



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2020 Rhif 725 (Cy. 162)

2020 No. 725 (W. 162)

**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

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

**The Health Protection (Coronavirus
Restrictions) (No. 2) (Wales)
Regulations 2020**

NODYN ESBONIADOL

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

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'r Rheoliadau yn disodli Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020 (O.S. 2020/353 (Cy. 80)) fel y'u diwygiwyd gan O.S. 2020/399 (Cy. 88), O.S. 2020/452 (Cy. 102), O.S. 2020/497 (Cy. 118), O.S. 2020/529 (Cy. 124), O.S. 2020/557 (Cy. 129), O.S. 2020/619 (Cy. 141) ac O.S. 2020/686 (Cy. 153).

Mae 5 Rhan i'r Rheoliadau.

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.

The Regulations replace the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 (S.I. 2020/353 (W. 80)) as they were amended by S.I. 2020/399 (W. 88), S.I. 2020/452 (W. 102), S.I. 2020/497 (W. 118), S.I. 2020/529 (W. 124), S.I. 2020/557 (W. 129), S.I. 2020/619 (W. 141) and S.I. 2020/686 (W. 153).

There are 5 Parts to the Regulations.

Mae **Rhan 1** yn cynnwys termau wedi'u diffinio (rheoliad 2); yn ei gwneud yn ofynnol i Weinidogion Cymru adolygu cymesuredd y cyfyngiadau a'r gofynion, a'r angen amdanynt, o leiaf unwaith bob 21 o ddiwrnodau (rheoliad 4); ac yn darparu y bydd y Rheoliadau hyn yn dod i ben ar 8 Ionawr 2021 (rheoliad 5). Mae'r Rhan hon hefyd yn gwneud darpariaeth sy'n addasu'r cyfyngiadau niferus ar unigolion yn y Rheoliadau sy'n cyfyngu ar y rhyngweithio ag unrhyw un nad yw'n aelod o'r un aelwyd. Mae hyn yn caniatáu i aelodau o ddwy aelwyd gytuno i ffurfio un aelwyd (estynedig), sy'n golygu y gall aelodau'r aelwydydd hynny ryngweithio â'i gilydd fel pebaent yn aelodau o un aelwyd.

Mae **Rhan 2** yn ei gwneud yn ofynnol i fusnesau a mangreoedd penodol gau. Mae'r rhain wedi eu rhestru yn Atodlen 1 (mangreoedd sy'n gwerthu bwyd a diod), Atodlen 2 (cyfleusterau hamdden neu ddiwylliant dan do a gwasanaethau harddwch yn gyffredinol) ac Atodlen 3 (llety gwyliau). Mae'r gofynion i gau, fodd bynnag, yn ddarostyngedig i eithriadau niferus. Mae'r rhain yn cynnwys darparu bwyd a diod i fynd â hwy i ffwrdd a bwyta ac yfed mewn mangreoedd sydd yn yr awyr agored (rheoliad 6); caniatáu i fangreoedd gael eu defnyddio at ddibenion penodol wedi eu rhestru (rheoliad 7); caniatáu i lety hunangynhwysol mewn gwstai a safleoedd gwyliau fod ar agor, a chaniatáu i fathau eraill o lety o'r fath agor ar gais Gweinidogion Cymru neu awdurdod lleol (rheoliad 8). Mae rheoliad 10 yn gwneud darpariaeth benodol ynghylch amlosgfeydd a chanolfannau cymunedol y mae rhaid iddynt gau yn ddarostyngedig i eithriadau penodol, ac mae rheoliad 11 yn ei gwneud yn ofynnol i awdurdodau lleol, awdurdodau Parciau Cenedlaethol, Cyfoeth Naturiol Cymru a'r Ymddiriedolaeth Genedlaethol gau rhai llwybrau cyhoeddus a thir y gall y cyhoedd fynd iddynt.

Mae **Rhan 3** yn gosod rhwymedigaethau ar bersonau sy'n gyfrifol am fangreoedd sydd ar agor i'r cyhoedd, neu ar waith sy'n cael ei wneud mewn unrhyw fangre, at ddiben lleihau'r risg o ddod i gysylltiad â coronafeirws yn y fangre. Mae rheoliad 12 yn ei gwneud yn ofynnol bod: (1) pob mesur rhesymol yn cael ei gymryd i sicrhau y cynhelir pellter o 2 fetr rhwng personau yn y fangre; (2) unrhyw fesurau rhesymol eraill yn cael eu cymryd, er enghraifft, i gyfyngu ar ryngweithio agos wyneb yn wyneb a chynnal hylendid; a (3) gwybodaeth yn cael ei darparu i'r rhai sy'n mynd i mewn i fangre neu'n gweithio ynddi ynglŷn â sut i leihau'r risg o ddod i gysylltiad â coronafeirws. Mae rheoliad 13 yn darparu ar gyfer dyroddi canllawiau ynghylch cymhwyso'r gofynion a osodir gan rheoliad 12 yn ymarferol, a rhaid i'r rhai sy'n ddarostyngedig i'r gofynion roi sylw i'r canllawiau hynny. At y dibenion hyn mae mangreoedd yn cynnwys cerbydau a ddefnyddir fel tacsis ac ar gyfer trafnidiaeth cyhoeddus.

Part 1 contains defined terms (regulation 2); requires the Welsh Ministers to review the proportionality of, and the need for, the restrictions and requirements at least once every 21 days (regulation 4); and provides that these Regulations expire on 8 January 2021 (regulation 5). This Part also makes provision which modifies the numerous restrictions on individuals in the Regulations which limit interaction with anyone who is not a member of their household. This allows members of two households to agree to form a single (extended) household, which means that members of those households can interact with each other as if they were members of one household.

Part 2 requires certain business and premises to close. These are listed in Schedule 1 (premises selling food and drink), Schedule 2 (generally indoor leisure or cultural facilities and beauty services) and Schedule 3 (holiday accommodation). The requirements to close are, however, subject to numerous exceptions. These include providing food and drink to take away and consuming food and drink on premises that are outdoors (regulation 6); allowing premises to be used for certain listed purposes (regulation 7); allowing self-contained accommodation at hotels and holiday sites to be open, and allowing other forms of such accommodation to open at the request of the Welsh Ministers or a local authority (regulation 8). Regulation 10 makes specific provision about crematoriums and community centres which must close subject to certain exceptions, and regulation 11 requires local authorities, National Park authorities, Natural Resources Wales and the National Trust to close certain public paths and land accessible by the public.

Part 3 imposes obligations on persons responsible for premises open to the public, or for work being carried out at any premises, for the purpose of minimising risk of exposure to coronavirus at the premises. Regulation 12 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. Regulation 13 provides for guidance to be issued about the practical application of the requirements imposed by regulation 12, and those subject to the requirements must have regard to that guidance. For these purposes premises includes vehicles used as taxis and for public transport.

Mae **Rhan 4** yn gosod terfynau ar ymgynnull gyda phobl eraill. Mae'r rhain yn darparu (yn rheoliad 14) mai dim ond os oes ganddo esgus rhesymol dros wneud hynny (y mae enghreifftiau ohonynt wedi eu rhestru) y caiff person ymgynnull dan do gyda rhywun ac eithrio aelod o'i aelwyd neu ei ofalwr, neu'r person y mae'n gofalu amdano. Mae'r un rheol yn berthnasol i ymgynnull yn yr awyr agored ac eithrio bod ymgynnull gydag aelodau un aelwyd arall yn cael ei ganiatáu hefyd. Mae rheoliad 15 yn darparu eithriad i'r rheol yn rheoliad 14 ar gyfer gweithgareddau yn yr awyr agored sydd wedi eu trefnu, nad ydynt yn cynnwys mwy na 30 o bobol. Mae rheoliad 16 yn darparu bod rhaid i berson sy'n gweithio neu'n darparu gwasanaethau gwirfoddol neu elusennol wneud hynny o'i gartref, os yw'n rhesymol ymarferol iddo wneud hynny.

Mae **Rhan 5** yn ymwneud â gorfodi'r cyfyngiadau a'r gofynion. Mae rheoliad 17 yn gwneud darpariaeth ynghylch y rhai a all gymryd camau gorfodi, tra bo rheoliad 18 yn ymwneud â'r camau gweithredu eu hunain. Mae rheoliad 19 yn cynnwys pŵer i fynd i fangre. Mae rheoliad 20 yn darparu bod person sydd, heb esgus rhesymol, yn mynd yn groes i'r gofynion (rhestredig) yn y Rheoliadau hyn yn cyflawni trosedd. Gellir cosbi'r drosedd honno drwy ddirwy ddiderfyn. Mae rheoliad 21 yn caniatáu i droseddau gael eu cosbi drwy hysbysiad cosb benodedig (y mae ei swm yn dyblu ar ail hysbysiad cosb person a phob un o'i hysbysiadau cosb a ddilyn, hyd at uchafswm o £1920) ac mae rheoliad 22 yn ymwneud ag erlyn troseddau o dan y Rheoliadau.

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.

Part 4 imposes limits on gathering with other people. These provide (at regulation 14) that a person may only gather indoors with someone other than a member of their household or their carer, or the person they care for, if they have a reasonable excuse for doing so (examples of which are listed). The same rule applies to gathering outdoors except that gathering with members of one other household is also allowed. Regulation 15 provides an exception to the rule in regulation 14 for organised outdoor activities involving no more than 30 people. Regulation 16 provides that a person who is working or providing voluntary or charitable services must do so from their home, if it is reasonably practicable for them to do so.

Part 5 relates to the enforcement of the restrictions and requirements. Regulation 17 makes provision about those who can take enforcement action, while regulation 18 relates to the actions themselves. Regulation 19 contains a power to enter premises. Regulation 20 provides that a person who, without a reasonable excuse, contravenes (listed) requirements in these Regulations commits an offence. That offence is punishable by an unlimited fine. Regulation 21 allows for offences to be punished by way of a fixed penalty notice (the amount of which doubles on each of a person's second and subsequent penalty notices, up to a maximum of £1920) and regulation 22 relates to prosecutions of offences under the regulations.

