



*Rheoliadau a wnaed gan Weinidogion Cymru, a osodwyd gerbron Cynulliad Cenedlaethol Cymru o dan adran 45R o Ddeddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984 (p. 22), i'w cymeradwyo drwy benderfyniad gan Gynulliad Cenedlaethol Cymru o fewn wyth niwrnod ar hugain gan ddechrau â'r diwrnod y gwnaed yr offeryn, yn ddarostyngedig i'w estyn dros gyfnodau o ddiidymu, neu pan fo toriad am fwy na phedwar diwrnod.*

*Regulations made by the Welsh Ministers, laid before the National Assembly for Wales under section 45R of the Public Health (Control of Disease) Act 1984 (c. 22), for approval by resolution of the National Assembly for Wales within twenty-eight days beginning with the day on which the instrument is made, subject to extension for periods of dissolution or recess for more than four days.*

OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

**2020 Rhif 308 (Cy. 68)**

**2020 No. 308 (W. 68)**

**IECHYD Y CYHOEDD,  
CYMRU**

**PUBLIC HEALTH, WALES**

**Rheoliadau Diogelu Iechyd  
(Coronafeirws) (Cymru) 2020**

**The Health Protection  
(Coronavirus) (Wales) Regulations  
2020**

**NODYN ESBONIADOL**

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

Mae'r Rheoliadau hyn yn cydategu'r gyfundrefn diogelu iechyd a geir yn Rhan 2A o Ddeddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984 ("Deddf 1984") os ceir bygythiad difrifol ac uniongyrchol i iechyd y cyhoedd o'r feirws a elwir Coronafeirws neu "Coronafeirws y syndrom anadlu aciwt difrifol 2", sy'n achosi'r clefyd a elwir yn "COVID-19".

Mae rheoliad 2 yn diffinio'r termau a ddefnyddir yn y Rheoliadau.

Mae rheoliad 3 yn darparu bod y Rheoliadau yn gymwys pan fo Gweinidogion Cymru yn gwneud datganiad ar [www.llyw.cymru](http://www.llyw.cymru) bod mynychder neu drosglwyddiad Coronafeirws yn fygythiad difrifol ac uniongyrchol i iechyd y cyhoedd a bod mynychder neu drosglwyddiad Coronafeirws wedi cyrraedd pwynt lle y byddai'n rhesymol ystyried bod y mesurau a amlinellir yn y Rheoliadau hyn yn ffordd effeithiol o oedi neu atal Coronafeirws rhag cael ei drosglwyddo ymhellach.

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations supplement the health protection regime found in Part 2A of the Public Health (Control of Disease) Act 1984 ("the 1984 Act") in the event that there exists a serious and imminent threat to public health from the virus known as Coronavirus or "Severe acute respiratory syndrome coronavirus 2", which causes the disease known as "COVID-19".

Regulation 2 defines the terms used in the Regulations.

Regulation 3 provides that the Regulations apply where the Welsh Ministers make a declaration on [www.gov.wales](http://www.gov.wales) that the incidence or transmission of Coronavirus constitutes a serious and imminent threat to public health and that the incidence or transmission of Coronavirus is at such a point that the measures outlined in these Regulations may reasonably be considered as an effective means of delaying or preventing the further transmission of Coronavirus.

Mae rheoliad 4 yn ei gwneud yn bosibl i berson gael ei gadw at ddibenion sgrinio pan fydd amodau penodol wedi eu bodloni.

Mae rheoliad 5 yn ei gwneud yn bosibl i ofynion ynglŷn â sgrinio a gofynion eraill gael eu gosod ar berson pan fydd amodau penodol wedi eu bodlon.

Mae rheoliad 6 yn nodi'r gofynion ynglŷn â sgrinio.

Mae rheoliad 7 yn ei gwneud yn bosibl i ragor o gyfyngiadau a gofynion gael eu gosod ar bersonau penodol at ddiben lleihau neu ddileu'r risg y bydd personau yn heintio neu'n halogi eraill.

Mae rheoliad 8 yn darparu ar gyfer ynysu personau.

Mae rheoliad 9 yn gwneud darpariaeth ychwanegol mewn perthynas ag achosion pan fo personau yn cael eu cadw neu eu hynysu.

Mae rheoliad 10 yn ei gwneud yn bosibl i gyfyngiadau a gofynion gael eu gosod mewn perthynas â grwpiau o bersonau.

Mae rheoliadau 11 a 12 yn darparu ar gyfer apelio a gorfodi.

Mae rheoliad 13 yn darparu pwerau i gwnstabiliaid gadw personau.

Mae rheoliad 14 yn darparu ar gyfer troseddau.

Mae rheoliad 15 yn darparu i'r Rheoliadau ddod i ben ar ddiwedd cyfnod o ddwy flynedd.

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.

Regulation 4 enables a person to be detained for screening purposes where certain conditions are met.

Regulation 5 enables screening and other requirements to be imposed on a person where certain conditions are met.

Regulation 6 sets out the screening requirements.

Regulation 7 enables further restrictions and requirements to be imposed on certain persons for the purpose of reducing or removing the risk of persons infecting or contaminating others.

Regulation 8 provides for the isolation of persons.

Regulation 9 makes additional provision in relation to cases where persons are detained or isolated.

Regulation 10 enables restrictions and requirements to be imposed in relation to groups of persons.

Regulations 11 and 12 provide for appeals and enforcement.

Regulation 13 provides powers for constables to detain persons.

Regulation 14 provides for offences.

Regulation 15 provides for the expiry of the Regulations at the end of two years.

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.

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**PUBLIC HEALTH, WALES**

**Rheoliadau Diogelu Iechyd  
(Coronafeirws) (Cymru) 2020**

**The Health Protection  
(Coronavirus) (Wales) Regulations  
2020**

*Gwnaed*      *am 3:15 p.m. ar 17 Mawrth 2020*

*Made*              *at 3:15 p.m. on 17 March 2020*

*Gosodwyd gerbron Cynulliad Cenedlaethol  
Cymru*      *am 5:30 p.m. ar 17 Mawrth 2020*

*Laid before the National Assembly for  
Wales*              *at 5:30 p.m. on 17 March 2020*

*Yn dod i rym*                      *18 Mawrth 2020*

*Coming into force*                      *18 March 2020*

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

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

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 Cynulliad Cenedlaethol Cymru ac wedi ei gymeradwyo ganddo 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, the National Assembly for Wales.

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

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(1) 1984 c. 22 ("the 1984 Act"). Sections 45B, 45C, 45F and 45P were inserted by section 129 of the Health and Social Care Act 2008 (c. 14) ("the 2008 Act"). 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, cychwyn a chymhwys

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Diogelu Iechyd (Coronafeirws) (Cymru) 2020 a deuant i rym ar 18 Mawrth 2020.

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

## Dehongli

2.—(1) Yn y Rheoliadau hyn—

ystyr “ardal heintiedig” (“*infected area*”) yw unrhyw ardal (gan gynnwys gwlad) y mae'r Ysgrifennydd Gwladol wedi datgan, drwy hysbysiad a gyhoeddir ar [www.gov.uk](http://www.gov.uk), fel ardal lle y gwyddys neu y tybir bod Coronafeirws yn cael ei drosglwyddo'n gyson o fod dynol i fod dynol, neu y mae risg uchel y caiff haint neu halogiad (â Choronafeirws) eu mewnfario drwy deithio o'r ardal honno i'r Deyrnas Unedig;

ystyr “Coronafeirws” (“*Coronavirus*”) yw Coronafeirws y syndrom anadlu aciwt difrifol 2 (SARS-CoV-2) sy'n achosi'r clefyd a elwir yn “COVID-19”;

ystyr “Deddf 1984” (“*the 1984 Act*”) yw Deddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984;

ystyr “gofynion ynglŷn â sgrinio” (“*screening requirements*”) yw'r gofynion a nodir yn rheoliad 6(1);

ystyr “Iechyd Cyhoeddus Cymru” (“*Public Health Wales*”) yw Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Iechyd Cyhoeddus Cymru(1);

ystyr “oedolyn cyfrifol” (“*responsible adult*”), mewn perthynas â phlentyn, yw person sydd â chyfrifoldeb rhiant dros y plentyn (o fewn ystyr Deddf Plant 1989(2)) neu berson sydd â'r plentyn o dan ei warchodaeth neu ei ofal am y tro;

ystyr “plentyn” (“*child*”) yw person o dan 18 oed;

ystyr “swyddog iechyd cyhoeddus” (“*public health officer*”) yw ymgynghorydd iechyd cyhoeddus cofrestredig neu berson sy'n gweithio o fewn Iechyd Cyhoeddus Cymru o dan oruchwyliaeth ymgynghorydd iechyd cyhoeddus cofrestredig;

ystyr “swyddog meddygol” (“*medical officer*”) yw ymarferydd meddygol cofrestredig a ddynodwyd at ddibenion y Rheoliadau hyn gan Weinidogion Cymru;

ystyr “ymgynghorydd iechyd cyhoeddus cofrestredig” (“*registered public health consultant*”) yw ymgynghorydd iechyd cyhoeddus

## Title, commencement and application

1.—(1) The title of these Regulations is the Health Protection (Coronavirus) (Wales) Regulations 2020 and they come into force on 18 March 2020.

