



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2021 Rhif 1131 (Cy. 274)

2021 No. 1131 (W. 274)

**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

**Rheoliadau Diogelu Iechyd
(Cyfyngiadau Coronafeirws) (Rhif
5) (Cymru) (Diwygio) (Rhif 18)
2021**

**The Health Protection (Coronavirus
Restrictions) (No. 5) (Wales)
(Amendment) (No. 18) Regulations
2021**

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 ledaeniad coronafeirws syndrom anadlol aciwt difrifol 2 (SARS-CoV-2) yng Nghymru.

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) 2020 (O.S. 2020/1609 (Cy. 335)) ("y prif Reoliadau") er mwyn—

- ei gwneud yn glir y caiff person y byddai'n ofynnol iddo ynysu fel arall o dan reoliad 6, 7 neu 8 o'r prif Reoliadau ymadael â'r man lle y mae'n byw a bod y tu allan i'r man hwnnw cyhyd ag y bo'n angenrheidiol—
 - i atal salwch, anaf neu risg arall o niwed i berson arall ("A") pan na fo'n bosibl nac yn ymarferol i rywun arall gynorthwyo A, pan na fo'r person yn cynorthwyo A fel rhan o waith y person na thrwy ddarparu gwasanaethau gwirfoddol, a phan fo'r risg o niwed i A yn fwy na'r risg o niwed i A sy'n deillio o fod yn yr un man â'r person y byddai'n ofynnol iddo ynysu fel arall;

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. 5) (Wales) Regulations 2020 (S.I. 2020/1609 (W. 335)) ("the principal Regulations") to—

- clarify that a person who would otherwise be required to isolate under regulation 6, 7 or 8 of the principal Regulations may leave and be outside of the place where they are living for as long as is necessary—
 - to prevent illness, injury or other risk of harm to another person ("A") where it is not possible or practicable for somebody else to assist A, the person is not assisting A as part of the person's work or through providing voluntary services, and the risk of harm to A is greater than the risk of harm to A that arises from being in the same place as the person who would otherwise have to isolate;

- i symud i fan gwahanol i fyw er mwyn atal salwch i berson arall sy'n byw yn y man lle y mae'r person yn byw;
- ei gwneud yn glir y caiff swyddog olrhain cysylltiadau, pan fo'n penderfynu pa un ai i ofyn i berson am dystiolaeth ei fod wedi ei frechu'n llawn neu ei fod wedi cymryd rhan mewn treial clinigol (cyn y gall y person ddibynnu ar yr esemptiad perthnasol i'r gofyniad i ynysu o dan reoliad 8 o'r prif Reoliadau ar ôl cysylltiad agos ag achos positif), gael mynediad at gofnod brechu'r person neu gofnod y person o gymryd rhan mewn treial clinigol a defnyddio'r cofnod hwnnw;
- darparu na chaiff swyddog olrhain cysylltiadau ond datgelu unrhyw wybodaeth am statws brechu person neu gyfranogiad person mewn treial clinigol y mae'n angenrheidiol i'r person sy'n cael yr wybodaeth ei chael at ddibenion cyflawni swyddogaeth o dan y prif Reoliadau, atal perygl i iechyd y cyhoedd, monitro lledaeniad y coronafeirws, neu at ddiben sy'n gysylltiedig ag unrhyw un neu ragor o'r materion hyn;
- hepgor y ddarpariaeth drosiannol sydd wedi ei disbyddu yn rheoliad 10A o'r prif Reoliadau;
- ei gwneud yn glir bod rheoliad 57(9) o'r prif Reoliadau, sy'n gwneud darpariaeth mewn perthynas â phan na fo cynulliad neu ddigwyddiad i'w drin fel pe bai "yn yr awyr agored", yn gymwys i bob cynulliad a digwyddiad.
- to move to a different place to live to prevent illness to another person who lives in the place where the person is living;
- clarify that where a contact tracer is deciding whether to ask a person for evidence that they have been fully vaccinated or have participated in a clinical trial (before the person can rely on the relevant exemption to the requirement to isolate under regulation 8 of the principal Regulations after close contact with a positive case), a contact tracer can access and use the person's vaccination record or record of participation in a clinical trial;
- provide that a contact tracer may only disclose such information about a person's vaccine status or a person's participation in a clinical trial as is necessary for the person receiving the information to have for the purposes of carrying out a function under the principal Regulations, preventing danger to the health of the public, monitoring the spread of coronavirus, or for a purpose that is connected to any of these matters;
- omit the spent transitional provision at regulation 10A of the principal Regulations;
- clarify that regulation 57(9) of the principal Regulations, which makes provision in relation to when a gathering or event is not to be treated as being "outdoors", applies to all gatherings and events.

