
OFFERYNNAU STATUDOL CYMRU

2007 Rhif 1901 (Cy.162)

IECHYD Y CYHOEDD, CYMRU

**Rheoliadau Iechyd y Cyhoedd
(Llongau) (Diwygio) (Cymru) 2007**

<i>Wedi'u gwneud</i>	- -	<i>3 Gorffennaf 2007</i>
<i>Wedi'u gosod gerbron</i>		
<i>Cynulliad Cenedlaethol Cymru</i>		<i>4 Gorffennaf 2007</i>
<i>Yn dod i rym</i>	- -	<i>1 Awst 2007</i>

Mae Gweinidogion Cymru, gyda chydsyniad Comisiynwyr Cyllid a Thollau Ei Mawrhydi(1), yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd iddynt gan adran 13 o Ddeddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984(2):

Enwi, cychwyn, cymhwyso a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Iechyd y Cyhoedd (Llongau) (Diwygio) (Cymru) 2007 a deuant i rym ar 1 Awst 2007.

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

(3) Yn y Rheoliadau hyn, ystyr “y prif Reoliadau” yw Rheoliadau Iechyd y Cyhoedd (Llongau) 1979(3).

Diwygio rheoliad 2 o'r prif Reoliadau

2.—(1) Yn rheoliad 2(1) o'r prif Reoliadau (dehongli)—

- (a) yn y diffiniad o “additional measures”, yn lle “the diseases subject to the International Health Regulations” rhodder—
“plague, cholera, yellow fever or smallpox”;

(1) Mae Adran 13(4) o Ddeddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984 yn darparu ei bod yn ofynnol i reoliadau, i'r graddau y maent yn ymwneud â gorfodi a gweithredu gan swyddogion tollau tramor a chartref, gael cydsyniad y Comisiynwyr Tollau Tramor a Chartref. Trosglwyddwyd swyddogaethau'r Comisiynwyr Tollau Tramor a Chartref i Gomisiynwyr Cyllid a Thollau Ei Mawrhydi gan adran 5(2) o Ddeddf Comisiynwyr Cyllid a Thollau Ei Mawrhydi 2005 (p. 11). Yn ôl adran 50(1) o'r Ddeddf honno, bernir bod cyfeiriad mewn deddfiad at y Comisiynwyr Tollau Tramor a Chartref yn gyfeiriad at Gomisiynwyr Cyllid a Thollau Ei Mawrhydi.

(2) 1984 p.22. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999, O.S. 1999/672, erthygl 2 ac Atodlen 1. Trosglwyddwyd y swyddogaethau hynny i Weinidogion Cymru gan adran 162 o Ddeddf Llywodraeth Cymru 2006 a pharagraff 30 o Atodlen 11 iddi.

(3) O.S. 1979/1435.

- (b) yn y diffiniad o “authorised officer”—
- (i) hepgorer “as described by paragraph 13 of Schedule 14 of the Local Government Act 1972,” a
- (ii) yn lle “health authority” rhodder “local authority”;
- (c) yn lle'r diffiniad o “customs officer” rhodder—
- ““customs officer” means an officer of Revenue and Customs;”;
- (ch) yn y diffiniad o “infected person”, yn lle “a disease subject to the International Health Regulations” rhodder—
- “plague, cholera, yellow fever or smallpox”;
- (d) yn y diffiniad o “infected ship”, yn lle is-baragraff (a) rhodder—
- (a) a ship which has on board on arrival a case of plague, cholera, yellow fever, smallpox, rabies or viral haemorrhagic fever; or”;
- (dd) yn lle'r diffiniad o “infectious disease” rhodder—
- ““infectious disease” means any infectious or contagious disease other than venereal disease or tuberculosis;”;
- (e) yn y diffiniad o “medical officer”, yn lle “health authority” rhodder “local authority”;
- (f) yn y diffiniad o “mooring station”—
- (i) yn lle “health authority” rhodder “local authority”, a
- (ii) yn lle “collector of customs and excise” rhodder “customs officer”;
- (ff) yn lle'r diffiniad o “offshore installation” rhodder—
- ““offshore installation” has the meaning set out at section 44 of the Petroleum Act 1998(4) (meaning of “offshore installation”);”;
- (g) yn lle'r diffiniad o “Secretary of State” rhodder—
- ““Secretary of State” means Welsh Ministers;”;
- (ng) yn lle'r diffiniad o “ship” rhodder—
- ““ship” has the same meaning as “ship” in the Merchant Shipping Act 1995(5) except that it includes a hovercraft within the meaning of the Hovercraft Act 1968(6);”;
- (h) mewnosoder y diffiniadau canlynol yn y manau priodol yn ôl trefn yr wyddor—
- ““authorised port” means a port authorised to offer—
- (a) the issuance of a Ship Sanitation Control Certificate and the provision of the services referred to—
- (i) in Annex 1 to the IHR(7), and
- (ii) the form reproduced at Schedule 3 to these Regulations;
- (b) the issuance of a Ship Sanitation Control Exemption Certificate following inspection of the ship including a thorough inspection of the hold; or
- (c) the extension of a ship sanitation certificate for a period of one month;
- “competent authority” means a competent authority identified in accordance with Article 19 of the IHR (general obligations) and with a role as described at Article 22 of the IHR (role of competent authorities);

