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WELSH STATUTORY
INSTRUMENTS

2020 Rhif 840 (Cy. 185)

2020 No. 840 (W. 185)

**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

**Rheoliadau Diogelu Iechyd
(Coronafeirws, Teithio
Rhyngwladol) (Cymru) (Diwygio)
(Rhif 4) 2020**

**The Health Protection
(Coronavirus, International Travel)
(Wales) (Amendment) (No. 4)
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'r Rheoliadau hyn yn diwygio Rheoliadau Diogelu Iechyd (Coronafeirws, Teithio Rhyngwladol) (Cymru) 2020 (O.S. 2020/574 (Cy. 132)) (y "Rheoliadau Teithio Rhyngwladol"). Diwygiwyd y Rheoliadau Teithio Rhyngwladol yn flaenorol gan:

These Regulations amend the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 (S.I. 2020/574 (W. 132)) (the "International Travel Regulations"). The International Travel Regulations have been previously amended by:

- Rheoliadau Diogelu Iechyd (Coronafeirws, Gwybodaeth Iechyd y Cyhoedd ar gyfer Personau sy'n Teithio i Gymru etc.) 2020 (O.S. 2020/595) (Cy. 136);
- Rheoliadau Diogelu Iechyd (Coronafeirws, Teithio Rhyngwladol a Gwybodaeth Iechyd y Cyhoedd i Deithwyr) (Cymru) (Diwygio) 2020 (O.S. 2020/714) (Cy. 160);
- Rheoliadau Diogelu Iechyd (Coronafeirws, Teithio Rhyngwladol) (Cymru) (Diwygio) 2020 (O.S. 2020/726) (Cy. 163);
- Rheoliadau Diogelu Iechyd (Coronafeirws, Teithio Rhyngwladol) (Cymru) (Diwygio) (Rhif 2) 2020 (O.S. 2020/804) (Cy. 177);

- the Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020 (S.I. 2020/595) (W. 136);
- the Health Protection (Coronavirus, International Travel and Public Health Information to Travellers) (Wales) (Amendment) Regulations 2020 (S.I. 2020/714) (W. 160);
- the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) Regulations 2020 (S.I. 2020/726) (W. 163);
- the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/804) (W. 177);

- Rheoliadau Diogelu Iechyd (Coronafeirws, Teithio Rhyngwladol) (Cymru) (Diwygio) (Rhif 3) 2020 (O.S. 2020/817) (Cy. 179).

Mae'r Rheoliadau Teithio Rhyngwladol yn gosod gofynion ar bersonau sy'n dod i Gymru ar ôl bod dramor. Maent yn cynnwys gofyniad i bersonau sy'n cyrraedd Cymru ynysu am gyfnod i'w bennu yn unol â'r Rheoliadau. Mae gofynion y Rheoliadau Teithio Rhyngwladol yn ddarostyngedig i eithriadau, ac mae categorïau penodol o bersonau wedi eu hesemtio rhag gorfod cydymffurfio. Nid yw'n ofynnol i bersonau sy'n dod i Gymru ynysu ar ôl bod mewn un neu ragor o'r gwledydd a restrir yn Atodlen 3 i'r Rheoliadau Teithio Rhyngwladol. Cyfeirir at y gwledydd a'r tiriogaethau a restrir yn Atodlen 3 fel "gwledydd a thiriogaethau esempt".

Mae rheoliad 2 o'r Rheoliadau hyn yn diwygio'r Rheoliadau Teithio Rhyngwladol er mwyn ychwanegu Brunei a Malaysia at y rhestr o wledydd a thiriogaethau esempt.

Mae rheoliad 4 yn hepgor Andorra, y Bahamas, a Gwlad Belg o'r rhestr o wledydd a thiriogaethau esempt.

Mae rheoliadau 3 a 5 yn gwneud darpariaeth drosiannol mewn cysylltiad â'r newid yn statws y gwledydd hyn. Mae'r rheoliadau hyn yn ymdrin â meysydd a all fod yn destun amheuaeth o ran effaith y diwygiadau a wneir gan reoliadau 2 a 4 o'r Rheoliadau hyn ar weithredu'r gofynion i ynysu a osodir gan y Rheoliadau Teithio Rhyngwladol.

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

- the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/817) (W. 179).

The International Travel Regulations impose requirements on persons entering Wales after having been abroad. They include a requirement for persons arriving in Wales to isolate for a period determined in accordance with the Regulations. The requirements imposed by the International Travel Regulations are subject to exceptions, and certain categories of person are exempt from having to comply. Persons entering Wales after being in one or more of the countries and territories listed in Schedule 3 to the International Travel Regulations are not required to isolate. The countries and territories listed in Schedule 3 are referred to as "exempt countries and territories".

Regulation 2 of these Regulations amends the International Travel Regulations to add Brunei and Malaysia to the list of exempt countries and territories.