(2) These Regulations apply in relation to Wales.

## Interpretation

2.—(1) In these Regulations—

“the 1984 Act” (“*Deddf 1984*”) means the Public Health (Control of Disease) Act 1984;

“child” (“*plentyn*”) means a person under the age of 18 years;

“Coronavirus” (“*Coronafeirws*”) means Severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) which causes the disease known as “COVID-19”;

“infected area” (“*ardal heintiedig*”) means any area (including a country) which the Secretary of State has declared, by notice published on [www.gov.uk](http://www.gov.uk), as an area where there is known or thought to be sustained human-to-human transmission of Coronavirus, or from which there is a high risk of importation of infection or contamination (by Coronavirus) via travel from that area to the UK;

“isolation” (“*ynysu*”) in relation to a person means the separation of that person from any other person in such a manner as to prevent infection or contamination (with Coronavirus)—

(a) at a facility designated, by notice published on [www.gov.wales](http://www.gov.wales), for the purposes of these Regulations by the Welsh Ministers;

(b) in that person's home;

(c) in a hospital;

(d) at another suitable place;

“medical officer” (“*swyddog meddygol*”) means a registered medical practitioner designated for the purposes of these Regulations by the Welsh Ministers;

“public health officer” (“*swyddog iechyd cyhoeddus*”) means a registered public health consultant or a person working within Public Health Wales under the oversight of a registered public health consultant;

“Public Health Wales” (“*Iechyd Cyhoeddus Cymru*”) means the Public Health Wales National Health Service Trust(1);

(1) Sefydlwyd Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Iechyd Cyhoeddus Cymru gan O.S. 2009/2058 (Cy. 177).

(2) 1989 p. 41.

(1) Public Health Wales National Health Service Trust was established by S.I. 2009/2058 (W. 177).

a gofrestrwyd yn broffesiynol ac sy'n gweithio yn Iechyd Cyhoeddus Cymru;

ystyr “ynysu” (“*isolation*”) mewn perthynas â pherson yw gwahanu'r person hwnnw oddi wrth unrhyw berson arall mewn modd sy'n atal heintio neu halogi (â Choronafeirws)—

- (a) mewn cyfleuster a ddynodir, drwy hysbysiad a gyhoeddir ar [www.llyw.cymru](http://www.llyw.cymru), at ddibenion y Rheoliadau hyn gan Weinidogion Cymru;
- (b) yng nghartref y person hwnnw;
- (c) mewn ysbyty;
- (d) mewn man addas arall.

(2) Yn y Rheoliadau hyn, mae cyfeiriad at haint neu halogiad(1), sut bynnag y'i mynegir, yn gyfeiriad at haint neu halogiad â Choronafeirws, ac mae ymadroddion perthynol i'w dehongli yn unol â hynny.

(3) Mae i ymadroddion Saesneg eraill a'r ymadroddion Cymraeg cyfatebol a ddefnyddir yn y Rheoliadau hyn ac yn Neddf 1984 yr un ystyr ag sydd iddynt yn y Ddeddf honno.

(4) Rhaid i'r hysbysiad y cyfeirir ato yn y diffiniad o “ynysu” ym mharagraff (1) gael ei ddilyn, cyn gynted ag y bo'n rhesymol ymarferol, drwy gyhoeddi'r hysbysiad yn y London Gazette ac mewn o leiaf un papur newydd sy'n cylchredeg yng Nghymru.

### Datganiad bygythiad difrifol ac uniongyrchol

3.—(1) Mae'r Rheoliadau hyn yn gymwys pan fo Gweinidogion Cymru yn datgan, drwy hysbysiad a gyhoeddir ar [www.llyw.cymru](http://www.llyw.cymru), fod mynychder neu drosglwyddiad Coronafeirws yn fygythiad difrifol ac uniongyrchol i iechyd y cyhoedd, a bod mynychder neu drosglwyddiad Coronafeirws wedi cyrraedd pwynt lle y byddai'n rhesymol ystyried bod y mesurau a amlinellir yn y Rheoliadau hyn yn ffordd effeithiol o oedi neu atal trosglwyddiad arwyddocaol pellach Coronafeirws (“datganiad bygythiad difrifol ac uniongyrchol”).

(2) Caiff Gweinidogion Cymru ddirymu datganiad bygythiad difrifol ac uniongyrchol drwy hysbysiad dilynol a gyhoeddir ar [www.llyw.cymru](http://www.llyw.cymru).

(3) Cyn gwneud datganiad o dan baragraff (1), neu ddirymu datganiad o dan baragraff (2), rhaid i Weinidogion Cymru roi sylw priodol i unrhyw gyngor gan Brif Swyddog Meddygol neu un o Ddirprwy Brif Swyddogion Meddygol Adran Iechyd a Gwasanaethau Cymdeithasol Llywodraeth Cymru.

“registered public health consultant” (“*ymgyngorydd iechyd cyhoeddus cofrestredig*”) means a professionally registered public health consultant working within Public Health Wales;

“responsible adult” (“*oedolyn cyfrifol*”) means, in relation to a child, a person with parental responsibility for the child (within the meaning of the Children Act 1989(1)) or a person who has custody or charge of the child for the time being;

“screening requirements” (“*gofynion ynglŷn â sgrinio*”) means the requirements set out in regulation 6(1).

(2) In these Regulations, a reference to infection or contamination(2), however expressed, is a reference to infection or contamination by Coronavirus, and related expressions are to be construed accordingly.

(3) Other expressions used in these Regulations and in the 1984 Act have the same meaning as in that Act.

(4) The notice referred to in the definition of “isolation” in paragraph (1) must be followed, as soon as reasonably practicable, by publication of the notice in the London Gazette and in at least one newspaper circulating in Wales.

### Serious and imminent threat declaration

3.—(1) These Regulations apply where the Welsh Ministers declare, by notice published on [www.gov.wales](http://www.gov.wales), that the incidence or transmission of Coronavirus constitutes a serious and imminent threat to public health, and that the incidence or transmission of Coronavirus is at such a point that the measures outlined in these Regulations may reasonably be considered as an effective means of delaying or preventing the further, significant transmission of Coronavirus (“serious and imminent threat declaration”).

(2) The Welsh Ministers may revoke a serious and imminent threat declaration by way of a subsequent notice published on [www.gov.wales](http://www.gov.wales).

(3) Before making a declaration under paragraph (1), or revoking a declaration under paragraph (2), the Welsh Ministers must have due regard to any advice from the Chief Medical Officer or one of the Deputy Chief Medical Officers of the Department of Health and Social Services of the Welsh Government.

(1) *Gweler* adran 45A o Ddeddf 1984 i gael y dehongliad o “infection” a “contamination”. Mewnodsodwyd adran 45A gan adran 129 o Ddeddf 2008.

(1) 1989 c. 41.

(2) *See* section 45A of the 1984 Act for the interpretation of “infection” and “contamination”. Section 45A was inserted by section 129 of the 2008 Act.

(4) Nid yw cyhoeddi hysbysiad o dan baragraff (2) yn effeithio ar ddilysrwydd unrhyw gamau a gymerir yn unol â'r Rheoliadau hyn cyn cyhoeddi'r hysbysiad.