(4) 1998 p. 17.

(5) 1995 p. 21.

(6) 1968 p. 59.

(7) Gweler yr IHR a atgynhyrchir yn nogfen A58/55 deunawfed Cynulliad a deugain Iechyd y Byd ar wefan Sefydliad Iechyd y Byd yn www.who.int/est/ihr/IHRWHA58_3-en.pdf.

“IHR” means the International Health Regulations (2005) of the WHO adopted by the fifty-eighth World Health Assembly on 23 May 2005;

“local authority” means—

- (a) in relation to a port health district the port health authority; and
- (b) in relation to any other district in Wales—
 - (i) the county council,
 - (ii) the county borough council.

“National IHR Focal Point” means the body designated by the United Kingdom for communications with the WHO IHR Contact Point under the IHR;

“postal parcel” means an addressed article or package carried internationally by postal or courier services;

“ship sanitation certificate” means a Ship Sanitation Control Certificate or a Ship Sanitation Control Exemption Certificate;

“Ship Sanitation Control Certificate” means a certificate that conforms to the model in Annex 3 to the IHR reproduced at Schedule 3 to these Regulations that is issued in accordance with Article 39 of the IHR (ship sanitation certificates);

“Ship Sanitation Control Exemption Certificate” means a certificate that conforms to the model in Annex 3 to the IHR reproduced at Schedule 3 to these Regulations that is issued in accordance with Article 39 of the IHR;

“WHO IHR Contact Point” means the unit within WHO accessible for communications with the National IHR Focal Point;

“World Health Assembly” has the meaning set out in the Constitution of the World Health Organization adopted by the International Health Conference held in New York from 19 June to 22 July 1946 and signed on 22 July 1946;

“WHO” means the World Health Organization, a specialized agency within the terms of Article 57 of the Charter of the United Nations, established by the Constitution of the World Health Organization.”; ac

- (i) hepgorer y diffiniadau o “approved port”, “Deratting Certificate”, “Deratting Exemption Certificate”, “designated approved port”, “diseases subject to the International Health Regulations”, “epidemic”, “excepted area”, “excepted port”, “health authority”, “infected area”, “International Health Regulations”, “valid” a “valid International Vaccination Certificate”.

- (2) Hefgorer rheoliad 2(2) a (3).

Amnewid rheoliad 3 o'r prif Reoliadau

3. Yn lle rheoliad 3 o'r prif Reoliadau (rheoliadau nad ydynt i fod yn gymwys i longau'r lluoedd arfog), rhodder—

“Application of Regulations to ships of Her Majesty’s armed forces

3.—(1) Without prejudice to any enactment or rule of law which applies in relation to Her Majesty’s armed forces or to any of the other armed forces mentioned in this regulation as part of Her Majesty’s armed forces, nothing in these Regulations shall apply to any ship forming part of Her Majesty’s armed forces or of the armed forces of any country within the Commonwealth or of the armed forces of any other country for the time being designated

for the purposes of all the provisions of the Visiting Forces Act 1952⁽⁸⁾ under section 1(2) of that Act, or to the officers and crew of any such ship.

(2) Notwithstanding paragraph (1), at the request of the officer holding Her Majesty's commission who has command or charge of a ship forming part of Her Majesty's armed forces, an authorised officer may issue or cause to be issued a ship sanitation certificate in respect of the ship in accordance with the procedures set out at regulation 18A."