Regulation 4 removes Andorra, the Bahamas, and Belgium from the list of exempt countries and territories.

Regulations 3 and 5 make transitional provision relating to these countries' change of status. These regulations address potential areas of doubt in terms of the effect on the operation of the International Travel Regulations, of the amendments made by regulations 2 and 4 of these 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.

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PUBLIC HEALTH, WALES

**Rheoliadau Diogelu Iechyd
(Coronafeirws, Teithio
Rhyngwladol) (Cymru) (Diwygio)
(Rhif 4) 2020**

**The Health Protection
(Coronavirus, International Travel)
(Wales) (Amendment) (No. 4)
Regulations 2020**

Gwnaed am 8.38 p.m. ar 6 Awst 2020

Made at 8.38 p.m. on 6 August 2020

Yn dod i rym am 11.59 p.m. ar 6 Awst 2020

Coming into
force at 11.59 p.m. on 6 August 2020

Gosodwyd gerbron Senedd Cymru 7 Awst 2020

Laid before Senedd Cymru 7 August 2020

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

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

Enwi, dod i rym a dehongli

Title, coming into force and interpretation

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

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

(2) Daw'r Rheoliadau hyn i rym am 11.59 p.m. ar 6 Awst 2020.

(2) These Regulations come into force at 11.59 p.m. on 6 August 2020.

(3) Yn y Rheoliadau hyn, ystyr y "Rheoliadau Teithio Rhyngwladol" yw Rheoliadau Diogelu Iechyd (Coronafeirws, Teithio Rhyngwladol) (Cymru) 2020(2).

(3) In these Regulations, the "International Travel Regulations" means the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020(2).

(1) 1984 p. 22. Mewnosodwyd Rhan 2A gan adran 129 o Ddeddf Iechyd a Gofal Cymdeithasol 2008 (p. 14). Mae'r swyddogaeth o wneud rheoliadau o dan Ran 2A wedi ei rhoi i "the appropriate Minister". O dan adran 45T(6) o Ddeddf 1984 y Gweinidog priodol, o ran Cymru, yw Gweinidogion Cymru.

(2) O.S. 2020/574 (Cy. 132) fel y'i diwygiwyd gan O.S. 2020/595 (Cy. 136), O.S. 2020/714 (Cy. 160), O.S. 2020/726 (Cy. 163), O.S. 2020/804 (Cy. 177) ac O.S. 2020/817 (Cy. 179).

(1) 1984 c. 22. Part 2A was inserted by section 129 of the Health and Social Care Act 2008 (c. 14). The function of making regulations under Part 2A is conferred on "the appropriate Minister". Under section 45T(6) of the 1984 Act the appropriate Minister as respects Wales, is the Welsh Ministers.

(2) S.I. 2020/574 (W. 132) as amended by S.I. 2020/595 (W. 136), S.I. 2020/714 (W. 160), S.I. 2020/726 (W. 163), S.I. 2020/804 (W. 177) and S.I. 2020/817 (W. 179).

Ychwanegiadau at y rhestr o wledydd a thiriogaethau esempt

2. Yn Rhan 1 o Atodlen 3 i'r Rheoliadau Teithio Rhyngwladol (gwledydd a thiriogaethau esempt y tu allan i'r ardal deithio gyffredin), yn y lleoedd priodol mewnoder—

“Brunei”

“Malaysia”.

Darpariaeth trosiannol sy'n ymwneud â rheoliad 2

3.—(1) Mae paragraff (2) yn gymwys pan, yn union cyn 7 Awst 2020—

- (a) oedd person (“P”) yn ddarostyngedig i ofyniad i ynysu yn rhinwedd y ffaith ei fod wedi cyrraedd Cymru o wlad a restrir yn rheoliad 2, neu ar ôl bod mewn gwlad a restrir yn y rheoliad hwnnw, a
- (b) fo diwrnod olaf ynysiad P ar 7 Awst 2020 neu ddiwrnod ar ôl y diwrnod hwnnw.

(2) Nid yw ychwanegu'r gwledydd a restrir yn rheoliad 2 at Atodlen 3 i'r Rheoliadau Teithio Rhyngwladol yn effeithio ar y gofyniad i ynysu fel y mae'n gymwys i P, nac ar y modd y pennir diwrnod olaf ynysiad P o dan y Rheoliadau Teithio Rhyngwladol.

(3) Mae paragraff (4) yn gymwys pan fo person (“P”)—

- (a) yn cyrraedd Cymru ar 7 Awst 2020 neu wedi hynny, a
- (b) wedi bod mewn gwlad a restrir yn rheoliad 2 o fewn y cyfnod o 14 o ddiwrnodau sy'n dod i ben â'r diwrnod y mae P yn cyrraedd Cymru.