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 725 (Cy. 162)

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PUBLIC HEALTH, WALES

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

**The Health Protection (Coronavirus
Restrictions) (No. 2) (Wales)
Regulations 2020**

Cymeradwywyd gan Senedd Cymru

Approved by Senedd Cymru

Gwnaed am 3.40 p.m. ar 10 Gorffennaf 2020

Made at 3.40 p.m. on 10 July 2020

*Gosodwyd gerbron Senedd
Cymru am 6.00 p.m. ar 10 Gorffennaf 2020*

*Laid before Senedd
Cymru at 6.00 p.m. on 10 July 2020*

Yn dod i rym yn unol â rheoliad 1(3) a (4)

*Coming into force in accordance with
regulation 1(3) and (4)*

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

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

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

PART 1

Introduction

Enwi, cymhwyso a dod i rym

- 1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020.
- (2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.
- (3) Daw'r darpariaethau a ganlyn yn y Rheoliadau hyn i rym ar 11 Gorffennaf 2020—
- (a) rheoliad 2;
 - (b) rheoliad 8;
 - (c) rheoliad 9 i'r graddau y mae'n gymwys i ofyniad o dan reoliad 8(1);
 - (d) rheoliadau 12 ac 13 i'r graddau y maent yn gymwys i berson sy'n gyfrifol am fangre busnes a restrir yn Atodlen 3;
 - (e) rheoliadau 17 i 22 i'r graddau y maent yn gymwys i dorri (neu achos honedig o dorri) rheoliad 8(1);
 - (f) rheoliad 3 i'r graddau y mae'n ymwneud â darpariaethau a ganlyn yn Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020(1)—
 - (i) paragraffau (4) i (6) o reoliad 4 i'r graddau y maent yn gymwys i berson sy'n gyfrifol am gynnal busnes a restrir yn Rhan 3 o Atodlen 1;
 - (ii) rheoliad 5;
 - (iii) rheoliad 7A i'r graddau y mae'n gymwys mewn perthynas â gofyniad neu gyfyngiad a osodir gan reoliad 4(5B) neu 5(3C) ar berson sy'n gyfrifol am gynnal busnes a restrir yn Rhan 3 o Atodlen 1;
 - (iv) rheoliadau 10 i 14 i'r graddau y maent yn gymwys i dorri (neu achos honedig o dorri) rheoliad 4(4) neu 5(3C) gan berson sy'n gyfrifol am gynnal busnes a restrir yn Rhan 3 o Atodlen 1.
- (4) Daw'r Rheoliadau hyn i rym at bob diben arall ar 13 Gorffennaf 2020.

Dehongli

- 2.—(1) Yn y Rheoliadau hyn—

Title, application and coming into force

- 1.—(1) The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020.
- (2) These Regulations apply in relation to Wales.
- (3) The following provisions of these Regulations come into force on 11 July 2020—
- (a) regulation 2;
 - (b) regulation 8;
 - (c) regulation 9 so far as it applies to a requirement under regulation 8(1);
 - (d) regulations 12 and 13 so far as they apply to a person responsible for premises of a business listed in Schedule 3;
 - (e) regulations 17 to 22 so far as they apply to a contravention (or alleged contravention) of regulation 8(1);
 - (f) regulation 3 so far as it relates to the following provisions of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020(1)—
 - (i) paragraphs (4) to (6) of regulation 4 so far as they apply to a person responsible for carrying on a business listed in Part 3 of Schedule 1;
 - (ii) regulation 5;
 - (iii) regulation 7A so far as it applies in relation to a requirement or restriction imposed by regulation 4(5B) or 5(3C) on a person responsible for carrying on a business listed in Part 3 of Schedule 1;
 - (iv) regulations 10 to 14 so far as they apply to a contravention (or alleged contravention) of regulation 4(4) or 5(3C) by a person responsible for carrying on a business listed in Part 3 of Schedule 1.
- (4) These Regulations come into force for all other purposes on 13 July 2020.

Interpretation

- 2.—(1) In these Regulations—

(1) O.S. 2020/353 (Cy. 80) a ddiwygiwyd gan O.S. 2020/399 (Cy. 88), O.S. 2020/452 (Cy. 102), O.S. 2020/497 (Cy. 118), O.S. 2020/529 (Cy. 124), O.S. 2020/557 (Cy. 129), O.S. 2020/619 (Cy. 141) ac O.S. 2020/686 (Cy. 153).

(1) S.I. 2020/353 (W. 80) as amended by S.I. 2020/399 (W. 88), S.I. 2020/452 (W. 102), S.I. 2020/497 (W. 118), S.I. 2020/529 (W. 124), S.I. 2020/557 (W. 129), S.I. 2020/619 (W. 141) and S.I. 2020/686 (W. 153).

- (a) mae “claddu” yn cynnwys rhoi lludw person marw yn y ddaear;
- (b) ystyr “gofalwr” yw person sy’n darparu gofal ar gyfer y person a gynorthwyr pan—
- (i) bo hawlogaeth gan y gofalwr i asesiad o dan adran 24 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014(1),
- (ii) bo’r gofal yn rhan o’r ddarpariaeth o wasanaethau gofal cymunedol o dan Ran 4 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014, neu
- (iii) bo’r 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);
- (c) mae “mynwent” yn cynnwys claddfa ac unrhyw fan arall sydd yn cael ei ddefnyddio i gladdu’r meirw;
- (d) ystyr “coronafeirws” yw coronafeirws syndrom anadlol aciwt difrifol 2 (SARS-CoV-2);
- (e) ystyr “athletwr elit” yw unigolyn sydd wedi ei ddyodi felly at ddibenion y Rheoliadau hyn gan Gyngor Chwaraeon Cymru;
- (f) ystyr “awdurdod lleol” yw cyngor sir neu gyngor bwrdeistref sirol yng Nghymru;
- (g) mae i “mangre agored” yr ystyr a roddir gan reoliad 12(3);
- (h) mae i “cyfrifoldeb rhiant” yr un ystyr a roddir yn Neddf Plant 1989(3);
- (i) mae “person sy’n gyfrifol am gynnal busnes” yn cynnwys perchennog a rheolwr y busnes hwnnw;
- (j) mae “mangre” yn cynnwys unrhyw adeilad neu strwythur ac unrhyw dir;
- (k) 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 isorweddol;
- (iii) unrhyw berson sy’n feichiog;
- (a) “burial” includes the interment of a dead person’s ashes;
- (b) “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);
- (c) “cemetery” includes a burial ground and any other place for the interment of the dead;
- (d) “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);
- (e) “elite athlete” means an individual designated as such for the purposes of these Regulations by the Sports Council for Wales;
- (f) “local authority” means the council of a county or county borough in Wales;
- (g) “open premises” has the meaning given by regulation 12(3);
- (h) “parental responsibility” has the same meaning as in the Children Act 1989(3);
- (i) a “person responsible for carrying on a business” includes the owner, proprietor, and manager of that business;
- (j) “premises” includes any building or structure and any land;
- (k) “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;

(1) 2014 dccc 4.

(2) 2016 dccc 2.

(3) 1989 p. 41. Gweler Rhan 1 y Ddeddf, lle y gwnaed amryw ddiwygiadau, gan gynnwys gan y Ddeddf Ffrwythloni Dynol ac Embryoleg 2008 (p. 22) ac O.S. 2019/1458.

(1) 2014 anaw 4.

(2) 2016 anaw 2.

(3) 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.

- (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(1).

(2) At ddibenion y diffiniad o "athletwr elit" ym mharagraff (1)—

- (a) nid yw unigolyn wedi ei ddynodi gan Gyngor Chwaraeon Cymru onid yw'r unigolyn wedi ei enwebu am ddynodiad gan gorff camp perthnasol a bod y Cyngor wedi derbyn yr enwebiad, a
- (b) ystyr "corff camp perthnasol" yw corff llywodraethu cenedlaethol camp a gaiff enwebu athletwyr i gynrychioli—
 - (i) Prydain Fawr a Gogledd Iwerddon yn y Gemau Olympaidd neu'r Gemau Paralympaidd, neu
 - (ii) Cymru yng Ngemau'r Gymanwlad.

(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, a
- (b) mae mangre o dan do os yw'n gaeedig neu'n sylweddol gaeedig o fewn yr ystyr a roddir gan reoliad 2 o Reoliadau Mangreodd etc. Di-fwg (Cymru) 2007(2).

(4) Os yw dwy aelwyd yn cytuno i gael eu trin fel un aelwyd (estynedig) at ddibenion y Rheoliadau hyn, mae unrhyw gyfeiriad yn y Rheoliadau hyn (ac eithrio ym mharagraffau (5) a (7)) at "aelwyd" i'w ddarllen fel pe bai'n cynnwys y ddwy aelwyd.

(5) Er mwyn cytuno i gael eu trin fel un aelwyd rhaid i bob oedolyn yn y ddwy aelwyd gytuno.

(6) Ond—

- (a) dim ond gydag un aelwyd arall y caiff aelwyd gytuno i gael ei thrin fel un aelwyd, a
- (b) os yw'r ddwy aelwyd yn peidio â chytuno i gael eu trin fel un aelwyd, ni chaiff y naill aelwyd na'r llall gytuno i gael ei thrin fel un aelwyd o dan baragraff (4) gydag unrhyw aelwyd arall.

(7) Os yw dwy aelwyd wedi cytuno i gael eu trin fel un aelwyd (estynedig) at ddibenion Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020 maent i'w trin fel pe baent hefyd wedi cytuno i hynny at ddibenion y Rheoliadau hyn.

- (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(1).

(2) For the purposes of the definition of "elite athlete" in paragraph (1)—

- (a) an individual is designated by the Sports Council for Wales only if the individual has been nominated for designation by a relevant sporting body and the Council has accepted the nomination, and
- (b) "relevant sporting body" means the national governing body of a sport which may nominate athletes to represent—
 - (i) Great Britain and Northern Ireland at the Olympic or Paralympic Games, or
 - (ii) Wales at the Commonwealth Games.

(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) 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(2).

(4) If two households agree to be treated as a single (extended) household for the purposes of these Regulations, any reference in these Regulations (other than in paragraphs (5) to (7)) to a "household" is to be read as including both households.

(5) To agree to be treated as a single household all of the adults of the two households must agree.

