angenrheidiol i—

- (a) ceisio cynhorthwy meddygol, pan fo angen hyn ar frys neu ar gais ymarferydd meddygol cofrestredig;
- (b) cael gafael ar wasanaethau milfeddygol—
  - (i) pan fo eu hangen ar frys, neu
  - (ii) pan na fo'n bosibl i berson arall yn y man lle y mae'r person yn byw gael gafael ar y gwasanaethau hynny;
- (c) cyflawni rhwymedigaeth gyfreithiol, gan gynnwys mynd i'r llys neu fodloni amodau mechnïaeth, neu gymryd rhan mewn achos cyfreithiol, pan na fo'n bosibl nac yn ymarferol gwneud hynny heb ymadael â'r man lle y mae'r person yn byw;
- (d) osgoi salwch, anaf neu risg arall o niwed;
- (e) am resymau tosturiol, gan gynnwys mynd i angladd—
  - (i) aelod o'r teulu;
  - (ii) ffrind agos;
- (f) cael angenrheidiau sylfaenol (gan gynnwys ar gyfer personau eraill yn y man lle y mae'r person yn byw neu unrhyw anifeiliaid anwes yn y man hwnnw) pan na fo'n bosibl nac yn ymarferol—
  - (i) i berson arall yn y man lle y mae'r person yn byw eu cael, neu
  - (ii) eu cael drwy eu danfon i'r man hwnnw gan drydydd parti;
- (g) cael gafael ar wasanaethau cyhoeddus (gan gynnwys gwasanaethau cymdeithasol neu wasanaethau i ddiodefwyr)—
  - (i) pan fo cael gafael ar y gwasanaeth yn hanfodol i lesiant y person, a
  - (ii) pan na fo'r gwasanaeth yn gallu cael ei ddarparu os yw'r person yn aros yn y man lle y mae'r person yn byw;

### Isolation requirements: exceptions

15.—(1) Paragraph (2) applies where a person is required to not leave or be outside of the place where the person is living by virtue of regulation 11(2), 12(2), 13(2) or 14(2).

(2) The person may leave and be outside the place where the person is living for as long as is necessary—

- (a) to seek medical assistance, where this is required urgently or on the advice of a registered medical practitioner;
- (b) to access veterinary services where—
  - (i) they are urgently required, or
  - (ii) it is not possible for another person at the place that the person is living to access those services;
- (c) to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings, where it is not possible or practicable to so without leaving the place where the person is living;
- (d) to avoid illness, injury or other risk of harm;
- (e) for compassionate reasons, including to attend the funeral of—
  - (i) a family member;
  - (ii) a close friend;
- (f) to obtain basic necessities (including for other persons at the place where the person is living or any pets at that place) where it is not possible or practicable—
  - (i) for another person at the place where the person is living to obtain them, or
  - (ii) to obtain them by delivery to that place from a third party;
- (g) to access public services (including social services or victims' services) where—
  - (i) access to the service is critical to the person's well-being, and
  - (ii) the service cannot be provided if the person remains at the place where the person is living;

(h) symud i fan gwahanol i fyw pan fo'n mynd yn anymarferol aros yn y man lle y mae'r person yn byw.

(3) Nid yw rheoliadau 11(2), 12(2), 13(2) a 14(2) yn gymwys i berson sy'n ddiartref.

(4) Nid yw rheoliad 11(2) yn gymwys i berson—

- (a) sydd wedi cael canlyniad positif am y coronafeirws yn ystod astudiaeth ymchwil (y "prawf blaenorol"), a
- (b) sy'n cael canlyniad positif am y coronafeirws yn ystod yr un astudiaeth o fewn y cyfnod o 90 o ddiwrnodau sy'n dechrau â dyddiad y prawf blaenorol.

### **Gofyniad ar bersonau a chanddynt gyfrifoldeb dros blant**

16. Pan fo gofyniad wedi ei osod o dan reoliad 12(2) neu 14(2) ar blentyn, rhaid i berson a chanddo gyfrifoldeb dros y plentyn gymryd pob mesur rhesymol i sicrhau bod y plentyn yn cydymffurfio â'r gofyniad.

### **Tynnu'n ôl hysbysiad sy'n gwneud ynysu yn ofynnol**

17.—(1) Mae'r rheoliad hwn yn gymwys pan fo swyddog olrhain cysylltiadau—

- (a) wedi rhoi hysbysiad o dan reoliad 11(1), 12(1), 13(1) neu 14(1) ("yr hysbysiad gwreiddiol"), ond
- (b) yn hysbysu derbynnydd yr hysbysiad gwreiddiol wedi hynny fod yr hysbysiad wedi ei dynnu'n ôl.

(2) Mae'r hysbysiad gwreiddiol i'w drin fel pe na bai wedi ei roi.

## **PENNOD 2**

### **Gwybodaeth**

#### **Pŵer i ddefnyddio a datgelu gwybodaeth**

18.—(1) Ni chaiff swyddog olrhain cysylltiadau ond datgelu gwybodaeth berthnasol i berson ("deiliad yr wybodaeth") y mae'n angenrheidiol i ddeiliad yr wybodaeth ei chael—

- (a) at ddibenion—
  - (i) cyflawni swyddogaeth o dan y Rheoliadau hyn,
  - (ii) atal perygl i iechyd y cyhoedd o ganlyniad i ledaeniad haint neu halogiad â'r coronafeirws, neu
  - (iii) monitro lledaeniad haint neu halogiad â'r coronafeirws, neu

(h) to move to a different place to live where it becomes impracticable to remain at the place where the person is living.

(3) Regulations 11(2), 12(2), 13(2) and 14(2) do not apply to a person who is homeless.

(4) Regulation 11(2) does not apply to a person who—

- (a) has tested positive for coronavirus in the course of a research study (the "prior test"), and
- (b) tests positive for coronavirus in the course of the same study within the period of 90 days beginning with the date of the prior test.

### **Requirement on persons with responsibility for children**

16. Where a requirement is imposed under regulation 12(2) or 14(2) on a child, a person with responsibility for the child must take all reasonable measures to ensure that the child complies with the requirement.

### **Withdrawing a notice which requires isolation**

17.—(1) This regulation applies where a contact tracer—

- (a) has given a notification under regulation 11(1), 12(1), 13(1) or 14(1) ("the original notification"), but
- (b) subsequently notifies the recipient of the original notification that it is withdrawn.

(2) The original notification is treated as if it had not been given.

## **CHAPTER 2**

### **Information**

#### **Power to use and disclose information**

18.—(1) A contact tracer may disclose only such relevant information to a person ("the information holder") as is necessary for the information holder to have—

- (a) for the purposes of—
  - (i) carrying out a function under these Regulations,
  - (ii) preventing danger to the health of the public as a result of the spread of infection or contamination with coronavirus, or
  - (iii) monitoring the spread of infection or contamination with coronavirus, or

- (b) at ddiben sy'n gysylltiedig â diben a ddisgrifir yn is-baragraff (a) neu sydd fel arall â chysylltiad â'r diben hwnnw.

(2) Gwybodaeth berthnasol yw—

- (a) pan fo'n ofynnol i berson ynysu yn unol â rheoliad 11(2), 12(2), 13(2) neu 14(2)—

- (i) gwybodaeth gyswllt a dyddiad geni'r person;
- (ii) y dyddiad y cafodd y person hysbysiad o dan reoliad 11(1), 12(1), 13(1) neu 14(1), neu, pan fo'r person yn blentyn, y person a chanddo gyfrifoldeb dros y plentyn;
- (iii) y cyfnod penodol y mae'n ofynnol i'r person beidio ag ymadael â'r man lle y mae'r person yn byw neu fod y tu allan iddo mewn cysylltiad ag ef, wedi ei gyfrifo yn unol â rheoliad 11, 12, 13 neu 14;
- (iv) manylion unrhyw hysbysiadau cosb benodedig sydd wedi eu dyroddi, neu achosion sydd wedi eu dwyn, mewn perthynas â throedd o dorri rheoliad 11, 12, 13 neu 14 yr honnir bod y person wedi ei chyflawni;

- (b) cadarnhad na chafodd person ganlyniad positif mewn prawf am y coronafeirws (gan gynnwys enw, gwybodaeth gyswllt a dyddiad geni'r person).

(3) Ni chaiff deiliad yr wybodaeth ddefnyddio gwybodaeth berthnasol a ddatgelir o dan baragraff (1) ond i'r graddau y bo hynny'n angenrheidiol—

(a) at ddibenion—

- (i) cyflawni swyddogaeth o dan y Rheoliadau hyn,
- (ii) atal perygl i iechyd y cyhoedd o ganlyniad i ledaeniad haint neu halogiad â'r coronafeirws, neu
- (iii) monitro lledaeniad haint neu halogiad â'r coronafeirws, neu

- (b) at ddiben sy'n gysylltiedig â diben a ddisgrifir ym is-baragraff (a) neu sydd fel arall â chysylltiad â'r diben hwnnw.

(4) Yn ddarostyngedig i baragraff (6), ni chaiff deiliad yr wybodaeth ond datgelu gwybodaeth berthnasol i berson arall (y "derbynnydd") y mae'n angenrheidiol i'r derbynnydd ei chael—

(a) at ddibenion—

- (i) cyflawni un o swyddogaethau'r derbynnydd o dan y Rheoliadau hyn,
- (ii) atal perygl i iechyd y cyhoedd o ganlyniad i ledaeniad haint neu halogiad â'r coronafeirws, neu

- (b) for a purpose connected with, or otherwise incidental to, a purpose described in subparagraph (a).

(2) Relevant information is—

- (a) where a person is required to isolate in accordance with regulation 11(2), 12(2), 13(2) or 14(2)—

- (i) the person's contact information and date of birth;
- (ii) the date the person received a notification under regulation 11(1), 12(1), 13(1) or 14(1), or, where the person is a child, the adult with responsibility for the child;
- (iii) the particular period in respect of which the person is required to not leave or be outside of the place where the person is living calculated in accordance with regulation 11, 12, 13 or 14;

- (iv) details of any fixed penalty notices issued, or proceedings brought, in relation to an offence of contravening regulation 11, 12, 13 or 14 alleged to have been committed by the person;

- (b) confirmation a person did not receive a positive coronavirus test (including the person's name, contact information and date of birth).

(3) The information holder may use relevant information disclosed under paragraph (1) only to the extent that it is necessary—

(a) for the purposes of—

- (i) carrying out a function under these Regulations,
- (ii) preventing danger to the health of the public as a result of the spread of infection or contamination with coronavirus, or
- (iii) monitoring the spread of infection or contamination with coronavirus, or

- (b) for a purpose connected with, or otherwise incidental to, a purpose described in subparagraph (a).

(4) Subject to paragraph (6), the information holder may disclose only such relevant information to another person (the "recipient") as is necessary for the recipient to have—

(a) for the purposes of—

- (i) carrying out a function of the recipient under these Regulations,
- (ii) preventing danger to the health of the public as a result of the spread of infection or contamination with coronavirus, or

(iii) monitro lledaeniad haint neu halogiad â'r coronafeirws, neu

(b) at ddiben sy'n gysylltiedig â diben a ddisgrifir yn is-baragraff (a) neu sydd fel arall â chysylltiad â'r diben hwnnw.

(5) Yn ddarostyngedig i baragraff (7), nid yw datgeliad sydd wedi ei awdurdodi gan y rheoliad hwn yn torri—

(a) rhwymedigaeth o safbwynt cyfrinachedd sy'n ddyledus gan y person sy'n gwneud y datgeliad, na

(b) unrhyw gyfyngiad arall ar ddatgelu gwybodaeth (sut bynnag y'i gorfodir).

(6) Nid yw'r rheoliad hwn yn cyfyngu ar yr amgylchiadau pan ganiateir i wybodaeth gael ei datgelu'n gyfreithlon fel arall o dan unrhyw ddeddfiad arall neu reol gyfreithiol.

(7) Nid oes unrhyw beth yn y rheoliad hwn yn awdurdodi defnyddio neu ddatgelu data personol pan fo gwneud hynny yn torri'r ddeddfwriaeth diogelu data.

(8) At ddibenion y rheoliad hwn, mae i "deddfwriaeth diogelu data" a "data personol" yr un ystyron â "data protection legislation" a "personal data" yn adran 3 o Ddeddf Diogelu Data 2018(1).

(iii) monitoring the spread of infection or contamination with coronavirus, or

(b) for a purpose connected with, or otherwise incidental to, a purpose described in subparagraph (a).

(5) Subject to paragraph (7), disclosure which is authorised by this regulation does not breach—

(a) an obligation of confidence owed by the person making the disclosure, or

(b) any other restriction on the disclosure of information (however imposed).

(6) This regulation does not limit the circumstances in which information may otherwise lawfully be disclosed under any other enactment or rule of law.

(7) Nothing in this regulation authorises the use or disclosure of personal data where doing so contravenes the data protection legislation.

(8) For the purposes of this regulation, "data protection legislation" and "personal data" have the same meanings as in section 3 of the Data Protection Act 2018(1).

## RHAN 5

### Cyfyngiadau ar fusnesau a gwasanaethau penodol

#### **Cau mangreoedd a ddefnyddir gan fusnesau a gwasanaethau penodol**

**19.**—(1) O ran person sy'n gyfrifol am gynnal busnes neu ddarparu gwasanaeth a restrir yn Atodlen 1—

(a) rhaid iddo gau i aelodau'r cyhoedd unrhyw fangre a weithredir fel rhan o'r busnes neu'r gwasanaeth, a

(b) ni chaiff gynnal y busnes neu'r gwasanaeth yn y fangre honno ac eithrio yn unol â'r rheoliad hwn.

(2) Nid yw paragraff (1) yn atal—

(a) gwneud gwaith cynnal a chadw ac atgyweirio neu waith arall i sicrhau bod mangre yn addas i'w defnyddio pan na fydd paragraff (1) yn gymwys i'r fangre mwyach;

## PART 5

### Restrictions on certain businesses and services

#### **Closure of premises used by certain businesses and services**

**19.**—(1) A person responsible for carrying on a business or providing a service which is listed in Schedule 1 must—

(a) close to members of the public any premises operated as part of the business or service, and

(b) not carry on the business or service at such premises otherwise than in accordance with this regulation.

(2) Paragraph (1) does not prevent—

(a) carrying out maintenance and repairs or other work to ensure premises are suitable for use when paragraph (1) no longer applies to the premises;

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(1) 2018 p. 12.

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(1) 2018 c. 12.

- (b) defnyddio mangre at unrhyw ddiben y mae Gweinidogion Cymru neu awdurdod lleol yn gofyn amdano neu'n ei awdurdodi;
- (c) defnyddio mangre i ddarlledu heb gynulleidfa yn bresennol yn y fangre (pa un ai dros y rhyngwrwyd neu fel rhan o ddarllediad radio neu deledu) neu i ymarfer ar gyfer darllediad o'r fath;
- (d) defnyddio mangre ar gyfer darparu gwasanaethau neu wybodaeth (gan gynnwys gwerthu, llogi neu ddanfôn nwyddau neu wasanaethau)—
  - (i) drwy wefan, neu fel arall drwy gyfathrebiad ar lein,
  - (ii) dros y ffôn, gan gynnwys drwy neges destun, neu
  - (iii) drwy'r post.

(3) Pan—

- (a) bo'n ofynnol, yn rhinwedd y rheoliad hwn, i berson sy'n gyfrifol am gynnal busnes ("busnes A") beidio â chynnal busnes A mewn mangre, a
- (b) bo busnes A yn ffurfio rhan o fusnes mwy ("busnes B"),

cydymffurfir â'r gofyniad yn y rheoliad hwn os yw'r person sy'n gyfrifol am gynnal busnes B yn peidio â chynnal busnes A yn y fangre.

### Cyfyngiadau ar fangroedd trwyddedig

**20.**—(1) Ni chaiff person sy'n gyfrifol am fangre sydd wedi ei hawdurdodi ar gyfer gwerthu neu gyflenwi alcohol werthu na chyflenwi alcohol rhwng 10.00 p.m. a 6.00 a.m.

(2) Pan fo'r fangre wedi ei hawdurdodi ar gyfer gwerthu neu gyflenwi alcohol i'w yfed yn y fangre, o ran y person sy'n gyfrifol am y fangre—

- (a) rhaid iddo gau'r fangre (i gwsmeriaid) am neu cyn 10.20 p.m. bob dydd, a
- (b) ni chaiff agor y fangre cyn 6.00 a.m. bob dydd.

(3) Er gwaethaf paragraff (2), caiff sinema gau'n hwyrach na 10.20 p.m. dim ond at ddiben gorffen dangos ffilm sy'n dechrau cyn 10.00 p.m.

(4) Nid yw paragraff (2) yn gymwys i—

- (a) mangre mewn—
  - (i) porthladd môr;
  - (ii) maes awyr;
  - (iii) sefydliad addysgol;
- (b) ffreuturau yn y gweithle.

- (b) the use of premises for any purpose as may be requested or authorised by the Welsh Ministers or a local authority;
- (c) the use of premises to broadcast without an audience present at the premises (whether over the internet or as part of a radio or television broadcast) or to rehearse for such a broadcast;
- (d) the use of premises for the provision of services or information (including the sale, hire or delivery of goods or services)—
  - (i) through a website, or otherwise by on-line communication,
  - (ii) by telephone, including by text message, or
  - (iii) by post.

(3) Where—

- (a) a person responsible for carrying on a business ("business A") is required by virtue of this regulation to cease carrying on business A at premises, and
- (b) business A forms part of a larger business ("business B"),

the requirement in this regulation is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

### Restrictions on licensed premises

**20.**—(1) A person responsible for premises authorised for the sale or supply of alcohol may not sell or supply alcohol between 10.00 p.m. and 6.00 a.m.

(2) Where the premises are authorised for the sale or supply of alcohol for consumption on the premises, the person responsible for the premises—

- (a) must close the premises (to customers) at or before 10.20 p.m. each day, and
- (b) may not open the premises before 6.00 a.m. each day.

(3) Despite paragraph (2), a cinema may close later than 10.20 p.m. only for the purpose of concluding the showing of a film which begins before 10.00 p.m.

(4) Paragraph (2) does not apply to—

- (a) premises located in—
  - (i) a sea port;
  - (ii) an airport;
  - (iii) an educational establishment;
- (b) workplace canteens.

(5) O ran ei gymhwysiad i fangre llety gwyliau neu lety teithio, nid yw paragraff (2) ond yn gymwys i'r rhannau hynny o'r fangre lle y gwerthir neu y cyflenwir alcohol i'w yfed yn y fangre.