Mae'r Rheoliadau hyn hefyd yn diwygio rheoliad newydd 16A sydd i'w fewnosod yn y prif Reoliadau am 7.00 a.m. ar 11 Hydref 2021 gan Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) (Diwygio) (Rhif 17) 2021 (O.S. 2021/1119 (Cy. 271)).

Mae rheoliad 16A(1) yn ei gwneud yn ofynnol i'r person sy'n gyfrifol am fangreodded penodol gymryd mesurau rhesymol i sicrhau na chaniateir i oedolyn fod yn bresennol yn y fangre ond os oes ganddo dystiolaeth o faterion penodol, gan gynnwys brechu â brechlyn awdurdodedig. Mae'r Rheoliadau hyn yn diwygio rheoliad 16A, cyn iddo ddod i rym, i ddarparu bod dystiolaeth o'r canlynol yn dderbyniol at ddibenion rheoliad 16A(1)—

- brechu yn y Deyrnas Unedig neu mewn gwlad benodedig â dos o un brechlyn awdurdodedig a dos o frechlyn awdurdodedig gwahanol;
- brechu o dan raglen frechu'r Deyrnas Unedig dramor yn unol â chanllawiau'r gweithgynhyrchydd ar gyfer y brechlyn, neu â dos o un brechlyn a dos o frechlyn gwahanol.
- vaccination in the United Kingdom or a specified country with a dose of one authorised vaccine and a dose of a different authorised vaccine;
- vaccination under the United Kingdom vaccine roll-out overseas in accordance with the manufacturer's guidance for the vaccine, or with a dose of one vaccine and a dose of a different vaccine.

These Regulations also amend the new regulation 16A to be inserted into the principal Regulations at 7.00 a.m. on 11 October 2021 by the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 17) Regulations 2021 (S.I. 2021/1119 (W. 271)).

Regulation 16A(1) requires the person responsible for certain premises to take reasonable measures to ensure that an adult is permitted to be present on the premises only if they have evidence of particular matters, including vaccination with an authorised vaccine. These Regulations amend regulation 16A, before it comes into force, to provide that evidence of the following is acceptable for the purposes of regulation 16A(1)—

Mae'r diwygiadau hefyd yn—

- ychwanegu Awstralia a Chanada at y rhestr o wledydd penodedig yn rheoliad 16A(11), fel bod tystiolaeth o frechu yn y gwledydd hynny â brechlynnau sydd wedi eu hawdurdodi gan reoleiddwyr y gwledydd hynny yn dderbyniol at ddibenion rheoliad 16A(1);
- ehangu ymhellach y rhestr o wledydd penodedig (drwy fewnosod paragraff newydd (12) yn rheoliad 16A), fel bod tystiolaeth o frechu yn y gwledydd hynny â brechlynnau sydd wedi eu hawdurdodi yn y Deyrnas Unedig yn dderbyniol hefyd;
- darparu y caiff tystiolaeth o frechu mewn gwlad benodedig fod ar ffurf tystysgrif brechlyn sydd wedi ei dyroddi gan awdurdod iechyd cymwys y wlad honno.

