



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

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

OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2020 Rhif 884 (Cy. 195)

2020 No. 884 (W. 195)

**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

**Rheoliadau Diogelu Iechyd
(Cyfyngiadau Coronafeirws) (Rhif
2) (Cymru) (Diwygio) (Rhif 6)
2020**

**The Health Protection (Coronavirus
Restrictions) (No. 2) (Wales)
(Amendment) (No. 6) Regulations
2020**

NODYN ESBONIADOL

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

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

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020 ("y prif Reoliadau"). Mae'r diwygiadau—

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 2A of the Public Health (Control of Disease) Act 1984 enables the Welsh Ministers, by regulations, to make provision for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection or contamination in Wales.

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

These Regulations amend the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (the "principal Regulations"). The amendments—

- (a) yn caniatáu i aelodau hyd at bedair aelwyd (yn lle dwy) gytuno i gael eu trin fel un aelwyd (estynedig), sy'n golygu y gall aelodau o'r aelwydydd hynny ryngweithio â'i gilydd fel pe baent yn aelodau o un aelwyd;
- (b) yn darparu bod gan bobl esgus rhesymol (o dan reoliad 14 o'r prif Reoliadau) i ymgynnull o dan do, mewn mangroedd penodol, mewn grŵp o hyd at 30 o bobl—
- i ddathlu gweinyddiad priodas, neu ffurfiad partneriaeth sifil, sy'n digwydd ar neu ar ôl 22 Awst 2020, neu
 - i ddathlu bywyd person sydd wedi marw ac y mae ei angladd yn digwydd ar neu ar ôl 22 Awst 2020.
- (c) yn darparu, fel eithriad i'r rheol sy'n gwahardd pobl rhag cymryd rhan mewn cynulliaidau awyr agored o fwy na 30 o bobl, y caiff digwyddiad awyr agored mwy ddigwydd cyhyd ag y bo—
- wedi ei drefnu yn unol â thelerau'r eithriad,
 - wedi ei gymeradwyo'n ysgrifenedig gan Weinidogion Cymru,
 - dim mwy na 100 o bobl yn bresennol (heb gynnwys personau sy'n gweithio yn y digwyddiad neu sy'n darparu gwasanaethau gwirfoddol ynddo), ac
 - wedi ei gynnal yn unol ag unrhyw amodau a bennir gan Weinidogion Cymru.
- (d) yn egluro bod rheoliad 18(9B) o'r prif Reoliadau (derbynioldeb tystiolaeth) yn gymwys i unrhyw achos ac eithrio achos o dan y prif Reoliadau.
- (a) allow members of up to four households (instead of two) to agree to be treated as a single (extended) household, which means that members of those households can interact with each other as if they were members of one household;
- (b) provides that people have a reasonable excuse (under regulation 14 of the principal Regulations) to gather indoors, in certain premises, in a group of up to 30 people to—
- celebrate a solemnization of a marriage, or formation of a civil partnership, that takes place on or after 22 August 2020, or
 - celebrate the life of a person who has died and whose funeral takes place on or after 22 August 2020.
- (c) provides that, as an exception to the rule prohibiting people from participating in outdoor gatherings of more than 30 people, a larger outdoor event may take place as long as—
- it is organised in accordance with the terms of the exception,
 - it is approved in writing by the Welsh Ministers,
 - it is attended by no more than 100 people (not including persons working, or providing voluntary services, at the event), and
 - it is held in accordance with any conditions specified by the Welsh Ministers.
- (d) clarifies that regulation 18(9B) of the principal Regulations (admissibility of evidence) applies to any proceedings other than to proceedings under the principal Regulations.

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 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.

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

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

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**Rheoliadau Diogelu Iechyd
(Cyfyngiadau Coronafeirws) (Rhif
2) (Cymru) (Diwygio) (Rhif 6)
2020**

**The Health Protection (Coronavirus
Restrictions) (No. 2) (Wales)
(Amendment) (No. 6) Regulations
2020**

Gwnaed am 11.00 a.m. ar 21 Awst 2020

Made at 11.00 a.m. on 21 August 2020

*Gosodwyd gerbron Senedd
Cymru am 3.30 p.m. ar 21 Awst 2020*

*Laid before Senedd
Cymru at 3.30 p.m. on 21 August 2020*

Yn dod i rym 22 Awst 2020

Coming into force 22 August 2020

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir gan adrannau 45C(1) a (3)(c), 45F(2) a 45P 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 diwygiadau a wneir 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 the amendments made by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

(1) 1984 p. 22. Mewnysodwyd 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.