(5) Rhaid i hysbysiad a gyhoeddir o dan baragraff (1) neu (2) gael ei ddilyn drwy gyhoeddi'r hysbysiad, cyn gynted ag y bo'n rhesymol ymarferol, yn y London Gazette ac mewn o leiaf un papur newydd sy'n cylchredeg yng Nghymru.

### **Cadw personau gan Weinidogion Cymru neu ymgynghorydd iechyd cyhoeddus cofrestredig**

4.—(1) Pan fo Amod A neu B wedi ei fodloni mewn perthynas â pherson (“P”), caiff Gweinidogion Cymru neu ymgynghorydd iechyd cyhoeddus cofrestredig, at ddibenion sgrinio, asesu a gosod unrhyw gyfyngiadau neu ofynion o dan reoliad 5, osod gofyniad ar P i'w gadw tan ba un bynnag o'r canlynol sydd ddiweddaraf—

- (a) diwedd y cyfnod o 48 awr sy'n dechrau â'r amser y mae cadwad P o dan y rheoliad hwn yn dechrau;
- (b) unrhyw amser y cydymffurfiwyd ag unrhyw ofynion ynglŷn â sgrinio a osodwyd ar P neu mewn perthynas â P o dan reoliad 5(1) ac y cyflawnwyd yr asesiad y cyfeirir ato yn y rheoliad hwnnw mewn perthynas â P.

(2) Amod A yw—

- (a) bod gan Weinidogion Cymru neu ymgynghorydd iechyd cyhoeddus cofrestredig sail resymol dros gredu bod P wedi ei heintio neu wedi ei halogi â Choronafeirws, neu y gallai fod wedi ei heintio neu wedi ei halogi ag ef, a
- (b) bod Gweinidogion Cymru neu ymgynghorydd iechyd cyhoeddus cofrestredig yn ystyried bod risg y gallai P heintio neu halogi eraill.

(3) Amod B yw bod P—

- (a) wedi cyrraedd Cymru ar awyren, llong neu drên o'r tu allan i'r Deyrnas Unedig, boed yn uniongyrchol ynteu drwy Ogledd Iwerddon, yr Alban neu Loegr, a
- (b) wedi ymadael ag ardal heintiedig, neu fod gan Weinidogion Cymru neu ymgynghorydd iechyd cyhoeddus cofrestredig sail resymol dros gredu bod P wedi ymadael ag ardal heintiedig, o fewn y cyfnod o 14 diwrnod yn union cyn y dyddiad y cyrhaeddodd P Gymru.

(4) Pan osodir cyfyngiad neu ofyniad arbennig o dan y rheoliad hwn, rhaid i'r person sy'n gosod y cyfyngiad neu'r gofyniad ddatgan bod hwnnw yn ddibynnol y ffaith bod mynychder neu drosglwyddiad Coronafeirws yn fygythiad difrifol ac uniongyrchol i iechyd y cyhoedd fel y cyfeirir ato yn rheoliad 3.

(4) The publication of a notice under paragraph (2) does not affect the validity of any steps taken pursuant to these Regulations before the notice is published.

(5) A notice published under paragraph (1) or (2) must be followed, as soon as reasonably practicable, by publication of the notice in the London Gazette and in at least one newspaper circulating in Wales.

### **Detention of persons by the Welsh Ministers or a registered public health consultant**

4.—(1) Where Condition A or B is met in relation to a person (“P”), the Welsh Ministers or a registered public health consultant may, for the purposes of screening, assessment and the imposition of any restrictions or requirements under regulation 5, impose on P a requirement to be detained until the later of—

- (a) the end of the period of 48 hours beginning with the time from which P's detention under this regulation begins;
- (b) such time as any screening requirements imposed on or in relation to P under regulation 5(1) have been complied with and the assessment referred to in that regulation carried out in relation to P.

(2) Condition A is that—

- (a) the Welsh Ministers or registered public health consultant has reasonable grounds to believe that P is, or may be, infected or contaminated with Coronavirus, and
- (b) the Welsh Ministers or registered public health consultant considers that there is a risk that P might infect or contaminate others.

(3) Condition B is that P—

- (a) has arrived in Wales on an aircraft, ship or train from outside the United Kingdom, whether directly or via Northern Ireland, Scotland or England, and
- (b) has left, or the Welsh Ministers or registered public health consultant has reasonable grounds to believe P has left, an infected area within the 14 day period immediately preceding the date of P's arrival in Wales.

(4) Where a special restriction or requirement is imposed under this regulation, the person imposing the restriction or requirement must express it to be contingent on the incidence or transmission of Coronavirus constituting a serious and imminent threat to public health as referred to in regulation 3.

## Gosod cyfyngiadau a gofynion

5.—(1) Pan fo Amod A neu B (a nodir yn rheoliad 4) wedi ei fodloni mewn perthynas â pherson (“P”), caiff Gweinidogion Cymru neu ymgynghorydd iechyd cyhoeddus cofrestredig—

- (a) (ar lafar neu mewn ysgrifen) osod ar P neu mewn perthynas â P un neu ragor o ofynion ynglŷn â sgrinio i lywio asesiad, gan Weinidogion Cymru neu ymgynghorydd iechyd cyhoeddus cofrestredig, ynghylch a yw P yn cyflwyno risg o heintio neu halogi eraill neu a allai beri risg o heintio neu halogi eraill,
- (b) cyflawni asesiad o’r fath mewn perthynas â P, ac
- (c) yn dilyn asesiad o’r fath, (ar lafar neu mewn ysgrifen) osod ar P neu mewn perthynas â P unrhyw gyfyngiad neu ofyniad arall y mae Gweinidogion Cymru neu, yn ôl y digwydd, ymgynghorydd iechyd cyhoeddus cofrestredig yn ystyried ei fod yn angenrheidiol at ddibenion dileu neu leihau’r risg y cyfeirir ati yn is-baragraff (a), gan gynnwys cyfyngiad neu ofyniad arbennig<sup>(1)</sup>.

(2) Dim ond os bydd Gweinidogion Cymru neu, yn ôl y digwydd, ymgynghorydd iechyd cyhoeddus cofrestredig yn ystyried, wrth wneud y penderfyniad, fod y cyfyngiad neu’r gofyniad yn gymesur â’r hyn y ceisir ei gyflawni drwy ei osod y caniateir gwneud penderfyniad i osod cyfyngiad neu ofyniad o dan baragraff (1).

(3) Caniateir i gyfyngiad neu ofyniad a osodir o dan baragraff (1)—

- (a) gan Weinidogion Cymru gael ei amrywio (ar lafar neu mewn ysgrifen) gan Weinidogion Cymru;
- (b) gan ymgynghorydd iechyd cyhoeddus cofrestredig gael ei amrywio (ar lafar neu mewn ysgrifen) gan Weinidogion Cymru neu gan ymgynghorydd iechyd cyhoeddus cofrestredig.

(4) Pan osodir cyfyngiad neu ofyniad o dan baragraff (1)(c) ar blentyn neu mewn perthynas â phlentyn, rhaid i berson sy’n oedolyn cyfrifol mewn perthynas â’r plentyn sicrhau bod y plentyn yn cydymffurfio â’r cyfyngiad neu’r gofyniad, i’r graddau y mae’n rhesymol i’r person hwnnw allu gwneud hynny.

## Imposition of restrictions and requirements

5.—(1) Where Condition A or B (set out in regulation 4) is met in relation to a person (“P”), the Welsh Ministers or a registered public health consultant may—

- (a) (orally or in writing) impose on or in relation to P one or more screening requirements to inform an assessment, by the Welsh Ministers or a registered public health consultant, of whether P presents or could present a risk of infecting or contaminating others,
- (b) carry out such an assessment in relation to P, and
- (c) following such an assessment, (orally or in writing) impose on or in relation to P any other restriction or requirement which the Welsh Ministers or, as the case may be, a registered public health consultant considers necessary for the purposes of removing or reducing the risk referred to in sub-paragraph (a), including a special restriction or requirement<sup>(1)</sup>.

(2) A decision to impose a restriction or requirement under paragraph (1) may only be taken if the Welsh Ministers or, as the case may be, registered public health consultant considers, when taking the decision, that the restriction or requirement is proportionate to what is sought to be achieved by imposing it.