Diwygio rheoliad 4 o'r prif Reoliadau

4.—(1) Yn rheoliad 4(1) o'r prif Reoliadau (gorfodi a gweithredu rheoliadau), yn lle "health authority" rhodder—
"local authority".

(2) Yn lle paragraff (2) rhodder—

"(2) Any two local authorities may agree that one of them shall undertake the enforcement and execution of the whole or specified provisions of these Regulations in the district of the other, provided that they first obtain the approval of the Secretary of State to the terms of the agreement.

(3) The district in which a provision of these Regulations is enforced and executed under an agreement made under paragraph (2) shall be deemed to be the district of the authority which enforces and executes it.

(4) Where an agreement under paragraph (2) enables a local authority to enforce and execute the provisions relating to ship sanitation certificates in the district of another local authority, an authorised officer of the local authority shall have authority to issue or amend a ship sanitation certificate in the district of the other local authority.

(5) A local authority must—

- (a) provide the National IHR Focal Point with the current contact details of each authorised port within its district;
- (b) ensure that no ship sanitation certificate is issued without prior inspection by an authorised officer with appropriate expertise;
- (c) ensure that any control measures required under regulations 18A(1)(a)(ii)(aa), 18B(3)(a)(i) and (4)(a)(i) are carried out by or under the supervision of an authorised officer with appropriate expertise."

Amnewid rheoliad 5 o'r prif Reoliadau

5. Yn lle rheoliad 5 o'r prif Reoliadau (penodiad a dyletswyddau swyddogion awdurdodedig a'r gwasanaethau a ddarperir gan awdurdodau iechyd) rhodder—

"Appointment and duties of authorised officers and provision of services by local authorities

5. For the purposes of these Regulations a local authority may, and if so required by the Secretary of State shall—

- (a) appoint such medical practitioners, in addition to their medical officer, as may be necessary for the proper enforcement and execution of these Regulations;

- (b) give directions from time to time as to the duties which are to be performed by any medical practitioner so appointed or any other officer authorised to enforce and execute these Regulations;
- (c) provide or arrange for the provision of—
 - (i) premises or waiting rooms for the medical inspection and examination of persons;
 - (ii) premises for the temporary isolation of persons under these Regulations;
 - (iii) apparatus or other means for cleansing, disinfecting or disinsecting ships, persons or clothing and other articles;
- (d) arrange for the reception into hospital of persons requiring to be removed to a hospital under these Regulations;
- (e) arrange for the provision of means of transport for the conveyance of persons to any premises referred to in paragraph (c) or to a hospital;
- (f) do all such other things as in its opinion or the opinion of the Secretary of State, as the case may be, are necessary to enable the provisions of these Regulations to be complied with.”.

Hepgor rheoliad 6 o'r prif Reoliadau

6. Hepgorer rheoliad 6 o'r prif Reoliadau (rhestr o ardaloedd heintiedig)

Diwygio rheoliad 7 o'r prif Reoliadau

7.—(1) Yn rheoliad 7(2)(a) o'r prif Reoliadau (arolygu llongau), yn lle “health authority” rhodder—

“local authority”.

- (2) Yn lle paragraff (3) rhodder—

“(3) The inspection of a ship under paragraph (1) or (2) may include taking from the ship samples of food or water for analysis or examination.

- (4) The analysis or examination under paragraph (3) must be—

- (a) with a view to the treatment of persons affected with any epidemic, endemic or infectious disease and for preventing the spread of such diseases; or
- (b) for preventing other danger to public health.”.

Diwygio rheoliad 9 o'r prif Reoliadau

8.—(1) Yn rheoliad 9 o'r prif Reoliadau (archwilio, etc., personau ar longau)—

- (a) hepgorer paragraffau (3) i (6) o'r prif Reoliadau; a
- (b) ym mharagraff 7 dileer “or customs officer” act yn lle “health authority”, rhodder—
“local authority”.