Mae'r diwygiadau hyn i reoliad 16A yn ofynnol er mwyn cynnal cysondeb â rheoliad 2A o Reoliadau Diogelu Iechyd (Coronafeirws, Teithio Rhyngwladol) (Cymru) 2020 (O.S. 2020/574 (Cy. 132)), fel y'i diwygiwyd gan Reoliadau Diogelu Iechyd (Coronafeirws, Teithio Rhyngwladol, Atebolrwydd Gweithredwyr a Gwybodaeth Iechyd y Cyhoedd i Deithwyr) (Cymru) (Diwygiadau Amrywiol) (Rhif 3) 2021 (O.S. 2021/1109 (Cy. 265)), o 4 Hydref 2021 a gan Reoliadau Diogelu Iechyd (Coronafeirws, Teithio Rhyngwladol) (Cymru) (Diwygio) (Rhif 11) 2021 (O.S. 2021/1126 (Cy. 273)) o 11 Hydref 2021. Mae rheoliad 2A yn darparu bod person sy'n cyrraedd Cymru o'r tu allan i'r ardal deithio gyffredin yn ddarostyngedig i ofynion llai ar gyfer profi am y coronafeirws os yw wedi ei frechu â brechlyn cymhwysol, ac mae rheoliad 16A o'r prif Reoliadau yn darparu bod tystiolaeth o frechu â'r un brechlyn cymhwysol yn dderbyniol at ddibenion rheoliad 16A(1).

Mae rheoliad 16A wedi ei ddiwygio hefyd er mwyn ei gwneud yn glir bod person sy'n cymryd rhan mewn gwasanaeth crefyddol mewn mangre a ddefnyddir fel arfer fel addoldy i'w ystyried fel pe bai'n eistedd fel arfer. Mae hyn yn golygu nad yw gofynion rheoliad 16A(1) yn gymwys i wasanaeth crefyddol o fwy na 500 o bobl o dan do mewn mangre a ddefnyddir fel arfer fel addoldy, sy'n golygu'n ymarferol nad yw'r gofynion hynny yn gymwys i unrhyw wasanaeth crefyddol a gynhelir mewn mangre a ddefnyddir fel arfer fel addoldy.

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

The amendments also—

- add Australia and Canada to the list of specified countries in regulation 16A(11), so that evidence of vaccination in those countries with vaccines authorised by those countries' regulators is acceptable for the purposes of regulation 16A(1);
- further expand the list of specified countries (by inserting new paragraph (12) into regulation 16A), so that evidence of vaccination in those countries with vaccines authorised in the United Kingdom is also acceptable;
- provide that evidence of vaccination in a specified country may be in the form of a vaccine certificate issued by the competent health authority of that country.

These amendments to regulation 16A are required to maintain consistency with regulation 2A of the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 (S.I. 2020/574 (W. 132)), as amended by the Health Protection (Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) (No. 3) Regulations 2021 (S.I. 2021/1109 (W. 265)), from 4 October 2021 and by the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 11) Regulations 2021 (S.I. 2021/1126 (W. 273)) from 11 October 2021. Regulation 2A provides that a person arriving in Wales from outside the common travel area is subject to reduced coronavirus testing requirements if they have been vaccinated with a qualifying vaccine, and regulation 16A of the principal Regulations provides that evidence of vaccination with the same qualifying vaccine is acceptable for the purposes of regulation 16A(1).

Regulation 16A is also amended to make it clear that a person participating in a religious service in premises ordinarily used as a place of worship is considered to be normally seated. This means that the requirements of regulation 16A(1) do not apply to a religious service of more than 500 people indoors in premises ordinarily used as a place of worship, which in practice means that those requirements don't apply to any religious service held in premises ordinarily used as a place of worship.

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.

2021 Rhif 1131 (Cy. 274)

2021 No. 1131 (W. 274)

**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

**Rheoliadau Diogelu Iechyd
(Cyfyngiadau Coronafeirws) (Rhif
5) (Cymru) (Diwygio) (Rhif 18)
2021**

**The Health Protection (Coronavirus
Restrictions) (No. 5) (Wales)
(Amendment) (No. 18) Regulations
2021**

Gwnaed *am 1.40 p.m. ar 8 Hydref 2021*

Made *at 1.40 p.m. on 8 October 2021*

Gosodwyd *gerbron* *Senedd*
Cymru *am 5.00 p.m. ar 8 Hydref 2021*

Laid *before* *Senedd*
Cymru *at 5.00 p.m. on 8 October 2021*

Yn dod i rym *9 Hydref 2021*

Coming into force *9 October 2021*

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

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

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 45Q(3) o'r Ddeddf honno mae Gweinidogion Cymru o'r farn nad yw'r offeryn yn cynnwys unrhyw ddarpariaeth a wneir yn rhinwedd adran 45C(3)(c) o'r Ddeddf sy'n gosod neu'n galluogi gosod cyfyngiad neu ofyniad arbennig, neu unrhyw