(4) At ddibenion rheoliadau 7(1) ac 8(1) o'r Rheoliadau Teithio Rhyngwladol mae'r cwestiwn o ran pa un a yw P wedi cyrraedd Cymru o wlad neu diriogaeth nad yw'n esempt, neu ar ôl bod mewn gwlad neu diriogaeth o'r fath, mewn perthynas â gwlad a restrir yn rheoliad 2, i'w bennu drwy gyfeirio at ba un a oedd y wlad yn wlad nad yw'n esempt pan oedd P yno ddiwethaf (ac nid drwy gyfeirio at statws y wlad pan fo P yn cyrraedd Cymru).

(5) Yn y rheoliad hwn, mae i “gofyniad i ynysu” yr ystyr a roddir gan reoliad 10(2) o'r Rheoliadau Teithio Rhyngwladol; ac mae cyfeiriadau at ddiwrnod olaf ynysiad P i'w dehongli yn unol â rheoliad 12 o'r Rheoliadau hynny.

Additions to the list of exempt countries and territories

2. In Part 1 of Schedule 3 to the International Travel Regulations (exempt countries and territories outside the common travel area), at the appropriate places insert—

“Brunei”

“Malaysia”.

Transitional provision in connection with regulation 2

3.—(1) Paragraph (2) applies where, immediately before the 7 August 2020—

- (a) a person (“P”) was subject to an isolation requirement by virtue of having arrived in Wales from, or having been in, a country listed in regulation 2, and
- (b) P's last day of isolation is the 7 August 2020 or a day after that day.

(2) The addition of the countries listed in regulation 2 to Schedule 3 to the International Travel Regulations does not affect the isolation requirement as it applies to P, nor affect how P's last day of isolation is determined under the International Travel Regulations.

(3) Paragraph (4) applies where a person (“P”)—

- (a) arrives in Wales on or after 7 August 2020, and
- (b) was in a country listed in regulation 2 within the period of 14 days ending with the day of P's arrival in Wales.

(4) For the purposes of regulations 7(1) and 8(1) of the International Travel Regulations, the question of whether P has arrived in Wales from, or having been in, a non-exempt country or territory is, in relation to a country listed in regulation 2, to be determined by reference to whether the country was a non-exempt country when P was last there (and not by reference to the country's status upon P's arrival in Wales).

(5) In this regulation, “isolation requirement” has the meaning given by regulation 10(2) of the International Travel Regulations; and references to P's last day of isolation are to be interpreted in accordance with regulation 12 of those Regulations.

Hepgor gwledydd o'r rhestr o wledydd a thiriogaethau esempt

4. Yn Rhan 1 o Atodlen 3 i'r Rheoliadau Teithio Rhyngwladol (gwledydd a thiriogaethau esempt y tu allan i'r ardal deithio gyffredin), hegorer—

“Andorra”

“Y Bahamas”

“Gwlad Belg”.

Darpariaeth drosiannol mewn cysylltiad â rheoliad 4

5.—(1) Mae paragraff (2) yn gymwys pan fo person (“P”)—

- (a) yn cyrraedd Cymru ar 7 Awst 2020 neu wedi hynny, a
- (b) wedi bod mewn gwlad a restrir yn rheoliad 4 ddiwethaf—
 - (i) o fewn y cyfnod o 14 o ddiwrnodau sy'n dod i ben â'r diwrnod y mae P yn cyrraedd Cymru, a
 - (ii) cyn 7 Awst 2020.

(2) Mae P, yn rhinwedd y ffaith iddo fod yn y wlad honno, i'w drin at ddibenion rheoliadau 7(1) ac 8(1) o'r Rheoliadau Teithio Rhyngwladol fel pe bai wedi cyrraedd Cymru o wlad neu diriogaeth nad yw'n esempt, neu fel pe bai wedi cyrraedd ar ôl bod mewn gwlad neu diriogaeth o'r fath.

Removal of countries from the list of exempt countries and territories

4. In Part 1 of Schedule 3 to the International Travel Regulations (exempt countries and territories outside the common travel area), omit—

“Andorra”

“The Bahamas”

“Belgium”.

Transitional provision in connection with regulation 4

5.—(1) Paragraph (2) applies where a person (“P”)—

- (a) arrives in Wales on or after 7 August 2020, and
- (b) was last in a country listed in regulation 4—
 - (i) within the period of 14 days ending with the day of P's arrival in Wales, and
 - (ii) before 7 August 2020.

(2) P is, by virtue of having been in that country, to be treated for the purposes of regulations 7(1) and 8(1) of the International Travel Regulations as having arrived in Wales from, or having been in, a non-exempt country or territory.

Mark Drakeford

Y Prif Weinidog, un o Weinidogion Cymru
Am 8.38 p.m. ar 6 Awst 2020

The First Minister, one of the Welsh Ministers
At 8.38 p.m. on 6 August 2020

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