Diwygio rheoliad 10 o'r prif Reoliadau

9. Yn lle rheoliad 10(1)(a) o'r prif Reoliadau (pwerau mewn perthynas â phersonau penodol ar longau), rhodder—

- “(a) in the case of an infectious disease—

- (i) cause the person to be removed from the ship and isolated or sent to hospital or to some other suitable place approved for that purpose by the local authority;
- (ii) in the case of cholera, smallpox or viral haemorrhagic fever, place such person under surveillance for the appropriate period specified in regulation 36(1); or
- (iii) except as provided in regulation 31, the medical officer may, by notice in writing to the master, prohibit the removal of the person or the disembarkation from the ship without the consent in writing of the medical officer;”.

Diwygio rheoliad 11 o'r prif Reoliadau

10. Yn rheoliad 11(1)(b), ar ôl “infectious disease” mewnosoder—
“or tuberculosis”.

Amnewid rheoliad 12 o'r prif Reoliadau

11. Yn lle rheoliad 12 o'r prif Reoliadau (caniatâd dros radio i fynd i mewn i ddosbarth), rhodder—

“Permission to enter district

12.—(1) An authorised officer may transmit free pratique to the master by an appropriate means when that officer is satisfied that the arrival of the ship will not result in or contribute towards the spread of infectious disease or tuberculosis.

(2) The ship shall transmit to the authorised officer from a foreign port before arrival in the officer's district by radio, fax, email or other appropriate means, any information relevant under paragraph (1).”

Diwygio rheoliad 13 o'r prif Reoliadau

12.—(1) Mae rheoliad 13 o'r prif Reoliadau (hysbysu o glefyd heintus, etc., ar fwrdd llong) wedi ei ddiwygio'n unol â'r rheoliad hwn.

(2) Ym mharagraff (1)—

(a) yn is-baragraff (b), ar ôl “infectious disease” ym mhob man y ceir yr ymadrodd hwnnw, mewnosoder—

“or tuberculosis”;

(b) ym mharagraff (c) ar ôl “infectious disease” mewnosoder—

“or other danger to public health”.

(3) Yn lle paragraff (2), rhodder—

“(2) For the purposes of paragraph (1) the master shall—

(a) send by appropriate means before arrival, either directly to the local authority or through an agent approved by the local authority, a radio message, fax, email or other communication complying with paragraph (3) of this regulation; or

(b) where it is not possible to comply with sub-paragraph (a) before arrival, notify the local authority immediately on arrival of the presence on board of such infectious disease or tuberculosis, symptoms or other similar circumstances.”.

(4) Yn lle paragraff (3), rhodder—

“(3) Any radio message, fax, email or other communication sent for the purpose of this regulation shall be sent so as to reach the local authority not more than twelve hours, and whenever practicable not less than four hours, before the expected arrival of the ship.”.

Heggor rheoliad 14 o'r prif Reoliadau

13. Heggorer rheoliad 14 (signalau) o'r prif Reoliadau.

Diwygio rheoliad 15 o'r prif Reoliadau

14.—(1) Yn rheoliad 15(1) o'r prif Reoliadau (Datganiad Morol ar Iechyd), hepgorer y rhan o “Provided that” hyd at ddiwedd y paragraff.

(2) Ym mharagraff 2, yn lle “health authority” rhodder—
“local authority”.

Diwygio rheoliad 16 o'r prif Reoliadau

15. Yn rheoliad 16 (Datganiad Morol o Iechyd), ar ôl “infectious disease” mewnosoder—
“or tuberculosis”.

Heggor rheoliadau 18, 19 ac 20 o'r prif Reoliadau

16. Heggorer rheoliadau 18, 19 ac 20 o'r prif Reoliadau (Tystysgrifau Difa Llygod Mawr a Thystysgrifau Esemptio rhag Difa Llygod Mawr).

Mewnosod rheoliadau 18A i 18D newydd o'r prif Reoliadau

17. Mewnosoder rheoliadau 18A i 18D newydd o flaen rheoliad 21 o'r prif Reoliadau (cadw llongau, a llongau sydd i'w cymryd i angorfeydd), fel a ganlyn—

“Application for a Ship Sanitation Control Exemption Certificate or Ship Sanitation Control Certificate

18A.—(1) Upon receipt of an application in writing from the owner of a ship or from the master acting for or on behalf of the owner for a ship sanitation certificate in respect of the ship—