In accordance with section 45Q(3) of that Act the Welsh Ministers are of the opinion that the instrument does not contain any provision made by virtue of section 45C(3)(c) of the Act which imposes or enables the imposition of a special restriction or requirement,

(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.

gyfyngiad neu ofyniad arall sy'n cael neu a fyddai'n cael effaith sylweddol ar hawliau person.

Enwi a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) (Diwygio) (Rhif 18) 2021.

(2) Daw'r Rheoliadau hyn i rym ar 9 Hydref 2021.

Diwygio Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) 2020

2.—(1) Mae Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) 2020(1) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 10—

(a) ym mharagraff (2)—

(i) ar ôl is-baragraff (d) mewnosoder—

“(da) galluogi'r person i geisio atal salwch, anaf neu risg arall o niwed i berson arall (“A”)—

(i) pan na fo'n bosibl neu pan na fo'n ymarferol i rywun arall gynorthwyo A,

(ii) pan na fo'r person yn cynorthwyo A fel rhan o waith y person na thrwy ddarparu gwasanaethau gwirfoddol, a

(iii) pan fo'r risg o niwed i A o fod yn yr un man â'r person yn llai na'r risg o niwed i A y mae'r person yn ceisio ei atal;”;

(ii) yn lle paragraff (h) rhodder—

“(h) symud i fan gwahanol i fyw—

(i) pan fo'n mynd yn anymarferol aros yn y man lle y mae'r person yn byw, neu

(ii) er mwyn atal salwch i berson arall sy'n byw yn y man lle y mae'r person yn byw;”;

or any other restriction or requirement which has or would have a significant effect on a person's rights.

Title and coming into force

1.—(1) The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 18) Regulations 2021.

(2) These Regulations come into force on 9 October 2021.

Amendment to the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020

2.—(1) The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020(1) are amended as follows.

(2) In regulation 10—

(a) in paragraph (2)—

(i) after sub-paragraph (d) insert—

“(da) to enable the person to seek to prevent illness, injury or other risk of harm to another person (“A”) where—

(i) it is not possible or not practicable for somebody else to assist A,

(ii) the person is not assisting A as part of the person's work or through providing voluntary services, and

(iii) the risk of harm to A from being in the same place as the person is less than the risk of harm to A that the person is seeking to prevent;”;

(ii) for sub-paragraph (h) substitute—

“(h) to move to a different place to live—

(i) where it becomes impracticable to remain at the place where the person is living, or

(ii) to prevent illness to another person who lives in the place where the person is living;”;

(1) O.S. 2020/1609 (Cy. 335) fel y'i diwygiwyd gan O.S. 2020/1610 (Cy. 336), O.S. 2020/1623 (Cy. 340), O.S. 2020/1645 (Cy. 345), O.S. 2021/20 (Cy. 7), O.S. 2021/46 (Cy. 10), O.S. 2021/57 (Cy. 13), O.S. 2021/66 (Cy. 15), O.S. 2021/95 (Cy. 26), O.S. 2021/103 (Cy. 28), O.S. 2021/172 (Cy. 40), O.S. 2021/210 (Cy. 52), O.S. 2021/307 (Cy. 79), O.S. 2021/413 (Cy. 133), O.S. 2021/502 (Cy. 150), O.S. 2021/542 (Cy. 154), O.S. 2021/583 (Cy. 160), O.S. 2021/668 (Cy. 169), O.S. 2021/686 (Cy. 172), O.S. 2021/722 (Cy. 183), O.S. 2021/862 (Cy. 201), O.S. 2021/925 (Cy. 210) ac O.S. 2021/970 (Cy. 228).