(3) A restriction or requirement imposed under paragraph (1)—

- (a) by the Welsh Ministers may be varied (orally or in writing) by the Welsh Ministers;
- (b) by a registered public health consultant may be varied (orally or in writing) by the Welsh Ministers or a registered public health consultant.

(4) Where a restriction or requirement under paragraph (1)(c) is imposed on or in relation to a child, a person who is a responsible adult in relation to the child must secure that the child complies with the restriction or requirement, insofar as that person is reasonably able to do so.

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<sup>(1)</sup> *Gweler* adrannau 45C a 45T o Ddeddf 1984 i gael ystyr “special restriction or requirement”. Dyma gyfyngiad neu ofyniad a all gael ei osod gan ynad heddwch yn rhinwedd adran 45G(2), 45H(2) neu 45I(2) o Ddeddf 1984. Mae adran 45G(2) yn cynnwys cyfeiriadau at gadw ac ynysu.

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<sup>(1)</sup> *See* sections 45C and 45T of the 1984 Act for the meaning of “special restriction or requirement”. This is a restriction or requirement which can be imposed by a justice of the peace by virtue of section 45G(2), 45H(2) or 45I(2) of the 1984 Act. Section 45G(2) includes references to detention and isolation.

(5) Pan osodir cyfyngiad neu ofyniad ar lafar ar berson o dan y rheoliad hwn, neu pan gaiff cyfyngiad neu ofyniad a osodir o dan y rheoliad hwn ei amrywio ar lafar, rhaid darparu i'r person (neu, yn achos plentyn, i berson sy'n oedolyn cyfrifol mewn perthynas â'r plentyn) hysbysiad ysgrifenedig o'r cyfyngiad neu'r gofyniad a osodwyd neu a amrywiwyd cyn gynted ag y bo'n rhesymol ymarferol.

(6) Pan osodir cyfyngiad neu ofyniad arbennig o dan baragraff (1)(c), rhaid i'r person sy'n gosod y cyfyngiad neu'r gofyniad ddatgan ei fod yn ddibynnol ar y ffaith bod mynychder neu drosglwyddiad Coronafeirws yn fygythiad difrifol ac uniongyrchol i iechyd y cyhoedd fel y cyfeirir ato yn rheoliad 3.

(7) Nid yw paragraff (1) yn effeithio ar arfer unrhyw un neu ragor o bwerau yn rhinwedd rheoliad 8.

### Gofynion ynglŷn â sgrinio

6.—(1) At ddibenion y Rheoliadau hyn, mae'r gofynion ynglŷn â sgrinio, mewn perthynas â pherson ("P") yn ofynion i'r perwyl bod rhaid i P—

- (a) ateb cwestiynau am iechyd P neu ei amgylchiadau perthnasol eraill (gan gynnwys hanes teithio a gwybodaeth am unigolion eraill y gallai P fod wedi bod mewn cysylltiad â hwy),
- (b) dangos unrhyw ddogfennau a all gynorthwyo ymgynghorydd iechyd cyhoeddus cofrestredig neu swyddog iechyd cyhoeddus wrth asesu iechyd P,
- (c) ar unrhyw adeg ag y caiff ymgynghorydd iechyd cyhoeddus cofrestredig ei bennu, caniatáu i swyddog iechyd cyhoeddus, neu swyddog meddygol, gymryd sampl fiolegol gan P, gan gynnwys sampl o secretiadau resbiradol neu waed P, drwy ddulliau priodol gan gynnwys drwy swabio ceudod trwyn a ffarynes P, neu ddarparu sampl o'r fath, a
- (d) darparu digon o wybodaeth i alluogi swyddog iechyd cyhoeddus i gysylltu â P ar unwaith yn ystod unrhyw gyfnod y caiff ymgynghorydd iechyd cyhoeddus cofrestredig ei bennu, pan fo'r ymgynghorydd iechyd cyhoeddus cofrestredig yn ystyried bod darparu gwybodaeth o'r fath yn angenrheidiol er mwyn lleihau neu ddileu'r risg y bydd P yn heintio neu'n halogi eraill.

(2) Pan fo P—

- (a) yn blentyn, a
- (b) yng nghwmni oedolyn cyfrifol,

mae paragraff (3) yn gymwys.

(5) Where a restriction or requirement is imposed orally on a person under this regulation, or a restriction or requirement imposed under this regulation is orally varied, the person (or, in the case of a child, a person who is a responsible adult in relation to the child) must be provided with a written notification of the restriction or requirement that has been imposed or varied as soon as reasonably practicable.

(6) Where a special restriction or requirement is imposed under paragraph (1)(c), the person imposing the restriction or requirement must express it to be contingent on the incidence or transmission of Coronavirus constituting a serious and imminent threat to public health as referred to in regulation 3.

(7) Paragraph (1) does not affect the exercise of any powers by virtue of regulation 8.

### Screening requirements

6.—(1) For the purposes of these Regulations, the screening requirements, in relation to a person ("P") are requirements to the effect that P must—

- (a) answer questions about P's health or other relevant circumstances (including travel history and information about other individuals with whom P may have had contact),
- (b) produce any documents which may assist a registered public health consultant or public health officer in assessing P's health,
- (c) at such time as a registered public health consultant may specify, allow a public health officer, or a medical officer, to take a biological sample of P, including a sample of P's respiratory secretions or blood, by appropriate means including by swabbing P's nasopharyngeal cavity, or provide such a sample, and
- (d) provide sufficient information to enable P to be contacted immediately by a public health officer during such period as a registered public health consultant may specify, where the registered public health consultant considers that such provision of information is necessary in order to reduce or remove the risk of P infecting or contaminating others.

(2) Where P is—

- (a) a child, and
- (b) accompanied by a responsible adult,

paragraph (3) applies.



(3) Rhaid i'r oedolyn cyfrifol—

- (a) sicrhau bod P yn ateb cwestiynau yn unol â pharagraff (1)(a),
- (b) ateb y cwestiynau os na all P wneud hynny neu os na all wneud hynny mewn modd dibynadwy,
- (c) dangos unrhyw ddogfennau, sy'n ofynnol o dan baragraff (1)(b), ar ran P,
- (d) caniatáu i swyddog iechyd cyhoeddus, neu swyddog meddygol, gymryd sampl fiolegol gan P, gan gynnwys sampl o secretiadau resbiradol neu waed P, drwy ddulliau priodol gan gynnwys drwy swabio ceudod trwyn a ffaryncs P, neu ddarparu sampl o'r fath, ac
- (e) darparu gwybodaeth pan fydd swyddog iechyd cyhoeddus yn ei gwneud yn ofynnol o dan baragraff (1)(d).

### Gosod rhagor o gyfyngiadau a gofynion

7.—(1) Mewn achos pan fo Amod A neu B (a nodir yn rheoliad 4) wedi ei fodloni mewn perthynas â pherson (“P”)—

- (a) yn dilyn asesiad, gan Weinidogion Cymru neu ymgynghorydd iechyd cyhoeddus cofrestredig, o'r risg a gyflwynir gan P yn unol â rheoliad 5(1), neu
- (b) yn dilyn rhyddhau P ar ôl cael ei gadw o dan reoliad 5, neu ar ôl cael ei ynysu o dan reoliad 8,

caiff Gweinidogion Cymru neu ymgynghorydd iechyd cyhoeddus cofrestredig (ar lafar neu mewn ysgrifen) osod ar P unrhyw un neu ragor o'r gofynion a bennir ym mharagraff (2) pan fo Gweinidogion Cymru neu ymgynghorydd iechyd cyhoeddus cofrestredig yn ystyried ei bod yn angenrheidiol ac yn gymesur gwneud hynny er mwyn lleihau neu ddileu'r risg y bydd P yn heintio neu'n halogi eraill.