(6) But—

- (a) a household may only agree to be treated as a single household with one other household, and
- (b) if two households cease to agree to be treated as a single household, neither household may agree to be treated as a single household under paragraph (4) with any other household.

(7) If two households have agreed to be treated as a single (extended) household for the purposes of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 they are to be treated as also having agreed for the purposes of these Regulations.

(1) 2006 c. 47, fel a ddiwygiwyd gan adran 65 o Deddf Diogelu Rhyddidau 2012 (p. 9).

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

(1) 2006 c. 47, as amended by section 65 of the Protection of Freedoms Act 2012 (c. 9).

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

Dirymu

3.—(1) Mae'r Rheoliadau a ganlyn wedi eu dirymu—

- (a) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020(1);
- (b) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) (Diwygio) 2020(2);
- (c) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) (Diwygio) (Rhif 2) 2020(3);
- (d) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) (Diwygio) (Rhif 3) 2020(4);
- (e) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) (Diwygio) (Rhif 4) 2020(5);
- (f) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) (Diwygio) (Rhif 5) 2020(6);
- (g) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) (Diwygio) (Rhif 6) 2020(7);
- (h) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) (Diwygio) (Rhif 7) 2020(8).

(2) Er gwaethaf dirymu'r Rheoliadau hynny, maent yn parhau mewn grym mewn perthynas ag unrhyw drosedd a gyflawnwyd o dan Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020 cyn i'r Rheoliadau hyn ddod i rym.

Adolygu

4. 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 30 Gorffennaf 2020;
- (b) o leiaf unwaith yn y cyfnod o 21 o ddiwrnodau sy'n dechrau â 31 Gorffennaf;
- (c) o leiaf unwaith ym mhob cyfnod dilynol o 21 o ddiwrnodau.

(1) O.S. 2020/353 (Cy. 80).
(2) O.S. 2020/399 (Cy. 88).
(3) O.S. 2020/452 (Cy. 102).
(4) O.S. 2020/497 (Cy. 118).
(5) O.S. 2020/529 (Cy. 124).
(6) O.S. 2020/557 (Cy. 129).
(7) O.S. 2020/619 (Cy. 141).
(8) O.S. 2020/686 (Cy. 153).

Revocation

3.—(1) The following Regulations are revoked—

- (a) the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020(1);
- (b) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) Regulations 2020(2);
- (c) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 2) Regulations 2020(3);
- (d) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 3) Regulations 2020(4);
- (e) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 4) Regulations 2020(5);
- (f) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 5) Regulations 2020(6);
- (g) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 6) Regulations 2020(7);
- (h) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 7) Regulations 2020(8).

(2) Despite the revocation of those Regulations, they continue in force in relation to any offence committed under the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 before these Regulations came into force.

Review

4. The Welsh Ministers must review the need for 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 30 July 2020;
- (b) at least once in the period of 21 days beginning with 31 July 2020;
- (c) at least once in each subsequent period of 21 days.

(1) S.I. 2020/353 (W. 80).
(2) S.I. 2020/399 (W. 88).
(3) S.I. 2020/452 (W. 102).
(4) S.I. 2020/497 (W. 118).
(5) S.I. 2020/529 (W. 124).
(6) S.I. 2020/557 (W. 129).
(7) S.I. 2020/619 (W. 141).
(8) S.I. 2020/686 (W. 153).

Dod i ben

5.—(1) Daw'r Rheoliadau hyn i ben ar ddiwedd y dydd ar 8 Ionawr 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

Cau busnesau a mangroedd

Cau bariau a bwytai dan do etc.

6.—(1)—Rhaid i berson sy'n gyfrifol am gynnal busnes a restrir yn Atodlen 1 gau unrhyw ran o'i fangre sydd o dan do ac a ddefnyddir ar gyfer bwyta bwyd neu yfed diod.

(2) Ond nid yw paragraff (1) yn atal darparu gwasanaeth ystafell mewn gwesty neu lety arall.

(3) Ac mae paragraff (1) yn gymwys, yn ddarostyngedig i'r angen i wneud gwaith cynnal a chadw ac atgyweirio a gwaith arall i sicrhau bod y fangre yn addas i'w defnyddio pan nad yw paragraff (1) yn gymwys mwyach i'r busnes.

(4) At ddibenion paragraff (1), mae ardal o dan do sy'n gyfagos i fangre'r busnes lle y mae seddau yn cael eu rhoi ar gael i gwsmeriaid y busnes (pa un ai gan y busnes ai peidio) i'w thrin fel rhan o fangre'r busnes hwnnw.

Cau busnesau a gwasanaethau eraill

7.—(1) Rhaid i berson sy'n gyfrifol am gynnal busnes neu ddarparu gwasanaeth a restrir yn Atodlen 2 beidio â chynnal y busnes hwnnw neu ddarparu'r gwasanaeth hwnnw.

(2) Ond nid yw paragraff (1) yn atal y defnydd—

- (a) o fangre a ddefnyddir ar gyfer y busnesau neu'r gwasanaethau a restrir ym mharagraff 1, 2, 4, 5, 6 neu 12 o Atodlen 2 i ddarlledu heb gynulleidfa yn bresennol yn y fangre (boed dros y rhyngwyd neu fel rhan o ddarllediad radio neu deledu);
- (b) o fangre at unrhyw ddiben y caiff Gweinidogion Cymru neu awdurdod lleol ofyn amdano;
- (c) o fangre ar gyfer hyfforddi athletwyr elit;
- (d) o fangre a ddefnyddir fel amgueddfa neu oriel, neu at ddiben darparu gwasanaethau archif, ar gyfer darparu gwybodaeth neu wasanaethau eraill—
 - (i) drwy wefan, neu fel arall drwy gyfathrebiad ar lein,

Expiry

5.—(1) These Regulations expire at the end of the day on 8 January 2021.

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

PART 2

Closure of businesses and premises

Closure of indoor bars and restaurants etc.

6.—(1) A person responsible for carrying on a business which is listed in Schedule 1 must close any part of its premises which is indoors and used for the consumption of food or drink.

(2) But paragraph (1) does not prevent the provision of room service at a hotel or other accommodation.

(3) And paragraph (1) applies subject to the need to carry out maintenance and repairs and other work to ensure premises are suitable for use when paragraph (1) no longer applies to the business.

(4) For the purposes of paragraph (1), an indoor area adjacent to the premises of the business where seating is made available for customers of the business (whether or not by the business) is to be treated as part of the premises of that business.

Closure of other businesses and services

7.—(1) A person responsible for carrying on a business or providing a service which is listed in Schedule 2 must cease to carry on that business or to provide that service.

(2) But paragraph (1) does not prevent the use of—

- (a) premises used for the businesses or services listed in paragraphs 1, 2, 4, 5, 6 or 12 of Schedule 2 to broadcast without an audience present at the premises (whether over the internet or as part of a radio or television broadcast);
- (b) premises for any purpose as may be requested by the Welsh Ministers or a local authority;
- (c) premises for training for elite athletes;
- (d) premises used as a museum or gallery, or for providing archive services, for the provision of information or other services—
 - (i) through a website, or otherwise by on-line communication,

- (ii) dros y ffôn, gan gynnwys drwy neges destun, neu
- (iii) drwy'r post.

(3) Ac mae paragraff (1) yn gymwys, yn ddarostyngedig i'r angen i wneud gwaith cynnal a chadw ac atgyweirio a gwaith arall i sicrhau bod mangre yn addas i'w defnyddio pan nad yw paragraff (1) yn gymwys mwyach i'r busnes neu'r gwasanaeth.

Cau llety gwyliau

8.—(1) Rhaid i berson sy'n gyfrifol am gynnal busnes a restrir yn Atodlen 3 beidio â chynnal y busnes hwnnw.

(2) Ond nid yw paragraff (1) yn atal y defnydd o fangre—

- (a) ar gyfer darparu llety hunangynhwysol,
- (b) ar gyfer darparu lleiniau i garafannau hunangynhwysol mewn safleoedd gwyliau neu feysydd pebyll,
- (c) at ddibenion busnes a restrir yn Atodlen 1 (ond gweler rheoliad 6), neu
- (d) at unrhyw ddiben y caiff Gweinidogion Cymru neu awdurdod lleol ofyn amdano.

(3) Ac mae paragraff (1) yn gymwys i berson sy'n gyfrifol am gynnal busnes yn ddarostyngedig i'r angen—

- (a) i ddarparu llety i unrhyw bersonau sy'n aros yn y llety hwnnw pan ddaw'r Rheoliadau hyn i rym ac—
 - (i) nad ydynt yn gallu dychwelyd i'w prif breswylfa, neu
 - (ii) sy'n defnyddio'r llety fel eu prif breswylfa;
- (b) i gynnal y busnes drwy ddarparu gwybodaeth neu wasanaethau eraill—
 - (i) drwy wefan, neu fel arall drwy gyfathrebiad ar lein,
 - (ii) dros y ffôn, gan gynnwys ymholiadau drwy neges destun, neu
 - (iii) drwy'r post;
- (c) i wneud gwaith cynnal a chadw ac atgyweirio a gwaith arall i sicrhau bod mangre'n addas i'w defnyddio pan nad yw paragraff (1) yn gymwys mwyach i'r busnes.

(4) At ddibenion paragraff (2)—

- (a) mae llety yn hunangynhwysol—
 - (i) os y'i darperir i bersonau sy'n aelodau o'r un aelwyd,

- (ii) by telephone, including by text message, or

(iii) by post.

(3) And paragraph (1) applies subject to the need to carry out maintenance and repairs and other work to ensure premises are suitable for use when paragraph (1) no longer applies to the business or service.

Closure of holiday accommodation

8.—(1) A person responsible for carrying on a business which is listed in Schedule 3 must cease to carry on that business.

(2) But paragraph (1) does not prevent the use of premises—

- (a) for the provision of self-contained accommodation,
- (b) for the provision of pitches for self-contained caravans at holiday sites or camping sites,
- (c) for the purposes of a business listed in Schedule 1 (but see regulation 6), or
- (d) for any purpose as may be requested by the Welsh Ministers or a local authority.