(1) S.I. 2020/1609 (W. 335) as amended by S.I. 2020/1610 (W. 336), S.I. 2020/1623 (W. 340), S.I. 2020/1645 (W. 345), S.I. 2021/20 (W. 7), S.I. 2021/46 (W. 10), S.I. 2021/57 (W. 13), S.I. 2021/66 (W. 15), S.I. 2021/95 (W. 26), S.I. 2021/103 (W. 28), S.I. 2021/172 (W. 40), S.I. 2021/210 (W. 52), S.I. 2021/307 (W. 79), S.I. 2021/413 (W. 133), S.I. 2021/502 (W. 150), S.I. 2021/542 (W. 154), S.I. 2021/583 (W. 160), S.I. 2021/668 (W. 169), S.I. 2021/686 (W. 172), S.I. 2021/722 (W. 183), S.I. 2021/862 (W. 201), S.I. 2021/925 (W. 210) and S.I. 2021/970 (W. 228).

(b) ar ôl paragraff (6) mewnosoder—
“(6A) Caiff swyddog olrhain cysylltiadau, at ddibenion penderfynu pa un ai i ofyn am dystiolaeth oddi wrth berson yn unol â pharagraff (5)(b) neu (6)(b), gael a defnyddio gwybodaeth ynghylch a yw person—

- (a) wedi cwblhau cwrs o ddosau o frechlyn awdurdodedig;
- (b) wedi cymryd rhan mewn, neu yn cymryd rhan mewn, treial clinigol o frechlyn ar gyfer brechu yn erbyn y coronafeirws a gynhaliwyd neu a gynhelir yn y Deyrnas Unedig yn unol â gofynion Rheoliadau Meddyginiaethau i’w Defnyddio gan Bobl (Treialon Clinigol) 2004(1).”

(3) Hepgorer rheoliad 10A.

(4) Yn rheoliad 14—

(a) ym mharagraff (2), o flaen is-baragraff (b) mewnosoder—

“(ab) gwybodaeth ynghylch a yw person—

- (i) wedi cwblhau cwrs o ddosau o frechlyn awdurdodedig;
- (ii) wedi cymryd rhan mewn, neu yn cymryd rhan mewn, treial clinigol o frechlyn ar gyfer brechu yn erbyn y coronafeirws a gynhaliwyd neu a gynhelir yn y Deyrnas Unedig yn unol â gofynion Rheoliadau Meddyginiaethau i’w Defnyddio gan Bobl (Treialon Clinigol) 2004;”;

(b) yn lle paragraff (8) rhodder—

“(8) Yn y rheoliad hwn—

- (a) mae i “brechlyn awdurdodedig” a “treial clinigol” yr un ystyrion ag yn rheoliad 10;
- (b) mae i “data personol” a “deddfwriaeth diogelu data” yr un ystyrion â “personal data” a “data protection legislation” yn adran 3 o Ddeddf Diogelu Data 2018(2).”

(b) after paragraph (6) insert—

“(6A) A contact tracer may, for the purposes of determining whether to request evidence from a person in accordance with paragraph (5)(b) or (6)(b), obtain and use information about whether a person—

- (a) has completed a course of doses of an authorised vaccine;
- (b) has participated in, or is participating in, a clinical trial of a vaccine for vaccination against coronavirus carried out in the United Kingdom in accordance with the requirements of the Medicines for Human Use (Clinical Trials) Regulations 2004(1).”

(3) Omit regulation 10A.

(4) In regulation 14—

(a) in paragraph (2), before sub-paragraph (b) insert—

“(ab) information about whether a person—

- (i) has completed a course of doses of an authorised vaccine;
- (ii) has participated in, or is participating in, a clinical trial of a vaccine for vaccination against coronavirus carried out in the United Kingdom in accordance with the requirements of the Medicines for Human Use (Clinical Trials) Regulations 2004;”;

(b) for paragraph (8) substitute—

“(8) In this regulation—

- (a) “authorised vaccine” and “clinical trial” have the same meanings as in regulation 10;
- (b) “data protection legislation” and “personal data” have the same meanings as in section 3 of the Data Protection Act 2018(2).”