(2) Y gofynion a bennir yn y paragraff hwn yw bod P—

- (a) yn darparu manylion cysylltu P i swyddog iechyd cyhoeddus;
- (b) yn rhoi gwybodaeth i swyddog iechyd cyhoeddus a allai gynorthwyo i asesu iechyd P;
- (c) ar unrhyw adeg y caiff swyddog iechyd cyhoeddus ei bennu, yn caniatáu i'r swyddog neu i swyddog meddygol gymryd sampl fiolegol gan P, gan gynnwys sampl o secretiadau resbiradol neu waed P, drwy ddulliau priodol gan gynnwys drwy swabio ceudod trwyn a ffaryncs P, neu'n darparu sampl o'r fath;

(3) The responsible adult must—

- (a) secure that P answers questions in accordance with paragraph (1)(a),
- (b) answer the questions if P is unable to do so or cannot reliably do so,
- (c) produce any documents, required under paragraph (1)(b), on P's behalf,
- (d) allow a public health officer, or a medical officer, to take a biological sample of P, including a sample of P's respiratory secretions or blood, by appropriate means including by swabbing P's nasopharyngeal cavity, or provide such a sample, and
- (e) provide information where required by a public health officer under paragraph (1)(d).

### Imposition of further restrictions and requirements

7.—(1) In a case where Condition A or B (set out in regulation 4) is met in relation to a person (“P”)—

- (a) following an assessment, by the Welsh Ministers or a registered public health consultant, of risk presented by P in accordance with regulation 5(1), or
- (b) following P's release from detention under regulation 5, or from isolation under regulation 8,

the Welsh Ministers or a registered public health consultant may (orally or in writing) impose on P any one or more of the requirements specified in paragraph (2) where the Welsh Ministers or a registered public health consultant considers that it is necessary and proportionate to do so in order to reduce or remove the risk of P infecting or contaminating others.

(2) The requirements specified in this paragraph are for P to—

- (a) provide P's contact details to a public health officer;
- (b) supply information to a public health officer which may assist in assessing P's health;
- (c) at such time as a public health officer may specify, allow the officer or a medical officer, to take a biological sample of P, including a sample of P's respiratory secretions or blood, by appropriate means including by swabbing P's nasopharyngeal cavity, or provide such a sample;

(d) yn cydymffurfio ag unrhyw amod arall a bennir neu'n cymryd unrhyw fesur arall a bennir.

(3) Mae'r amodau neu'r mesurau y caniateir eu pennu o dan baragraff (2)(d) yn cynnwys—

- (a) cyfyngiad ar deithio gan P;
- (b) cyfyngiad ar weithgareddau P;
- (c) cyfyngiad ar gyswllt P â phersonau a bennir.

(4) Ni chaiff y cyfnod y gosodir cyfyngiad ar ei gyfer o dan baragraff (3) fod yn hwy na 14 diwrnod gan ddechrau â'r diwrnod y gosodir y cyfyngiad.

(5) Caiff Gweinidogion Cymru neu ymgynghorydd iechyd cyhoeddus cofrestredig (ar lafar neu mewn ysgrifed)—

- (a) amrywio unrhyw ofyniad a osodir o dan y rheoliad hwn, a
- (b) gosod ar P unrhyw ofynion ychwanegol a bennir ym mharagraff (2).

(6) Cyn gosod neu amrywio gofyniad o dan y rheoliad hwn, rhaid i Weinidogion Cymru neu, yn ôl y digwydd, ymgynghorydd iechyd cyhoeddus cofrestredig—

- (a) rhoi gwybod i P (neu pan fo P yn blentyn, rhoi gwybod i berson sy'n oedolyn cyfrifol mewn perthynas â P) am y gofyniad neu'r amrywiad y mae Gweinidogion Cymru neu ymgynghorydd iechyd cyhoeddus cofrestredig yn meddwl ei osod neu ei wneud, a
- (b) rhoi sylw i unrhyw sylwadau perthnasol gan P (neu, pan fo P yn blentyn, gan berson sy'n oedolyn cyfrifol mewn perthynas â P), o ran ei addasrwydd.

(7) Pan fo gofyniad o dan y rheoliad hwn yn cael ei osod ar blentyn neu mewn perthynas â phlentyn, neu'n cael ei amrywio mewn perthynas â phlentyn, rhaid i berson sy'n oedolyn cyfrifol mewn perthynas â'r plentyn sicrhau bod y plentyn yn cydymffurfio â'r gofyniad, i'r graddau y mae'n rhesymol i'r person hwnnw allu gwneud hynny.

(8) Pan fo Gweinidogion Cymru neu ymgynghorydd iechyd cyhoeddus cofrestredig yn gosod gofyniad ar P ar lafar o dan y rheoliad hwn, neu'n amrywio gofyniad o'r fath ar lafar, rhaid i Weinidogion Cymru neu, yn ôl y digwydd, ymgynghorydd iechyd cyhoeddus cofrestredig ddarparu i P (neu pan fo P yn blentyn, i berson sy'n oedolyn cyfrifol mewn perthynas â P) hysbysiad ysgrifenedig o'r gofyniad sydd wedi ei osod neu wedi ei amrywio.

(9) Nid yw paragraff (1) yn effeithio ar arfer unrhyw un neu ragor o bwerau yn rhinwedd rheoliad 5(1)(c).

(d) comply with any other specified condition or to take any other specified measure.

(3) The conditions or measures which may be specified under paragraph (2)(d) include—

- (a) a restriction on P's travel;
- (b) a restriction on P's activities;
- (c) a restriction on P's contact with specified persons.

(4) The period for which a restriction is imposed under paragraph (3) may not exceed 14 days beginning with the day on which the restriction is imposed.

(5) The Welsh Ministers or a registered public health consultant may (orally or in writing)—

- (a) vary any requirement imposed under this regulation, and
- (b) impose on P any additional requirements specified in paragraph (2).

(6) Before imposing or varying a requirement under this regulation, the Welsh Ministers or, as the case may be, registered public health consultant must—

- (a) inform P (or where P is a child, a person who is a responsible adult in relation to P) of the requirement or variation that the Welsh Ministers or a registered public health consultant is minded to impose or make, and
- (b) have regard to any relevant representations by P (or, where P is a child, a person who is a responsible adult in relation to P), as to its suitability.

(7) Where a requirement under this regulation is imposed on or in relation to a child, or varied in relation to a child, a person who is a responsible adult in relation to the child must secure that the child complies with the requirement, insofar as that person is reasonably able to do so.

(8) Where the Welsh Ministers or a registered public health consultant orally imposes a requirement on P under this regulation, or orally varies such a requirement, the Welsh Ministers or, as the case may be, registered public health consultant must provide P (or where P is a child, a person who is a responsible adult in relation to P) with a written notification of the requirement that has been imposed or varied.

(9) Paragraph (1) does not affect the exercise of any powers by virtue of regulation 5(1)(c).

## **Ynysu personau yr amheuir eu bod wedi eu heintio â Choronafeirws**

8.—(1) Mae'r rheoliad hwn yn gymwys pan fo Amod A neu B (a nodir yn rheoliad 4) wedi ei fodloni mewn perthynas â pherson ("P").

(2) Caiff Gweinidogion Cymru neu ymgynghorydd iechyd cyhoeddus cofrestredig ei gwneud yn ofynnol i P gael ei ynysu os bydd Gweinidogion Cymru neu, yn ôl y digwydd, ymgynghorydd iechyd cyhoeddus cofrestredig—

- (a) â sail resymol dros gredu bod P wedi ei heintio neu wedi ei halogi â Choronafeirws, neu y gallai fod wedi ei heintio neu wedi ei halogi ag ef, a
- (b) yn ystyried ei bod yn angenrheidiol ac yn gymesur gwneud hynny er mwyn lleihau neu ddileu'r risg y bydd P yn heintio neu'n halogi eraill.

(3) Pan fo gan ymgynghorydd iechyd cyhoeddus cofrestredig sail resymol dros gredu bod P wedi ei heintio neu wedi ei halogi â Choronafeirws, neu y gallai fod wedi ei heintio neu wedi ei halogi ag ef, caiff yr ymgynghorydd iechyd cyhoeddus cofrestredig gadw P hyd nes y ceir penderfyniad Gweinidogion Cymru neu, yn ôl y digwydd, penderfyniad ymgynghorydd iechyd cyhoeddus cofrestredig o dan baragraff (2).

(4) Pan fo paragraff (2) yn gymwys, caiff Gweinidogion Cymru neu, yn ôl y digwydd, ymgynghorydd iechyd cyhoeddus cofrestredig osod un neu ragor o ofynion ynglŷn â sgrinio ar P neu mewn perthynas â P.