(3) And paragraph (1) applies to a person responsible for carrying on a business subject to the need to—

- (a) provide accommodation for any persons staying in that accommodation when these Regulations come into force and who—
 - (i) are unable to return to their main residence, or
 - (ii) are using the accommodation as their main residence;
- (b) carry on the business by providing information or other services—
 - (i) through a website, or otherwise by on-line communication,
 - (ii) by telephone, including enquiries by text message, or
 - (iii) by post;
- (c) carry out maintenance and repairs and other work to ensure premises are suitable for use when paragraph (1) no longer applies to the business.

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

- (a) accommodation is self-contained if—
 - (i) it is provided to persons who are members of the same household,

- (ii) os yw toiledau a chyfleusterau ymolchi wedi eu darparu mewn cysylltiad â'r llety nad ydynt yn cael eu rhannu ag unrhyw un sy'n aelod o aelwyd arall, a
 - (iii) os yw cyfleusterau ar gyfer paratoi bwyd neu ddiod, neu fwyta bwyd neu yfed diod wed eu darparu mewn cysylltiad â'r llety ac nid ydynt yn cael eu rhannu ag unrhyw un sy'n aelod o aelwyd arall;
- (b) mae carafán yn hunangynhwysol—
- (i) os yw'r personau sy'n meddiannu'r garafán yn aelodau o'r un aelwyd,
 - (ii) os yw'r garafán yn cynnwys ei thoiled a'i chyfleusterau ymolchi ei hun, ac
 - (iii) os nad yw'r personau sy'n meddiannu'r garafán yn rhannu cyfleusterau ar gyfer paratoi bwyd neu ddiod, neu fwyta bwyd neu yfed diod ar y safle gwyliau neu'r maes pebyll gydag unrhyw un sy'n aelod o aelwyd arall;
- (c) mae i "carafán" yr un ystyr â "caravan" yn Rhan 1 o Ddeddf Safleoedd Carafanau a Rheoli Datblygu 1960(1).

(5) Yn y rheoliad hwn ac yn Atodlen 3, 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.

(6) 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 —

- (a) y person sy'n berchennog 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(2) yn gymwys iddo.

- (ii) toilets and washing facilities are provided in connection with the accommodation which are not shared with anyone who is a member of another household, and
- (iii) if facilities for the preparation or consumption of food or drink are provided in connection with the accommodation, they are not shared with anyone who is a member of another household;

- (b) a caravan is self-contained if—
- (i) the persons occupying the caravan are members of the same household,
 - (ii) the caravan contains its own toilet and washing facilities, and
 - (iii) the persons occupying the caravan do not share facilities for the preparation or consumption of food or drink at the holiday site or camping site with anyone who is a member of another household;
- (c) "caravan" has the same meaning as in Part 1 of the Caravan Sites and Control of Development Act 1960(1).

(5) In this regulation and in Schedule 3, 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.

(6) 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) 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(2) applies.

(1) 1960 p. 62. Gweler adran 29(1) (dehongli Rhan 1)
 (2) 2013 dccc 6, fel a'i diwygiwyd gan Ddeddf Tai (Cymru) 2014 (dccc 7).

(1) 1960 c. 62. See section 29(1) (interpretation of Part 1).
 (2) 2013 anaw 6, as amended by the Housing (Wales) Act 2014 (anaw 7).

Busnesau sy'n ffurfio rhan o fusnes mwy

9. Pan—

- (a) bo'n ofynnol i berson sy'n gyfrifol am gynnal busnes ("busnes A"), yn rhinwedd rheoliad 6(1), 7(1) neu 8(1), beidio â chynnal busnes A, a
- (b) bo busnes A yn ffurfio rhan o fusnes mwy ("busnes B"),

cydymffurfir â'r gofyniad yn y rheoliad 6(1), 7(1) neu y 8(1) os yw'r person sy'n gyfrifol am gynnal busnes B yn peidio â chynnal busnes A.

Cau amlogsfeydd a chanolfannau cymunedol

10.—(1) Rhaid i berson sy'n gyfrifol am amlogsgfa sicrhau bod yr amlogsgfa ar gau i aelodau'r cyhoedd, ac eithrio ar gyfer y defnydd a ganiateir gan baragraff (2).

(2) Caniateir i'r amlogsgfa fod yn agored i aelodau'r cyhoedd ar gyfer angladdau neu gladdu (a darlledu angladd neu gladdu boed dros y rhyngrwyd neu fel arall).

(3) Nid yw paragraff (2) yn gymwys i'r tir o amgylch amlogsgfa, gan gynnwys unrhyw gladdfa neu ardd goffa.

(4) Rhaid i berson sy'n gyfrifol am ganolfan gymunedol sicrhau bod y ganolfan gymunedol ar gau ac eithrio pan fo'n cael ei defnyddio i ddarparu—

- (a) gwasanaethau gwirfoddol hanfodol, neu
- (b) gwasanaethau cyhoeddus ar gais Gweinidogion Cymru neu awdurdod lleol.

Cau rhai llwybrau cyhoeddus a thir mynediad

11.—(1) Pan fo paragraff (2) yn gymwys i lwybr cyhoeddus neu dir mynediad yn ardal awdurdod perthnasol, rhaid i'r awdurdod perthnasol —

- (a) cau'r llwybr cyhoeddus neu'r tir mynediad, a
- (b) ei gadw ar gau tan yr adeg pan fydd yr awdurdod yn ystyried nad yw'r cau yn angenrheidiol mwyach i atal, i ddiogelu rhag, i reoli neu i ddarparu ymateb iechyd y cyhoedd i fynychder neu ledaeniad haint â'r coronafeirws yn ei ardal.

(2) Mae'r paragraff hwn yn gymwys i'r llwybrau cyhoeddus a'r tir mynediad yn ardal awdurdod perthnasol y mae'n ystyried —

- (a) eu bod yn debygol o ddenu niferoedd mawr o bobl yn ymgynnull neu'n dod yn agos i'w gilydd, neu
- (b) bod eu defnydd fel arall yn peri risg uchel i fynychder neu ledaeniad haint yn ei ardal â'r coronafeirws.

Businesses forming part of a larger business

9. Where—

- (a) a person responsible for carrying on a business ("business A") is required, by virtue of regulation 6(1), 7(1) or 8(1) to cease carrying on business A, and
- (b) business A forms part of a larger business ("business B"),

the requirement in regulation 6(1), 7(1) or 8(1) is complied with if the person responsible for carrying on business B ceases to carry on business A.

Closure of crematoriums and community centres

10.—(1) A person responsible for a crematorium must ensure that the crematorium is closed to members of the public, except for the use permitted by paragraph (2).

(2) The crematorium may open to members of the public for funerals or burials (and to broadcast a funeral or burial whether over the internet or otherwise).

(3) Paragraph (2) does not apply to the grounds surrounding a crematorium, including any burial ground or garden of remembrance.

(4) A person responsible for a community centre must ensure that the community centre is closed except where it is used to provide—

- (a) essential voluntary services, or
- (b) public services upon the request of the Welsh Ministers or a local authority.

Closure of certain public paths and access land

11.—(1) Where paragraph (2) applies to a public path or access land in the area of a relevant authority, the relevant authority must—

- (a) close the public path or access land, and
- (b) keep it closed until the time when the authority considers that closure is no longer necessary to prevent, protect against, control or provide a public health response to the incidence or spread of infection with coronavirus in its area.

(2) This paragraph applies to the public paths and access land in its area a relevant authority considers—

- (a) to be liable to large numbers of people congregating or being in close proximity to each other, or
- (b) the use of which otherwise poses a high risk to the incidence or spread of infection with coronavirus in its area.

- (3) Pan fo llwybr cyhoeddus wedi ei gau o dan—
- (a) rheoliad 4 o Reoliadau Diogelu Iechyd (Coronafeirws: Cau Busnesau Hamdden, Llwybrau Troed a Thir Mynediad) (Cymru) 2020(1), neu
 - (b) rheoliad 9 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020(2),

mae'r llwybr i'w drin fel pe bai wedi ei gau o dan baragraff (1) o'r rheoliad hwn.

(4) Ni chaiff unrhyw berson ddefnyddio llwybr cyhoeddus neu dir mynediad sydd ar gau yn rhinwedd paragraff (1) oni bai ei fod wedi ei awdurdodi gan yr awdurdod perthnasol.

- (5) Rhaid i'r awdurdod perthnasol—
- (a) cyhoeddi rhestr o lwybrau cyhoeddus neu dir mynediad sydd ar gau yn ei ardal ar wefan;
 - (b) codi a chynnal hysbysiadau mewn mannau amlwg sy'n rhoi gwybod i'r cyhoedd bod llwybr cyhoeddus neu dir mynediad ar gau.

(6) At ddibenion y rheoliad hwn, mae cyfeiriadau at lwybr cyhoeddus neu dir mynediad yn cynnwys rhannau o lwybr cyhoeddus neu dir mynediad.

- (7) Yn y rheoliad hwn —
- (a) ystyr “awdurdod perthnasol” yw —
 - (i) awdurdod lleol,
 - (ii) awdurdod Parc Cenedlaethol yng Nghymru,
 - (iii) Cyfoeth Naturiol Cymru, neu
 - (iv) yr Ymddiriedolaeth Genedlaethol;
 - (b) ystyr “llwybr cyhoeddus” yw llwybr troed, llwybr ceffylau, cilffordd, cilffordd gyfyngedig neu lwybr beiciau ac—
 - (i) mae i “llwybr troed”, “llwybr ceffylau” a “llwybr beiciau” yr un ystyr ag â roddir i “footpath”, “bridleway” a “cycle track” yn adran 329(1) o Ddeddf Priffyrdd 1980(3);
 - (ii) ystyr “cilffordd” yw cilffordd sydd ar agor i bob traffig o fewn yr ystyr a roddir i “byway open to all traffic” gan adran 66(1) o Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981(4);

- (3) Where a public path has been closed under—
- (a) regulation 4 of the Health Protection (Coronavirus: Closure of Leisure Businesses, Footpaths and Access Land) (Wales) Regulations 2020(1), or
 - (b) regulation 9 of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020(2),

the path is to be treated as if it were closed under paragraph (1) of this regulation.

(4) No person may use a public path or access land closed by virtue of paragraph (1) unless authorised by the relevant authority.