(1) O.S. 2004/1031 fel y’i diwygiwyd gan adran 116 o Ddeddf Gofal 2014 (p. 23) a chan O.S. 2004/3224, O.S. 2005/2754, O.S. 2005/2759, O.S. 2006/562, O.S. 2006/1928, O.S. 2006/2984, O.S. 2007/289, O.S. 2007/3101, O.S. 2008/941, O.S. 2010/231, O.S. 2010/551, O.S. 2010/1882, O.S. 2011/2581, O.S. 2012/134, O.S. 2012/504, O.S. 2012/1641, O.S. 2012/1916, O.S. 2013/532, O.S. 2016/190, O.S. 2016/696, O.S. 2019/593, O.S. 2019/744, O.S. 2019/1094 ac O.S. 2020/1488.

(2) 2018 p. 12.

(1) S.I. 2004/1031 as amended by section 116 of the Care Act 2014 (c. 23) and by S.I. 2004/3224, S.I. 2005/2754, S.I. 2005/2759, S.I. 2006/562, S.I. 2006/1928, S.I. 2006/2984, S.I. 2007/289, S.I. 2007/3101, S.I. 2008/941, S.I. 2010/231, S.I. 2010/551, S.I. 2010/1882, S.I. 2011/2581, S.I. 2012/134, S.I. 2012/504, S.I. 2012/1641, S.I. 2012/1916, S.I. 2013/532, S.I. 2016/190, S.I. 2016/696, S.I. 2019/593, S.I. 2019/744, S.I. 2019/1094 and S.I. 2020/1488.

(2) 2018 c. 12.

(5) Yn rheoliad 57(9), yn y geiriau o flaen is-baragraff (a), hepgorer “rheoleiddiedig”.

Diwygio Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) (Diwygio) (Rhif 17) 2021

3.—(1) Yn rheoliad 2(2) o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) (Diwygio) (Rhif 17) 2021(1), mae'r rheoliad 16A sydd i'w fewnosod ar ôl rheoliad 16 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) 2020 wedi ei ddiwygio fel a ganlyn.

(2) Ar ôl paragraff (5) mewnosoder—

“(5A) At ddibenion paragraff (2)(c), mae person sy'n cymryd rhan mewn gwasanaeth crefyddol mewn mangre a ddefnyddir fel arfer fel addoldy i'w drin fel pe bai'n eistedd fel arfer.”

(3) Ym mharagraff (6)—

- (a) yn is-baragraff (b), yn y testun Saesneg, ar ôl “in relation to” mewnosoder “a”;
- (b) yn is-baragraff (c)—
 - (i) yn lle “neu gerdyn” rhodder “, cerdyn”;
 - (ii) ar ôl “Canolfannau Rheoli ac Atal Clefydau” mewnosoder “, neu dystysgrif brechlyn sy'n ymwneud â'r person”.

(4) Ym mharagraff (8), yn lle “person wedi cael cwrs o ddsau o frechlyn” rhodder “dosau wedi eu gweinyddu”.

(5) Ym mharagraff (9)—

- (a) yn is-baragraff (b)—
 - (i) ar y dechrau mewnosoder “mewn perthynas â chwrs o ddsau a weinyddir yn y Deyrnas Unedig neu mewn gwlad berthnasol,”;
 - (ii) yn lle “cwblhau” rhodder “cwblhau'r”;
 - (iii) yn y geiriau agoriadol, daw'r geiriau o “os yw'r person” hyd at y diwedd yn baragraff (i) o'r is-baragraff hwnnw;
 - (iv) daw'r paragraff (i) presennol yn is-baragraff (aa);
 - (v) daw'r paragraff (ii) presennol yn is-baragraff (bb);
 - (vi) ar ddiwedd is-baragraff (bb) fel y'i hailrifir mewnosoder “, neu”;
 - (vii) ar ôl is-baragraff (bb) fel y'i hailrifir mewnosoder—

(5) In regulation 57(9), in the words before sub-paragraph (a), omit “regulated”.

Amendment to the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 17) Regulations 2021

3.—(1) In regulation 2(2) of the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 17) Regulations 2021(1), the regulation 16A that is to be inserted after regulation 16 of the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 is amended as follows.