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.

Enwi a dod i rym

1. Enw'r Rheoliadau hyn yw Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 6) 2020 a deuant i rym ar 22 Awst 2020.

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

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

(2) Yn rheoliad 2, hepgorer paragraffau (4) i (7).

(3) Ar ôl rheoliad 2, mewnosoder—

“Aelwydydd estynedig

2A.—(1) Caiff hyd at bedair aelwyd gytuno i gael eu trin fel aelwyd estynedig at ddibenion y Rheoliadau hyn.

(2) Er mwyn cytuno i gael eu trin fel aelwyd estynedig, rhaid i bob oedolyn yn yr aelwydydd o dan sylw gytuno.

(3) Pan fo aelwydydd yn cytuno i gael eu trin fel aelwyd estynedig, mae unrhyw gyfeiriad yn y Rheoliadau hyn (ac eithrio yn y rheoliad hwn) at “aelwyd” i'w ddarllen fel pe bai'n cynnwys yr aelwydydd sydd wedi cytuno felly.

(4) Ni chaiff aelwyd ond cytuno i gael ei thrin fel pe bai mewn un aelwyd estynedig.

(5) Mae aelwyd yn peidio â cael ei thrin fel pe bai mewn aelwyd estynedig os yw unrhyw oedolyn yn yr aelwyd yn peidio â chytuno i gael ei drin fel pe bai yn yr aelwyd estynedig.

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.

Title and coming into force

1. The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 6) Regulations 2020 and they come into force on 22 August 2020.

Amendment of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020

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

(2) In regulation 2, omit paragraphs (4) to (7).

(3) After regulation 2, insert—

“Extended households

2A.—(1) Up to four households may agree to be treated as an extended household for the purposes of these Regulations.

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

(3) Where households agree to be treated as an extended household, any reference in these Regulations (other than in this regulation) to a “household” is to be read as including the households that have so agreed.

(4) A household may only agree to be treated as being in one extended household.

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

(1) O.S. 2020/725 (Cy. 162), fel y'i diwygiwyd gan Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) 2020 (O.S. 2020/752 (Cy. 169)), Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 2) 2020 (O.S. 2020/803 (Cy. 176)), Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 3) 2020 (O.S. 2020/820 (Cy. 180)), Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 4) 2020 (O.S. 2020/843 (Cy. 186)) a Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 5) 2020 (O.S. 2020/867 (Cy. 189)).

(1) S.I. 2020/725 (W. 162), as amended by the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) Regulations 2020 (S.I. 2020/752 (W. 169)), the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/803 (W. 176)), the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/820 (W. 180)), the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 4) Regulations 2020 (S.I. 2020/843 (W. 186)) and the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 5) Regulations 2020 (S.I. 2020/867 (W. 189)).

(6) Os yw aelwyd yn peidio â chael ei thrin fel pe bai mewn aelwyd estynedig, ni chaiff yr aelwyd gytuno i gael ei thrin fel pe bai mewn aelwyd estynedig gydag unrhyw aelwyd arall.

(7) Mae paragraff (8) yn gymwys pan fo dwy aelwyd—

- (a) wedi cytuno i gael eu trin fel un aelwyd (estynedig) at ddibenion y Rheoliadau hyn cyn 22 Awst 2020, neu
- (b) wedi eu trin fel pe baent wedi gwneud hynny yn unol â rheoliad 2(7) o'r Rheoliadau hyn cyn y dyddiad hwnnw.

(8) Pan fo'r paragraff hwn yn gymwys, o ran yr aelwydydd—

- (a) maent i'w trin fel pe baent wedi cytuno i gael eu trin fel aelwyd estynedig yn unol â'r rheoliad hwn, a
- (b) cânt gytuno i gael eu trin fel aelwyd estynedig gyda hyd at ddwy aelwyd arall yn unol â'r rheoliad hwn.”

(4) Yn rheoliad 14, ar ôl paragraff 2(h) mewnosoder—

“(hza)cymryd rhan mewn cynulliad o ddim mwy na 30 o bobl mewn mangre agored—

- (i) i ddathlu gweinyddiad priodas neu ffurfiad partneriaeth sifil sy'n digwydd ar neu ar ôl 22 Awst 2020,
- (ii) i ddathlu bywyd person ymadawedig y cynhelir ei angladd ar neu ar ôl 22 Awst 2020;”.