- (5) The relevant authority must—
- (a) publish a list of public paths or access land closed in its area on a website;
 - (b) erect and maintain notices in prominent places informing the public of the closure of a public path or access land.

(6) For the purposes of this regulation references to a public path or access land include parts of a public path or access land.

- (7) In this regulation—
- (a) the “relevant authority” means—
 - (i) a local authority,
 - (ii) a National Park authority in Wales,
 - (iii) Natural Resources Wales, or
 - (iv) the National Trust;
 - (b) “public path” means a footpath, bridleway, byway, restricted byway or cycle track and—
 - (i) “footpath”, “bridleway” and “cycle track” have the same meaning as in section 329(1) of the Highways Act 1980(3);
 - (ii) “byway” means a byway open to all traffic within the meaning given by section 66(1) of the Wildlife and Countryside Act 1981(4);

(1) O.S. 2020/334 (Cy. 76).
 (2) O.S. 2020/353 (Cy. 80).
 (3) 1980 p.66. Diwygiwyd adran 329 gan adran 1 Deddf Llwybrau Beiciau 1984 (p. 38) a paragraff 21 o Atodlen 3 i Ddeddf Traffig Ffyrdd (Darpariaethau Canlyniadol) 1988 (p. 54).
 (4) 1981 p. 69.

(1) S.I. 2020/334 (W. 76).
 (2) S.I. 2020/353 (W. 80).
 (3) 1980 c.66. Section 329 was amended by section 1 of the Cycle Tracks Act 1984 (c. 38) and paragraph 21 of Schedule 3 to the Road Traffic (Consequential Provisions) Act 1988 (c. 54).
 (4) 1981 c. 69.

- (iii) mae i “cilffordd gyfyngedig” yr ystyr a roddir i “restricted byway” gan adran 48(4) o Ddeddf Cefn Gwlad a Hawliau Tramwy 2000(1);
- (c) mae “tir mynediad” yn cynnwys tir y mae gan y cyhoedd fynediad iddo yn rhinwedd ei berchnogaeth gan yr Ymddiriedolaeth Genedlaethol, ond fel arall mae iddo yr un ystyr ag “access land” yn adran 1(1) o Ddeddf Cefn Gwlad a Hawliau Tramwy 2000(2).

- (iii) “restricted byway” has the meaning given by section 48(4) of the Countryside and Rights of Way Act 2000(1);
- (c) “access land” includes land to which the public has access by virtue of its ownership by the National Trust, but otherwise has the same meaning as in section 1(1) of the Countryside and Rights of Way Act 2000(2).

RHAN 3

Lleihau'r risg dod i gysylltiad â'r coronafeirws mewn mangreoedd agored ac wrth weithio

Mesurau rhesymol i leihau'r risg o ddod i gysylltiad â'r coronafeirws

12.—(1) Mae paragraff (2) yn gymwys i berson sy'n gyfrifol am—

- (a) mangre agored, neu
- (b) gwaith a wneir mewn unrhyw fangre arall lle y mae person yn gweithio.

(2) At ddibenion lleihau'r risg o ddod i gysylltiad â'r coronafeirws yn y fangre, rhaid i'r person—

- (a) cymryd pob mesur rhesymol i sicrhau—
 - (i) y cynhelir pellter o 2 fetr rhwng unrhyw bersonau yn y fangre (ac eithrio rhwng dau aelod o'r un aelwyd, neu rhwng gofalwr a'r person sy'n cael cymorth gan y gofalwr);
 - (ii) pan fo'n ofynnol i bersonau aros i fynd i'r fangre, fod pellter o 2 fetr yn cael ei gynnal (ac eithrio rhwng dau aelod o'r un aelwyd, neu ofalwr a'r person sy'n cael cymorth 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 sy'n cynnal hylendid megis—
 - (i) newid trefn y fangre gan gynnwys lleoliad y dodrefn a'r gweithfannau;
 - (ii) rheoli'r defnydd o fynedfeydd, tramwyfeydd, grisiau a lifftiau;
 - (iii) rheoli'r defnydd o gyfleusterau a rennir megis toiledau a cheginau;

PART 3

Minimising risk of exposure to coronavirus at open premises and while working

Reasonable measures to minimise risk of exposure to coronavirus

12.—(1) Paragraph (2) applies to a person responsible for—

- (a) open premises, or
- (b) work carried out at any other premises where a person is working.

(2) For the purposes of minimising the risk of exposure to coronavirus at the premises, the 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 two members of the same household, or a carer and the person assisted by the carer);
 - (ii) where persons are required to wait to enter the premises, that a distance of 2 metres is maintained between them (except between two 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;

(1) 2000 p. 37.

(2) 2000 p. 37. Diwygiwyd adran 1(1) gan adran 302(2)(a) o Ddeddf y Môr a Mynediad i'r Arfordir 2009 (p. 23).

(1) 2000 c. 37.

(2) 2000 c. 37. Section 1(1) was amended by section 302(2)(a) of the Marine and Coastal Access Act 2009 (c. 23).

- (iv) fel arall rheoli'r defnydd o unrhyw ran arall o'r fangre neu fynediad iddi;
 - (v) gosod rhwystrau neu sgriniau;
 - (vi) darparu, neu'n ei gwneud yn ofynnol defnyddio, cyfarpar diogelu personol, ac
- (c) darparu gwybodaeth i'r rhai sy'n dod i mewn neu'n gweithio yn y fangre ynglŷn â sut i leihau'r risg o ddod i gysylltiad â'r coronafeirws.

(3) Yn y Rheoliadau hyn ystyr "mangre agored" yw—

- (a) mangre busnes neu wasanaeth a restrir yn Atodlen 4;
- (b) addoldai;
- (c) mynwentydd;
- (d) mangre busnes a restrir yn Atodlen 1 nad yw'n ofynnol iddit gau yn unol â rheoliad 6;
- (e) mangre busnes a restrir yn Atodlen 2 y caniateir iddi fod ar agor yn rhinwedd rheoliad 7(2);
- (f) mangre busnes a restrir yn Atodlen 3 y caniateir iddi fod ar agor yn rhinwedd rheoliad 8(2) neu (3);
- (g) amlogfeydd y caniateir iddynt fod ar agor yn rhinwedd rheoliad 10(2);
- (h) canolfannau cymunedol y caniateir iddynt fod ar agor yn rhinwedd rheoliad 10(4).

(4) At ddibenion y rheoliad hwn mae "mangre" hefyd yn cynnwys cerbyd a ddefnyddir i ddarparu gwasanaeth ar gyfer cludo teithwyr ar ffyrdd, rheilffyrdd, tramffordd, awyr neu fôr.

Canllawiau ar leihau dod i gysylltiad â'r coronafeirws

13.—(1) Rhaid i berson y mae'n ofynnol iddo gymryd mesurau rhesymol o dan reoliad 12 roi sylw i ganllawiau a ddyroddir gan Weinidogion Cymru ynghylch y mesurau hynny.

(2) O ran Gweinidogion Cymru—

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

(3) 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).

- (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) In these Regulations "open premises" means—

- (a) premises of a business or service listed in Schedule 4;
- (b) places of worship;
- (c) cemeteries;
- (d) premises of a business listed in Schedule 1 which are not required to be closed by virtue of regulation 6;
- (e) premises of a business listed in Schedule 2 which are permitted to be open by virtue of regulation 7(2);
- (f) premises of a business listed in Schedule 3 which are permitted to be open by virtue of regulation 8(2) or (3);
- (g) crematoriums permitted to open by virtue of regulation 10(2);
- (h) community centres permitted to open by virtue of regulation 10(4).

(4) For the purposes of this regulation "premises" also includes a vehicle used to provide a service for the carriage of passengers by road, rail, tramway, air or sea.

Guidance on minimising exposure

13.—(1) A person required to take reasonable measures under regulation 12 must have regard to guidance issued by the Welsh Ministers about those measures.

(2) The Welsh Ministers—

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

(3) 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).

RHAN 4

Ymgynnull gyda phobl eraill

Cyfyngiadau ar gynullïadau

14.—(1) Ni chaiff unrhyw berson, heb esgus rhesymol—

- (a) ymgynnull yn yr awyr agored gydag unrhyw berson arall oni bai am—
 - (i) aelodau o'i aelwyd neu aelodau o ddim mwy nag un aelwyd arall,
 - (ii) gofalwr iddo, neu
 - (iii) person y mae'n darparu gofal iddo;
- (b) ymgynnull mewn mangre o dan do gydag unrhyw berson arall oni bai am—
 - (i) aelodau o'i aelwyd,
 - (ii) gofalwr iddo, neu
 - (iii) person y mae'n darparu gofal iddo.

(2) Mae esgus rhesymol yn cynnwys yr angen i wneud y canlynol—

- (a) cael cynhorthwy meddygol, gan gynnwys cael gafael ar unrhyw un neu ragor o'r gwasanaethau y cyfeirir atynt ym mharagraff 10 o Atodlen 4 neu gael gafael ar wasanaethau milfeddygol;
- (b) darparu neu gael gofal neu gynhorthwy, gan gynnwys gofal 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;
- (c) darparu neu gael cynhorthwy brys;
- (d) rhoi gwaed;
- (e) gweithio neu ddarparu gwasanaethau gwirfoddol neu elusennol;
- (f) pan fo'r person yn athletwr elit, hyfforddi neu gystadlu;
- (g) mynd i weinyddiad priodas neu ffurfiad partneriaeth sifil—
 - (i) fel parti i'r briodas neu'r bartneriaeth sifil,
 - (ii) os caiff ei wahodd i fynychu, neu
 - (iii) fel gofalwr person sy'n mynd i'r briodas neu'r bartneriaeth sifil;

PART 4

Gathering with other people

Restrictions on gatherings

14.—(1) No person may, without a reasonable excuse—

- (a) gather outdoors with any other person apart from—
 - (i) members of their household or of no more than one other household,
 - (ii) their carer, or
 - (iii) a person they are providing care to;
- (b) gather in premises indoors with any other person apart from—
 - (i) the members of their household,
 - (ii) their carer, or
 - (iii) a person they are providing care to.