(2) After paragraph (5) insert—

“(5A) For the purposes of paragraph (2)(c), a person participating in a religious service in premises ordinarily used as a place of worship is to be treated as being normally seated.”

(3) In paragraph (6)—

- (a) in sub-paragraph (b), in the English language text, after “in relation to” insert “a”;
- (b) in sub-paragraph (c)—
 - (i) for “or” substitute “, the”;
 - (ii) after “vaccination card” insert “, or a vaccine certificate relating to the person”.

(4) In paragraph (8), for “person is deemed to have received a course of doses of a vaccine” substitute “doses are deemed to be administered”.

(5) In paragraph (9)—

- (a) in sub-paragraph (b)—
 - (i) at the beginning insert “in relation to a course of doses administered in the United Kingdom or a relevant country,”;
 - (ii) for “a”, where it appears after “completed”, substitute “the”;
 - (iii) in the opening words, the words from “the person” to the end become paragraph (i) of that sub-paragraph;
 - (iv) current paragraph (i) becomes sub-paragraph (aa);
 - (v) current paragraph (ii) becomes sub-paragraph (bb);
 - (vi) at the end of sub-paragraph (bb) as renumbered insert “, or”;
 - (vii) after sub-paragraph (bb) as renumbered insert—

- “(ii) os yw’r person wedi cael dos o un brechlyn awdurdodedig a dos o frechlyn awdurdodedig gwahanol;”;
- (b) ar ôl is-baragraff (b) mewnosoder—
- “(c) mewn perthynas â chwrs o ddosau a weinyddir o dan raglen frechu’r Deyrnas Unedig dramor, mae person wedi cwblhau’r cwrs o ddosau—
- (i) os yw’r person wedi cael y cwrs cyflawn o ddosau o’r brechlyn fel y’i pennir yng nghanllawiau’r gweithgynhyrchydd ar gyfer y brechlyn hwnnw, neu
- (ii) os yw’r person wedi cael dos o un brechlyn a dos o frechlyn gwahanol.”
- (6) Ym mharagraff (10)—
- (a) yn is-baragraff (a)—
- (i) ym mharagraff (i), ar ôl “Deyrnas Unedig” mewnosoder “neu mewn gwlad berthnasol a restrir ym mharagraff (12)”;
- (ii) ym mharagraff (ii), ar ôl “gwlad berthnasol” mewnosoder “a restrir yng ngholofn gyntaf y tabl ym mharagraff (11)”;
- (b) yn is-baragraff (c)(ii), ar ôl “gwlad berthnasol” mewnosoder “a restrir yng ngholofn gyntaf y tabl ym mharagraff (11)”;
- (c) yn is-baragraff (d), ar ôl “mharagraff (11)” mewnosoder “neu wlad neu diriogaeth a restrir ym mharagraff (12)”;
- (d) ar ôl is-baragraff (f) mewnosoder—
- “(g) ystyr “tystysgrif brechlyn” yw dystysgrif mewn Saesneg, Ffrangeg neu Sbaeneg a ddyroddir gan awdurdod iechyd cymwys Awstralia, Canada neu wlad berthnasol a restrir ym mharagraff (12) sy’n cynnwys—
- (i) enw llawn y person;
- (ii) dyddiad geni’r person;
- (iii) enw a gweithgynhyrchydd y brechlyn y mae’r person wedi ei gael;
- (iv) y dyddiad y cafodd y person bob dos o’r brechlyn;
- (v) manylion ynghylch naill ai pwy yw dyroddwr y dystysgrif neu’r wlad y rhoddwyd y brechlyn ynddi, neu’r ddau.”
- “(ii) the person has received a dose of one authorised vaccine and a dose of a different authorised vaccine;”;
- (b) after sub-paragraph (b) insert—
- “(c) in relation to a course of doses administered under the United Kingdom vaccine roll-out overseas, a person has completed the course of doses if—
- (i) the person has received the complete course of doses of the vaccine as specified in the manufacturer’s guidance for that vaccine, or
- (ii) the person has received a dose of one vaccine and a dose of a different vaccine.”
- (6) In paragraph (10)—
- (a) in sub-paragraph (a)—
- (i) in paragraph (i), after “United Kingdom” insert “or in a relevant country listed in paragraph (12)”;
- (ii) in paragraph (ii), after “relevant country” insert “listed in the first column of the table in paragraph (11)”;
- (b) in sub-paragraph (c)(ii), after “relevant country” insert “listed in the first column of the table in paragraph (11)”;
- (c) in sub-paragraph (d), after “paragraph (11)” insert “or a country or territory listed in paragraph (12)”;
- (d) after sub-paragraph (f) insert—
- “(g) “vaccine certificate” means a certificate in English, French or Spanish issued by the competent health authority of Australia, Canada or a relevant country listed in paragraph (12) which contains—
- (i) the person’s full name;
- (ii) the person’s date of birth;
- (iii) the name and manufacturer of the vaccine that the person has received;
- (iv) the date that the person received each dose of the vaccine;
- (v) details of either the identity of the issuer of the certificate or the country of vaccination, or both.”