(6) Nid yw paragraffau (1) a (2) yn caniatáu i'r fangre fod ar agor, nac i alcohol gael ei werthu neu ei gyflenwi, yn groes i awdurdodiad sydd wedi ei ganiatáu neu ei roi mewn cysylltiad â'r fangre.

(7) Pan fo mangre reoleiddiedig nad yw wedi ei hawdurdodi ar gyfer gwerthu neu gyflenwi alcohol i'w yfed yn y fangre yn caniatáu i gwsmeriaid yfed eu halcohol eu hunain yn y fangre, mae paragraffau (2) i (4) yn gymwys i'r mangreoedd hynny fel y maent yn gymwys i fangreoedd sydd wedi eu hawdurdodi ar gyfer gwerthu neu gyflenwi alcohol i'w yfed yn y fangre.

## RHAN 6

### Lleihau'r risg o ddod i gysylltiad â'r coronafeirws

#### Gofyniad i gymryd mesurau ataliol mewn mangre reoleiddiedig i leihau risg

21.—(1) At ddibenion paragraff (2)—

- (a) ystyr “mangre reoleiddiedig” yw—
  - (i) mangre busnesau neu wasanaethau a restrir yn Rhan 1 o Atodlen 2;
  - (ii) cerbyd a ddefnyddir i ddarparu gwasanaeth trafniadaeth gyhoeddus;
  - (iii) mangre arall lle y mae gwaith yn cael ei wneud;
- (b) ystyr y “person cyfrifol” yw—
  - (i) mewn perthynas â mangre reoleiddiedig y cyfeirir ati yn is-baragraff (a)(i) neu (ii), y person sy'n gyfrifol am y fangre,
  - (ii) mewn perthynas â mangre reoleiddiedig o'r math y cyfeirir ato yn is-baragraff (a)(iii), y person sy'n gyfrifol am y gwaith sy'n cael ei wneud yn y fangre.

(2) At ddibenion lleihau'r risg o ddod i gysylltiad â'r coronafeirws mewn mangre reoleiddiedig, neu ledaenu'r coronafeirws gan y rheini sydd wedi bod mewn mangre reoleiddiedig, rhaid i'r person cyfrifol—

- (a) cymryd pob mesur rhesymol i sicrhau—
  - (i) y cynhelir pellter o 2 fetr rhwng unrhyw bersonau yn y fangre (ac eithrio rhwng aelodau o'r un aelwyd neu ofalwr a'r person sy'n cael cynhorthwy gan y gofalwr);

(5) In its application to the premises of holiday or travel accommodation, paragraph (2) applies only to those parts of the premises in which alcohol is sold or supplied for consumption on the premises.

(6) Paragraphs (1) and (2) do not allow the premises to be open, or alcohol to be sold or supplied, in contravention of an authorisation granted or given in respect of the premises.

(7) Where regulated premises not authorised for the sale or supply of alcohol for consumption on the premises allow customers to consume their own alcohol on the premises, paragraphs (2) to (4) apply to those premises as they apply to premises that are authorised for the sale or supply of alcohol for consumption on the premises.

## PART 6

### Minimising risk of exposure to coronavirus

#### Requirement to take preventative measures on regulated premises to minimise risk

21.—(1) For the purposes of paragraph (2)—

- (a) “regulated premises” means—
  - (i) premises of businesses or services listed in Part 1 of Schedule 2;
  - (ii) a vehicle used to provide a public transport service;
  - (iii) other premises where work is being carried out;
- (b) the “responsible person” means—
  - (i) in relation to regulated premises referred to in sub-paragraph (a)(i) or (ii), the person responsible for the premises,
  - (ii) in relation to regulated premises of the kind referred to in sub-paragraph (a)(iii), the person responsible for the work being carried out on the premises.

(2) For the purposes of minimising the risk of exposure to coronavirus at regulated premises, or the spread of coronavirus by those who have been at regulated premises, the responsible person must—

- (a) take all reasonable measures to ensure—
  - (i) that a distance of 2 metres is maintained between any persons on the premises (except between members of the same household or a carer and the person assisted by the carer);



- (ii) pan fo'n ofynnol i bersonau aros i fynd i'r fangre, y cynhelir pellter o 2 fetr rhyngddynt (ac eithrio rhwng aelodau o'r un aelwyd neu ofalwr a'r person sy'n cael cynhorthwy gan y gofalwr),
- (b) cymryd unrhyw fesurau rhesymol eraill at y diben hwnnw, er enghraifft mesurau sy'n cyfyngu ar ryngweithio agos wyneb yn wyneb ac yn cynnal hylendid megis—
- (i) newid trefn mangre gan gynnwys lleoliad dodrefn a gweithfannau;
- (ii) rheoli'r defnydd o fynedfeydd, tramwyfeydd, grisiau a lifftiau;
- (iii) rheoli'r defnydd o gyfleusterau a rennir megis toiledau a cheginau;
- (iv) rheoli'r defnydd o unrhyw ran arall o'r fangre neu fynediad iddi fel arall;
- (v) gosod rhwystrau neu sgriniau;
- (vi) darparu, neu'n ei gwneud yn ofynnol defnyddio, cyfarpar diogelu personol, ac
- (c) darparu gwybodaeth i'r rheini sy'n mynd i'r fangre neu'n gweithio ynddi ynglŷn â sut i leihau'r risg o ddod i gysylltiad â'r coronafeirws.
- (3) Mae mesurau y gellir eu cymryd o dan baragraff (2) hefyd yn cynnwys—
- (a) peidio â gwneud gweithgareddau penodol;
- (b) cau rhan o'r fangre;
- (c) caniatáu i berson sydd fel arfer yn gweithio yn y fangre ynysu am gyfnod penodedig, a'i alluogi i wneud hynny, oherwydd profi'n positif am y coronafeirws neu am ei fod wedi dod i gysylltiad agos â rhywun sydd wedi profi'n positif, pan fo—
- (i) Gweinidogion Cymru wedi gofyn i'r person hwnnw wneud hynny;
- (ii) hysbysiad a roddir gan swyddog olrhain cysylltiadau yn ei gwneud yn ofynnol i'r person hwnnw wneud hynny;
- (d) casglu gwybodaeth gyswllt oddi wrth bob person yn y fangre a'i chadw am 21 o ddiwrnodau at ddiben ei darparu i unrhyw un o'r canlynol, ar eu cais neu ar ei gais—
- (i) Gweinidogion Cymru;
- (ii) swyddog olrhain cysylltiadau;
- (e) cymryd mesurau rhesymol i sicrhau bod gwybodaeth gyswllt o'r fath yn gywir.
- (4) Pan fo paragraff (2) yn gymwys i berson sy'n gyfrifol am fangre sydd wedi ei hawdurdodi ar gyfer gwerthu neu gyflenwi alcohol i'w yfed yn y fangre, rhaid gwerthu neu gyflenwi bwyd neu ddiod i'w fwyta
- (ii) where persons are required to wait to enter the premises, that a distance of 2 metres is maintained between them (except between members of the same household or a carer and the person assisted by the carer),
- (b) take any other reasonable measures for that purpose, for example measures which limit close face-to-face interaction and maintain hygiene such as—
- (i) changing the layout of premises including the location of furniture and workstations;
- (ii) controlling use of entrances, passageways, stairs and lifts;
- (iii) controlling use of shared facilities such as toilets and kitchens;
- (iv) otherwise controlling the use of, or access to, any other part of the premises;
- (v) installing barriers or screens;
- (vi) providing or requiring use of personal protective equipment, and
- (c) provide information to those entering or working at the premises about how to minimise the risk of exposure to coronavirus.
- (3) Measures that may be taken under paragraph (2) also include—
- (a) not carrying out certain activities;
- (b) closing a part of the premises;
- (c) allowing and enabling a person who ordinarily works at the premises to isolate for a specified period due to testing positive for coronavirus or having had close contact with somebody who has tested positive, where that person—
- (i) has been asked to do so by the Welsh Ministers;
- (ii) has been required to do so by a notification given by a contact tracer;
- (d) collecting contact information from each person at the premises and retaining it for 21 days for the purpose of providing it to any of the following, upon their request—
- (i) the Welsh Ministers;
- (ii) a contact tracer;
- (e) taking reasonable measures to ensure that such contact information is correct.
- (4) Where paragraph (2) applies to a person responsible for premises authorised for the sale or supply of alcohol for consumption on the premises, the sale or supply of food or drink for consumption on the

neu i'w hyfed yn y fangre yn unol â'r mesurau rhesymol a bennir ym mharagraff (5) (yn ddarostyngedig i baragraffau (6) a (7)).

(5) Y mesurau rhesymol yw—

- (a) bod rhaid bod person sy'n rheoli mynediad i'r fangre ac sy'n dyrannu cyfnod amser cyfyngedig y caiff cwsmeriaid aros yn y fangre ar ei gyfer;
- (b) bod rhaid i gwsmeriaid fod yn eistedd yn y fangre yn unrhyw le ac eithrio wrth far—
  - (i) pan fyddant yn archebu bwyd neu ddiod,
  - (ii) pan weinir bwyd neu ddiod iddynt, a
  - (iii) pan fyddant yn bwyta neu'n yfed.

(6) Ond pan fo bwyd yn cael ei ddarparu yn y fangre ar sail bwffe, caiff cwsmeriaid ddewis bwyd o'r bwffe a dychwelyd i'r man lle y maent yn eistedd ar yr amod y cynhelir pellter o 2 fetr rhwng unrhyw bersonau wrth y bwffe (ac eithrio rhwng aelodau o'r un aelwyd neu ofalwr a'r person sy'n cael cynhorthwy gan y gofalwr).

(7) Nid yw is-baragraffau (a) a (b) o baragraff (5) yn gymwys i—

- (a) ffreuturau yn y gweithle, neu
- (b) mangreoedd mewn sefydliad addysgol.

(8) At ddibenion paragraff (4)—

- (a) nid yw bwyd neu ddiod a werthir mewn llety gwyliau neu lety teithio fel rhan o wasanaeth ystafell i'w drin neu i'w thrin fel pe bai'n cael ei werthu i'w fwyta yn y fangre neu ei gwerthu i'w hyfed yn y fangre;
- (b) mae bwyd neu ddiod a werthir i'w fwyta neu i'w hyfed mewn ardal sy'n gyfagos i'r fangre lle y mae seddi yn cael eu rhoi ar gael i gwsmeriaid i'w drin neu i'w thrin fel pe bai'n cael ei werthu i'w fwyta yn y fangre neu ei gwerthu i'w hyfed yn y fangre.

(9) Pan fo mangre reoleiddiedig nad yw wedi ei hawdurdodi ar gyfer gwerthu neu gyflenwi alcohol i'w yfed yn y fangre yn caniatáu i gwsmeriaid yfed eu halcohol eu hunain yn y fangre, mae paragraffau (4) i (7) yn gymwys i'r mangreoedd hynny fel y maent yn gymwys i fangreoedd sydd wedi eu hawdurdodi ar gyfer gwerthu neu gyflenwi alcohol i'w yfed yn y fangre.

### **Gofyniad i wisgo gorchudd wyneb ar drafnidiaeth gyhoeddus**

**22.**—(1) Rhaid i berson (“P”) sy'n teithio fel teithiwr mewn cerbyd a ddefnyddir i ddarparu gwasanaeth trafndiaeth gyhoeddus wisgo gorchudd wyneb.

(2) Ond nid yw hyn yn ofynnol—

premises must be carried out in accordance with the reasonable measures specified in paragraph (5) (subject to paragraphs (6) and (7)).

(5) The reasonable measures are that—

- (a) there must be a person controlling entry to the premises and allocating a limited time period during which customers may stay in the premises;
- (b) customers must be seated in the premises anywhere other than at a bar—
  - (i) when ordering food or drink,
  - (ii) when being served with food or drink, and
  - (iii) when consuming food or drink.

(6) But where food is provided at the premises on a buffet basis, customers may select food from the buffet and return to where they are seated provided a distance of 2 metres is maintained between any persons at the buffet (except between members of the same household or a carer and the person assisted by the carer).

(7) Sub-paragraphs (a) and (b) of paragraph (5) do not apply to—

- (a) workplace canteens, or
- (b) premises in an educational establishment.

(8) For the purposes of paragraph (4)—

- (a) food or drink sold in holiday or travel accommodation as part of room service is not to be treated as being sold for consumption on the premises;
- (b) food or drink sold for consumption in an area adjacent to the premises where seating is made available for customers is to be treated as being sold for consumption on the premises.

(9) Where regulated premises not authorised for the sale or supply of alcohol for consumption on the premises allow customers to consume their own alcohol on the premises, paragraphs (4) to (7) apply to those premises as they apply to premises that are authorised for the sale or supply of alcohol for consumption on the premises.

### **Requirement to wear face covering on public transport**

**22.**—(1) A person (“P”) who is travelling as a passenger on a vehicle used to provide a public transport service must wear a face covering.

(2) But this is not required—

- (a) pan fo esemptiad yn gymwys o dan baragraff (3);
- (b) pan fo gan P esgus rhesymol dros beidio â gwisgo gorchudd wyneb, ac o ran hynny gweler paragraff (4).

(3) Mae esemptiad i'r gofyniad i wisgo gorchudd wyneb yn gymwys—

- (a) pan fo P yn blentyn o dan 11 oed;
- (b) mewn cerbyd sy'n darparu gwasanaeth cludiant i'r ysgol;
- (c) ar fferi—
  - (i) pan fo'r rhan o'r fferi sydd ar agor i deithwyr yn yr awyr agored yn gyfan gwbl, neu
  - (ii) pan ellir cynnal pellter o 2 fetr o leiaf rhwng personau ar y rhan o'r fferi sydd ar agor i deithwyr;
- (d) ar long fordeithio;
- (e) pan ddyrennir caban, man cysgu neu lety tebyg arall i P yn y cerbyd, ar unrhyw adeg pan yw P yn y llety hwnnw—
  - (i) ar ei ben ei hunan, neu
  - (ii) gydag aelodau o aelwyd P neu ofalwr i aelod o'r aelwyd yn unig;
- (f) pan—
  - (i) caniateir i P, neu pan fo'n ofynnol fel arfer i P, fynd i gerbyd ac aros ynddo wrth ddefnyddio'r gwasanaeth trafndiaeth gyhoeddus,
  - (ii) na fo'r cerbyd ei hunan yn cael ei ddefnyddio ar gyfer darparu gwasanaeth trafndiaeth gyhoeddus, a
  - (iii) bo P yn aros yn y cerbyd hwnnw;
- (g) ar gerbyd awyr na chychwynnodd o fan yng Nghymru, ac nad yw i lanio mewn man yng Nghymru;
- (h) ar lestr nad yw'n docio mewn porthladd yng Nghymru.

(4) Mae'r amgylchiadau pan fo gan P esgus rhesymol dros beidio â gwisgo gorchudd wyneb yn cynnwys—

- (a) pan na fo P yn gallu rhoi gorchudd am ei wyneb, neu wisgo neu dynnu gorchudd wyneb, oherwydd salwch neu nam corfforol neu feddyliol, neu anabledd (o fewn yr ystyr a roddir i "disability" yn adran 6 o Ddeddf Cydraddoldeb 2010(1));

- (a) where an exemption applies under paragraph (3);
- (b) where P has a reasonable excuse not to wear a face covering, as to which see paragraph (4).

(3) An exemption to the requirement to wear a face covering applies—

- (a) where P is a child under the age of 11;
- (b) on a vehicle providing a school transport service;
- (c) on a ferry where—
  - (i) the part of the ferry which is open to passengers is entirely outdoors, or
  - (ii) a distance of at least 2 metres can be maintained between persons on the part of the ferry which is open to passengers;
- (d) on a cruise ship;
- (e) where P is allocated a cabin, berth or other similar accommodation on the vehicle, at any time when P is in that accommodation—
  - (i) alone, or
  - (ii) only with members of P's household or a member of the household's carer;
- (f) where—
  - (i) P is permitted, or ordinarily required, to board and to stay in a vehicle when using the public transport service,
  - (ii) the vehicle is not itself used for the provision of a public transport service, and
  - (iii) P stays in that vehicle;
- (g) on an aircraft which neither took off from, nor is to land at, a place in Wales;
- (h) on a vessel which does not dock at a port in Wales.

(4) The circumstances in which P has a reasonable excuse to not wear a face covering include—

- (a) where P is unable to put on, wear or remove a face covering because of a physical or mental illness or impairment, or a disability (within the meaning of section 6 of the Equality Act 2010(1));

(1) 2010 p. 15.

(1) 2010 c. 15.

- (b) pan fo P yn gorfod tynnu'r gorchudd wyneb er mwyn cyfathrebu â pherson sy'n cael anhawster i gyfathrebu (mewn perthynas â lleferydd, iaith neu fel arall);
- (c) pan fo P yn gorfod tynnu'r gorchudd wyneb er mwyn osgoi niwed neu anaf, neu'r risg o niwed neu anaf, i P ei hunan neu i eraill;
- (d) pan fo P yn teithio i osgoi anaf, neu i ddianc rhag risg o niwed, ac nad oes gan P orchudd wyneb;
- (e) pan fo P yn gorfod tynnu'r gorchudd wyneb i—
  - (i) cymryd meddyginiaeth;
  - (ii) bwyta neu yfed, os caniateir gwneud hyn yn y cerbyd a bod hynny'n rhesymol angenrheidiol (er enghraifft oherwydd hyd y daith);
- (f) pan ofynnir i P dynnu'r gorchudd wyneb gan—
  - (i) swyddog gorfodaeth, neu
  - (ii) gweithredwr y gwasanaeth trafndiaeth gyhoeddus, cyflogai i'r gweithredwr neu berson sydd wedi ei awdurdodi gan y gweithredwr.

(5) Rhaid i weithredwr gwasanaeth trafndiaeth gyhoeddus y mae paragraff (1) yn gymwys iddo ddarparu gwybodaeth i deithwyr am y gofyniad i wisgo gorchuddion wyneb yn ei gerbydau.

(6) At ddibenion y rheoliad hwn ystyr "gwasanaeth cludiant i'r ysgol" yw unrhyw wasanaeth cludiant nad yw ond yn cael ei ddarparu at ddiben—

- (a) cludo person i'r ysgol ac o'r ysgol neu'r man arall y mae'r person yn cael addysg neu hyfforddiant ynddo, neu
- (b) hwyluso fel arall bresenoldeb person mewn ysgol neu fan arall y mae'r person yn cael addysg neu hyfforddiant ynddo.

### **Gofyniad i wisgo gorchudd wyneb mewn mannau cyhoeddus penodol o dan do**

**23.—**(1) Rhaid i berson ("P") wisgo gorchudd wyneb yn ardaloedd cyhoeddus o dan do mangreoedd y mae gan y cyhoedd fynediad iddynt neu y caniateir i'r cyhoedd gael mynediad iddynt, pa un ai drwy dalu neu fel arall.