(2) A reasonable excuse includes the need to do the following—

- (a) obtain medical assistance, including accessing any of the services referred to in paragraph 10 of Schedule 4 or accessing veterinary services;
- (b) provide or receive care or assistance, including 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;
- (c) provide or receive emergency assistance;
- (d) donate blood;
- (e) work or provide voluntary or charitable services;
- (f) where the person is an elite athlete, train or compete;
- (g) attend 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.

(1) 2006 p. 47. Mewnosodwyd paragraff 7(3B) gan adran 66(2) o Ddeddf Diogelu Rhyddidau 2012 (p. 9).

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

- (h) 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;
- (i) bodloni rhwymedigaeth gyfreithiol, gan gynnwys mynd i'r llys neu fodloni amodau mechniaeth, neu gymryd rhan mewn achos cyfreithiol;
- (j) cael gafael ar wasanaethau cyhoeddus hanfodol neu gael y gwasanaethau hynny, gan gynnwys —
 - (i) gofal plant neu wasanaethau addysgol;
 - (ii) gwasanaethau cymdeithasol;
 - (iii) gwasanaethau a ddarperir gan yr Adran Gwaith a Phensiynau;
 - (iv) gwasanaethau a ddarperir i ddioddefwyr (megis dioddefwyr trosedd neu drais domestig);
- (k) mewn perthynas â phlant nad ydynt yn byw yn 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 y paragraff 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;
- (l) symud cartref;
- (m) paratoi eiddo preswyl i bersonau symud i mewn;
- (n) ymgymryd â'r gweithgareddau a ganlyn mewn cysylltiad â phrynu, gwerthu, gosod neu rentu eiddo preswyl nad yw wedi ei feddiannu—
 - (i) ymweld ag asiantau eiddo neu asiantau gosod eiddo, swyddfydd gwerthiant datblygwyr neu gartrefi arddangos;
 - (ii) gweld eiddo o'r fath;
- (o) osgoi anaf neu salwch neu ddianc rhag risg o niwed.

(3) Nid yw paragraff (1) yn gymwys i unrhyw berson sy'n ddigartref.

(4) At ddibenion paragraff (2)(n), nid yw eiddo wedi ei feddiannu os nad yw unrhyw berson yn meddiannu'r eiddo fel preswylfa.

- (h) attend 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;
- (i) meet a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (j) access or receive critical public services, including—
 - (i) childcare or educational services;
 - (ii) social services;
 - (iii) services provided by the Department for Work and Pensions;
 - (iv) services provided to victims (such as victims of crime or domestic violence);
- (k) in relation to children who do not live in the same household as their parents, or one of their parents, continue existing arrangements for access to, and contact between, parents and children, and for the purposes of this 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;
- (l) move home;
- (m) prepare a residential property for persons to move in;
- (n) undertake the following activities in connection with the purchase, sale, letting or rental of unoccupied residential property—
 - (i) visiting estate or letting agents, developer sales offices or show homes;
 - (ii) viewing such a property;
- (o) avoid injury or illness or escape a risk of harm.

(3) Paragraph (1) does not apply to a person who is homeless.

(4) For the purposes of paragraph (2)(n), a property is unoccupied if no person occupies the property as a residence.

Eithriad ar gyfer gweithgareddau awyr agored wedi eu trefnu

15.—(1) Er gwaethaf yr ystyr a roddir i “cynulliad” gan reoliad 2(3)(a), nid yw rheoliad 14(1) yn gymwys i unrhyw weithgaredd awyr agored wedi ei drefnu sy’n cynnwys dim mwy na 30 o bersonau.

(2) At ddibenion paragraff (1), mae gweithgaredd yn “weithgaredd awyr agored wedi ei drefnu”—

- (a) os yw’n digwydd yn yr awyr agored,
- (b) os yw wedi ei drefnu gan—
 - (i) busnes,
 - (ii) corff cyhoeddus, neu sefydliad elusennol, llesïannol neu ddyngarol,
 - (iii) clwb neu sefydliad gwleidyddol, neu
 - (iv) corff llywodraethu cenedlaethol camp neu weithgaredd arall, ac
- (c) os yw’r person sydd yn 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 12(2) ac 13(1).

(3) At ddibenion paragraff (2)(c)—

- (a) mae rheoliad 3 o Reoliadau Rheoli Iechyd a Diogelwch yn y Gwaith 1999 yn gymwys fel pe bai’r gweithgaredd yn ymgymieriad a wneir gan y person sy’n ei drefnu;
- (b) mae rheoliad 12(2) o’r Rheoliadau hyn yn gymwys fel pe bai’r man lle y cynhelir y weithgaredd yn digwydd mewn mangre agored y mae’r person sy’n trefnu’r weithgaredd yn gyfrifol amdani.

Gofyniad i barhau i weithio gartref pan fo’n ymarferol

16.—(1) O dan yr amgylchiadau y cyfeirir atynt ym mharagraff (2), ni chaiff unrhyw berson adael y man lle y mae’n byw, neu aros i ffwrdd o’r man hwnnw, at ddibenion gwaith neu i ddarparu gwasanaethau gwirfoddol neu elusennol.

(2) Yr amgylchiadau yw ei bod yn rhesymol ymarferol i’r person weithio neu ddarparu gwasanaethau gwirfoddol neu elusennol o’r man lle y mae’n byw.

Exception for organised outdoor activities

15.—(1) Despite the meaning of “gathering” given by regulation 2(3)(a), regulation 14(1) does not apply to any organised outdoor activity consisting of no more than 30 persons.

(2) For the purposes of paragraph (1), an activity is an “organised outdoor activity” if—

- (a) it takes place outdoors,
- (b) it is organised by—
 - (i) a business,
 - (ii) a public body or a charitable, benevolent or philanthropic institution,
 - (iii) a club or political organisation, or
 - (iv) the national governing body of a sport or other activity, and
- (c) 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 12(2) and 13(1).

(3) For the purposes of paragraph (2)(c)—

- (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 12(2) of these Regulations applies as if the place where the activity takes place were open premises for which the person organising the activity is responsible.

Requirement to continue to work from home where practicable

16.—(1) In the circumstances referred to in paragraph (2), no person may leave the place where they are living, or remain away from that place, for the purposes of work or to provide voluntary or charitable services.

(2) The circumstances are that it is reasonably practicable for the person to work or to provide voluntary or charitable services from the place where they are living.

(1) O.S. 1999/3242. 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.

(3) At ddibenion y rheoliad hwn, mae'r man lle y mae person yn byw yn cynnwys y fangre lle y mae'n byw ynghyd ag unrhyw ardd, iard, tramwyfa, gris, garej, tŷ allan neu unrhyw atodyn i fangre o'r fath.

RHAN 5

Gorfodi

Swyddogion gorfodaeth

17.—(1) At ddibenion rheoliadau 18 i 21, ystyr “swyddog gorfodaeth” yw—

- (a) cwnstabl,
- (b) swyddog cymorth cymunedol yr heddlu,
- (c) person wedi i ddynodi gan—
 - (i) Gweinidogion Cymru,
 - (ii) awdurdod lleol,
 - (iii) awdurdod Parc Cenedlaethol yng Nghymru, neu
 - (iv) Cyfoeth Naturiol Cymru,
- (d) person wedi ei ddynodi o dan reoliad 10(11)(c) o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020(1) fel person perthnasol (o fewn yr ystyr a roddir gan y rheoliad hwnnw) gan—
 - (i) Gweinidogion Cymru,
 - (ii) awdurdod lleol,
 - (iii) awdurdod Parc Cenedlaethol yng Nghymru, neu
 - (iv) Cyfoeth Naturiol Cymru,

(ond gweler paragraffau (2) a (3)).

(2) Ni chaiff person a ddynodir gan awdurdod lleol arfer swyddogaethau swyddog gorfodaeth ond mewn perthynas â thramgwydd (neu dramgwydd honedig) yn groes i ofyniad yn rheoliad 6(1), 7(1), 8(1), 10(1) neu (4), 11(4) neu 12(2).

(3) Ni chaiff person a ddynodir gan awdurdod Parc Cenedlaethol neu Gyfoeth Naturiol Cymru arfer swyddogaethau swyddog gorfodaeth ond mewn perthynas â thramgwydd (neu dramgwydd honedig) yn groes i'r gofyniad yn rheoliad 11(4).

(3) For the purposes of this regulation, the place where a person is living includes the premises where they live together with any garden, yard, passage, stair, garage, outhouse or other appurtenance of such premises.

PART 5

Enforcement

Enforcement officers

17.—(1) For the purposes of regulations 18 to 21, an “enforcement officer” means—

- (a) a constable,
 - (b) a police community support officer,
 - (c) a person designated by—
 - (i) the Welsh Ministers,
 - (ii) a local authority,
 - (iii) a National Park authority in Wales, or
 - (iv) Natural Resources Wales,
 - (d) a person designated under regulation 10(11)(c) of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020(1) as a relevant person (within the meaning given by that regulation) by—
 - (i) the Welsh Ministers,
 - (ii) a local authority,
 - (iii) a National Park authority in Wales, or
 - (iv) Natural Resources Wales,
- (but see paragraphs (2) and (3)).

(2) 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 6(1), 7(1), 8(1), 10(1) or (4), 11(4) or 12(2).

(3) A person designated by a National Park authority or Natural Resources Wales may exercise an enforcement officer's functions only in relation to a contravention (or alleged contravention) of the requirement in regulation 11(4).

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

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

Camau gorfodi

18.—(1) Caiff swyddog gorfodaeth roi hysbysiad cydymffurfio i berson os oes gan y swyddog sail resymol dros amau bod y person yn torri gofyniad yn rheoliad 6(1), 7(1), 8(1), 10(1) neu (4) neu 12(2).

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

(3) Os oes gan swyddog gorfodaeth sail resymol dros amau bod person ("P") yn torri (neu ar fin torri) rheoliad 11(4), caiff y swyddog gorfodaeth dynnu P o lwybr cyhoeddus neu dir mynediad (o fewn yr ystyr a roddir gan reoliad 11(7)) sydd ar gau (neu sy'n cael ei gau) yn rhinwedd rheoliad 11(1), a chaiff ddefnyddio grym rhesymol, os bydd angen, i wneud hynny.

