OFFERYNNAU STATUDOL CYMRU

2020 Rhif 1522 (Cy. 326)

IECHYD Y CYHOEDD, CYMRU

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

NODYN ESBONIADOL

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

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

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

Mae'r Rheoliadau hyn yn gwneud diwygiadau i Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 4) (Cymru) 2020 (O.S. 2020/1219 (Cy. 276)) (y "prif Reoliadau") er mwyn—

(a) ei gwneud yn ofynnol i bob sinema, ffair, parc difyrrwch, parc thema, amgueddfa, oriel ac atyniad ymwelwyr, boed o dan do neu yn yr awyr agored, fod ar gau;

(b) egluro bod yn rhaid i barciau a chanolfannau trampolîn a pharciau a chanolfannau sglefrio o dan do fod ar gau;

WELSH STATUTORY INSTRUMENTS

2020 No. 1522 (W. 326)

PUBLIC HEALTH, WALES

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

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.

These Regulations make amendments to the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020 (S.I. 2020/1219 (W. 276)) (the "principal Regulations") to—

(a) require all cinemas, funfairs, amusement parks, theme parks, museums, galleries and visitor attractions to be closed, whether indoors or outdoors;

(b) clarify that trampoline parks and centres and indoor skate parks and centres must be closed;

(c) (er gwaethaf y gofynion ar fangreoedd busnes penodol i fod ar gau) caniatáu i sinemâu a theatrau o sedd cerbyd agor yn ddarostyngedig i'r gofyniad yn y prif Reoliadau fod pob mesur rhesymol yn cael ei gymryd ar fangreoedd busnes i leihau'r risg o ddod i gysylltiad â'r coronafeirws.

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

(c) (despite the requirements on certain business premises to be closed) allow drive-in cinemas and theatres to open subject to the requirement in the principal Regulations for all reasonable measures to be taken on business premises to minimise the risk of exposure to coronavirus.

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

OFFERYNNAU STATUDOL CYMRU

2020 Rhif 1522 (Cy. 326)

IECHYD Y CYHOEDD, CYMRU

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

Cymeradwywyd gan Senedd Cymru

Gwnaed am 4.52 p.m. ar 11 Rhagfyr 2020

Gosodwyd gerbron Senedd Cymru am 8.00 p.m. ar 11 Rhagfyr 2020

Yn dod i rym ar 14 Rhagfyr 2020

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

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

Mae Gweinidogion Cymru yn ystyried bod y 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.

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

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

WELSH STATUTORY INSTRUMENTS

2020 No. 1522 (W. 326)

PUBLIC HEALTH, WALES

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

Approved by Senedd Cymru

Made at 4.52 p.m. on 11 December 2020

Laid before Senedd Cymru at 8.00 p.m. on 11 December 2020

Coming into force on 14 December 2020

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

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

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

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

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

Enwi a dod i rym

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

(2) Daw'r Rheoliadau hyn i rym ar 14 Rhagfyr 2020.

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

2.—(1) Mae Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 4) (Cymru) 2020(**1**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 7(2)(c)—

(a) ym mharagraff (i), ar ôl "ffilm" mewnosoder "mewn sinema o sedd cerbyd";

(b) ar ôl y paragraff hwnnw mewnosoder—

"(ia) perfformiad mewn theatr o sedd cerbyd;".

(3) Yn rheoliad 19, hepgorer paragraff (1A).

(4) Yn rheoliad 47, ar ôl paragraff (4) mewnosoder—

"(4A) At ddibenion y Rheoliadau hyn, mae mangre sinema neu theatr yn sinema neu'n theatr o sedd cerbyd—

(a) os yw'r fangre yn yr awyr agored, a

(b) o ran personau sy'n mynd i arddangosiad ffilm neu berfformiad yn y fangre—

(i) ni chaniateir iddynt ond gwneud hynny mewn cerbyd caeedig, a

(ii) ni chaniateir iddynt, i'r graddau y mae'n rhesymol ymarferol, adael y cerbyd tra byddant yn y fangre."

(5) Yn Atodlen 1—

(a) ym mharagraff 3, ar ôl "Theatrau" mewnosoder "ac eithrio theatrau o sedd cerbyd";

(b) ym mharagraff 6, ar ôl "arcedau diddanu" mewnosoder ", parciau a chanolfannau trampolîn, parciau a chanolfannau sglefrio o dan do";

(c) ym mharagraff 8, ar ôl "Sinemâu" mewnosoder "ac eithrio sinemâu o sedd cerbyd".

(**1**) O.S. 2020/1219 (Cy. 276) fel y'i diwygiwyd gan O.S. 2020/1237 (Cy. 279), O.S. 2020/1288 (Cy. 286), O.S. 2020/1409 (Cy. 311) ac O.S. 2020/1477 (Cy. 316).

Title and coming into force

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

(2) These Regulations come into force on 14 December 2020.

Amendment of the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020

2.—(1) The Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020(**1**) are amended as follows.

(2) In regulation 7(2)(c)—

(a) in paragraph (i), after "film" insert "at a drive-in cinema";

(b) after that paragraph insert—

"(ia) a performance at a drive-in theatre;".

(3) In regulation 19, omit paragraph (1A).

(4) In regulation 47, after paragraph (4) insert—

"(4A) For the purposes of these Regulations, the premises of a cinema or theatre is a drive-in cinema or theatre if—

(a) the premises are outdoors, and

(b) persons attending the showing of a film or performance at the premises—

(i) may only do so in an enclosed vehicle, and

(ii) may not, in so far as is reasonably practicable, leave the vehicle while at the premises."

(5) In Schedule 1—

(a) in paragraph 3, after "Theatres" insert "other than drive-in theatres";

(b) in paragraph 6, after "amusement arcades" insert ", trampoline parks and centres, indoor skate parks and centres";

(c) in paragraph 8, after "Cinemas" insert "other than drive-in cinemas".

(**1**) S.I. 2020/1219 (W. 276) as amended by S.I. 2020/1237 (W. 279), S.I. 2020/1288 (W. 286), S.I. 2020/1409 (W. 311) and S.I. 2020/1477 (W. 316).

Mark Drakeford

Y Prif Weinidog, un o Weinidogion Cymru
Am 4.52 p.m. ar 11 Rhagfyr 2020

First Minister, one of the Welsh Ministers
At 4.52 p.m. on 11 December 2020

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