(7) Ym mharagraff (11), yn y tabl, yn y lleoedd priodol mewnosoder—

- (a) yn y golofn gyntaf (gwlad berthnasol) mewnosoder “Awstralia”, ac yn yr ail golofn (rheoleiddiwr perthnasol) ar yr un rhes mewnosoder “Y Weinyddiaeth Nwyddau Therapiwtig”;
- (b) yn y golofn gyntaf mewnosoder “Canada”, ac yn yr ail golofn ar yr un rhes mewnosoder “Iechyd Canada”.

(8) Ar ôl paragraff (11) mewnosoder—

“(12) Y gwledydd a’r tiriogaethau y cyfeirir atynt yn y diffiniad o “gwlad berthnasol” yw—

Yr Aifft
Albania
Antigua a Barbuda
Y Bahamas
Bahrain
Bangladesh
Barbados
Bosnia a Herzegovina
Brasil
Brunei
Chile
Colombia
De Affrica
De Korea
Dominica
Yr Emiradau Arabaidd Unedig
Fietnam
Georgia
Ghana
Gogledd Macedonia
Grenada
Gwlad yr Iorddonen
Gwlad Thai
Hong Kong
India
Indonesia
Israel
Jamaica
Japan
Kenya
Kosovo
Kuwait
Malaysia

(7) In paragraph (11), in the table, at the appropriate places insert—

- (a) in the first column (relevant country) insert “Australia”, and in the second column (relevant regulator) of the same row insert “The Therapeutic Goods Administration”;
- (b) in the first column insert “Canada”, and in the second column of the same row insert “Health Canada”.

(8) After paragraph (11) insert—

“(12) The countries and territories referred to in the definition of “relevant country” are—

Albania
Antigua and Barbuda
The Bahamas
Bahrain
Bangladesh
Barbados
Bosnia and Herzegovina
Brazil
Brunei
Chile
Colombia
Dominica
Egypt
Georgia
Ghana
Grenada
Hong Kong
India
Indonesia
Israel
Jamaica
Japan
Jordan
Kenya
Kosovo
Kuwait
Malaysia
Maldives
Moldova
Montenegro
Morocco
Namibia
New Zealand

Maldives
Moldofa
Montenegro
Morocco
Namibia
Nigeria
Oman
Pacistan
Qatar
Saudi Arabia
Seland Newydd
Serbia
Singapore
St Kitts a Nevis
St Lucia
St Vincent a'r Grenadines
Taiwan
Twrci
Wcrain
Ynnysoedd Philippines”.

Nigeria
North Macedonia
Oman
Pakistan
The Philippines
Qatar
Saudi Arabia
Serbia
Singapore
South Africa
South Korea
St Kitts and Nevis
St Lucia
St Vincent and the Grenadines
Taiwan
Thailand
Turkey
Ukraine
United Arab Emirates
Vietnam”.

Mark Drakeford

Y Prif Weinidog, un o Weinidogion Cymru
Am 1.40 p.m. ar 8 Hydref 2021

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Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Jeff James, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

First Minister, one of the Welsh Ministers
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