(2) Ond nid yw hyn yn ofynnol—

- (a) pan fo P yn blentyn o dan 11 oed;
- (b) pan fo gan P esgus rhesymol dros beidio â gwisgo gorchudd wyneb, ac o ran hynny gweler paragraff (3).

- (b) where P has to remove the face covering to communicate with a person who has difficulty communicating (in relation to speech, language or otherwise);
- (c) where P has to remove the face covering in order to avoid harm or injury, or the risk of harm or injury, to themselves or others;
- (d) where P is travelling to avoid injury, or to escape a risk of harm, and does not have a face covering;
- (e) where P has to remove the face covering to—
  - (i) take medication;
  - (ii) eat or drink, if this is allowed on the vehicle and is reasonably necessary (for example due to the length of the journey);
- (f) where P is asked to remove the face covering by—
  - (i) an enforcement officer, or
  - (ii) the operator of the public transport service, an employee of the operator or a person authorised by the operator.

(5) An operator of a public transport service to which paragraph (1) applies must provide information to passengers about the requirement to wear face coverings on their vehicles.

(6) For the purposes of this regulation a "school transport service" means any transport service provided solely for the purpose of—

- (a) carrying a person to and from the school or other place at which the person receives education or training, or
- (b) otherwise facilitating a person's attendance at a school or other place at which the person receives education or training.

### **Requirement to wear face covering in certain indoor public places**

**23.—**(1) A person ("P") must wear a face covering in indoor public areas of premises to which the public have or are permitted access, whether on payment or otherwise.

(2) But this is not required—

- (a) where P is a child under the age of 11;
- (b) where P has a reasonable excuse not to wear a face covering, as to which see paragraph (3).

(3) Mae'r amgylchiadau pan fo gan P esgus rhesymol dros beidio â gwisgo gorchudd wyneb yn cynnwys—

- (a) pan na fo P yn gallu rhoi gorchudd am ei wyneb, neu wisgo neu dynnu gorchudd wyneb, oherwydd salwch neu nam corfforol neu feddyliol, neu anabledd (o fewn yr ystyr a roddir i “disability” yn adran 6 o Ddeddf Cydraddoldeb 2010);
- (b) pan fo P yn ymgymryd â gweithgaredd ac y gellir ystyried yn rhesymol fod gwisgo gorchudd wyneb yn ystod y gweithgaredd hwnnw yn peri risg i iechyd P;
- (c) pan fo P yn gorfod tynnu'r gorchudd wyneb er mwyn cyfathrebu â pherson sy'n cael anhawster i gyfathrebu (mewn perthynas â lleferydd, iaith neu fel arall);
- (d) pan fo P yn gorfod tynnu'r gorchudd wyneb er mwyn osgoi niwed neu anaf, neu'r risg o niwed neu anaf, i P ei hunan neu i eraill;
- (e) pan fo P yn y fangre i osgoi anaf, neu i ddianc rhag risg o niwed, ac nad oes gan P orchudd wyneb;
- (f) pan fo P yn gorfod tynnu'r gorchudd wyneb i—
  - (i) cymryd meddyginiaeth;
  - (ii) bwyta neu yfed, pan fo'n rhesymol angenrheidiol;
- (g) pan ofynnir i P dynnu'r gorchudd wyneb gan swyddog gorfodaeth;
- (h) pan fo P yn eistedd mewn mangre lle y gwerthir bwyd neu ddiod, neu lle y'i darperir fel arall, i'w fwyta neu i'w hyfed yn y fangre.

### Canllawiau ar leihau dod i gysylltiad â'r coronafeirws

**24.**—(1) Rhaid i berson y mae'n ofynnol iddo gymryd mesurau rhesymol o dan reoliad 21(2) roi sylw i ganllawiau a ddyroddir gan Weinidogion Cymru ynghylch y mesurau hynny.

(2) Rhaid i weithredwr gwasanaeth trafndiaeth gyhoeddus y mae rheoliad 22 yn gymwys iddo roi sylw i ganllawiau a ddyroddir gan Weinidogion Cymru ynghylch—

- (a) y gofyniad i wisgo gorchudd wyneb yn unol â pharagraffau (1) i (4) o reoliad 22 a gorfodi'r gofyniad hwnnw o dan reoliad 30;
- (b) darparu gwybodaeth i deithwyr yn unol â pharagraff (5) o reoliad 22.

(3) The circumstances in which P has a reasonable excuse to not wear a face covering include—

- (a) where P is unable to put on, wear or remove a face covering because of a physical or mental illness or impairment, or a disability (within the meaning of section 6 of the Equality Act 2010);
- (b) where P is undertaking an activity and wearing a face covering during that activity may reasonably be considered to be a risk to P's health;
- (c) where P has to remove the face covering to communicate with a person who has difficulty communicating (in relation to speech, language or otherwise);
- (d) where P has to remove the face covering in order to avoid harm or injury, or the risk of harm or injury, to themselves or others;
- (e) where P is at the premises to avoid injury, or to escape a risk of harm, and does not have a face covering;
- (f) where P has to remove the face covering to—
  - (i) take medication;
  - (ii) eat or drink, where reasonably necessary;
- (g) where P is asked to remove the face covering by an enforcement officer;
- (h) where P is seated in premises where food or drink is sold, or otherwise provided, for consumption on the premises.

### Guidance on minimising exposure

**24.**—(1) A person required to take reasonable measures under regulation 21(2) must have regard to guidance issued by the Welsh Ministers about those measures.

(2) An operator of a public transport service to which regulation 22 applies must have regard to guidance issued by the Welsh Ministers about—

- (a) the requirement to wear a face covering in accordance with paragraphs (1) to (4) of regulation 22 and the enforcement of that requirement under regulation 30;
- (b) providing information to passengers in accordance with paragraph (5) of regulation 22.

(3) O ran Gweinidogion Cymru—

- (a) cânt ddiwygio canllawiau a ddyroddir o dan baragraff (1) neu (2), a
- (b) rhaid iddynt gyhoeddi'r canllawiau (ac unrhyw ddiwygiadau).

(4) Caiff canllawiau o dan y rheoliad hwn gynnwys (drwy gyfeirio neu drosi) ganllawiau, codau ymarfer neu ddogfennau eraill a gyhoeddir gan berson arall (er enghraifft, cymdeithas fasnach, corff sy'n cynrychioli aelodau o ddiwydiant neu undeb llafur).

(5) Mae canllawiau a ddyroddir gan Weinidogion Cymru o dan baragraff (1) neu (2) o reoliad 20 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 3) (Cymru) 2020(1) i'w trin fel pe baent yn ganllawiau a ddyroddir o dan baragraff (1) neu (2) o'r rheoliad hwn, yn ôl y digwydd.

## RHAN 7

### Gorfodi

#### Swyddogion gorfodaeth

**25.**—(1) At ddibenion rheoliad 26 ac Atodlen 3, ystyr “swyddog gorfodaeth” yw person sydd wedi ei ddynodi gan awdurdod lleol at ddibenion y Rheoliadau hyn.

(2) At ddibenion rheoliadau 22, 23, 27 i 35, a 37, ystyr “swyddog gorfodaeth” yw—

- (a) cwnstabl,
- (b) swyddog cymorth cymunedol yr heddlu,
- (c) person sydd wedi ei ddynodi gan—
  - (i) Gweinidogion Cymru, neu
  - (ii) awdurdod lleol,at ddibenion y Rheoliadau hyn (ond gweler paragraff (3)), neu
- (d) person sydd wedi ei ddynodi gan Weinidogion Cymru neu awdurdod lleol o dan—
  - (i) rheoliad 10(11)(c) o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020(2) yn berson perthnasol (o fewn yr ystyr a roddir gan y rheoliad hwnnw),

(3) The Welsh Ministers—

- (a) may revise guidance issued under paragraph (1) or (2), and
- (b) must publish the guidance (and any revisions).

(4) Guidance under this regulation may incorporate (by reference or transposition) guidance, codes of practice or other documents published by another person (for example, a trade association, body representing members of an industry or a trade union).

(5) Guidance issued by the Welsh Ministers under paragraph (1) or (2) of regulation 20 of the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020(1) is to be treated as if it were guidance issued under paragraph (1) or (2) of this regulation, as the case may be.

## PART 7

### Enforcement

#### Enforcement officers

**25.**—(1) For the purposes of regulation 26 and Schedule 3, an “enforcement officer” means a person designated by a local authority for the purposes of these Regulations.

(2) For the purposes of regulations 22, 23, 27 to 35, and 37, an “enforcement officer” means—

- (a) a constable,
- (b) a police community support officer,
- (c) a person designated by—
  - (i) the Welsh Ministers, or
  - (ii) a local authority,for the purposes of these Regulations (but see paragraph (3)), or
- (d) a person designated by the Welsh Ministers or a local authority under—
  - (i) regulation 10(11)(c) of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020(2) as a relevant person (within the meaning given by that regulation),

(1) O.S. 2020/1149 (Cy. 261).

(2) O.S. 2020/353 (Cy. 80).

(1) S.I. 2020/1149 (W. 261).

(2) S.I. 2020/353 (W. 80).

(ii) rheoliad 17(1) o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020(1) at ddibenion y Rheoliadau hynny, neu

(iii) rheoliad 21(2) o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 3) (Cymru) 2020 at ddibenion y Rheoliadau hynny,

(ond gweler paragraff (3)).

(3) Ni chaiff person sydd wedi ei ddynodi gan awdurdod lleol arfer swyddogaethau swyddog gorfodaeth ond mewn perthynas â thorri gofyniad yn rheoliad 19(1), 20(1) neu (2), neu 21(2), neu Atodlen 3 (neu achos honedig o'i dorri).

### Gorfodi'r gofyniad i gymryd mesurau ataliol

26. Mae Atodlenni 3 a 4 yn gwneud darpariaeth ar gyfer rhoi swyddogaethau i swyddogion gorfodaeth at ddiben gorfodi rheoliad 21(2) ac mewn cysylltiad â rhoi'r swyddogaethau hynny.

### Hysbysiadau cydymffurfio

27.—(1) Caiff swyddog gorfodi roi hysbysiad cydymffurfio i berson os oes gan y swyddog sail resymol dros amau bod y person yn torri gofyniad yn rheoliad 19(1) neu 22(5).

(2) Caiff hysbysiad cydymffurfio bennu mesurau y mae rhaid i'r person y'i rhoddir iddo eu cymryd cyn gynted ag y bo'n rhesymol ymarferol er mwyn atal y person hwnnw rhag parhau i dorri'r gofyniad.

### Pwerau symud a gwasgaru

28.—(1) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person yn torri rheoliad 4(1), caiff y swyddog—

- (a) cyfarwyddo'r cynulliad i wasgaru;
- (b) cyfarwyddo unrhyw berson nad yw'n byw yn yr annedd lle y mae'r toriad o dan amheuaeth yn digwydd i ymadael â'r annedd;
- (c) symud unrhyw berson o'r fath o'r annedd.

(2) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod pobl wedi ymgynnull yn groes i reoliad 6(1) neu (3), caiff y swyddog—

- (a) cyfarwyddo'r cynulliad i wasgaru;
- (b) cyfarwyddo unrhyw berson yn y cynulliad i ddychwelyd i'r man lle y mae'n byw;

(ii) regulation 17(1) of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020(1) for the purposes of those Regulations, or

(iii) regulation 21(2) of the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020 for the purposes of those Regulations,

(but see paragraph (3)).

(3) A person designated by a local authority may exercise an enforcement officer's functions only in relation to a contravention (or alleged contravention) of a requirement in regulation 19(1), 20(1) or (2), or 21(2), or Schedule 3.

### Enforcement of requirement to take preventative measures

26. Schedules 3 and 4 make provision for and in connection with conferring functions on enforcement officers for the purpose of enforcing regulation 21(2).

### Compliance notices

27.—(1) An enforcement officer may give a compliance notice to a person if the officer has reasonable grounds for suspecting that the person is contravening a requirement in regulation 19(1) or 22(5).

(2) A compliance notice may specify measures that the person to whom it is given must take as soon as is reasonably practicable so as to prevent that person from continuing to contravene the requirement.

### Powers of removal and dispersal

28.—(1) Where an enforcement officer has reasonable grounds for suspecting that a person is contravening regulation 4(1), the officer may—

- (a) direct the gathering to disperse;
- (b) direct any person not living at the dwelling at which the suspected contravention is occurring to leave the dwelling;
- (c) remove any such person from the dwelling.

(2) Where an enforcement officer has reasonable grounds for suspecting that people are gathered together in contravention of regulation 6(1) or (3), the officer may—

- (a) direct the gathering to disperse;
- (b) direct any person in the gathering to return to the place where they are living;

(1) O.S. 2020/725 (Cy. 162). Diwygiwyd gan O.S. 2020/985 (Cy. 222).

(1) S.I. 2020/725 (W. 162). Amended by S.I. 2020/985 (W. 222).

(c) symud unrhyw berson yn y cynulliad i'r man lle y mae'n byw.

(3) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person ("P") yn torri rheoliad 9, caiff y swyddog gyfarwyddo P—

- (a) mewn achos honedig o dorri rheoliad 9(1), i ymadael â Chymru, neu
- (b) mewn achos honedig o dorri rheoliad 9(2), i beidio ag ymadael â Chymru neu i ddychwelyd i Gymru.

(4) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person ("P") i ffwrdd o'r man lle y mae'n byw yn groes i reoliad 11(2), 12(2), 13(2) neu 14(2), caiff y swyddog—

- (a) cyfarwyddo P i ddychwelyd i'r man lle y mae P yn byw;
- (b) symud P i'r man hwnnw.

(5) Wrth arfer pŵer ym mharagraffau (1) i (3), caiff swyddog gorfodaeth gyfarwyddo person i ddilyn unrhyw gyfarwyddiadau y mae'r swyddog yn ystyried eu bod yn angenrheidiol.

#### **Pwerau sy'n ymwneud â digwyddiadau gwaharddedig**

**29.**—(1) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person ("P") yn ymwneud â threfnu digwyddiad yn groes i reoliad 7(1) neu 8(1), caiff y swyddog—

- (a) cyfarwyddo P i ddilyn unrhyw gyfarwyddiadau y mae'r swyddog yn ystyried eu bod yn angenrheidiol er mwyn stopio'r digwyddiad;
- (b) symud P o leoliad y digwyddiad;
- (c) cyfarwyddo unrhyw berson i ymadael â'r digwyddiad (neu pan fo'r person yn blentyn sydd gydag oedolyn a chanddo gyfrifoldeb dros y plentyn, cyfarwyddo'r unigolyn i symud y plentyn o'r digwyddiad);
- (d) symud unrhyw berson o'r digwyddiad.

(2) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person ("P") yn ymwneud â threfnu digwyddiad y mae'r swyddog yn ystyried ei fod yn debygol o dorri rheoliad 7(1) neu 8(1), caiff y swyddog—

- (a) cyfarwyddo P i ddilyn unrhyw gyfarwyddiadau y mae'r swyddog yn ystyried eu bod yn angenrheidiol er mwyn atal y digwyddiad rhag digwydd;
- (b) symud P o leoliad arfaethedig y digwyddiad.

(c) remove any person in the gathering to the place where they are living.

(3) Where an enforcement officer has reasonable grounds for suspecting that a person ("P") is contravening regulation 9, the officer may direct P—

- (a) in the case of an alleged contravention of regulation 9(1), to leave Wales, or
- (b) in the case of an alleged contravention of regulation 9(2), not to leave Wales or to return to Wales.

(4) Where an enforcement officer has reasonable grounds for suspecting that a person ("P") is away from the place where they are living in contravention of regulation 11(2), 12(2), 13(2) or 14(2), the officer may—

- (a) direct P to return to the place where P is living;
- (b) remove P to that place.

(5) When exercising a power in paragraphs (1) to (3), an enforcement officer may direct a person to follow such instructions as the officer considers necessary.

#### **Powers relating to prohibited events**

**29.**—(1) Where an enforcement officer has reasonable grounds for suspecting that a person ("P") is involved in organising an event in contravention of regulation 7(1) or 8(1), the officer may—

- (a) direct P to follow such instructions as the officer considers necessary in order to stop the event;
- (b) remove P from the location of the event;
- (c) direct any person to leave the event (or where the person is a child accompanied by an individual with responsibility for the child, direct the individual to remove the child from the event);
- (d) remove any person from the event.

(2) Where an enforcement officer has reasonable grounds for suspecting that a person ("P") is involved in organising an event which the officer considers is likely to contravene regulation 7(1) or 8(1) if the event were to take place, the officer may—

- (a) direct P to follow such instructions as the officer considers necessary in order to stop the event from taking place;
- (b) remove P from the proposed location of the event.



### Gorfodi gofynion gorchuddion wyneb

**30.**—(1) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person (“P”) yn torri (neu ar fin torri) rheoliad 22(1), caiff y swyddog—

- (a) cyfarwyddo P i beidio â mynd i’r cerbyd sy’n darparu’r gwasanaeth trafniadaeth gyhoeddus o dan sylw;
- (b) symud P o’r cerbyd.

(2) Pan fo gan—

- (a) gweithredwr gwasanaeth trafniadaeth gyhoeddus,
- (b) cyflogai i’r gweithredwr, neu
- (c) person sydd wedi ei awdurdodi gan y gweithredwr,

sail resymol dros amau bod person (“P”) ar fin torri rheoliad 22(1), caiff y gweithredwr, y cyflogai neu’r person awdurdodedig gyfarwyddo P i beidio â mynd i’r cerbyd sy’n darparu’r gwasanaeth trafniadaeth gyhoeddus o dan sylw.

(3) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person (“P”) yn torri (neu ar fin torri) rheoliad 23(1), caiff y swyddog—

- (a) cyfarwyddo P i beidio â mynd i’r fangre;
- (b) symud P o’r fangre.

### Gorfodi: plant

**31.**—(1) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person (“P”) yn torri rheoliad 4(1), a’i fod yn blentyn gydag unigolyn (“U”) a chanddo gyfrifoldeb dros P—

- (a) os nad yw P yn byw yn yr annedd lle y mae’r toriad honedig yn digwydd, caiff y swyddog gyfarwyddo U i symud P o’r annedd, a
- (b) rhaid i U, i’r graddau y mae’n rhesymol ymarferol, sicrhau bod P yn cydymffurfio ag unrhyw gyfarwyddyd neu gyfarwyddiad a roddir gan y swyddog i P.