(4) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod pobl yn ymgynnull yn groes i reoliad 14(1), 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;
- (c) mynd ag unrhyw berson yn y cynulliad i'r man lle y mae'n byw.

(5) Caiff swyddog gorfodaeth—

- (a) wrth arfer y pŵer ym mharagraff (4), gyfarwyddo person i ddilyn unrhyw gyfarwyddiadau y mae'r swyddog yn ystyried eu bod yn angenrheidiol;
- (b) defnyddio grym rhesymol wrth arfer y pŵer ym mharagraff (4)(a) neu (c).

(6) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person ("P") mewn cynulliad yn groes i reoliad 14(1) 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.

(7) At ddibenion paragraff (6), mae gan U gyfrifoldeb am blentyn os oes gan U—

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

(8) Caiff swyddog gorfodaeth gymryd camau gweithredu eraill i hwyluso arfer pŵer a roddir i'r swyddog gan y rheoliad hwn neu reoliad 19.

Enforcement actions

18.—(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 6(1), 7(1), 8(1), 10(1) or (4) or 12(2).

(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.

(3) If an enforcement officer has reasonable grounds to suspect that a person ("P") is contravening (or is about to contravene) regulation 11(4), the officer may remove P from a public path or access land (within the meaning given by regulation 11(7)) which is closed (or is being closed) by virtue of regulation 11(1), and may use reasonable force, if necessary, to do so.

(4) Where an enforcement officer has reasonable grounds for suspecting that people are gathered together in contravention of regulation 14(1), 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;
- (c) remove any person in the gathering to the place where they are living.

(5) An enforcement officer may—

- (a) when exercising the power in paragraph (4), direct a person to follow such instructions as the officer considers necessary;
- (b) use reasonable force in the exercise of the power in paragraph (4)(a) or (c).

(6) Where an enforcement officer has reasonable grounds to suspect that a person ("P") is in a gathering in contravention of regulation 14(1) 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.

(7) For the purposes of paragraph (6), 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.

(8) An enforcement officer may take other action to facilitate the exercise of a power conferred on the officer by this regulation or regulation 19.

(9) Ni chaiff swyddog gorfodaeth ond arfer pŵer dan y rheoliad hwn neu reoliad 19 os yw'r swyddog yn ystyried ei bod yn angenrheidiol ac yn gymesur gwneud hynny.

(10) Yn y rheoliad hwn a rheoliadau 19 ac 20, mae cyfeiriadau at ofyniad yn cynnwys cyfeiriadau at gyfyngiad.

Pŵer mynd i mewn

19.—(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.

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

- (a) defnyddio grym rhesymol i fynd i'r fangre os yw'n angenrheidiol;
- (b) cymryd unrhyw bersonau eraill, cyfarpar a deunyddiau i'r fangre y mae'r swyddog yn ystyried 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;
- (b) os nad yw'r fangre wedi ei meddiannu neu os yw'r meddiannydd yn absennol dros dro, rhaid i'r swyddog adael y fangre wedi ei diogelu rhag mynediad anawdurdodedig yr un mor effeithiol ag yr oedd pan aeth y swyddog iddi.

Troseddau a chosbau

20.—(1) Mae person sydd—

- (a) heb esgus rhesymol, yn torri gofyniad yn rheoliad 6(1), 7(1), 8(1), 10(1) neu (4), 11(4), 12(1) neu 16(1), neu
- (b) yn torri gofyniad yn rheoliad 14(1),

yn cyflawni trosedd.

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

(3) Mae person sydd, heb esgus rhesymol—

(9) An enforcement officer may only exercise a power under this regulation or regulation 19 if the officer considers that it is necessary and proportionate to do so.

(10) In this regulation and regulations 19 and 20 references to a requirement include references to a restriction.

Power of entry

19.—(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) An enforcement officer entering premises in accordance with paragraph (1) may—

- (a) use reasonable force to enter the premises if necessary;
- (b) 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.

Offences and penalties

20.—(1) A person who—

- (a) without reasonable excuse, contravenes a requirement in regulation 6(1), 7(1), 8(1), 10(1) or (4), 11(4), 12(2) or 16(1), or
- (b) contravenes a requirement in regulation 14(1),

commits an offence.

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

(3) A person who, without reasonable excuse—

- (a) yn torri cyfarwyddyd a roddir gan swyddog gorfodaeth o dan reoliad 18(4), (5)(a) neu (6), neu
- (b) yn methu â chydymffurfio â hysbysiad cydymffurfio a roddir gan swyddog gorfodaeth o dan reoliad 18(1),

yn cyflawni trosedd.

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

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

- (a) i gynnal iechyd y cyhoedd;
- (b) i gynnal trefn gyhoeddus.

(6) Os profir bod trosedd o dan baragraff 20(1) wedi ei chyflawni gan gorff corfforedig—

- (a) wedi ei chyflawni gyda chydysyniad neu ymoddefiad swyddog i'r corff hwnnw, neu
- (b) i'w phriodoli i unrhyw esgeulustod ar ran y swyddog hwnnw,

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.

(7) Ym mharagraff (6), ystyr "swyddog", mewn perthynas â chorff corfforedig, yw cyfarwyddwr, rheolwr, ysgrifennydd neu swyddog tebyg arall i'r corff corfforedig.

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

(9) 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.

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

- (a) contravenes a direction given by an enforcement officer under regulation 18(4), 18(5)(a) or 18(6), or
- (b) fails to comply with a compliance notice given by an enforcement officer under regulation 18(1),

commits an offence.

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

(5) 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.

(6) If an offence under paragraph (1) 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.

(7) In paragraph (6), "officer", in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

(8) 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.

(9) 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.

(10) Section 33 of the Criminal Justice Act 1925(2) and Schedule 3 to the Magistrates' Courts Act 1980(3) 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.

(1) 1984 p. 60. Amnewidiwyd adran 24 gan adran 110(1) o Ddeddf Troseddol Cyfundrefnol Difrifol a'r Heddlu 2005 (p.15).
 (2) 1925 p. 86.
 (3) 1980 p. 43.

(1) 1984 c. 60. Section 24 was substituted by section 110(1) of the Serious Organised Crime and Police Act 2005 (c. 15).
 (2) 1925 c. 86.
 (3) 1980 c. 43.

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

(12) 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

21.—(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 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 a ddynodir gan Weinidogion Cymru at ddibenion cael taliad o dan y rheoliad hwn,

fel y caiff yr hysbysiad ei bennu.

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

(4) Caiff person sydd wedi ei ddynodi gan Weinidogion Cymru at ddibenion cael taliad o dan reoliad 13 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020(1) ei drin fel pe bai wedi ei ddynodi at ddibenion cael taliad o dan y rheoliad hwn.

(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 ardal yr honnir bod y drosedd wedi ei chyflawni ynddi.

(6) Pan ddyroddir hysbysiad i berson o dan y rheoliad hwn mewn cysylltiad â throsedd—

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

(7) Rhaid i hysbysiad cosb benodedig—

- (a) rhoi manylion rhesymol fanwl am yr amgylchiadau yr honnir eu bod yn creu'r drosedd;

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

(12) 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

21.—(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 regulation 13 of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020(1) is to be treated as if designated for the purposes of receiving payment under this regulation.

(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.

(7) A fixed penalty notice must—

- (a) give reasonably detailed particulars of the circumstances alleged to constitute the offence;

(1) O.S. 2020/353 (Cy. 80). Diwygiwyd rheoliad 13 gan O.S. 2020/399 (Cy. 88) ac O.S. 2020/529 (Cy. 124).

(1) S.I. 2020/353 (W. 80). Regulation 13 was amended by S.I. 2020/399 (W. 88) and S.I. 2020/529 (W. 124).

- (b) datgan y cyfnod pryd (oherwydd paragraff (6)(a)) na ddygir achos am y drosedd;
- (c) pennu swm y gosb benodedig;
- (d) datgan enw a chyfeiriad y person y caniateir talu'r gosb benodedig iddo;
- (e) pennu dulliau o dalu a ganiateir.

(8) Rhaid i'r swm a bennir o dan baragraff (7)(c) fod yn £60 (yn ddarostyngedig i baragraffau (9) ac (10)).

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

(10) Os yw'r person y dyroddir hysbysiad cosb benodedig iddo eisoes wedi derbyn hysbysiad cosb benodedig o dan y Rheoliadau hyn—

- (a) nid yw paragraff (9) yn gymwys, a
- (b) rhaid i'r swm a bennir fel y gosb benodedig fod—
 - (i) yn £120 yn achos yr ail hysbysiad cosb benodedig a dderbynnir;
 - (ii) yn £240 yn achos y trydydd hysbysiad cosb benodedig a dderbynnir;
 - (iii) yn £480 yn achos y pedwerydd hysbysiad cosb benodedig a dderbynnir;
 - (iv) yn £960 yn achos y pumed hysbysiad cosb benodedig a dderbynnir;
 - (v) yn £1920 yn achos y chweched hysbysiad cosb benodedig a dderbynnir, ac unrhyw hysbysiad cosb benodedig olynol.

(11) Wrth gyfrifo nifer yr hysbysiadau cosb penodedig y mae person wedi eu cael, mae hysbysiadau cosb penodedig a ddyroddir i'r person hwnnw o dan Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020(1) i'w cymryd i ystyriaeth.

(12) Beth bynnag y bo unrhyw ddull arall a bennir o dan baragraff (7)(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 (7)(d) i'r cyfeiriad a nodir.

(13) Pan fo llythyr yn cael ei anfon fel a grybwyllir ym mharagraff (12), ystyrir bod taliad wedi ei wneud ar yr adeg y byddai'r llythyr hwnnw wedi cael ei ddanfôn yn nhrefn arferol y post.

- (b) state the period during which (because of paragraph (6)(a)) proceedings will not be taken for the offence;
- (c) specify the amount of the fixed penalty;
- (d) state the name and address of the person to whom the fixed penalty may be paid;
- (e) specify permissible methods of payment.

(8) The amount specified under paragraph (7)(c) must be £60 (subject to paragraphs (9) and (10)).

(9) 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.