- (a) if the ship is within the area of an authorised port, an authorised officer must—
 - (i) inspect the ship to prevent danger to public health or the spread of infection with a view to issuing a ship sanitation certificate; and
 - (ii) either—
 - (aa) carry out or cause to be carried out under the supervision of an authorised officer control measures necessary for the control of danger to public health or the spread of infection with a view to issuing a ship sanitation certificate; or
 - (bb) otherwise take or cause to be taken any steps which that officer considers necessary to satisfy him or herself that the ship does not present a danger to public health and is free of infection;
- (b) if the ship is not within the area of an authorised port, an authorised officer must—
 - (i) consult with a customs officer; and

- (ii) direct the ship to proceed at the risk of the owner of the ship to an area of an authorised port convenient to the ship and the customs officer.
- (2) If an authorised officer after inspecting a ship under paragraph (1)(a) is satisfied—
 - (a) that the ship is exempt from control measures, that officer must issue or cause to be issued a Ship Sanitation Control Exemption Certificate (provided he or she has complied with paragraph (3)); or
 - (b) that control measures have been completed to the officer's satisfaction, he or she must—
 - (i) issue or cause to be issued a Ship Sanitation Control Certificate; and
 - (ii) note or cause to be noted on the certificate the evidence found and the control measures taken.
- (3) An authorised officer must wherever possible issue or cause to be issued a Ship Sanitation Control Exemption Certificate only if the inspection of the ship was carried out when the ship and holds—
 - (a) were empty, or
 - (b) contained only ballast or other material of such a nature or so disposed as to make a thorough inspection of the holds possible.

Production of a ship sanitation certificate

- 18B.**—(1) If the master of a ship which during its voyage has been in a foreign port cannot produce to an authorised officer of the local authority for the district in which the ship arrives or for any district at which the ship calls a valid ship sanitation certificate in respect of the ship—
- (a) if the ship is within the area of an authorised port, an authorised officer may inspect the ship for evidence of danger to public health or infection with a view to issuing a ship sanitation certificate;
 - (b) if the ship is not within such an area, an authorised officer must—
 - (i) consult with a customs officer; and
 - (ii) direct the ship to proceed at the risk of the master of the ship to an area of an authorised port convenient to the ship and the customs officer.
- (2) An authorised officer must issue or cause to be issued a Ship Sanitation Control Exemption Certificate if, after that officer has inspected a ship under paragraph (1)(a), he or she is satisfied that the ship is exempt from control measures (provided he or she has complied with regulation 18A(3)).
- (3) If, after a ship has been inspected by an authorised officer, the authorised officer is not satisfied that the ship is exempt from control measures he or she must—
- (a) if the ship is within the area of an authorised port—
 - (i) carry out or require to be carried out under the supervision of an authorised officer control measures necessary for the control of danger to public health or the spread of infection; or
 - (ii) otherwise take or cause to be taken any steps which the officer considers necessary to satisfy him or herself that the ship does not present a danger to public health and is free of infection;
 - (b) if the ship is not within the area of an authorised port—
 - (i) consult with a customs officer;

- (ii) direct the ship to proceed at the risk of the master of the ship to an area of an authorised port convenient to the ship and the customs officer;
 - (iii) at the time of the ship's departure for the authorised port referred to in sub-paragraph (ii), inform an authorised officer of the authorised port of—
 - (aa) the evidence found; and
 - (bb) the control measures required; and
 - (iv) note or cause to be noted in any ship sanitation certificate the matters described at sub-paragraph (iii).
- (4) If the master produces a ship sanitation certificate but the authorised officer has evidence of danger to public health or infection, notwithstanding such certificate the authorised officer must—
- (a) either—
 - (i) carry out or require to be carried out under the supervision of an authorised officer control measures necessary for the control of danger to public health or the spread of infection; or
 - (ii) otherwise take or cause to be taken any steps which that officer considers necessary to satisfy him or herself that the ship does not present a danger to public health and is free of infection;
 - (b) if the ship is not within the area of an authorised port—
 - (i) consult with a customs officer;
 - (ii) direct the ship to proceed at the risk of the master of the ship to an area of an authorised port convenient to the ship and the customs officer;
 - (iii) at the time of the ship's departure for the authorised port referred to in sub-paragraph (ii), inform an authorised officer of the authorised port of—
 - (aa) the evidence found; and
 - (bb) the control measures required; and
 - (iv) note or cause to be noted in the ship sanitation certificate the matters described at sub-paragraph (iii).
- (5) An authorised officer may extend the period of validity of a ship sanitation certificate by one month if—
- (a) any inspection or control measures required cannot be carried out at the port;
 - (b) there is no evidence of danger to public health or infection; and
 - (c) the port is authorised to extend the validity of a ship sanitation certificate.
- (6) The master of a ship must immediately make arrangements to carry out any control measures required by an authorised officer under paragraph (3)(a) or (4)(a).
- (7) When control measures referred to in paragraph (3)(a) or (4)(a) have been completed to the satisfaction of an authorised officer the authorised officer must—
- (a) issue or cause to be issued a Ship Sanitation Control Certificate; and
 - (b) note or cause to be noted on the certificate the evidence found and the control measures taken.