(2) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person (“P”) mewn cynulliad yn groes i reoliad 6(1) neu (3) a’i fod yn blentyn gydag unigolyn (“U”) a chanddo gyfrifoldeb dros P—

- (a) caiff y swyddog gyfarwyddo U i fynd â P i’r man lle y mae P yn byw, a
- (b) rhaid i U, i’r graddau y mae’n rhesymol ymarferol, sicrhau bod P yn cydymffurfio ag unrhyw gyfarwyddyd neu gyfarwyddiad a roddir gan y swyddog i P.

### Enforcement of face covering requirements

**30.**—(1) Where an enforcement officer has reasonable grounds for suspecting that a person (“P”) is contravening (or is about to contravene) regulation 22(1), the officer may—

- (a) direct P not to board the vehicle providing the public transport service in question;
- (b) remove P from the vehicle.

(2) Where—

- (a) the operator of a public transport service,
- (b) an employee of the operator, or
- (c) a person authorised by the operator,

has reasonable grounds to suspect that a person (“P”) is about to contravene regulation 22(1), the operator, employee or authorised person may direct P not to board the vehicle providing the public transport service in question.

(3) Where an enforcement officer has reasonable grounds to suspect that a person (“P”) is contravening (or is about to contravene) regulation 23(1), the officer may—

- (a) direct P not to enter the premises;
- (b) remove P from the premises.

### Enforcement: children

**31.**—(1) Where an enforcement officer has reasonable grounds to suspect that a person (“P”) is contravening regulation 4(1), and is a child accompanied by an individual (“I”) who has responsibility for P—

- (a) if P does not live at the dwelling at which the alleged contravention is occurring, the officer may direct I to remove P from the dwelling, and
- (b) I must, so far as reasonably practicable, ensure that P complies with any direction or instruction given by the officer to P.

(2) Where an enforcement officer has reasonable grounds to suspect that a person (“P”) is in a gathering in contravention of regulation 6(1) or (3) and is a child accompanied by an individual (“I”) who has responsibility for P—

- (a) the officer may direct I to take P to the place where P is living, and
- (b) I must, so far as reasonably practicable, ensure that P complies with any direction or instruction given by the officer to P.

(3) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person (“P”) yn torri rheoliad 9 a’i fod yn blentyn gydag unigolyn (“U”) a chanddo gyfrifoldeb dros P—

- (a) caiff y swyddog gyfarwyddo U—
  - (i) mewn achos honedig o dorri rheoliad 9(1), i fynd â P i fan y tu allan i Gymru,
  - (ii) mewn achos honedig o dorri rheoliad 9(2), i atal P rhag ymadael â Chymru neu i fynd â P yn ôl i Gymru, a
- (b) rhaid i U, i’r graddau y mae’n rhesymol ymarferol, sicrhau bod P yn cydymffurfio ag unrhyw gyfarwyddyd neu gyfarwyddiad a roddir gan y swyddog i P.

(4) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person (“P”) i ffwrdd o’r man lle y mae’n byw yn groes i reoliad 12(2) neu 14(2) a’i fod yn blentyn gydag unigolyn (“U”) a chanddo gyfrifoldeb dros P—

- (a) caiff y swyddog gyfarwyddo U i fynd â P i’r man lle y mae P yn byw, a
- (b) rhaid i U, i’r graddau y mae’n rhesymol ymarferol, sicrhau bod P yn cydymffurfio ag unrhyw gyfarwyddyd neu gyfarwyddiad a roddir gan y swyddog i P.

(5) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod plentyn yn methu â chydymffurfio â gofyniad yn rheoliad 22(1) neu 23(1), caiff y swyddog gyfarwyddo unrhyw unigolyn (“U”) a chanddo gyfrifoldeb dros y plentyn i sicrhau, i’r graddau y mae’n rhesymol ymarferol, fod y plentyn yn cydymffurfio â’r gofyniad.

(6) At ddibenion paragraffau (1) i (4), mae gan U gyfrifoldeb dros blentyn os oes gan U—

- (a) gwarchodaeth neu ofal am y plentyn am y tro, neu
- (b) cyfrifoldeb rhiant dros y plentyn.

## Pŵer mynediad

32.—(1) Caiff swyddog gorfodaeth fynd i fangre—

- (a) os oes gan y swyddog sail resymol dros amau bod gofyniad a osodir gan y Rheoliadau hyn yn cael, wedi cael neu ar fin cael ei dorri yn y fangre, a
- (b) os yw’n ystyried ei bod yn angenrheidiol mynd i’r fangre at ddiben canfod a yw’r gofyniad yn cael, wedi cael neu ar fin cael ei dorri.

(3) Where an enforcement officer has reasonable grounds to suspect that a person (“P”) is contravening regulation 9 and is a child accompanied by an individual (“I”) who has responsibility for P—

- (a) the officer may direct I—
  - (i) in the case of an alleged contravention of regulation 9(1), to take P to a place outside Wales,
  - (ii) in the case of an alleged contravention of regulation 9(2), to prevent P from leaving Wales or to return P to Wales, and
- (b) I must, so far as reasonably practicable, ensure that P complies with any direction or instruction given by the officer to P.

(4) Where an enforcement officer has reasonable grounds to suspect that a person (“P”) is away from the place they are living in contravention of regulation 12(2) or 14(2) and is a child accompanied by an individual (“I”) who has responsibility for P—

- (a) the officer may direct I to take P to the place where P is living, and
- (b) I must, so far as reasonably practicable, ensure that P complies with any direction or instruction given by the officer to P.

(5) Where an enforcement officer has reasonable grounds to suspect that a child is failing to comply with the requirement in regulation 22(1) or 23(1), the officer may direct any individual (“I”) who has responsibility for the child to secure, so far as reasonably practicable, that the child complies with the requirement.

(6) For the purposes of paragraphs (1) to (4), I has responsibility for a child if I—

- (a) has custody or charge of the child for the time being, or
- (b) has parental responsibility for the child.

## Power of entry

32.—(1) An enforcement officer may enter premises, if the officer—

- (a) has reasonable grounds for suspecting that a requirement imposed by these Regulations is being, has been or is about to be contravened on the premises, and
- (b) considers it necessary to enter the premises for the purpose of ascertaining whether the requirement is being, has been or is about to be contravened.

(2) Caiff swyddog gorfodaeth sy'n mynd i fangre yn unol â pharagraff (1) gymryd unrhyw bersonau eraill, cyfarpar a deunyddiau i'r fangre y mae'n ymddangos i'r swyddog eu bod yn briodol.

(3) Rhaid i swyddog gorfodaeth sy'n mynd i fangre yn unol â pharagraff (1)—

- (a) os gofynnir iddo gan berson yn y fangre, ddangos tystiolaeth o bwy yw'r swyddog ac amlinellu'r diben yr arferir y pŵer ato;
- (b) os nad yw'r fangre wedi ei meddiannu neu os yw'r meddiannydd yn absennol dros dro, adael y fangre wedi ei diogelu rhag mynediad anawdurdodedig yr un mor effeithiol ag yr oedd pan aeth y swyddog iddi.

### **Pŵer yr heddlu i gynnal archwiliadau ar y ffordd**

**33.**—(1) At ddibenion y rheoliad hwn, ystyr “archwiliad ar y ffordd” yw arfer y pŵer a roddir gan adran 163 o Ddeddf Traffig Ffyrdd 1988(1) mewn ardal yn y fath fodd i stopio, yn ystod y cyfnod pan fydd y pŵer hwnnw yn parhau i gael ei arfer yn yr ardal honno, bob cerbyd neu gerbydau sydd wedi eu dethol yn ôl unrhyw faen prawf.

(2) Caiff cwnstabl gynnal archwiliad ar y ffordd at ddiben canfod a yw cerbyd yn cario person sydd wedi cyflawni, neu berson y mae'r cwnstabl yn credu'n rhesymol ei fod yn bwriadu cyflawni, trosedd o dan y Rheoliadau hyn.

(3) Rhaid i archwiliad ar y ffordd gael ei awdurdodi gan gwnstabl o reng uwch-arolygydd neu'n uwch.

(4) Ond caiff cwnstabl o dan y rheng honno awdurdodi archwiliad ar y ffordd os yw'r cwnstabl yn ystyried ei fod yn angenrheidiol fel mater o frys.

(5) Caiff cwnstabl awdurdodi archwiliad ar y ffordd os oes gan y cwnstabl sail resymol dros gredu bod personau yn yr ardal y byddai cerbydau'n cael eu stopio ynddi, neu sydd ar fin bod yn yr ardal honno, yn cyflawni, neu'n bwriadu cyflawni, trosedd o dan y Rheoliadau hyn.

(6) Rhaid i awdurdodiad fod yn ysgrifenedig a rhaid iddo bennu—

- (a) yr ardal y mae cerbydau i'w stopio ynddi;
- (b) y cyfnod, nad yw'n hwy na 7 niwrnod, pan ganiateir cynnal yr archwiliad ar y ffordd;
- (c) a yw'r archwiliad ar y ffordd i'w gynnal—
  - (i) yn barhaus drwy gydol y cyfnod, neu

(2) An enforcement officer entering premises in accordance with paragraph (1) may take such other persons, equipment and materials onto the premises as appears to the officer to be appropriate.

(3) An enforcement officer entering premises in accordance with paragraph (1)—

- (a) if asked by a person on the premises, must show evidence of the officer's identity and outline the purpose for which the power is exercised;
- (b) if the premises are unoccupied or the occupier is temporarily absent, must leave the premises as effectively secured against unauthorised entry as when the officer found them.

### **Power of police to conduct road checks**

**33.**—(1) For the purposes of this regulation, a “road check” means the exercise in a locality of the power conferred by section 163 of the Road Traffic Act 1988(1) in such a way as to stop, during the period for which the exercise of that power in that locality continues, all vehicles or vehicles selected by any criterion.

(2) A constable may conduct a road check for the purpose of ascertaining whether a vehicle is carrying a person who has committed, or a person who the constable reasonably believes intends to commit, an offence under these Regulations.

(3) A road check must be authorised by a constable of the rank of superintendent or above.

(4) But a road check may be authorised by a constable below that rank if the constable considers it necessary as a matter of urgency.

(5) A constable may authorise a road check if the constable has reasonable grounds to believe that persons are, or are about to be, in the locality in which vehicles would be stopped are committing, or intend to commit, an offence under these Regulations.

(6) An authorisation must be in writing and must specify—

- (a) the locality in which vehicles are to be stopped;
- (b) the period, not exceeding 7 days, during which the road check may take place;
- (c) whether the road check is to be conducted—
  - (i) continuously throughout the period, or

(1) 1988 p. 52, fel y'i diwygiwyd gan Ddeddf Traffig Ffyrdd 1991 (p. 40) a Deddf Rheoli Traffig 2004 (p. 18).

(1) 1988 c. 52, as amended by the Road Traffic Act 1991 (c. 40) and the Traffic Management Act 2004 (c. 18).

(ii) ar adegau penodol yn ystod y cyfnod (ac yn yr achos hwnnw rhaid i'r awdurdodiad bennu'r adegau hynny);

(d) enw'r cwnstabl sy'n rhoi'r awdurdodiad.

(7) Pan fo archwiliad ar y ffordd wedi ei awdurdodi o dan baragraff (4)—

(a) ni chaiff y cyfnod a bennir ym mharagraff (6)(b) fod yn hwy na 2 ddiwrnod;

(b) rhaid i'r cwnstabl sy'n rhoi'r awdurdodiad, cyn gynted ag y bo'n rhesymol ymarferol ar ôl rhoi'r awdurdodiad, roi gwybod i gwnstabl o reng uwch-arolygydd neu'n uwch ei fod wedi ei roi.

(8) Caiff cwnstabl o reng uwch-arolygydd neu'n uwch roi awdurdodiad yn ysgrifenedig i archwiliad ar y ffordd barhau am gyfnod pellach, nad yw'n hwy na 7 niwrnod, y tu hwnt i'r cyfnod yr awdurdodwyd yr archwiliad ar y ffordd amdano yn wreiddiol.

(9) Pan fo cerbyd yn cael ei stopio yn ystod archwiliad ar y ffordd, mae gan y person sy'n gyfrifol am y cerbyd ar yr adeg pan yw'n cael ei stopio hawlogaeth i gael datganiad ysgrifenedig am ddiben yr archwiliad ar y ffordd drwy gyflwyno cais yn ysgrifenedig—

(a) i'r heddlu sy'n gyfrifol am yr ardal lle y cynhelir yr archwiliad ar y ffordd, a

(b) heb fod yn hwyrach na diwedd y cyfnod o 12 mis o'r diwrnod pan stopiwyd y cerbyd.

### Gorfodi: darpariaeth atodol

34.—(1) Caiff swyddog gorfodaeth gymryd camau gweithredu eraill i hwyluso arfer pŵer a roddir i'r swyddog gan y Rhan hon, gan gynnwys ei gwneud yn ofynnol i unrhyw berson roi unrhyw wybodaeth neu ateb unrhyw gwestiwn y mae'r swyddog yn ystyried ei bod neu ei fod yn berthnasol i arfer y pŵer.

(2) Caiff swyddog gorfodaeth ddefnyddio grym rhesymol wrth arfer pŵer o dan—

(a) rheoliad 28(1)(c), (2)(c) neu (4)(b),

(b) rheoliad 29(1)(b) neu (d) neu (2)(b),

(c) rheoliad 30(1)(b) neu (3)(b), neu

(d) rheoliad 32(1).

(3) Ni chaiff swyddog gorfodaeth ond arfer pŵer o dan y Rhan hon os yw'r swyddog yn ystyried ei bod yn angenrheidiol ac yn gymesur gwneud hynny.

(4) Yn y Rhan hon mae cyfeiriadau at ofyniad yn cynnwys cyfeiriadau at gyfyngiad.

(ii) at particular times during the period (in which case the authorisation must specify those times);

(d) the name of the constable giving the authorisation.

(7) Where a road check is authorised under paragraph (4)—

(a) the period specified in paragraph (6)(b) may not exceed 2 days;

(b) the constable giving the authorisation must, as soon as is reasonably practicable after giving it, inform a constable of the rank of superintendent or above that it has been given.

(8) A constable of the rank of superintendent or above may give authorisation in writing for a road check to continue for a further period, not exceeding 7 days, beyond the period for which the road check was initially authorised.

(9) Where a vehicle is stopped in a road check, the person in charge of the vehicle at the time when it is stopped is entitled to obtain a written statement of the purpose of the road check by applying in writing—

(a) to the police force responsible for the locality where the road check is conducted, and

(b) no later than the end of the period of 12 months from the day on which the vehicle was stopped.

### Enforcement: supplemental provision

34.—(1) An enforcement officer may take other action to facilitate the exercise of a power conferred on the officer by this Part, including requiring any person to give any information or answer any question the officer considers to be relevant to the exercise of the power.

(2) An enforcement officer may use reasonable force in the exercise of a power under—

(a) regulation 28(1)(c), (2)(c) or (4)(b),

(b) regulation 29(1)(b) or (d) or (2)(b),

(c) regulation 30(1)(b) or (3)(b), or

(d) regulation 32(1).

(3) An enforcement officer may only exercise a power under this Part if the officer considers that it is necessary and proportionate to do so.

(4) In this Part references to a requirement include references to a restriction.

## RHAN 8

### Troseddau a chosbau

#### Troseddau a chosbau

35.—(1) Mae person sydd—

- (a) yn torri gofyniad yn rheoliad 4(1), 6(1) neu (3), 7(1), 9(1) neu (2), 11(2), 12(2), 13(2), 14(2), 16, 22(1) neu 23(1), neu
- (b) heb esgus rhesymol, yn torri gofyniad yn rheoliad 8(1), 11(3), 12(3), 13(3), 14(3), 19(1), 20(1) neu (2), neu 22(5),

yn cyflawni trosedd.

(2) Mae'n drosedd i berson ("P") roi gwybodaeth anwir neu gamarweiniol i swyddog olrhain cysylltiadau—

- (a) o dan reoliad 11(3), 12(3), 13(3) neu 14(3), neu
- (b) ynghylch—
  - (i) gwybodaeth gyswllt P, neu
  - (ii) personau y gall P fod wedi dod i gysylltiad agos â hwy,

pan fo P yn gwybod bod yr wybodaeth yn anwir neu'n gamarweiniol, neu pan fo P yn ddi-hid o ran a yw'r wybodaeth yn anwir neu'n gamarweiniol.

(3) Mae person sy'n cymryd rhan mewn cynulliad—

- (a) sy'n digwydd mewn annedd breifat,
- (b) lle y mae mwy na 15 o bobl yn bresennol, ac
- (c) lle y mae pobl yn ymgynnull yn groes i reoliad 4(1),

yn cyflawni trosedd.

(4) Mae person sy'n rhwystro, heb esgus rhesymol, unrhyw berson rhag cyflawni swyddogaeth o dan y Rheoliadau hyn yn cyflawni trosedd.

(5) Mae person sydd—

- (a) heb esgus rhesymol, yn torri paragraff 3(1) o Atodlen 3,
- (b) yn torri paragraff 3(2) o'r Atodlen honno, neu
- (c) heb esgus rhesymol, yn tynnu, yn cuddio neu'n difrodi hysbysiad neu arwydd y mae'n ofynnol ei arddangos o dan baragraff 7(2)(a) o'r Atodlen honno,

yn cyflawni trosedd.

(6) Mae person sydd, heb esgus rhesymol—

- (a) yn torri cyfarwyddyd a roddir—
  - (i) gan swyddog gorfodaeth o dan Ran 7, neu

## PART 8

### Offences and penalties

#### Offences and penalties

35.—(1) A person who—

- (a) contravenes a requirement in regulation 4(1), 6(1) or (3), 7(1), 9(1) or (2), 11(2), 12(2), 13(2), 14(2), 16, 22(1) or 23(1), or
- (b) without reasonable excuse, contravenes a requirement in regulation 8(1), 11(3), 12(3), 13(3), 14(3), 19(1), 20(1) or (2), or 22(5),

commits an offence.

(2) It is an offence for a person ("P") to give false or misleading information to a contact tracer—

- (a) under regulation 11(3), 12(3), 13(3) or 14(3), or
- (b) about—
  - (i) P's contact information, or
  - (ii) persons with whom P may have had close contact,

where P knows the information is false or misleading, or P is reckless as to whether the information is false or misleading.

(3) A person who participates in a gathering—

- (a) which takes place in a private dwelling,
- (b) which consists of more than 15 people, and
- (c) at which people are gathered in contravention of regulation 4(1),

commits an offence.

(4) A person who obstructs, without reasonable excuse, any person carrying out a function under these Regulations commits an offence.

(5) A person who—

- (a) without reasonable excuse, contravenes paragraph 3(1) of Schedule 3,
- (b) contravenes paragraph 3(2) of that Schedule, or
- (c) without reasonable excuse, removes, obscures or damages a notice or sign required to be displayed under paragraph 7(2)(a) of that Schedule,

commits an offence.