(5) Pan osodir cyfyngiad neu ofyniad arbennig o dan y rheoliad hwn, rhaid i'r person sy'n gosod y cyfyngiad neu'r gofyniad ddatgan bod hwnnw'n ddibynnol ar y ffaith bod mynychder neu drosglwyddiad Coronafeirws yn fygythiad difrifol ac uniongyrchol i iechyd y cyhoedd fel y cyfeirir ato yn rheoliad 3.

(6) Nid yw paragraff (1) yn effeithio ar arfer unrhyw un neu ragor o bwerau yn rhinwedd rheoliad 5(1)(c).

## **Cadw neu ynysu: darpariaethau ychwanegol**

9.—(1) Pan fo P wedi ei gadw neu wedi ei ynysu o dan reoliad 5 neu 8 neu wedi ei ddarostwng i gyfyngiadau neu ofynion o dan reoliad 7, rhaid i Weinidogion Cymru roi sylw priodol i lesiant P.

(2) Pan fo P wedi ei gadw neu wedi ei ynysu o dan reoliad 5 neu 8 neu wedi ei ddarostwng i gyfyngiadau neu ofynion o dan reoliad 7 am gyfnod sy'n hwy na 14 diwrnod, rhaid i Weinidogion Cymru adolygu parhad cadwad P cyn gynted ag y bo'n rhesymol ymarferol drwy gyfeirio at darpariaethau'r rheoliadau hynny.

## **Isolation of persons suspected to be infected with Coronavirus**

8.—(1) This regulation applies where Condition A or B (set out in regulation 4) is met in relation to a person ("P").

(2) The Welsh Ministers or a registered public health consultant may require P to be kept in isolation if the Welsh Ministers or, as the case may be, registered public health consultant—

- (a) has reasonable grounds to believe that P is, or may be, infected or contaminated with Coronavirus, and
- (b) consider that it is necessary and proportionate to do so in order to reduce or remove the risk of P infecting or contaminating others.

(3) Where a registered public health consultant has reasonable grounds to believe that P is, or may be, infected or contaminated with Coronavirus, the registered public health consultant may detain P pending the decision of the Welsh Ministers or, as the case may be, registered public health consultant under paragraph (2).

(4) Where paragraph (2) applies, the Welsh Ministers or, as the case may be, registered public health consultant may impose on or in relation to P one or more screening requirements.

(5) Where a special restriction or requirement is imposed under this regulation, the person imposing the restriction or requirement must express it to be contingent on the incidence or transmission of Coronavirus constituting a serious and imminent threat to public health as referred to in regulation 3.

(6) Paragraph (1) does not affect the exercise of any powers by virtue of regulation 5(1)(c).

## **Detention or isolation: additional provisions**

9.—(1) Where P is detained or kept in isolation under regulation 5 or 8 or subjected to restrictions or requirements under regulation 7, the Welsh Ministers must have due regard to P's well-being.

(2) Where P is detained or kept in isolation under regulation 5 or 8 or subjected to restrictions or requirements under regulation 7 for a period exceeding 14 days, the Welsh Ministers must review the continuation of P's detention as soon as reasonably practicable by reference to the provisions of those regulations.

(3) Ar ôl pob cyfnod dilynol o 24 awr pan fo P wedi ei gadw neu wedi ei ynysu o dan reoliad 5 neu 8 neu wedi ei ddarostwng i gyfyngiadau neu ofynion o dan reoliad 7, rhaid i Weinidogion Cymru adolygu parhad ac amodau cadwad P drwy gyfeirio at ddarpariaethau'r rheoliadau hynny.

(4) Pan fo P wedi ei gadw neu wedi ei ynysu o dan reoliad 5 neu 8 neu wedi ei ddarostwng i gyfyngiadau neu ofynion o dan reoliad 7, caiff Gweinidogion Cymru neu ymgynghorydd iechyd cyhoeddus cofrestredig ei gwneud yn ofynnol i P gydymffurfio â gofynion ynglŷn â sgrinio os yw Gweinidogion Cymru neu ymgynghorydd iechyd cyhoeddus cofrestredig yn ystyried ei bod yn angenrheidiol ac yn gymesur gwneud hynny er mwyn lleihau neu ddileu'r risg y gallai P heintio neu halogi eraill.

(5) Pan fo P wedi ei gadw o dan reoliad 4, caiff Gweinidogion Cymru neu ymgynghorydd iechyd cyhoeddus cofrestredig ei gwneud yn ofynnol i P symud i le addas.

(6) Rhaid i Weinidogion Cymru neu, yn ôl y digwydd, ymgynghorydd iechyd cyhoeddus cofrestredig hysbysu P (neu, pan fo P yn blentyn, hysbysu person sy'n oedolyn cyfrifol mewn perthynas â P), cyn gynted ag y bydd cadwad P o dan reoliad 4 neu 5 yn dechrau, neu cyn gynted ag y penderfynir ynysu P o dan reoliad 8, o'r canlynol—

- (a) y ffaith bod P wedi ei gadw neu wedi ei ynysu,
- (b) y pwerau y mae P wedi ei gadw neu wedi ei ynysu odanynt,
- (c) y rheswm dros gadw neu ynysu P,
- (d) y camau nesaf a all gael eu cymryd a chan bwy,
- (e) y rhwymedigaeth i barhau i adolygu'r angen i gadw neu ynysu P,
- (f) y gosb ar gyfer—
  - (i) dianc, neu geisio dianc, rhag cael ei gadw neu ei ynysu o dan reoliad 15(1)(b);
  - (ii) darparu gwybodaeth ffug neu gamarweiniol yn fwriadol neu'n ddi-hid o dan reoliad 15(2);
  - (iii) rhwystro person rhag cyflawni swyddogaeth o dan y Rheoliadau hyn o dan reoliad 15(3), ac
- (g) yr hawl i apelio i'r llys ynadon o dan reoliad 12, pan fo'n gymwys.

(3) After each subsequent interval of 24 hours during which P is detained or kept in isolation under regulation 5 or 8 or subjected to restrictions or requirements under regulation 7, the Welsh Ministers must review the continuation and conditions of P's detention by reference to the provisions of those regulations.

(4) Where P is detained or kept in isolation under regulation 5 or 8 or subjected to restrictions or requirements under regulation 7, the Welsh Ministers or a registered public health consultant may require P to comply with screening requirements if the Welsh Ministers or the registered public health consultant considers that it is necessary and proportionate to do so in order to reduce or remove the risk of P infecting or contaminating others.

(5) Where P is detained under regulation 4, the Welsh Ministers or a registered public health consultant may require P to move to a suitable place.

(6) The Welsh Ministers or, as the case may be, registered public health consultant must notify P (or, where P is a child, a person who is a responsible adult in relation to P), as soon as P's detention under regulation 4 or 5 starts, or as soon as it is decided to keep P in isolation under regulation 8, of—

- (a) the fact of P's detention or isolation,
- (b) the powers under which P is detained or kept in isolation,
- (c) the reason for P's detention or isolation,
- (d) the next steps that may be taken and by whom,
- (e) the obligation to keep the need for P's detention or isolation under review,
- (f) the penalty for—
  - (i) absconding, or attempting to abscond, from detention or isolation under regulation 15(1)(b);
  - (ii) providing false or misleading information intentionally or recklessly under regulation 15(2);
  - (iii) obstructing a person carrying out a function under these Regulations under regulation 15(3), and
- (g) the right to appeal to the magistrates' court under regulation 12, where applicable.

## Cyfyngiadau neu ofynion: grwpiau

**10.**—(1) Mae'r pwerau yn rheoliadau 4, 5 ac 8 yn cynnwys pwerau i osod cyfyngiad neu ofyniad mewn perthynas â grŵp o bersonau, gan gynnwys cyfyngiad neu ofyniad arbennig.

(2) At y dibenion hynny mae'r rheoliadau hynny yn cael effaith fel a ganlyn.