Ship sanitation certificates: supplementary

18C.—(1) An authorised officer must ensure that a control measure he or she requires under regulations 18A(1)(a)(ii) or 18B(3)(a) or (4)(a) consists of methods or materials

advised by WHO for these procedures, unless the authorised officer determines that other measures are as safe and reliable.

(2) An authorised officer under regulation 18A(1)(a)(ii) or 18B(3)(a) or (4)(a) may require additional health measures to be applied for preventing danger to public health or the spread of infection in accordance with Article 43 of the IHR, including isolation of the ship at a mooring station or otherwise.

(3) The local authority must report the application of any such additional health measures required under paragraph (2) to the National IHR Focal Point.

(4) An authorised officer of a port where control measures are applied must note or cause to be noted on the ship sanitation certificate in relation to any case where that officer is of the view that the conditions under which the measures were carried out were such that a satisfactory result could not be obtained that the case was such a case.

Ship sanitation certificates: form; period of validity and retention

18D.—(1) A Ship Sanitation Control Exemption Certificate or Ship Sanitation Control Certificate must conform to the model in Annex 3 to the IHR which is reproduced at Schedule 3 to these Regulations.

(2) A ship sanitation certificate issued under regulation 18A or 18B shall be valid for six months beginning with the date of issue.

(3) The local authority must retain a copy of any ship sanitation certificate issued by it for a period of one year beginning with the date of issue.”

Diwygio rheoliad 21 o'r prif Reoliadau

18. Yn rheoliad 21(1) o'r prif Reoliadau (cadw llongau, a llongau sydd i'w cymryd i angorfeydd), yn lle “a disease subject to the International Health Regulations” rhodder—
“plague, cholera, yellow fever or smallpox”.

Diwygio rheoliad 23 o'r prif Reoliadau

19. Yn rheoliad 23 o'r prif Reoliadau (cadw llongau, a llongau sydd i'w cymryd i angorfeydd), hepgorer paragraff (a).

Amnewid rheoliad 24 o'r prif Reoliadau

20. Yn lle rheoliad 24 o'r prif Reoliadau (cadw llongau, a llongau sydd i'w cymryd i angorfeydd), rhodder—

“**24.** If after the arrival of a ship a case of plague, cholera, yellow fever, smallpox, rabies or viral haemorrhagic fever occurs on board, or an animal infected with any such disease is discovered or suspected of being on board, the authorised officer may direct the master to take the ship to a mooring station.”.

Diwygio rheoliad 30 o'r prif Reoliadau

21. Yn lle rheoliad 30(a) o'r prif Reoliadau (personau o ardaloedd heintiedig), rhodder—

“(a) any person disembarking from the ship who has come from an area infected with cholera, smallpox or viral haemorrhagic fever; and”.

Diwygio rheoliad 33 o'r prif Reoliadau

22. Yn rheoliad 33 o'r prif Reoliadau (archwilio, etc., bersonau sy'n bwriadu mynd ar fwrdd llong)—

(a) yn lle paragraff (a), rhodder—

“(a) may examine any person who proposes to embark on the ship if that officer has reasonable grounds for believing the person to be suffering from plague, cholera, yellow fever, smallpox or viral haemorrhagic fever; and—

(i) if after an examination the medical officer is of the opinion that the person shows symptoms of one of the diseases, the medical officer shall prohibit the embarkation of the person;

(ii) the time and place of an examination shall be arranged—

(aa) to take into account any other formalities; and

(bb) to avoid delay;”;

(b) ym mharagraff (c) a pharagraff (d) ill dau, yn lle “health authority” rhodder—

“competent authority”.