(6) A person who, without reasonable excuse—

- (a) contravenes a direction given—
  - (i) by an enforcement officer under Part 7, or

(ii) gan weithredwr gwasanaeth trafniadaeth gyhoeddus, cyflogai i'r gweithredwr, neu berson sydd wedi ei awdurdodi gan y gweithredwr, o dan reoliad 30(2), neu

(b) yn methu â chydymffurfio â hysbysiad cydymffurfio a roddir gan swyddog gorfodaeth o dan reoliad 28(1),

yn cyflawni trosedd.

(7) Mae trosedd o dan y Rheoliadau hyn i'w chosbi ar euogfarn ddiannod drwy ddirwy.

(8) Mae adran 24 o Ddeddf yr Heddlu a Thystiolaeth Droseddol 1984(1) yn gymwys mewn perthynas â throsedd o dan y rheoliad hwn fel pe bai'r rhesymau yn is-adran (5) yn cynnwys—

(a) cynnal iechyd y cyhoedd;

(b) cynnal trefn gyhoeddus.

(9) Yn y rheoliad hwn, mae i "cysylltiad agos" yr un ystyr ag yn Rhan 4.

### Troseddau a gyflawnwyd gan gyrff corfforedig etc.

**36.**—(1) Os profir bod trosedd o dan y Rheoliadau hyn a gyflawnwyd gan gorff corfforedig—

(a) wedi ei chyflawni â chydysyniad neu ymoddefiad swyddog i'r corff, neu

(b) i'w phriodoli i unrhyw esgeulustod ar ran swyddog o'r fath,

mae'r swyddog (yn ogystal â'r corff corfforedig) yn euog o'r drosedd ac yn agored i gael ei erlyn, i gael achos yn ei erbyn a'i gosbi yn unol â hynny.

(2) Ym mharagraff (1), ystyr "swyddog", mewn perthynas â chorff corfforedig, yw cyfarwyddwr, rheolwr, ysgrifennydd neu swyddog tebyg arall i'r corff corfforedig.

(3) Caniateir i achos am drosedd o dan y Rheoliadau hyn yr honnir ei bod wedi ei chyflawni gan bartneriaeth gael ei ddwyn yn enw'rartneriaeth yn hytrach nag yn enw unrhyw un neu ragor o'rartneriaid.

(4) Caniateir i achos am drosedd o dan y Rheoliadau hyn yr honnir ei bod wedi ei chyflawni gan gorff anghorfforedig ac eithrio partneriaeth gael ei ddwyn yn enw'r corff yn hytrach nag yn enw unrhyw un neu ragor o'i aelodau ac, at ddibenion unrhyw achos o'r fath, mae unrhyw reolau llys sy'n ymwneud â chyflwyno dogfennau yn cael effaith fel pe bai'r corff hwnnw yn gorff corfforedig.

(ii) by the operator of a public transport service, an employee of the operator, or a person authorised by the operator, under regulation 30(2), or

(b) fails to comply with a compliance notice given by an enforcement officer under regulation 27(1),

commits an offence.

(7) An offence under these Regulations is punishable on summary conviction by a fine.

(8) Section 24 of the Police and Criminal Evidence Act 1984(1) applies in relation to an offence under this regulation as if the reasons in subsection (5) included—

(a) to maintain public health;

(b) to maintain public order.

(9) In this regulation, "close contact" has the same meaning as in Part 4.

### Offences committed by bodies corporate etc.

**36.**—(1) If an offence under these Regulations committed by a body corporate is proved—

(a) to have been committed with the consent or connivance of an officer of the body, or

(b) to be attributable to any neglect on the part of such an officer,

the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted and proceeded against and punished accordingly.

(2) In paragraph (1), "officer", in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

(3) Proceedings for an offence under these Regulations alleged to have been committed by a partnership may be brought in the name of the partnership instead of in the name of any of the partners.

(4) Proceedings for an offence under these Regulations alleged to have been committed by an unincorporated body other than a partnership may be brought in the name of the body instead of in the name of any of its members and, for the purposes of any such proceedings, any rules of court relating to the service of documents have effect as if that body were a body corporate.

(1) 1984 p. 60. Amnwidwyd adran 24 gan adran 110(1) o Ddeddf Troseddu Cyfundrefnol Difrifol a'r Heddlu 2005 (p. 15).

(1) 1984 c. 60. Section 24 was substituted by section 110(1) of the Serious Organised Crime and Police Act 2005 (c. 15).

(5) Mae adran 33 o Ddeddf Cyfiawnder Troseddol 1925(1) ac Atodlen 3 i Ddeddf Llysoedd Ynadon 1980(2) yn gymwys mewn achos am drosedd a ddygir yn erbyn partneriaeth neu gymdeithas anghorfforedig ac eithrio partneriaeth fel y maent yn gymwys mewn perthynas â chorff corfforedig.

(6) Mae dirwy a osodir ar bartneriaeth ar ei heuogfarnu o drosedd o dan y Rheoliadau hyn i'w thalu o asedau'r bartneriaeth.

(7) Mae dirwy a osodir ar gymdeithas anghorfforedig ac eithrio partneriaeth ar ei heuogfarnu o drosedd o dan y Rheoliadau hyn i'w thalu o gronfeydd y gymdeithas.

### Hysbysiadau cosb benodedig

37.—(1) Caiff swyddog gorfodaeth ddyroddi hysbysiad cosb benodedig i unrhyw un y mae'r swyddog yn credu'n rhesymol—

- (a) ei fod wedi cyflawni trosedd o dan y Rheoliadau hyn, a
- (b) ei fod yn 18 oed neu drosodd.

(2) Hysbysiad yw hysbysiad cosb benodedig sy'n cynnig i'r person y'i dyroddir iddo y cyfle i gael ei ryddhau o unrhyw atebolrwydd am euogfarn am y drosedd drwy dalu cosb benodedig i—

- (a) awdurdod lleol, neu
- (b) person sydd wedi ei ddynodi gan Weinidogion Cymru at ddibenion cael taliad o dan y rheoliad hwn,

a bennir yn yr hysbysiad.

(3) Caiff Gweinidogion Cymru eu dynodi hwy eu hunain o dan baragraff (2)(b).

(4) Mae person sydd wedi ei ddynodi gan Weinidogion Cymru at ddibenion cael taliad o dan—

- (a) rheoliad 13 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020,
- (b) rheoliad 21 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020, neu
- (c) rheoliad 31 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 3) (Cymru) 2020,

i'w drin fel pe bai wedi ei ddynodi at ddibenion cael taliad o dan y rheoliad hwn.

(5) Section 33 of the Criminal Justice Act 1925(1) and Schedule 3 to the Magistrates' Courts Act 1980(2) apply in proceedings for an offence brought against a partnership or an unincorporated association other than a partnership as they apply in relation to a body corporate.

(6) A fine imposed on a partnership on its conviction for an offence under these Regulations is to be paid out of the partnership assets.

(7) A fine imposed on an unincorporated association other than a partnership on its conviction for an offence under these Regulations is to be paid out of the funds of the association.

### Fixed penalty notices

37.—(1) An enforcement officer may issue a fixed penalty notice to anyone that the officer reasonably believes—

- (a) has committed an offence under these Regulations, and
- (b) is aged 18 or over.

(2) A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to—

- (a) a local authority, or
- (b) a person designated by the Welsh Ministers for the purposes of receiving payment under this regulation,

as the notice may specify.

(3) The Welsh Ministers may designate themselves under paragraph (2)(b).

(4) A person designated by the Welsh Ministers for the purposes of receiving payment under—

- (a) regulation 13 of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020,
- (b) regulation 21 of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020, or
- (c) regulation 31 of the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020,

is to be treated as if designated for the purposes of receiving payment under this regulation.

(1) 1925 p. 86.  
(2) 1980 p. 43.

(1) 1925 c. 86.  
(2) 1980 c. 43.

(5) Pan fo awdurdod lleol wedi ei bennu yn yr hysbysiad rhaid iddo fod yn awdurdod (neu yn ôl y digwydd, unrhyw un o'r awdurdodau) yr honnir bod y drosedd wedi ei chyflawni yn ei ardal.

(6) Pan fo hysbysiad wedi ei ddyroddi i berson o dan y rheoliad hwn mewn cysylltiad â throsedd—

- (a) ni chaniateir dwyn unrhyw achos am y drosedd cyn diwedd y cyfnod o 28 o ddiwrnodau ar ôl y dyddiad y dyroddir yr hysbysiad;
- (b) ni chaniateir euogfarnu'r person o'r drosedd os yw'r person yn talu'r gosb benodedig cyn diwedd y cyfnod hwnnw.

### **Swm cosb benodedig: cyffredinol**

**38.**—(1) Oni bai bod rheoliad 39, 40, 41 neu 42 yn gymwys, swm cosb benodedig yw £60.

(2) Ond caiff hysbysiad cosb benodedig bennu, os telir £30 cyn diwedd y cyfnod o 14 o ddiwrnodau yn dilyn dyddiad yr hysbysiad, mai dyna swm y gosb benodedig.

(3) Ac os yw'r person y dyroddir hysbysiad cosb benodedig iddo eisoes wedi cael hysbysiad cosb benodedig perthnasol—

- (a) nid yw paragraffau (1) a (2) yn gymwys, a
- (b) y swm a bennir fel y gosb benodedig yw—
  - (i) yn achos yr ail hysbysiad cosb benodedig perthnasol a geir, £120;
  - (ii) yn achos y trydydd hysbysiad cosb benodedig perthnasol a geir, £240;
  - (iii) yn achos y pedwerydd hysbysiad cosb benodedig perthnasol a geir, £480;
  - (iv) yn achos y pumed hysbysiad cosb benodedig perthnasol a geir, £960;
  - (v) yn achos y chweched hysbysiad cosb benodedig perthnasol a geir, ac unrhyw hysbysiad cosb benodedig perthnasol a geir wedi hynny, £1,920.

(4) Ym mharagraff (3), ystyr “hysbysiad cosb benodedig” yw—

- (a) hysbysiad cosb benodedig pan fo swm y gosb benodedig wedi ei bennu o dan y rheoliad hwn;
- (b) hysbysiad cosb benodedig o dan—
  - (i) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020,
  - (ii) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020,

(5) Where a local authority is specified in the notice it must be the authority (or as the case may be, any of the authorities) in whose area the offence is alleged to have been committed.

(6) Where a person is issued with a notice under this regulation in respect of an offence—

- (a) no proceedings may be taken for the offence before the end of the period of 28 days following the date the notice is issued;
- (b) the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.

### **Amount of fixed penalty: general**

**38.**—(1) Unless regulation 39, 40, 41 or 42 applies, the amount of a fixed penalty is £60.

(2) But a fixed penalty notice may specify that, if £30 is paid before the end of the period of 14 days following the date of the notice, that is the amount of the fixed penalty.

(3) And if the person to whom a fixed penalty notice is issued has already received a relevant fixed penalty notice—

- (a) paragraphs (1) and (2) do not apply, and
- (b) the amount specified as the fixed penalty is—
  - (i) in the case of the second relevant fixed penalty notice received, £120;
  - (ii) in the case of the third relevant fixed penalty notice received, £240;
  - (iii) in the case of the fourth relevant fixed penalty notice received, £480;
  - (iv) in the case of the fifth relevant fixed penalty notice received, £960;
  - (v) in the case of the sixth and any subsequent relevant fixed penalty notice received, £1,920.

(4) In paragraph (3), “relevant fixed penalty notice” means—

- (a) a fixed penalty notice where the amount of fixed penalty is determined under this regulation;
- (b) a fixed penalty notice under—
  - (i) the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020,
  - (ii) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020,



(iii) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 3) (Cymru) 2020, a

(iv) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Swyddogaethau Awdurdodau Lleol etc.) (Cymru) 2020(1).

(5) Wrth gyfrifo nifer yr hysbysiadau cosb benodedig sydd wedi eu dyroddi i berson, nid yw unrhyw ystyriaeth i'w rhoi i hysbysiad sydd wedi ei ddyroddi i'r person mewn cysylltiad â throsedd honedig o dorri—

(a) rheoliad 14B(1) o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020, neu

(b) rheoliad 9 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 3) (Cymru) 2020.

#### **Swm cosb benodedig: cymryd rhan mewn cynulliad mawr mewn annedd breifat**

**39.** Pan fo hysbysiad cosb benodedig wedi ei ddyroddi mewn cysylltiad â throsedd honedig o dan reoliad 35(3), swm y gosb benodedig yw £60.

#### **Swm cosb benodedig: trefnu digwyddiad**

**40.**—(1) Pan fo hysbysiad cosb benodedig wedi ei ddyroddi mewn cysylltiad â throsedd honedig o dorri rheoliad 7(1), swm y gosb benodedig yw £200.

(2) Ond os yw'r person y dyroddir iddo hysbysiad cosb benodedig mewn cysylltiad â throsedd honedig o dorri rheoliad 7(1) eisoes wedi cael hysbysiad cosb benodedig mewn cysylltiad â throsedd honedig o'r fath—

(a) nid yw paragraff (1) yn gymwys, a

(b) swm y gosb benodedig yw—

(i) yn achos yr ail hysbysiad cosb benodedig o'r fath a geir, £400;

(ii) yn achos y trydydd hysbysiad cosb benodedig o'r fath a geir, £800;

(iii) yn achos y pedwerydd hysbysiad cosb benodedig o'r fath a geir, £1,600;

(iv) yn achos y pumed hysbysiad cosb benodedig o'r fath a geir, £3,200;

(v) yn achos y chweched hysbysiad cosb benodedig o'r fath a geir, ac unrhyw hysbysiad cosb benodedig o'r fath a geir wedi hynny, £6,400.

(iii) the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020, and

(iv) the Health Protection (Coronavirus Restrictions) (Functions of Local Authorities etc.) (Wales) Regulations 2020(1).

(5) In calculating the number of fixed penalty notices issued to a person, no account is to be taken of a notice issued to the person in respect of an alleged offence of contravening—

(a) regulation 14B(1) of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020, or

(b) regulation 9 of the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020.

#### **Amount of fixed penalty: participating in a large gathering at a private dwelling**

**39.** Where a fixed penalty notice issued in respect of an alleged offence under regulation 35(3), the amount of the fixed penalty is £60.

#### **Amount of fixed penalty: organising an event**

**40.**—(1) Where a fixed penalty notice is issued in respect of an alleged offence of contravening regulation 7(1), the amount of the fixed penalty is £200.

(2) But if the person to whom a fixed penalty notice is issued in respect of an alleged offence of contravening regulation 7(1) has already received a fixed penalty notice in respect of such an alleged offence—

(a) paragraph (1) does not apply, and

(b) the amount of the fixed penalty is—

(i) in the case of the second such fixed penalty notice received, £400;

(ii) in the case of the third such fixed penalty notice received, £800;

(iii) in the case of the fourth such fixed penalty notice received, £1,600;

(iv) in the case of the fifth such fixed penalty notice received, £3,200;

(v) in the case of the sixth and any subsequent such fixed penalty notice received, £6,400.

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(1) O.S. 2020/1011 (Cy. 225).

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(1) S.I. 2020/1011 (W. 225).

**Swm cosb benodedig: trefnu digwyddiad cerddoriaeth sydd heb ei drwyddedu**

41. Pan fo hysbysiad cosb benodedig wedi ei ddyroddi mewn cysylltiad â throedd honedig o dorri rheoliad 8(1), swm y gosb benodedig yw £10,000.

**Swm gosb benodedig: troeddau sy'n gysylltiedig â busnes**

42.—(1) Mae'r rheoliad hwn yn gymwys i hysbysiad cosb benodedig a ddyroddir mewn cysylltiad â throedd honedig o dorri—

- (a) rheoliad 19(1),
- (b) rheoliad 20(1) neu (2), neu
- (c) paragraff 3(1) o Atodlen 3,

(y cyfeirir ati yn y rheoliad hwn fel “troedd busnes honedig”).

(2) Pan fo hysbysiad cosb benodedig wedi ei ddyroddi mewn cysylltiad â throedd busnes honedig, swm y gosb benodedig yw £1,000.

(3) Ond os yw'r person y dyroddir iddo hysbysiad cosb benodedig mewn cysylltiad â throedd busnes honedig eisoes wedi cael hysbysiad cosb benodedig mewn cysylltiad â throedd honedig o'r fath—

- (a) nid yw paragraff (2) yn gymwys, a
- (b) swm y gosb benodedig yw—
  - (i) yn achos yr ail hysbysiad cosb benodedig o'r fath a geir, £2,000;
  - (ii) yn achos y trydydd hysbysiad cosb benodedig o'r fath a geir, £4,000;
  - (iii) yn achos y pedwerydd hysbysiad cosb benodedig o'r fath a geir, ac unrhyw hysbysiad cosb benodedig o'r fath a geir wedi hynny, £10,000.

**Cosbau penodedig: ffurf a gweithdrefn**

43.—(1) Rhaid i hysbysiad cosb benodedig—

- (a) rhoi manylion rhesymol fanwl am yr amgylchiadau yr honnir eu bod yn ffurfio'r drosedd;
- (b) datgan y cyfnod pryd (oherwydd rheoliad 37(6)(a)) na ddygir achos am y drosedd;
- (c) pennu swm y gosb benodedig a bennir o dan reoliad 38, 39, 40, 41 neu 42 (yn ôl y digwydd);
- (d) datgan enw a chyfeiriad y person y caniateir talu'r gosb benodedig iddo;
- (e) pennu dulliau o dalu a ganiateir.

**Amount of fixed penalty: organising an unlicensed music event**

41. Where a fixed penalty notice is issued in respect of an alleged offence of contravening regulation 8(1), the amount of the fixed penalty is £10,000.

**Amount of fixed penalty: business-related offences**

42.—(1) This regulation applies to a fixed penalty notice issued in respect of an alleged offence of contravening—

- (a) regulation 19(1),
- (b) regulation 20(1) or (2), or
- (c) paragraph 3(1) of Schedule 3,

(referred to in this regulation as an “alleged business offence”).

(2) Where a fixed penalty notice is issued in respect of an alleged business offence, the amount of the fixed penalty is £1,000.

(3) But if the person to whom a fixed penalty notice is issued in respect of an alleged business offence has already received a fixed penalty notice in respect of such an alleged offence—

- (a) paragraph (2) does not apply, and
- (b) the amount of the fixed penalty is—
  - (i) in the case of the second such fixed penalty notice received, £2,000;
  - (ii) in the case of the third such fixed penalty notice received, £4,000;
  - (iii) in the case of the fourth and any subsequent such fixed penalty notice received, £10,000.