(3) Yn rheoliad 4—

- (a) ym mharagraff (2), mae cyfeiriadau at P yn gyfeiriadau at bob person yn y grŵp;
- (b) ym mharagraff (3), mae cyfeiriadau at P yn gyfeiriadau at bob person yn y grŵp sydd wedi cyrraedd ar yr un awyren, llong neu drên ac wedi ymadael â'r un ardal;
- (c) ym mharagraff (1) (i'r graddau y mae'n ymwneud â'r paragraffau hynny), mae'r cyfeiriad at "person" i'w ddarllen yn unol â hynny, ac mae'r pŵer i osod gofyniad i'w gadw i'w ddarllen fel pŵer i osod y gofyniad hwnnw ar unrhyw un neu ragor o'r personau yn y grŵp o dan sylw.

(4) Yn rheoliad 5—

- (a) ym mharagraff (1), mae'r cyfeiriad at "person" i'w ddarllen yn unol â pharagraff (3) o'r rheoliad hwn;
- (b) yng ngweddill y paragraff hwnnw, mae cyfeiriadau at P yn gyfeiriadau at un neu ragor o'r personau yn y grŵp o dan sylw.

(5) Yn rheoliad 8—

- (a) ym mharagraff (1), mae'r cyfeiriad at "person" i'w ddarllen yn unol â pharagraff (3) o'r rheoliad hwn;
- (b) yng ngweddill y rheoliad hwnnw, mae cyfeiriadau at P yn gyfeiriadau at un neu ragor o'r personau yn y grŵp o dan sylw.

## Apelio

**11.**—(1) Caiff person y gosodir cyfyngiad neu ofyniad mewn perthynas ag ef o dan y Rheoliadau hyn apelio i'r llys ynadon yn erbyn y penderfyniad i osod y gofyniad neu'r cyfyngiad hwnnw.

(2) Caiff person sydd â chyfrifoldeb rhiant dros blentyn y gosodir cyfyngiad neu ofyniad mewn perthynas ag ef o dan y Rheoliadau hyn apelio i'r llys ynadon yn erbyn y penderfyniad i osod y cyfyngiad neu'r gofyniad hwnnw.

## Restrictions or requirements: groups

**10.**—(1) The powers in regulations 4, 5 and 8 include powers to impose a restriction or requirement in relation to a group of persons, including a special restriction or requirement.

(2) For those purposes those regulations have effect as follows.

(3) In regulation 4—

- (a) in paragraph (2), references to P are to each person in the group;
- (b) in paragraph (3), references to P are to each person in the group who has arrived on the same aircraft, ship or train and left the same area;
- (c) in paragraph (1) (insofar as it relates to those paragraphs), the reference to "a person" is to be read accordingly, and the power to impose a requirement to be detained is to be read as a power to impose that requirement on any one or more of the persons in the group in question.

(4) In regulation 5—

- (a) in paragraph (1), the reference to "a person" is to be read in accordance with paragraph (3) of this regulation;
- (b) in the rest of that paragraph, references to P are to one or more of the persons in the group in question.

(5) In regulation 8—

- (a) in paragraph (1), the reference to "a person" is to be read in accordance with paragraph (3) of this regulation;
- (b) in the rest of that regulation, references to P are to one or more of the persons in the group in question.

## Appeals

**11.**—(1) A person in relation to whom a restriction or requirement is imposed under these Regulations may appeal to the magistrates' court against the decision to impose that requirement or restriction.

(2) A person with parental responsibility for a child in relation to whom a restriction or requirement is imposed under these Regulations may appeal to the magistrates' court against the decision to impose that restriction or requirement.

## Gorfodi

12.—(1) Pan osodir gofyniad i berson gael ei gadw neu ei ynysu o dan reoliad 4, 5 neu 8, caiff cwnstabl wneud unrhyw un neu ragor o'r canlynol—

- (a) mynd â'r person i le addas, a bennir gan Weinidogion Cymru neu swyddog iechyd cyhoeddus, i gadw'r person neu i'w ynysu;
- (b) cadw'r person o dan gadwad neu wedi ei ynysu.

(2) Pan fo person yn dianc o gyfnod cadw neu ynysu a osodwyd o dan reoliad 4, 5 neu 8, caiff cwnstabl fynd â'r person i'r ddalfa a dychwelyd y person i'r man cadw neu ynysu, neu fynd â'r person i le addas arall a bennir gan swyddog iechyd cyhoeddus.

(3) Caiff cwnstabl ddefnyddio grym rhesymol, os bydd ei angen, wrth arfer pŵer o dan y rheoliad hwn.

## Cadwad cychwynnol personau i alluogi sgrinio ac asesu

13.—(1) Mae'r rheoliad hwn yn gymwys os oes gan gwnstabl sail resymol dros amau—

- (a) bod person ("P") wedi ei heintio neu wedi ei halogi â Choronafeirws, neu y gallai fod wedi ei heintio neu wedi ei halogi ag ef,
- (b) bod risg y gallai P heintio neu halogi eraill, ac
- (c) ei bod yn angenrheidiol cyfarwyddo, symud neu gadw P er budd P, er mwyn diogelu personau eraill neu er mwyn cynnal diogelwch y cyhoedd.

(2) Caiff cwnstabl—

- (a) cyfarwyddo P i fynd ar unwaith i ysbyty neu le addas arall a bennir yn y cyfarwyddyd at ddibenion sgrinio, asesu a gosod unrhyw gyfyngiadau neu ofynion o dan reoliad 5,
- (b) symud P i ysbyty neu le addas arall at ddibenion gosod unrhyw gyfyngiadau neu ofynion o dan reoliad 5, neu
- (c) os yw P eisoes mewn ysbyty neu le addas arall, cadw P yn y lle hwnnw neu symud P i ysbyty arall neu le addas arall at ddibenion gosod unrhyw gyfyngiadau neu ofynion o dan reoliad 5.

(3) Caniateir i'r pŵer ym mharagraff (2) gael ei arfer pan fo P mewn unrhyw le.

(4) At ddiben arfer y pŵer ym mharagraff (2), caiff cwnstabl fynd i mewn i unrhyw le.

## Enforcement

12.—(1) Where a requirement is imposed on a person to be detained or kept in isolation under regulation 4, 5 or 8, a constable may do any of the following—

- (a) take the person to a suitable place, specified by the Welsh Ministers or a public health officer, for the person's detention or isolation;
- (b) keep the person in detention or isolation.

(2) Where a person absconds from detention or isolation imposed under regulation 4, 5 or 8, a constable may take the person into custody and return the person to the place of detention or isolation, or take the person to another suitable place specified by a public health officer.

(3) A constable may use reasonable force, if necessary, in the exercise of a power under this regulation.

## Initial detention of persons to enable screening and assessment

13.—(1) This regulation applies if a constable has reasonable grounds to suspect that—

- (a) a person ("P") is, or may be, infected or contaminated with Coronavirus,
- (b) there is a risk that P might infect or contaminate others, and
- (c) it is necessary to direct, remove or detain P in the interests of P, for the protection of other persons or for the maintenance of public safety.

(2) A constable may—

- (a) direct P to go immediately to a hospital or other suitable place specified in the direction for the purposes of screening, assessment and the imposition of any restrictions or requirements under regulation 5,
- (b) remove P to a hospital or other suitable place for the purposes of the imposition of any restrictions or requirements under regulation 5, or
- (c) if P is already at a hospital or other suitable place, keep P at that place or remove P to another hospital or other suitable place for the purposes of the imposition of any restrictions or requirements under regulation 5.

(3) The power in paragraph (2) may be exercised where P is at any place.

(4) For the purpose of exercising the power in paragraph (2), a constable may enter any place.

(5) Cyn arfer y pŵer ym mharagraff (2) rhaid i'r cwnstabl—

- (a) cyn belled ag y bo'n rhesymol ymarferol, ymgynghori ag ymgynghorydd iechyd cyhoeddus cofrestredig a rhoi sylw dyledus i farn ymgynghorydd iechyd cyhoeddus cofrestredig ac unrhyw wybodaeth a ddarperir gan ymgynghorydd iechyd cyhoeddus cofrestredig mewn perthynas â P,
- (b) rhoi sylw priodol i unrhyw ganllawiau a ddyroddir gan Weinidogion Cymru, ac
- (c) pan nad ymgynghorwyd o dan is-baragraff (a)—
  - (i) ymgynghori ag ymgynghorydd iechyd cyhoeddus cofrestredig cyn gynted ag y bo'n rhesymol ymarferol ar ôl i'r pŵer ym mharagraff (2) gael ei arfer, a
  - (ii) rhoi sylw priodol i farn ymgynghorydd iechyd cyhoeddus cofrestredig ac unrhyw wybodaeth a ddarperir gan ymgynghorydd iechyd cyhoeddus cofrestredig mewn perthynas â P.