(10) If the person to whom a fixed penalty notice is given has already received a fixed penalty notice under these Regulations—

- (a) paragraph (9) does not apply, and
- (b) the amount specified as the fixed penalty is to be—
 - (i) in the case of the second fixed penalty notice received, £120;
 - (ii) in the case of the third fixed penalty notice received, £240;
 - (iii) in the case of the fourth fixed penalty notice received, £480;
 - (iv) in the case of the fifth fixed penalty notice received, £960;
 - (v) in the case of the sixth and any subsequent fixed penalty notice received, £1920.

(11) In calculating how many fixed penalty notices a person has received, fixed penalty notices issued to that person under the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020(1) are to be taken into account.

(12) Whatever other method may be specified under paragraph (7)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated under paragraph (7)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).

(13) Where a letter is sent as mentioned in paragraph (12), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.

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

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

- (14) Mewn unrhyw achos, mae tystysgrif—
- (a) sy'n honni ei bod wedi ei llofnodi gan neu ar ran y person sydd â chyfrifoldeb am faterion ariannol—
 - (i) yr awdurdod lleol, neu
 - (ii) y person a ddynodir o dan baragraff (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 y gosb benodedig wedi dod i law, neu heb ddod i law, erbyn y dyddiad a bennir yn y tystysgrif,
- yn dystiolaeth o'r ffeithiau a ddatgenir.

(15) Pan ddyroddir cosb benodedig mewn perthynas â'r drosedd honedig o dorri'r gofyniad yn rheoliad 11(4), mae cyfeiriadau yn y rheoliad hwn at "awdurdod lleol" i'w darllen fel pe baent yn cynnwys cyfeiriadau at awdurdod Parc Cenedlaethol yng Nghymru.

Erllyn

22.—(1) Ni chaniateir dwyn achos am drosedd o dan y Rheoliadau hyn ond gan y Cyfarwyddwr Erlyniadau Cyhoeddus neu unrhyw berson sydd wedi ei ddynodi gan Weinidogion Cymru.

(2) Caiff person sydd wedi ei ddynodi gan Weinidogion Cymru o dan reoliad 14 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020(1) ei drin fel pe bai wedi ei ddynodi o dan y rheoliad hwn.

- (14) 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 paragraph (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.

(15) Where a fixed penalty is issued in respect of the alleged offence of contravening the requirement in regulation 11(4), references in this regulation to a "local authority" are to be read as including references to a National Park authority in Wales.

Prosecutions

22.—(1) No proceedings for an offence under these Regulations may be brought other than by the Director of Public Prosecutions or any person designated by the Welsh Ministers.

(2) A person designated by the Welsh Ministers under regulation 14 of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020(1) is to be treated as if designated under this regulation.

Mark Drakeford

Y Prif Weinidog, un o Weinidogion Cymru
Am 3.40 p.m. ar 10 Gorffennaf 2020

First Minister, one of the Welsh Ministers
At 3.40 p.m. on 10 July 2020

Mangreoedd sy'n gwerthu bwyd a diod i'w bwyta ac i'w hyfed yn y fangre

1.—(1) Bwytai, gan gynnwys bwytai ac ystafelloedd bwyta mewn clybiau aelodau ac ym mangreoedd busnesau a restrir yn Atodlen 3.

2.—(1) Caffis, gan gynnwys ffreuturau yn y gweithle (yn ddarostyngedig i is-baragraff (2)), a chaffis ym mangreoedd busnesau a restrir yn Atodlen 3, ond heb gynnwys—

- (a) caffis neu ffreuturau mewn ysbyty, cartref gofal neu ysgol;
- (b) ffreuturau mewn carchar neu sefydliad y bwriedir ei ddefnyddio at ddibenion y llynges, y fyddin neu'r awyrlu neu at ddibenion Adran yr Ysgrifennydd Gwladol sy'n gyfrifol am amddiffyn;
- (c) gwasanaethau sy'n darparu bwyd neu ddiod i'r digartref.

(2) Caiff ffreuturau yn y gweithle aros ar agor—

- (a) pan na fo dewis arall ymarferol i staff yn y gweithle hwnnw i gael bwyd; a
- (b) pan gymerir pob mesur rhesymol i sicrhau bod pellter o 2 fetr yn cael ei gynnal rhwng unrhyw berson sy'n defnyddio'r ffreutur.

3. Bariau, gan gynnwys bariau mewn clybiau aelodau neu ym mangreoedd busnesau a restrir yn Atodlen 3.

4. Tafarndai.

Y busnesau a'r gwasanaethau y mae'n ofynnol eu cau

1. Sinemâu dan do.

2. Theatrau.

3. Clybiau nos.

4. Neuaddau bingo.

5. Neuaddau cyngerdd.

6. Casinos.

7. Parlyrau tyliino.

8. Salonau ewinedd a harddwch.

Premises selling food and drink for consumption on the premises

1. Restaurants, including restaurants and dining rooms in members' clubs and on the premises of businesses listed in Schedule 3.

2.—(1) Cafés, including workplace canteens (subject to sub-paragraph (2)) and cafés on the premises of businesses listed in Schedule 3, but not including—

- (a) cafés or canteens at a hospital, care home or school;
- (b) canteens at a prison or an establishment intended for use for naval, military or air force purposes or for the purposes of the Department of the Secretary of State responsible for defence;
- (c) services providing food or drink to the homeless.

(2) Workplace canteens may remain open where—

- (a) there is no practical alternative for staff at that workplace to obtain food, and
- (b) all reasonable measures are taken to ensure that a distance of 2 metres is maintained between any person using the canteen.

3. Bars, including bars in members' clubs and on the premises of businesses listed in Schedule 3.

4. Public houses.

Businesses and services required to be closed

1. Indoor cinemas.

2. Theatres.

3. Nightclubs.

4. Bingo halls.

5. Concert halls.

6. Casinos.

7. Massage parlours.

8. Nail and beauty salons.

9. Sefydliadau sy'n darparu gwasanaethau lliw haul, tyllu'r corff, tatŵio, electrolysis neu aciwbigo.

10. Canolfannau sglefrio.

11. Pyllau nofio.

12. Stiwdios ffitrwydd dan do, campfeydd, sbaon, neu ganolfannau neu gyfleusterau hamdden dan do eraill.

13. Alïau bowlio, arcedau diddanu a mannau chwarae dan do.

14. Amgueddfeydd, orielau a gwasanaethau archifau.

15. Unrhyw ran o atyniad i ymwelwyr sydd o dan y ddaear (ond heb gynnwys unrhyw ran o atyniad nad yw ond o dan ddaear yn rhinwedd y ffaith bod y rhan honno yn islawr neu'n rhan arall o adeilad sydd o dan lefel y ddaear.

16. Ffeiriau pleser (boed yn yr awyr agored neu dan do).

17. Meysydd chwarae a champfeydd awyr agored.

18. Tai arwerthiant (ac eithrio arwerthiannau da byw).

9. Establishments providing tanning services, body piercings, tattooing, electrolysis or acupuncture.

10. Skating rinks.

11. Swimming pools.

12. Indoor fitness studios, gyms, spas or other indoor leisure centres or facilities.

13. Bowling alleys, amusement arcades and indoor play areas.

14. Museums, galleries and archive services.

15. Any part of a visitor attraction which is underground (but not including any part of an attraction which is underground only by virtue of it being a basement or other part of a building which is below ground level).

16. Funfairs (whether outdoors or indoors).

17. Playgrounds and outdoor gyms.

18. Auction houses (except for livestock auctions).

ATODLEN 3 Rheoliad 8

Llety gwyliau

1. Safleoedd gwyliau.

2. Safleoedd gwersylla.

3. Gwestai a llety gwely a brecwast.

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

ATODLEN 4 Rheoliad 12

Busnesau a gwasanaethau a gaiff agor yn amodol ar fesurau diogelu

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

2. Fferyllfeydd (yn cynnwys fferyllfeydd nad ydynt yn darparu cyffuriau ar bresgripsiwn) a siopau cemist.

3. Gorsafoedd petrol.

4. Gwasanaethau trwsio ceir ac MOT.

5. Busnesau tacsï neu logi cerbydau.

SCHEDULE 3 Regulation 8

Holiday accommodation

1. Holiday sites.

2. Camping sites.

3. Hotels and bed and breakfast accommodation.

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

SCHEDULE 4 Regulation 12

Businesses and services which may open subject to protective measures

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

2. Pharmacies (including non-dispensing pharmacies) and chemists.

3. Petrol stations.

4. Car repair and MOT services.

5. Taxi or vehicle hire businesses.

6. 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 gynrychiolaeth o arian) drwy unrhyw ddull neu sieciau arian parod sydd wedi eu gwneud yn daladwy i gwsmeriaid.

7. Swyddfeydd post.

8. Trefnwyr angladdau.

9. Golchdai a siopau glanhau dillad.

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

11. Milfeddygon a siopau anifeiliaid anwes.

12. Marchnadoedd neu arwerthiannau da byw.

13. Cyfleusterau storio a dosbarthu, gan gynnwys manau gollwng danfoniadau.

14. Meysydd parcio.

15. Toiledau cyhoeddus.

16. Llyfrgelloedd.

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

18. Delwriaethau ceir.

19. Marchnadoedd awyr agored.

20. Siopau betio.

21. Canolfannau siopa ac arcedau siopa o dan do.

22. Sinemâu awyr agored.

23. Salonau gwallt a barbwyrr.

24. Atyniadau i ymwelwyr (ond dim ond i'r graddau nad yw paragraff 15 o Atodlen 2 yn gymwys).

6. 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.

7. Post offices.

8. Funeral directors.

9. Laundrettes and dry cleaners.

10. Dental services, opticians, audiology services, chiropody, chiropractors, osteopaths and other medical or health services, including services relating to mental health.

11. Veterinary surgeons and pet shops.

12. Livestock markets or auctions.

13. Storage and distribution facilities, including delivery drop off points.

14. Car parks.

15. Public toilets.

16. Libraries.

17. Estate or letting agents, developer sales offices and show homes.

18. Car dealerships.

19. Outdoor markets.

20. Betting shops.

21. Indoor shopping centres and indoor shopping arcades.

22. Outdoor cinemas.

23. Hair salons and barbers.

24. Visitor attractions (but only to the extent that paragraph 15 of Schedule 2 does not apply).

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