**Fixed penalties: form and procedure**

43.—(1) A fixed penalty notice must—

- (a) give reasonably detailed particulars of the circumstances alleged to constitute the offence;
- (b) state the period during which (because of regulation 37(6)(a)) proceedings will not be taken for the offence;
- (c) specify the amount of the fixed penalty determined under regulation 38, 39, 40, 41 or 42 (as the case may be);
- (d) state the name and address of the person to whom the fixed penalty may be paid;
- (e) specify permissible methods of payment.

(2) Pa ddull bynnag arall a bennir o dan baragraff (1)(e), caniateir talu cosb benodedig drwy dalu ymlaen llaw a phostio llythyr sy'n cynnwys swm y gosb (mewn arian parod neu fel arall) i'r person y nodir ei enw o dan baragraff (1)(d) i'r cyfeiriad a nodir.

(3) Pan fo llythyr yn cael ei anfon fel a grybwyllir ym mharagraff (2), ystyrir bod taliad wedi ei wneud ar yr adeg y byddai'r llythyr hwnnw wedi cael ei ddanfon yn nhrefn arferol y post.

(4) Mewn unrhyw achos, mae tystysgrif—

(a) sy'n honni ei bod wedi ei llofnodi gan neu ar ran y person a chanddo gyfrifoldeb am faterion ariannol—

(i) yr awdurdod lleol, neu

(ii) y person sydd wedi ei ddynodi o dan reoliad 37(2)(b),

a bennir yn yr hysbysiad cosb benodedig y mae'r achos yn ymwneud ag ef, a

(b) sy'n datgan bod y taliad am gosb benodedig wedi dod i law, neu heb ddod i law, erbyn y dyddiad a bennir yn y dystysgrif,

yn dystiolaeth o'r ffeithiau a nodwyd.

### **Hysbysiadau cosb benodedig: gwaharddiad ar gosbi ddwywaith**

44.—(1) Pan fo'r un weithred neu anweithred, neu fwy neu lai yr un weithred neu anweithred, gan berson yn gallu arwain at gred resymol bod y person wedi cyflawni mwy nag un drosedd o dan y Rheoliadau hyn, ni chaniateir dyroddi cosb benodedig i'r person ond mewn cysylltiad ag un o'r troseddau honedig.

(2) Ond caniateir dyroddi hysbysiad cosb benodedig mewn cysylltiad—

(a) â'r drosedd honedig o dorri rheoliad 4(1), yn ogystal

(b) â throsedd o dan reoliad 35(3),

pan fo'r un weithred, neu fwy neu lai yr un weithred, gan berson yn arwain at gred resymol bod y person wedi cyflawni'r naill drosedd a'r llall.

### **Hunanargyhuddo**

45.—(1) Caniateir i wybodaeth berthnasol gael ei defnyddio fel tystiolaeth yn erbyn y person y mae'r wybodaeth yn ymwneud ag ef mewn achos troseddol.

(2) Pan ddefnyddir yr wybodaeth mewn achos ac eithrio am drosedd o dan y Rheoliadau hyn neu adran

(2) Whatever other method may be specified under paragraph (1)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated under paragraph (1)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).

(3) Where a letter is sent as mentioned in paragraph (2), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.

(4) In any proceedings, a certificate—

(a) that purports to be signed by or on behalf of the person with responsibility for the financial affairs of—

(i) the local authority, or

(ii) the person designated under regulation 37(2)(b),

specified in the fixed penalty notice to which the proceedings relate, and

(b) which states that the payment of a fixed penalty was, or was not, received by the date specified in the certificate,

is evidence of the facts stated.

### **Fixed penalty notices: prohibition of double jeopardy**

44.—(1) Where the same, or largely the same, act or omission by a person may give rise to a reasonable belief that the person has committed more than one offence under these Regulations, a fixed penalty may be issued to the person only in respect of one of the alleged offences.

(2) But a fixed penalty notice may be issued in respect of both—

(a) an alleged offence of contravening regulation 4(1), and

(b) an offence under regulation 35(3),

where the same, or largely the same, act by a person gives rise to a reasonable belief that the person has committed both offences.

### **Self-incrimination**

45.—(1) Relevant information may be used in evidence against the person to whom the information relates in criminal proceedings.

(2) Where the information is used in proceedings other than for an offence under these Regulations or

5 o Ddeddf Anudon 1911(1) (datganiadau anwir a wneir ac eithrio ar lw)—

- (a) ni chaniateir i unrhyw dystiolaeth sy'n ymwneud â'r wybodaeth gael ei rhoi gan yr erlyniad nac ar ei ran, a
- (b) ni chaniateir i unrhyw gwestiwn sy'n ymwneud â'r wybodaeth gael ei ofyn gan yr erlyniad nac ar ei ran.

(3) Nid yw paragraff (2) yn gymwys—

- (a) os rhoddir dystiolaeth sy'n ymwneud â'r wybodaeth gan y person a'i darparodd, neu ar ei ran, yn ystod yr achos, neu
- (b) os gofynnir cwestiwn sy'n ymwneud â'r wybodaeth gan y person hwnnw, neu ar ei ran, yn ystod yr achos.

(4) Yn y rheoliad hwn, ystyr "gwybodaeth berthnasol" yw—

- (a) gwybodaeth sy'n wybodaeth berthnasol at ddibenion rheoliad 18;
- (b) gwybodaeth, neu'r ateb i gwestiwn, a roddir mewn ymateb i ofyniad a osodir o dan reoliad 34(1);
- (c) unrhyw beth sydd wedi ei gynnwys mewn dogfen neu gofnodion electronig a ddangosir mewn ymateb i ofyniad a osodir o dan baragraff 8(1) o Atodlen 3.

## Erlyn

46.—(1) Ni chaniateir dwyn achos am drosedd o dan y Rheoliadau hyn ond gan—

- (a) y Cyfarwyddwr Erlyniadau Cyhoeddus,
- (b) unrhyw berson sydd wedi ei ddynodi gan Weinidogion Cymru, neu
- (c) mewn perthynas ag achos am drosedd—
  - (i) o dorri gofyniad yn rheoliad 19(1) neu 20(1) neu (2), neu Atodlen 3, neu
  - (ii) o dan reoliad 35(4) neu (6), awdurdod lleol;

(2) Mae person sydd wedi ei ddynodi gan Weinidogion Cymru o dan—

- (a) rheoliad 14 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020,
- (b) rheoliad 22 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020, neu

(1) 1911 p. 6. Diwygiwyd adran 5 gan adran 1(2) o Ddeddf Cyfiawnder Troseddol 1948 (p. 58).

section 5 of the Perjury Act 1911(1) (false statements made otherwise than on oath)—

- (a) no evidence relating to the information may be adduced by or on behalf of the prosecution, and
- (b) no question relating to the information may be asked by or on behalf of the prosecution.

(3) Paragraph (2) does not apply if, in the proceedings—

- (a) evidence relating to the information is adduced by or on behalf of the person who provided it, or
- (b) a question relating to the information is asked by or on behalf of that person.

(4) In this regulation, "relevant information" means—

- (a) information which is relevant information for the purposes of regulation 18;
- (b) information, or the answer to a question, given in response to a requirement imposed under regulation 34(1);
- (c) anything contained in a document or electronic records produced in response to a requirement imposed under paragraph 8(1) of Schedule 3.

## Prosecutions

46.—(1) No proceedings for an offence under these Regulations may be brought other than by—

- (a) the Director of Public Prosecutions,
- (b) any person designated by the Welsh Ministers, or
- (c) in relation to proceedings for an offence—
  - (i) of contravening a requirement in regulation 19(1) or 20(1) or (2), or Schedule 3, or
  - (ii) under regulation 35(4) or (6), a local authority.

(2) A person designated by the Welsh Ministers under—

- (a) regulation 14 of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020,
- (b) regulation 22 of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020, or

(1) 1911 c. 6. Section 5 was amended by section 1(2) of the Criminal Justice Act 1948 (c. 58).

- (c) rheoliad 32 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 3) (Cymru) 2020,

i'w drin fel pe bai wedi ei ddynodi o dan y rheoliad hwn.

- (c) regulation 32 of the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020,

is to be treated as if designated under this regulation.

## RHAN 9

### Cyffredinol

#### Dehongli

47.—(1) Yn y Rheoliadau hyn—

- (a) ystyr “gofalwr” yw person sy'n darparu gofal ar gyfer y person a gynorthwyir pan fo—
- (i) hawlogaeth gan y gofalwr i asesiad o dan adran 24 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014(1),
- (ii) y gofal yn rhan o ddarparu gwasanaethau gofal cymunedol o dan Ran 4 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014, neu
- (iii) y gofal wedi ei ddarparu gan ddarparwr gofal sydd wedi ei gofrestru o dan Ran 1 o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016(2);
- (b) ystyr “plentyn” yw person sydd o dan 18 oed;
- (c) ystyr “gwybodaeth gyswllt”, mewn perthynas â pherson, yw enw'r person a gwybodaeth sy'n ddigon i alluogi cysylltiad â'r person, (gan gynnwys rhif ffôn, ac, mewn perthynas â pherson mewn mangre reoleiddiedig, y dyddiad a'r amser yr oedd y person yn y fangre);
- (d) ystyr “swyddog olrhain cysylltiadau” yw—
- (i) person sydd wedi ei gyflogi neu ei gymryd ymlaen at ddibenion y gwasanaeth iechyd (o fewn ystyr “the health service” yn adran 206 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(3) neu adran 108 o Ddeddf y Gwasanaeth Iechyd Gwladol (Yr Alban) 1978(4));
- (ii) person sydd wedi ei gyflogi neu ei gymryd ymlaen gan awdurdod lleol,

## PART 9

### General

#### Interpretation

47.—(1) In these Regulations—

- (a) “carer” means a person who provides care for the person assisted where—
- (i) the carer is entitled to an assessment under section 24 of the Social Services and Well-being (Wales) Act 2014(1),
- (ii) the care is part of the provision of community care services under Part 4 of the Social Services and Well-being (Wales) Act 2014, or
- (iii) the care is provided by a care provider registered under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016(2);
- (b) “child” means a person who is aged under 18;
- (c) “contact information”, in relation to a person, means the person's name and information sufficient to enable the person to be contacted, (including a telephone number, and, in relation to a person at regulated premises, the date and time at which the person was at the premises);
- (d) “contact tracer” means—
- (i) a person employed or engaged for the purposes of the health service (within the meaning of section 206 of the National Health Service (Wales) Act 2006(3) or section 108 of the National Health Service (Scotland) Act 1978(4));
- (ii) a person employed or engaged by a local authority,

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(1) 2014 decc 4.  
(2) 2016 decc 2.  
(3) 2006 p. 42.  
(4) 1978 p. 29.

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(1) 2014 anaw 4.  
(2) 2016 anaw 2.  
(3) 2006 c. 42.  
(4) 1978 c. 29.

sydd wedi ei ddynodi at ddibenion Rhan 4 gan Fwrdd Iechyd Lleol, Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Iechyd Cyhoeddus Cymru(1) neu awdurdod lleol.

- (e) ystyr “coronafeirws” yw coronafeirws syndrom anadlol aciwt difrifol 2 (SARS-CoV-2);
- (f) ystyr “athletwr elit” yw unigolyn sydd wedi ei ddynodi felly at ddibenion y Rheoliadau hyn gan Gyngor Chwaraeon Cymru;
- (g) ystyr “gorchudd wyneb” yw gorchudd o unrhyw fath sy’n gorchuddio trwyn a cheg person;
- (h) ystyr “llety gwyliau neu lety teithio” yw llety mewn mangre o fath a restrir ym mharagraffau 8 i 11 o Ran 1 o Atodlen 2;
- (i) ystyr “awdurdod lleol” yw cyngor sir neu gyngor bwrdeistref sirol yng Nghymru;
- (j) mae i “cyfrifoldeb rhiant” yr un ystyr ag a roddir i “parental responsibility” yn Neddf Plant 1989(2);
- (k) mae “person sy’n gyfrifol am gynnal busnes” yn cynnwys perchennog a rheolwr y busnes hwnnw;
- (l) mae “mangre” yn cynnwys unrhyw adeilad neu strwythur ac unrhyw dir;
- (m) ystyr “gwasanaeth trafndiaeth gyhoeddus” yw gwasanaeth a ddarperir ar gyfer cludo teithwyr ar ffordd, ar reilffordd, ar dramffordd, yn yr awyr neu ar y dŵr;
- (n) mae i “mangre reoleiddiedig” yr ystyr a roddir gan reoliad 21(1);
- (o) mae “cerbyd” yn cynnwys awyren, car cebl, trê, tram a llestr;
- (p) mae “person hyglwyf” yn cynnwys—
  - (i) unrhyw berson sy’n 70 oed neu’n hŷn;
  - (ii) unrhyw berson o dan 70 oed sydd â chyflwr iechyd isorwedddol;
  - (iii) unrhyw berson sy’n feichiog;
  - (iv) unrhyw blentyn;
  - (v) unrhyw berson sy’n oedolyn hyglwyf o fewn yr ystyr a roddir i “vulnerable adult” gan adran 60(1) o Ddeddf Diogelu Grwpiau Hyglwyf 2006(3).

designated for the purposes of Part 4 by a Local Health Board, Public Health Wales National Health Service Trust(1) or a local authority.

- (e) “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);
- (f) “elite athlete” means an individual designated as such for the purposes of these Regulations by the Sports Council for Wales;
- (g) “face covering” means a covering of any type which covers a person’s nose and mouth;
- (h) “holiday or travel accommodation” means accommodation in premises of a kind listed in paragraphs 8 to 11 of Part 1 of Schedule 2;
- (i) “local authority” means the council of a county or county borough in Wales;
- (j) “parental responsibility” has the same meaning as in the Children Act 1989(2);
- (k) a “person responsible for carrying on a business” includes the owner, proprietor, and manager of that business;
- (l) “premises” includes any building or structure and any land;
- (m) “public transport service” means a service provided for the carriage of passengers by road, railway, tramway, air or water;
- (n) “regulated premises” has the meaning given by regulation 21(1);
- (o) “vehicle” includes an aircraft, a cable car, a train, a tram and a vessel;
- (p) “vulnerable person” includes—
  - (i) any person aged 70 or older;
  - (ii) any person under 70 who has an underlying health condition;
  - (iii) any person who is pregnant;
  - (iv) any child;
  - (v) any person who is a vulnerable adult within the meaning given by section 60(1) of the Safeguarding Vulnerable Groups Act 2006(3).

(1) A sefydlwyd gan O.S 2009/2058 (Cy. 177).

(2) 1989 p. 41. Gweler Rhan 1 o'r Ddeddf, y mae diwygiadau amrywiol wedi eu gwneud iddi, gan gynnwys gan Ddeddf Ffrwythloni Dynol ac Embryoleg 2008 (p. 22) ac O.S. 2019/1458.

(3) Diwygiwyd adran 60 gan adran 65 o Ddeddf Diogelu Rhyddidau 2012 (p. 9).

(1) Established by S.I. 2009/2058 (W. 177).

(2) 1989 c. 41. See Part 1 of the Act, to which there have been various amendments, including by the Human Fertilisation and Embryology Act 2008 (c. 22) and S.I. 2019/1458.

(3) Section 60 was amended by section 65 of the Protection of Freedoms Act 2012 (c. 9).

(2) Yn y Rheoliadau hyn, o ran cyfeiriadau at “annedd breifat”—

- (a) maent yn cynnwys cwch preswyl ac unrhyw ardd, iard, tramwyfa, gris, tŷ allan neu unrhyw atodyn arall i'r annedd;
- (b) nid ydynt yn cynnwys y canlynol—
  - (i) llety gwyliau neu llety teithio;
  - (ii) llety mewn gwasanaeth cartref gofal, gwasanaeth llety diogel neu wasanaeth canolfan breswyl i deuluoedd, o fewn yr ystyr a roddir i'r termau hynny gan Atodlen 1 i Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016;
  - (iii) llety cyfiawnder troseddol.

(3) At ddibenion y Rheoliadau hyn—

- (a) mae cynulliad pan fydd dau neu ragor o bobl yn yr un man er mwyn gwneud rhywbeth gyda'i gilydd;
- (b) mae digwyddiad yn achlysur—
  - (i) sydd wedi ei gynllunio a'i amserlennu at ddiben penodol, a
  - (ii) pan fo unrhyw nifer o bobl yn yr un lle at y diben hwnnw, pa un a ydynt yn cymryd rhan mewn cynulliad ai peidio.

(4) At ddibenion y Rheoliadau hyn—

- (a) mae mangre o dan do os yw'n gaeedig neu'n sylweddol gaeedig o fewn yr ystyr a roddir gan reoliad 2 o Reoliadau Mangreoedd etc. Di-fwg (Cymru) 2007(1);
- (b) mae mangre wedi ei hawdurdodi ar gyfer gwerthu neu gyflenwi alcohol pan fo awdurdodiad wedi ei ganiatáu neu ei roi i'r fangre o dan Ddeddf Trwyddedu 2003, ac mae i “awdurdodiad” yr ystyr a roddir i “authorisation” gan adran 136(5) o'r Ddeddf honno.

(5) At ddibenion y Rheoliadau hyn, mae gweithgaredd “wedi ei drefnu”—

- (a) os yw wedi ei drefnu gan—
  - (i) busnes,
  - (ii) corff cyhoeddus neu sefydliad elusennol, llesïannol, addysgol neu ddyngarol,
  - (iii) clwb neu sefydliad gwleidyddol, neu
  - (iv) corff llywodraethu cenedlaethol camp neu weithgaredd arall, a

(2) In these Regulations, references to a “private dwelling”—

- (a) include a houseboat and any garden, yard, passage, stair, outhouse or other appurtenance of the dwelling;
- (b) do not include the following—
  - (i) holiday or travel accommodation;
  - (ii) accommodation in a care home service, secure accommodation service or residential family centre service, within the meaning given to those terms by Schedule 1 to the Regulation and Inspection of Social Care (Wales) Act 2016;
  - (iii) criminal justice accommodation.

(3) For the purposes of these Regulations—

- (a) there is a gathering when two or more people are in the same place in order to do something together;
- (b) an event is an occasion—
  - (i) which is planned or scheduled for a particular purpose, and
  - (ii) at which any number of people are in the same place for that purpose, whether or not they are participating in a gathering.

(4) For the purposes of these Regulations—

- (a) premises are indoors if they are enclosed or substantially enclosed within the meaning given by regulation 2 of the Smoke-free Premises etc. (Wales) Regulations 2007(1);
- (b) premises are authorised for the sale or supply of alcohol where the premises have been granted or given an authorisation under the Licensing Act 2003, and “authorisation” has the meaning given by section 136(5) of that Act.