(5) Yn rheoliad 14A, ar ôl paragraff (2) mewnosoder—

“(3) Ond nid yw'r cyfyngiad ym mharagraff (1) yn gymwys i ddigwyddiad awyr agored wedi ei drefnu—

- (a) sydd wedi ei awdurdodi'n ysgrifenedig gan Weinidogion Cymru,
- (b) nad yw mwy na 100 o bobl yn bresennol ynddo (heb gynnwys personau sy'n gweithio yn y digwyddiad neu sy'n darparu gwasanaethau gwirfoddol ynddo), ac
- (c) sydd wedi ei gynnal yn unol ag unrhyw amodau a bennir yn ysgrifenedig gan Weinidogion Cymru.

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

(7) Paragraph (8) applies where two households—

- (a) agreed to be treated as a single (extended) household for the purposes of these Regulations before 22 August 2020, or
- (b) were treated as having done so in accordance with regulation 2(7) of these Regulations before that date.

(8) Where this paragraph applies, the households—

- (a) are to be treated as having agreed to be treated as an extended household in accordance with this regulation, and
- (b) may agree to be treated as an extended household with up to two more households in accordance with this regulation.”

(4) In regulation 14, after paragraph (2)(h) insert—

“(hza)participate in a gathering of no more than 30 people at open premises to—

- (i) celebrate a solemnization of a marriage or formation of a civil partnership that takes place on or after 22 August 2020,
- (ii) celebrate the life of a deceased person whose funeral is held on or after 22 August 2020;”.

(5) In regulation 14A, after paragraph (2) insert—

“(3) But the restriction in paragraph (1) does not apply to an organised outdoor event—

- (a) authorised in writing by the Welsh Ministers,
- (b) at which no more than 100 people are in attendance (not including persons working, or providing voluntary services, at the event), and
- (c) which is held in accordance with any conditions specified in writing by the Welsh Ministers.

(4) At ddibenion paragraff (3)(a), mae digwyddiad yn “digwyddiad 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, llesiannol neu ddyngarol,
 - (iii) clwb neu sefydliad gwleidyddol, neu
 - (iv) corff llywodraethu cenedlaethol camp neu weithgaredd arall, ac
- (c) os yw’r person sy’n ei drefnu wedi—
 - (i) cynnal asesiad risg a fyddai’n bodloni gofynion rheoliad 3 o Reoliadau Rheoli Iechyd a Diogelwch yn y Gwaith 1999⁽¹⁾, pa un a yw’r person yn ddarostyngedig i’r Rheoliadau hynny ai peidio, a
 - (ii) wedi cydymffurfio â gofynion rheoliadau 12(2) a 13(1).

(5) At ddibenion paragraff (4)(c)—

- (a) mae rheoliad 3 o Reoliadau Rheoli Iechyd a Diogelwch yn y Gwaith 1999 yn gymwys fel pe bai’r digwyddiad yn ymgymeriad 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 mae’r digwyddiad yn digwydd yn fangre agored y mae’r person sy’n trefnu’r digwyddiad yn gyfrifol amdani.”

(6) Yn rheoliad 18(9B), yn lle “achos o dan unrhyw ddeddfiad ac eithrio’r” rhodder “unrhyw achos ac eithrio achos o dan y”.

(4) For the purposes of paragraph (3)(a), an event is an “organised outdoor event” 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).

(5) For the purposes of paragraph (4)(c)—

- (a) regulation 3 of the Management of Health and Safety at Work Regulations 1999 applies as if the event were an undertaking conducted by the person organising it;
- (b) regulation 12(2) of these Regulations applies as if the place where the event takes place were open premises for which the person organising the event is responsible.”

(6) In regulation 18(9B), for “proceedings under any enactment other than” substitute “any proceedings other than proceedings under”.

(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.

Arbedion ar gyfer troseddau a chosbau mewn perthynas â gweithredoedd blaenorol

3. Mae rheoliadau 20 ac 21 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020 yn parhau i gael effaith mewn perthynas ag unrhyw drosedd a gyflawnir, neu y credir yn rhesymol ei bod wedi ei chyflawni, cyn i'r diwygiadau a wneir gan y Rheoliadau hyn ddod i rym fel pe na bai'r diwygiadau hynny wedi eu gwneud.

Savings for offences and penalties in relation to prior acts

3. Regulations 20 and 21 of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 continue to have effect in relation to any offence committed, or reasonably believed to have been committed, before the amendments made by these Regulations came into force as if those amendments had not been made.

Mark Drakeford

Y Prif Weinidog, un o Weinidogion Cymru
Am 11.00 a.m. ar 21 Awst 2020

First Minister, one of the Welsh Ministers
At 11.00 a.m. on 21 August 2020

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