(6) Caniateir i berson sy'n cael ei symud i ysbyty neu fan addas arall neu ei gadw mewn ysbyty neu fan addas arall o dan y rheoliad hwn gael ei gadw yno am gyfnod nad yw'n hwy na'r cyfnod cadw a ganiateir.

(7) Caiff cwnstabl neu ymgynghorydd iechyd cyhoeddus cofrestredig neu berson a awdurdodir gan y naill neu'r llall ohonynt at ddibenion y paragraff hwn, fynd â pherson a gedwir mewn ysbyty neu le addas arall i un neu ragor o ysbytai neu leoedd addas eraill, cyn diwedd y cyfnod cadw a ganiateir.

(8) Caniateir i berson a gymerir i ysbyty neu le addas arall o dan baragraff (7) gael ei gadw yno am gyfnod sy'n dod i ben heb fod yn hwyrach na'r cyfnod cadw a ganiateir.

(9) Caiff cwnstabl ddefnyddio grym rhesymol, os bydd ei angen, wrth arfer pŵer o dan y rheoliad hwn.

(10) Yn y rheoliad hwn—

ystyr “y cyfnod cadw a ganiateir” (“*the permitted period of detention*”) yw'r cyfnod cadw cychwynnol a'r cyfnod estynedig a awdurdodir;

ystyr “y cyfnod cychwynnol” (“*the initial period*”) yw'r cyfnod o 24 awr sy'n dechrau—

- (a) mewn achos pan symudir y person i ysbyty neu le addas arall, â'r amser y mae'r person yn cyrraedd y lle hwnnw, neu
- (b) mewn achos pan gedwir y person mewn ysbyty neu le addas arall, â'r amser y mae'r cwnstabl yn penderfynu cadw'r person yn y lle hwnnw;

(5) Before exercising the power in paragraph (2) the constable must—

- (a) so far as reasonably practicable, consult a registered public health consultant and have due regard to the views of the registered public health consultant and any information provided by the registered public health consultant in relation to P,
- (b) have due regard to any guidance issued by the Welsh Ministers, and
- (c) where consultation has not been carried out under sub-paragraph (a)—
  - (i) consult a registered public health consultant as soon as reasonably practicable after the power in paragraph (2) has been exercised, and
  - (ii) have due regard to the views of the registered public health consultant and any information provided by the registered public health consultant in relation to P.

(6) A person removed to or kept in a hospital or other suitable place under this regulation may be detained there for a period not exceeding the permitted period of detention.

(7) A constable or a registered public health consultant or a person authorised by either of them for the purposes of this paragraph, may, before the end of the permitted period of detention, take a person detained in a hospital or other suitable place to one or more other hospitals or other suitable places.

(8) A person taken to a hospital or other suitable place under paragraph (7) may be detained there for a period ending no later than the permitted period of detention.

(9) A constable may use reasonable force, if necessary, in the exercise of a power under this regulation.

(10) In this regulation—

“the authorised extended period” (“*y cyfnod estynedig a awdurdodir*”) means such further period as is specified in an authorisation under paragraph (11);

“the initial period” (“*y cyfnod cychwynnol*”) means the period of 24 hours beginning with—

- (a) in a case where the person is removed to a hospital or other suitable place, the time when the person arrives at that place, or
- (b) in a case where the person is kept at a hospital or other suitable place, the time when the constable decides to keep the person at that place;

ystyr “y cyfnod estynedig a awdurdodir” (“*the authorised extended period*”) yw unrhyw gyfnod pellach a bennir mewn awdurdodiad o dan baragraff (11).

(11) Caiff cwnstabl neu ymgynghorydd iechyd cyhoeddus cofrestredig, ar unrhyw adeg cyn i’r cyfnod cychwynnol ddod i ben, awdurdodi cadw person am gyfnod pellach heb fod yn hwy na 24 awr (gan ddechrau ar unwaith ar ddiwedd y cyfnod cychwynnol).

(12) Dim ond os yw’r person sy’n rhoi’r awdurdodiad yn ystyried bod yr estyniad yn angenrheidiol am nad yw’n rhesymol ymarferol i gwblhau gosod unrhyw gyfyngiadau neu ofynion o dan reoliad 5 cyn diwedd y cyfnod cychwynnol y caniateir rhoi awdurdodiad o dan baragraff (11).

### Troseddau

**14.**—(1) Mae person (“P”) yn cyflawni trosedd os bydd P—

- (a) yn methu, heb esgus rhesymol, â chydymffurfio â chyfyngiad neu ofyniad a osodir o dan reoliad 4(1), 5(1), 7(1) neu 9(4) neu (5);
- (b) yn dianc, neu’n ceisio dianc, rhag cael ei gadw neu ei ynysu o dan reoliad 4, 5 neu 8.

(2) Mae person sy’n darparu gwybodaeth ffug neu gamarweiniol yn fwriadol neu’n ddi-hid i unrhyw berson sy’n cyflawni swyddogaeth o dan y Rheoliadau hyn yn cyflawni trosedd.

(3) Mae person sydd, heb esgus rhesymol, yn rhwystro unrhyw berson sy’n cyflawni swyddogaeth o dan y Rheoliadau hyn yn cyflawni trosedd.

(4) Mae oedolyn cyfrifol sy’n methu, heb esgus rhesymol, â chydymffurfio â rheoliad 5(4), 6(3) neu 7(7) yn cyflawni trosedd.

(5) Mae trosedd a bennir ym mharagraffau (1), (2), (3) neu (4) i’w chosbi ar gollfarn ddiannod â dirwy nad yw’n uwch na lefel 3 ar y raddfa safonol.

### Dod i ben

**15.**—(1) Mae’r Rheoliadau hyn yn peidio â chael effaith ar ddiwedd y cyfnod o ddwy flynedd sy’n dechrau ar y diwrnod y deuant i rym.

(2) Nid yw’r rheoliad hwn yn effeithio ar ddilysrwydd unrhyw beth a wneir yn unol â’r Rheoliadau hyn cyn iddynt beidio â chael effaith.

“the permitted period of detention” (“*y cyfnod cadw a ganiateir*”) means the initial period of detention and the authorised extended period.

(11) A constable or registered public health consultant may, at any time before the expiry of the initial period, authorise the detention of a person for a further period not exceeding 24 hours (beginning immediately at the end of the initial period).

(12) An authorisation under paragraph (11) may be given only if the person giving the authorisation considers that the extension is necessary because it is not reasonably practicable for the imposition of any restrictions or requirements under regulation 5 to be completed before the end of the initial period.

### Offences

**14.**—(1) A person (“P”) commits an offence if P—

- (a) fails, without reasonable excuse, to comply with a restriction or requirement imposed under regulation 4(1), 5(1), 7(1) or 9(4) or (5);
- (b) absconds, or attempts to abscond, from detention or isolation under regulation 4, 5 or 8.

(2) A person who provides false or misleading information intentionally or recklessly to any person carrying out a function under these Regulations commits an offence.

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

(4) A responsible adult who fails without reasonable excuse to comply with regulation 5(4), 6(3) or 7(7) commits an offence.

(5) An offence specified in paragraphs (1), (2), (3) or (4) is punishable on summary conviction by a fine not exceeding level 3 on the standard scale.

### Expiry

**15.**—(1) These Regulations cease to have effect at the end of the period of two years beginning on the day on which they come into force.

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



*Vaughan Gething*

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol,  
un o Weinidogion Cymru  
Am 3:15 p.m. ar 17 Mawrth 2020

Minister for Health and Social Services, one of the  
Welsh Ministers  
At 3:15 p.m. on 17 March 2020

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£6.90

W202003171004 03/2020

<http://www.legislation.gov.uk/id/wsi/2020/308>

ISBN 978-0-348-20533-6



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