(5) For the purposes of these Regulations, an activity is “organised” if—

- (a) it is organised by—
  - (i) a business,
  - (ii) a public body or a charitable, benevolent, educational or philanthropic institution,
  - (iii) a club or political organisation, or
  - (iv) the national governing body of a sport or other activity, and

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(1) O.S. 2007/787 (Cy. 68).

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(1) S.I. 2007/787 (W. 68).

- (b) os yw'r person sy'n ei drefnu wedi—
  - (i) cynnal asesiad risg a fyddai'n bodloni gofynion rheoliad 3 o Reoliadau Rheoli Iechyd a Diogelwch yn y Gwaith 1999(1), pa un a yw'r person yn ddarostyngedig i'r Rheoliadau hynny ai peidio, a
  - (ii) cydymffurfio â gofynion rheoliadau 21(2) a 24(1).

(6) At ddibenion paragraff (5)(b)—

- (a) mae rheoliad 3 o Reoliadau Rheoli Iechyd a Diogelwch yn y Gwaith 1999 yn gymwys fel pe bai'r gweithgaredd yn ymgymeriad a wneir gan y person sy'n ei drefnu;
- (b) mae rheoliad 21(2) o'r Rheoliadau hyn yn gymwys fel pe bai—
  - (i) y man lle y mae'r gweithgaredd yn digwydd yn fangre reoleiddiedig at ddibenion y rheoliad hwnnw, a
  - (ii) y person sy'n trefnu'r gweithgaredd oedd y person cyfrifol mewn perthynas â'r fangre reoleiddiedig honno.

#### Diwygiad canlyniadol

**48.**—(1) Yn rheoliad 19(10) o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Swyddogaethau Awdurdodau Lleol etc.) (Cymru) 2020, ar ôl is-baragraff (c) mewnosoder—

“(d) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 4) (Cymru) 2020.”

- (b) the person organising it has—
  - (i) carried out a risk assessment which would satisfy the requirements of regulation 3 of the Management of Health and Safety at Work Regulations 1999(1), whether or not the person is subject to those Regulations, and
  - (ii) complied with the requirements of regulations 21(2) and 24(1).

(6) For the purposes of paragraph (5)(b)—

- (a) regulation 3 of the Management of Health and Safety at Work Regulations 1999 applies as if the activity were an undertaking conducted by the person organising it;
- (b) regulation 21(2) of these Regulations applies as if—
  - (i) the place where the activity takes place were regulated premises for the purposes of that regulation, and
  - (ii) the person organising the activity were the responsible person in relation to those regulated premises.

#### Consequential amendment

**48.**—(1) In regulation 19(10) of the Health Protection (Coronavirus Restrictions) (Functions of Local Authorities etc.) (Wales) Regulations 2020, after sub-paragraph (c) insert—

“(d) the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020.”

*Mark Drakeford*

Y Prif Weinidog, un o Weinidogion Cymru  
Am 1.14 p.m. ar 5 Tachwedd 2020

First Minister, one of the Welsh Ministers  
At 1.14 p.m. on 5 November 2020

(1) O.S. 1992/3242. Diwygiwyd rheoliad 3 gan O.S. 2005/1541, O.S. 2015/21 ac O.S. 2015/1637.

(1) S.I. 1999/3242. Regulation 3 was amended by S.I. 2005/1541, S.I. 2015/21 and S.I. 2015/1637.



## ATODLEN 1 Rheoliad 19(1)

### Busnesau neu wasanaethau y mae rhaid cau eu mangreoddd

1. Neuaddau cyngerdd.

2. Lleoliadau adloniant rhywiol (o fewn yr ystyr a roddir i “sexual entertainment venue” gan baragraff 2A o Atodlen 3 i Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982(1)).

3. Theatrau.

4. Lleoliadau sydd wedi eu hawdurdodi i’w defnyddio ar gyfer cyflenwi alcohol gan drwydded mangre neu dystysgrif mangre clwb (o fewn yr ystyr a roddir i “premises licence” a “club premises certificate” gan Ddeddf Trwyddedu 2003) lle y darperir cerddoriaeth fyw neu wedi ei recordio i aelodau’r cyhoedd neu aelodau’r lleoliad ddawnsio.

## ATODLEN 2 Rheoliad 21(1)

### Mangreoddd rheoleiddiedig

#### RHAN 1

#### Busnesau neu wasanaethau y mae eu mangreoddd yn fangreoddd rheoleiddiedig

1. Unrhyw fusnes sy’n gwerthu nwyddau neu wasanaethau ar gyfer eu gwerthu neu eu hurio mewn siop.

2. Canolfannau siopa ac arcedau siopa.

3. Banciau, cymdeithasau adeiladu, undebau credyd, darparwyr benthyciadau tymor byr, clybiau cynilo, peiriannau arian parod ac ymgymeriadau sydd, o ran eu busnes, yn gweithredu swyddfeydd cyfnewid arian cyfred, yn trawsyrru arian (neu unrhyw ffurf ar arian) drwy unrhyw ddull neu’n newid sieciau arian parod sydd wedi eu gwneud yn daladwy i gwsmeriaid yn arian parod.

4. Swyddfeydd post.

5. Bariau (gan gynnwys bariau mewn clybiau aelodau).

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(1) 1982 p. 30. Mewnosodwyd paragraff 2A o Atodlen 3 gan adran 27(3) o Ddeddf Plismona a Throsedd 2009 (p. 26).

## SCHEDULE 1 Regulation 19(1)

### Businesses or services whose premises must be closed

1. Concert halls.

2. Sexual entertainment venues (within the meaning given by paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982(1)).

3. Theatres.

4. Venues authorised to be used for the supply of alcohol by a premises licence or club premises certificate (within the meaning given by the Licensing Act 2003) where live or recorded music is provided for members of the public or members of the venue to dance.

## SCHEDULE 2 Regulation 21(1)

### Regulated premises

#### PART 1

#### Businesses or services whose premises are regulated premises

1. Any business selling goods or services for sale or hire in a shop.

2. Shopping centres and shopping arcades.

3. Banks, building societies, credit unions, short term loan providers, savings clubs, cash points and undertakings which by way of business operate currency exchange offices, transmit money (or any representation of money) by any means or cash cheques which are made payable to customers.

4. Post offices.

5. Bars (including bars in members’ clubs).

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(1) 1982 c. 30. Paragraph 2A of Schedule 3 was inserted by section 27(3) of the Policing and Crime Act 2009 (c. 26).

6. Caffis, ffreuturau a bwytai (gan gynnwys ffreuturau yn y gweithle ac ystafelloedd bwyta mewn clybiau aelodau).

7. Tafarndai.

8. Safleoedd gwersylla.

9. Safleoedd gwyliau.

10. Gwestai a llety gwely a brecwast.

11. Llety gwyliau arall (gan gynnwys fflatiau gwyliau, hostelau a thai byrddio).

12. Tai arwerthiant.

13. Neuaddau bingo.

14. Aliau bowlio, arcedau diddanu a mannau chwarae o dan do.

15. Delwriaethau ceir.

16. Gwasanaethau trwsio ceir ac MOT.

17. Casinos.

18. Sinemâu.

19. Canolfannau cymunedol.

20. Amlosgfeydd.

21. Gwasanaethau deintyddol, optegwyr, gwasanaethau awdioleg, gwasanaethau trin traed, ceiropractyddion, osteopathiaid a gwasanaethau meddygol neu iechyd eraill, gan gynnwys gwasanaethau sy'n ymwneud ag iechyd meddwl.

22. Sefydliadau sy'n darparu gwasanaethau lliw haul, gwasanaethau tylino, tyllu'r corff, tatwio, electrolysis neu aciwbigo.

23. Asiantau eiddo neu asiantau gosod eiddo, swyddfeydd gwerthiant datblygwyr a chartrefi arddangos.

24. Trefnwyr angladdau.

25. Ffeiriau pleser, parciau diddanu a pharciau thema.

26. Canolfannau garddio a meithrinfeydd planhigion.

27. Salonau trin gwallt a barbwyr.

28. Golchdai a siopau sychlanhau.

29. Canolfannau hamdden a chyfleusterau hamdden gan gynnwys stiwdios ffitrwydd o dan do, campfeydd a sbaon.

30. Llyfrgelloedd.

31. Marchnadoedd neu arwerthiannau da byw.

6. Cafes, canteens and restaurants (including workplace canteens and dining rooms in members' clubs).

7. Public houses.

8. Camping sites.

9. Holiday sites.

10. Hotels and bed and breakfast accommodation.

11. Other holiday accommodation (including holiday apartments, hostels and boarding houses).

12. Auction houses.

13. Bingo halls.

14. Bowling alleys, amusement arcades and indoor play areas.

15. Car dealerships.

16. Car repair and MOT services.

17. Casinos.

18. Cinemas.

19. Community centres.

20. Crematoriums.

21. Dental services, opticians, audiology services, chiropody, chiropractors, osteopaths and other medical or health services, including services relating to mental health.

22. Establishments providing tanning services, massage services, body piercings, tattooing, electrolysis or acupuncture.

23. Estate or letting agents, developer sales offices and show homes.

24. Funeral directors.

25. Funfairs, amusement parks and theme parks.

26. Garden centres and plant nurseries.

27. Hair salons and barbers.

28. Laundrettes and dry cleaners.

29. Leisure centres and leisure facilities including indoor fitness studios, gyms and spas.

30. Libraries.

31. Livestock markets or auctions.

32. Marchnadoedd.
33. Amgueddfeydd, orielau a gwasanaethau archifau.
34. Salonau ewinedd a harddwch.
35. Gorsafoedd petrol.
36. Fferyllfeydd (yn cynnwys fferyllfeydd nad ydynt yn darparu cyffuriau ar bresgripsiwn) a siopau cemist.
37. Mannau addoli.
38. Canolfannau sglefrio.
39. Cyrtiau chwaraeon, parciau sglefrio, lawntiau bowlio, cyrsiau golff a meysydd neu leiniau chwaraeon amgaaedig (boed yn yr awyr agored neu o dan do).
40. Cyfleusterau storio a dosbarthu, gan gynnwys manau gollwng danfoniadau.
41. Pyllau nofio.
42. Busnesau tacsï neu logi cerbydau.
43. Lleoliadau ar gyfer digwyddiadau neu gynadleddau (gan gynnwys lleoliadau ar gyfer priodasau).
44. Milfeddygon.
45. Atyniadau i ymwelwyr a busnesau gwyliau, gweithgareddau hamdden neu ddigwyddiadau.

## RHAN 2

### Dehongli

46.—(1) At ddibenion yr Atodlen hon, ystyr “safle gwyliau” yw unrhyw dir yng Nghymru lle y gosodir cartref symudol neu garafán at ddibenion byw gan bobl (gan gynnwys unrhyw dir yng Nghymru a ddefnyddir ar y cyd â’r tir hwnnw), y mae’r caniatâd cynllunio perthnasol neu’r drwydded safle ar gyfer y tir mewn cysylltiad ag ef—

- (a) wedi ei fynegi i’w roi neu wedi ei mynegi i’w rhoi at ddefnydd gwyliau yn unig, neu
- (b) yn ei gwneud yn ofynnol bod adegau o’r flwyddyn pan na chaniateir gosod unrhyw gartref symudol neu garafán ar y safle i bobl fyw ynddo neu ynddi.

(2) At ddibenion penderfynu a yw safle yn safle gwyliau ai peidio, mae unrhyw ddarpariaeth yn y caniatâd cynllunio perthnasol neu yn y drwydded safle sy’n caniatáu gosod cartref symudol ar y tir i bobl fyw ynddo drwy gydol y flwyddyn i’w hanwybyddu os yw wedi ei hawdurdodi i’r canlynol feddiannu’r cartref symudol—

32. Markets.
33. Museums, galleries and archive services.
34. Nail and beauty salons.
35. Petrol stations.
36. Pharmacies (including non-dispensing pharmacies) and chemists.
37. Places of worship.
38. Skating rinks.
39. Sports courts, skate parks, bowling greens, golf courses and enclosed sports grounds or pitches (whether outdoors or indoors).
40. Storage and distribution facilities, including delivery drop off points.
41. Swimming pools.
42. Taxi or vehicle hire businesses.
43. Venues for events or conferences (including venues for weddings).
44. Veterinary surgeons.
45. Visitor attractions and holiday, leisure activity or events businesses.

## PART 2

### Interpretation

46.—(1) For the purposes of this Schedule, a “holiday site” means any land in Wales on which a mobile home or caravan is stationed for the purposes of human habitation (including any land in Wales used in conjunction with that land), in respect of which the relevant planning permission or the site licence for the land—

- (a) is expressed to be granted for holiday use only, or
- (b) requires that there are times of the year when no mobile home or caravan may be stationed on the site for human habitation.

(2) For the purpose of determining whether or not a site is a holiday site, any provision of the relevant planning permission or of the site licence which permits the stationing of a mobile home on the land for human habitation all year round is to be ignored if the mobile home is authorised to be occupied by—

- (a) y person sy'n berchen ar y safle, neu
- (b) person sydd wedi ei gyflogi gan y person hwnnw ond nad yw'n meddiannu'r cartref symudol o dan gytundeb y mae Rhan 4 o Ddeddf Cartrefi Symudol (Cymru) 2013(1) yn gymwys iddo.

- (a) the person who is the owner of the site, or
- (b) a person employed by that person but who does not occupy the mobile home under an agreement to which Part 4 of the Mobile Homes (Wales) Act 2013(1) applies.

## ATODLEN 3

Rheoliad 26

### Gorfodi gofyniad i gymryd mesurau ataliol mewn mangre reoleiddiedig

#### Hysbysiad gwella mangre

1.—(1) Caiff swyddog gorfodaeth ddyroddi hysbysiad (“hysbysiad gwella mangre”) i berson cyfrifol os yw'r swyddog yn ystyried—

- (a) nad yw'r person yn cydymffurfio â'r rhwymedigaethau a osodir ar y person gan reoliad 21(2), a
- (b) bod y mesurau a bennir yn yr hysbysiad yn angenrheidiol ac yn gymesur er mwyn sicrhau bod y person yn cydymffurfio â'r rhwymedigaethau hynny.

(2) Rhaid i hysbysiad gwella mangre—

- (a) pennu'r fangre y mae'n ymwneud â hi;
- (b) pennu'r mesurau y mae'n ei gwneud yn ofynnol eu cymryd er mwyn sicrhau bod y person yn cydymffurfio â'r rhwymedigaethau a osodir gan reoliad 21(2);
- (c) pennu terfyn amser y mae rhaid cymryd y mesurau oddi mewn iddo (na chaniateir iddo fod yn llai nag 48 awr sy'n dechrau â'r amser y dyroddir yr hysbysiad);
- (d) rhoi manylion yr hawl i apelio a roddir gan baragraff 5.

(3) Yn yr Atodlen hon, mae i “person cyfrifol” yr ystyr a roddir gan reoliad 21(1).

#### Hysbysiad cau mangre

2.—(1) Os yw naill ai amod 1 neu amod 2 wedi ei fodloni, caiff swyddog gorfodaeth ddyroddi hysbysiad (“hysbysiad cau mangre”) i berson cyfrifol sy'n ei gwneud yn ofynnol i'r fangre, neu ran o'r fangre, gael ei chau.

(1) 2013 decc 6, fel y'i diwygiwyd gan Ddeddf Tai (Cymru) 2014 (decc 7).

## SCHEDULE 3

Regulation 26

### Enforcement of requirement to take preventative measures on regulated premises

#### Premises improvement notice

1.—(1) An enforcement officer may issue a notice (a “premises improvement notice”) to a responsible person if the officer considers that—

- (a) the person is not complying with the obligations imposed on the person by regulation 21(2), and
- (b) the measures specified in the notice are necessary and proportionate in order to ensure that the person complies with those obligations.

(2) A premises improvement notice must—

- (a) specify the premises to which it relates;
- (b) specify the measures it requires to be taken in order to ensure that the person complies with the obligations imposed by regulation 21(2);
- (c) specify a time limit within which the measures must be taken (which must not be less than 48 hours beginning with the time the notice is issued);
- (d) give details of the right of appeal conferred by paragraph 5.

(3) In this Schedule, “responsible person” has the meaning given by regulation 21(1).

#### Premises closure notice

2.—(1) If either condition 1 or condition 2 is satisfied, an enforcement officer may issue a notice (a “premises closure notice”) to a responsible person requiring the premises, or part of the premises, to be closed.

(1) 2013 anaw 6, as amended by the Housing (Wales) Act 2014 (anaw 7).

(2) Amod 1 yw—

- (a) bod hysbysiad gwella mangre wedi ei ddyroddi i'r person,
- (b) bod y swyddog gorfodaeth yn ystyried bod y person wedi methu â chymryd y mesurau a bennir yn yr hysbysiad gwella mangre o fewn y terfyn amser penodedig, ac
- (c) bod y swyddog yn ystyried bod cau'r fangre, neu ran o'r fangre, yn angenrheidiol ac yn gymesur at ddiben lleihau'r risg o ddod i gysylltiad â'r coronafeirws.

(3) Amod 2 yw bod y swyddog gorfodaeth yn ystyried—

- (a) nad yw'r person yn cydymffurfio â'r rhwymedigaethau a osodir ar y person gan reoliad 21(2), a
- (b) bod cau'r fangre, neu ran o'r fangre, (heb fod hysbysiad gwella mangre wedi ei ddyroddi) yn angenrheidiol ac yn gymesur at ddiben lleihau'r risg o ddod i gysylltiad â'r coronafeirws.

(4) Rhaid i hysbysiad cau mangre—

- (a) cynnwys disgrifiad o'r fangre sydd i'w chau,
- (b) pan fo hysbysiad gwella mangre wedi ei ddyroddi, nodi'r mesurau y mae'r swyddog gorfodaeth yn ystyried—
  - (i) nad ydynt wedi eu cymryd, a
  - (ii) y mae rhaid eu cymryd er mwyn sicrhau bod y person cyfrifol yn cydymffurfio â'r rhwymedigaethau a osodir gan reoliad 21(2),
- (c) pan na fo hysbysiad gwella mangre wedi ei ddyroddi, nodi'r rhesymau pam y mae'r swyddog gorfodaeth yn ystyried nad yw'r person yn cydymffurfio â'r rhwymedigaethau a osodir gan reoliad 21(2),
- (d) yn y naill achos neu'r llall, nodi'r rhesymau pam y mae'r swyddog gorfodaeth yn ystyried bod cau'r fangre yn angenrheidiol ac yn gymesur at ddiben lleihau'r risg o ddod i gysylltiad â'r coronafeirws,
- (e) pennu'r cyfnod y mae'r hysbysiad yn cael effaith amdano, ac
- (f) rhoi manylion yr hawl i apelio a roddir gan baragraff 5.

(5) Ni chaniateir i'r cyfnod a bennir o dan is-baragraff (4)(e) fod yn hwy na 336 o oriau (14 o ddiwrnodau) sy'n dechrau â'r amser y dyroddir yr hysbysiad.

(2) Condition 1 is—

- (a) a premises improvement notice has been issued to the person,
- (b) the enforcement officer considers that the person has failed to take the measures specified in the premises improvement notice within the specified time limit, and
- (c) the officer considers that the closure of the premises, or part of the premises, is necessary and proportionate for the purpose of minimising the risk of exposure to coronavirus.

(3) Condition 2 is that the enforcement officer considers that—

- (a) the person is not complying with the obligations imposed on the person by regulation 21(2), and
- (b) the closure of the premises, or part of the premises, (without a premises improvement notice having been issued) is necessary and proportionate for the purpose of minimising the risk of exposure to coronavirus.

(4) A premises closure notice must—

- (a) contain a description of the premises to be closed,
- (b) where a premises improvement notice has been issued, set out the measures that the enforcement officer considers—
  - (i) have not been taken, and
  - (ii) must be taken in order to ensure that the responsible person complies with the obligations imposed by regulation 21(2),
- (c) where a premises improvement notice has not been issued, set out the reasons why the enforcement officer considers that the person is not complying with the obligations imposed by regulation 21(2),
- (d) in either case, set out the reasons why the enforcement officer considers that closure of the premises is necessary and proportionate for the purpose of minimising the risk of exposure to coronavirus,
- (e) specify the period for which the notice has effect, and
- (f) give details of the right of appeal conferred by paragraph 5.

(5) The period specified under sub-paragraph (4)(e) may not be more than 336 hours (14 days) beginning with the time the notice is issued.

(6) Mae hysbysiad cau mangre yn cael effaith o'r amser y'i dyroddir neu o amser diweddarach a bennir yn yr hysbysiad.

(7) Ni chaniateir dyroddi hysbysiad cau mangre mewn perthynas â mangre sy'n rhan o seilwaith hollbwysig (er enghraifft, mangre a ddefnyddir i gynhyrchu trydan neu gyflenwi dŵr) neu a ddefnyddir i ddarparu gwasanaethau cyhoeddus hanfodol.

### **Effaith hysbysiad cau mangre**

3.—(1) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl i hysbysiad cau mangre gymryd effaith, rhaid i'r person y'i dyroddir iddo sicrhau—

- (a) bod y fangre y mae'r hysbysiad yn ymwneud â hi yn cael ei chau, a
- (b) na chynhelir unrhyw fusnes neu na ddarperir unrhyw wasanaeth yn y fangre neu ohoni.

(2) Ni chaiff unrhyw berson fynd i'r fangre, neu fod yn y fangre, sydd wedi ei chau o dan is-baragraff (1) heb esgus rhesymol.

(3) At ddibenion is-baragraff (2), mae'r amgylchiadau pan fo gan berson esgus rhesymol yn cynnwys—

- (a) pan fo'r person yn byw yn y fangre;
- (b) pan fo'r person yn gwneud gwaith cynnal a chadw neu atgyweirio hanfodol;
- (c) pan fo'r person yn gwneud pethau sy'n angenrheidiol er mwyn sicrhau y gellir cydymffurfio â rheoliad 21(2) pan ganiateir i'r fangre fod ar agor;
- (d) pan fo'r person yn swyddog gorfodaeth neu berson sy'n cynorthwyo swyddog gorfodaeth;
- (e) pan fo'n angenrheidiol i'r person fod yn y fangre er mwyn osgoi anaf neu salwch neu ddianc rhag risg o niwed.

### **Terfynu hysbysiad gwella neu gau mangre**

4.—(1) Caiff swyddog gorfodaeth ddyroddi hysbysiad sy'n terfynu hysbysiad gwella mangre neu hysbysiad cau mangre os yw wedi ei fodloni—

- (a) bod y mesurau a bennir yn yr hysbysiad gwella mangre (os dyroddwyd un) wedi eu cymryd, neu
- (b) bod mesurau eraill wedi eu cymryd i sicrhau y gellir cydymffurfio â rheoliad 21(2) yn y fangre o dan sylw.

(2) Mae hysbysiad gwella mangre neu hysbysiad cau mangre yn peidio â chael effaith ar yr amser y dyroddir hysbysiad o'r terfyniad.

(6) A premises closure notice has effect from the time at which it is issued or from a later time specified in the notice.

(7) A premises closure notice may not be issued in relation to premises which form part of critical infrastructure (for example, premises used to generate electricity or supply water) or which are used to provide essential public services.

### **Effect of premises closure notice**

3.—(1) As soon as is reasonably practicable after a premises closure notice takes effect, the person to whom it is issued must ensure that—

- (a) the premises to which the notice relates are closed, and
- (b) no business is carried on or service is provided on, or from, the premises.

(2) No person may enter, or be on, premises closed under sub-paragraph (1) without a reasonable excuse.

(3) For the purposes of sub-paragraph (2), the circumstances in which a person has a reasonable excuse include where—

- (a) the person lives on the premises;
- (b) the person is carrying out essential maintenance or repairs;
- (c) the person is doing things necessary to ensure that regulation 21(2) can be complied with when the premises are allowed to be open;
- (d) the person is an enforcement officer or a person assisting an enforcement officer;
- (e) it is necessary for the person to be on the premises to avoid injury or illness or escape a risk of harm.

### **Termination of premises improvement or closure notice**

4.—(1) An enforcement officer may issue a notice terminating a premises improvement notice or a premises closure notice if satisfied that—

- (a) the measures specified in the premises improvement notice (if one was issued) have been taken, or
- (b) other measures have been taken to ensure that regulation 21(2) can be complied with at the premises in question.

(2) A premises improvement notice or premises closure notice ceases to have effect at the time notice of the termination is issued.

## Apelau

5.—(1) Caiff person y dyroddir hysbysiad gwella mangre neu hysbysiad cau mangre iddo apelio i lys ynadon yn erbyn yr hysbysiad.

(2) Rhaid i apêl gael ei gwneud—

(a) drwy gŵyn am orchymyn, ac yn unol â Deddf Llysoedd Ynadon 1980, a

(b) o fewn 7 niwrnod ar ôl i'r hysbysiad gael ei ddyroddi.

(3) Ond caiff llys ynadon ganiatáu i apêl gael ei gwneud ar ôl diwedd y cyfnod a grybwyllir yn is-baragraff (2)(b) os yw wedi ei fodloni bod rheswm da dros fethu ag apelio cyn diwedd y cyfnod hwnnw (a thros unrhyw oedi cyn gwneud cais am ganiatâd i apelio y tu allan i amser).

(4) Caiff llys ynadon atal dros dro effaith hysbysiad gwella mangre neu hysbysiad cau mangre wrth aros am y penderfyniad ar yr apêl.

(5) Ar apêl yn erbyn hysbysiad gwella mangre neu hysbysiad cau mangre, caiff llys ynadon—

(a) cadarnhau'r penderfyniad i ddyroddi'r hysbysiad;

(b) cyfarwyddo bod yr hysbysiad i beidio â chael effaith;

(c) addasu'r hysbysiad;

(d) gwneud unrhyw orchymyn arall y mae'r llys yn ystyried ei fod yn briodol.

(6) Os yw'r llys ynadon yn cyfarwyddo bod hysbysiad i beidio â chael effaith neu'n addasu hysbysiad, caiff orchymyn i'r awdurdod lleol ar gyfer yr ardal lle y mae'r fangre o dan sylw ddiogolledu'r person sy'n gyfrifol am y fangre am golled a ddioddefir o ganlyniad i ddyroddi'r hysbysiad.

(7) Caiff y naill parti neu'r llall ddwyn apêl yn erbyn penderfyniad llys ynadon ar apêl o dan yr adran hon i Lys y Goron.

(8) Ar apêl i Lys y Goron, caiff y Llys—

(a) cadarnhau, amrywio neu wrthdroi penderfyniad y llys ynadon;

(b) anfon yr achos yn ôl i'r llys ynadon i'w waredu yn unol â chyfarwyddydau a roddir gan Lys y Goron.

## Dyroddi hysbysiadau gwella a chau mangreoedd a therfyniadau

6.—(1) Caiff hysbysiad gwella mangre, hysbysiad cau mangre neu derfyniad o'r naill neu'r llall o'r mathau hynny o hysbysiad ei ddyroddi i berson drwy roi copi ohono yn ysgrifenedig i'r person hwnnw.

## Appeals

5.—(1) A person to whom a premises improvement notice or premises closure notice is issued may appeal to a magistrates' court against the notice.

(2) An appeal must be made—

(a) by way of complaint for an order, and in accordance with the Magistrates' Courts Act 1980, and

(b) within 7 days after the day the notice is issued.

(3) But a magistrates' court may allow an appeal to be made after the expiry of the period mentioned in sub-paragraph (2)(b) if satisfied that there is a good reason for the failure to appeal before the expiry of that period (and for any delay in applying for permission to appeal out of time).

(4) A magistrates' court may suspend the effect of a premises improvement notice or premises closure notice pending the determination of an appeal.

(5) On an appeal against a premises improvement notice or premises closure notice, a magistrates' court may—

(a) confirm the decision to issue the notice;

(b) direct that the notice is to cease to have effect;

(c) modify the notice;

(d) make such other order as the court considers appropriate.

(6) If the magistrates' court directs that a notice is to cease to have effect or modifies a notice, it may order the local authority for the area in which the premises in question are situated to pay compensation for loss suffered as the result of the issue of the notice.

(7) An appeal by either party against the decision of a magistrates' court on an appeal under this section may be brought to the Crown Court.

(8) On an appeal to the Crown Court, the Court may—

(a) confirm, vary or reverse the decision of the magistrates court;

(b) remit the case to the magistrates' court to dispose of in accordance with directions given by the Crown Court.

## Issuing premises improvement and closure notices and terminations

6.—(1) A premises improvement notice, premises closure notice or a termination of either of those types of notice is issued to a person by giving a copy of it in writing to that person.

(2) Ond pan na fo'r person sy'n gyfrifol am y fangre y mae'r hysbysiad neu'r terfyniad yn ymwneud â hi yn y fangre pan yw'r hysbysiad i'w ddyroddi, mae'r hysbysiad i'w drin fel pe bai wedi ei ddyroddi i'r person hwnnw—

- (a) os rhoddir copi ohono i unrhyw berson arall yn y fangre yr ymddengys ei fod yn gyfrifol am unrhyw fusnes neu wasanaeth a gynhelir yn y fangre, neu
- (b) os nad oes unrhyw berson o'r fath yn y fangre pan yw'r hysbysiad i'w ddyroddi, os gosodir copi o'r hysbysiad mewn lle amlwg yn y fangre.

### **Rhoi cyhoeddusrwydd i hysbysiadau gwella a chau mangreodd**

7.—(1) Mae'r rheoliad hwn yn gymwys pan fo swyddog gorfodaeth wedi dyroddi hysbysiad gwella mangre neu hysbysiad cau mangre.

(2) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl dyroddi'r hysbysiad, rhaid i'r swyddog gorfodaeth—

- (a) arddangos copi o'r hysbysiad, ac arwydd ar y ffurf a nodir yn Atodlen 4, mewn man amlwg yn agos i bob mynedfa i'r fangre;
- (b) trefnu i'r hysbysiad gael ei gyhoeddi ar wefan yr awdurdod lleol ar gyfer yr ardal lle y mae'r fangre.

(3) Rhaid i hysbysiad neu arwydd a arddangosir o dan is-baragraff (2)(a) fod o faint A4 o leiaf.

(4) Rhaid i hysbysiad y mae'n ofynnol ei arddangos a'i gyhoeddi o dan is-baragraff (2) barhau i gael ei arddangos a'i gyhoeddi, a rhaid i arwydd y mae'n ofynnol ei arddangos o dan yr is-baragraff hwnnw barhau i gael ei arddangos, am gyhyd ag y mae'r hysbysiad yn cael effaith.

### **Dangos dogfennau etc.**

8.—(1) Caiff swyddog gorfodaeth, er mwyn hwyluso arfer pŵer a roddir i'r swyddog gan yr Atodlen hon, ei gwneud yn ofynnol dangos unrhyw ddogfennau neu gofnodion electronig, edrych ar y dogfennau hynny neu'r cofnodion electronig hynny a chymryd copïau ohonynt.

(2) Ni chaniateir ei gwneud yn ofynnol o dan is-baragraff (1) i berson ddarparu dogfen, cofnod neu wybodaeth arall y gellid maentumio hawliad am fraint broffesiynol gyfreithiol mewn cysylltiad â hi neu ag ef mewn achos gyfreithiol.

(2) But where the person responsible for the premises to which the notice or termination relates is not on the premises when it is to be issued, the notice is to be treated as having been issued to that person if—

- (a) a copy of it is given to any other person on the premises who appears to be responsible for any business or service being carried out on the premises, or
- (b) if there is no such person on the premises when the notice is to be issued, a copy of the notice is placed in a conspicuous position on the premises.

### **Publicising premises improvement and closure notices**

7.—(1) This regulation applies where an enforcement officer has issued a premises improvement notice or a premises closure notice.

(2) As soon as reasonably practicable after issuing the notice, the enforcement officer must—

- (a) display a copy of the notice, and a sign in the form set out in Schedule 4, in a prominent place near every entrance to the premises;
- (b) arrange for the notice to be published on the website of the local authority for the area in which the premises are located.

(3) A notice or sign displayed under sub-paragraph (2)(a) must be at least A4 size.

(4) A notice required to be displayed and published under sub-paragraph (2) must continue to be displayed and published, and a sign required to be displayed under that sub-paragraph must continue to be displayed, for as long as the notice has effect.

### **Production of documents etc.**

8.—(1) An enforcement officer may, to facilitate the exercise of a power conferred on the officer by this Schedule, require the production of, inspect and take copies of, any documents or electronic records.

(2) A person may not be required under sub-paragraph (1) to provide a document, record or other information in respect of which a claim for legal professional privilege could be maintained in legal proceedings.







Form of sign to accompany premises improvement notice or premises closure notice

*Sign to be displayed with premises improvement notice*

1.—(1) A sign displayed with a premises improvement notice under paragraph 7(2)(a) of Schedule 3 must be in the form set out below.




(2) The colours used in the sign must be white, black and amber C0 M60 Y100 K0.

 <p><b>GIG CYMRU NHS WALES</b></p>	 <p>Iechyd Cyhoeddus Cymru Public Health Wales</p>	 <p><b>DIOGELU CYMRU KEEP WALES SAFE</b></p>	 <p>Llywodraeth Cymru Welsh Government</p>
<p><b>IECHYD Y CYHOEDD Y CORONAFEIRWS</b></p> <p>Gofyniad i leihau'r risg o ddod i gysylltiad â'r coronafeirws mewn mangre:</p>	<p><b>PUBLIC HEALTH CORONAVIRUS</b></p> <p>Requirement to minimise risk of exposure to coronavirus on premises:</p>		
<p><b>ANGEN GWELLA</b></p>			
<p><b>IMPROVEMENT NEEDED</b></p>			
<p><b>Diogelu Cymru gyda'n gilydd</b></p>		<p><b>Together we'll keep Wales safe</b></p>	
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Sign to be displayed with premises closure notice

2.—(1) A sign displayed with a premises closure notice under paragraph 7(2)(a) of Schedule 3 must be in the form set out below.

(2) The colours used in the sign must be white, black and red C15 M100 Y100 K0.

 <p><b>GIG</b> CYMRU <b>NHS</b> WALES</p>	<p>Iechyd Cyhoeddus Cymru Public Health Wales</p>	 <p><b>DIOGELU CYMRU</b> KEEP WALES SAFE</p>	 <p>Llywodraeth Cymru Welsh Government</p>
<p><b>IECHYD Y CYHOEDD</b> <b>Y CORONAFeIRWS</b></p> <p>Gofyniad i leihau'r risg o ddod i gysylltiad â'r coronafeirws mewn mangre:</p>	<p><b>PUBLIC HEALTH</b> <b>CORONAVIRUS</b></p> <p>Requirement to minimise risk of exposure to coronavirus on premises:</p>		
<p><b>CAEWDYD Y FANGRE HON</b></p>			
<p><b>PREMISES CLOSED</b></p>			
<p><b>Diogelu Cymru gyda'n gilydd</b></p>	<p><b>Together we'll keep Wales safe</b></p>		
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Y ffurf ar arwydd i fynd gyda hysbysiad gwella mangre neu hysbysiad cau mangre

*Yr arwydd i'w arddangos gyda hysbysiad gwella mangre*

1.—(1) Rhaid i arwydd a arddangosir gyda hysbysiad gwella mangre o dan baragraff 7(2)(a) o Atodlen 3 fod ar y ffurf a nodir isod.




(2) Rhaid defnyddio'r lliwiau gwyn, du ac ambr C0 M60 Y100 K0 yn yr arwydd.

 <p><b>GIG CYMRU NHS WALES</b></p>	 <p><b>DIOGELU CYMRU KEEP WALES SAFE</b></p>	 <p><b>Llywodraeth Cymru Welsh Government</b></p>
<p><b>IECHYD Y CYHOEDD Y CORONAFEIRWS</b></p> <p>Gofyniad i leihau'r risg o ddod i gysylltiad â'r coronafeirws mewn mangre:</p>	<p><b>PUBLIC HEALTH CORONAVIRUS</b></p> <p>Requirement to minimise risk of exposure to coronavirus on premises:</p>	
<p><b>ANGEN GWELLA</b></p>		
<p><b>IMPROVEMENT NEEDED</b></p>		
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*Yr arwydd i'w arddangos gyda hysbysiad cau mangre*

2.—(1) Rhaid i arwydd a arddangosir gyda hysbysiad cau mangre o dan baragraff 7(2)(a) o Atodlen 3 fod ar y ffurf a nodir isod.

(2) Rhaid defnyddio'r lliwiau gwyn, du and choch C15 M100 Y100 K0 yn yr arwydd.

**IECHYD Y CYHOEDD  
Y CORONAFEIRWS**

Gofyniad i leihau'r risg  
o ddod i gysylltiad â'r  
coronafeirws mewn mangre:

**PUBLIC HEALTH  
CORONAVIRUS**

Requirement to minimise  
risk of exposure to  
coronavirus on premises:

**CAEWYD Y  
FANGRE HON**

**PREMISES  
CLOSED**

**Diogelu Cymru  
gyda'n gilydd**

**Together we'll  
keep Wales safe**

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