Diwygio rheoliad 34 o'r prif Reoliadau

23. Yn rheoliad 34 o'r prif Reoliadau (lloedd heintiedig yng Nghymru a Lloegr), hepgorer—

“subject to the International Health Regulations or with any other disease”.

Diwygio rheoliad 36 o'r prif Reoliadau

24. Yn lle rheoliad 36(2) o'r prif Reoliadau (gwyliadwriaethu) rhodder —

“(2) Where a person has been placed under surveillance for plague, cholera, smallpox or viral haemorrhagic fever under regulation 30 by reason of his having come from an area infected with such a disease, the period shall be reckoned from the date of that person leaving the infected area.”.

Amnewid rheoliad 38 o'r prif Reoliadau

25.—(1) Yn lle rheoliad 38 o'r prif Reoliadau (ffioedd am wasanaethau) rhodder—

“Charges for services

38.—(1) A local authority may charge the owner or master of a ship for a service described in paragraph (2) in so far as the service is for preventing—

(a) danger to public health from a ship arriving in its district, or

(b) the spread of infection from a ship leaving its district.

(2) The services mentioned in paragraph (1) are—

(a) the inspection of the ship, or the application of measures required to be applied to the ship, in connection with the issue of a ship sanitation certificate in respect of the ship;

(b) the extension of the period of validity of a ship sanitation certificate; or

(c) the application, at the master's request, of any other measure that the master of a ship is required by these Regulations to carry out.

(3) A charge for a service under paragraph (1)—

(a) must not exceed the actual cost of the service rendered;

- (b) must be—
 - (i) published at least ten days in advance of being levied;
 - (ii) described sufficiently that the owner or master of the ship is reasonably informed of the likely amount of the charge; and
 - (c) must not be discriminatory, in particular—
 - (i) must not be levied so as to make a distinction based on the nationality, registry or ownership of the ship or containers, cargo, baggage, goods or postal parcels concerned; and
 - (ii) must not distinguish between national and foreign ships or containers, cargo, baggage, goods or postal parcels.
- (4) A local authority may require the whole or part of the amount of a charge for a service under paragraph (1) to be paid or deposited with it before the service is performed.
- (5) At the master's request, a local authority must provide the master of a ship with particulars in writing free of charge of—
- (a) measures taken for which a charge under paragraph (1) is made; and
 - (b) the reasons why the measures were taken.
- (6) At the request of a person in relation to whom measures have been taken, or of a person in possession of articles in relation to which measures have been taken, an authorised officer must provide particulars in writing free of charge of the measures taken for which a charge under paragraph (1) is made.
- (7) Particulars under paragraph (6) shall include the date on which the measures were taken.”.

Amnewid rheoliad 40 o'r prif Reoliadau

26. Yn lle rheoliad 40 o'r prif Reoliadau (treuliau awdurdodau iechyd) rhodder—

“Expenses of local authorities

40. Subject to the provisions of regulation 38, any expenses incurred by a local authority in the enforcement and execution of these Regulations shall be defrayed in the same manner as the expenses incurred by it in the execution and discharge of its other powers and duties.”.

Heggor rheoliad 41 o'r prif Reoliadau

27. Heggorer rheoliad 41 o'r prif Reoliadau (arbed ar gyfer post).

Heggor Atodlen 1 i'r prif Reoliadau

28. Heggorer Atodlen 1 i'r prif Reoliadau (Y Cod Signalau Rhyngwladol).

Amnewid Atodlen 2 i'r prif Reoliadau

29. Yn lle Atodlen 2 i'r prif Reoliadau (Datganiad Morol o Iechyd) rhodder—

“SCHEDULE 3

Regulations 2(1) and 18D(1)

ANNEX 3

Diwygio Atodlen 4 i'r prif Reoliadau

31.—(1) Mae Atodlen 4 i'r prif Reoliadau (Mesurau Ychwanegol mewn perthynas â Chlefydau sy'n ddarostyngedig i'r Rheoliadau Iechyd Rhyngwladol) wedi ei diwygio fel a ganlyn.

(2) Yn lle'r pennawd i Atodlen 4, rhodder—

“Additional measures with respect to some diseases”.

(3) Yn Rhan I (y pla)—

(a) o dan is-bennawd A (llogau heintiedig a llogau o dan amheuaeth), ym mharagraff (2) (a), yn lle “A Deratting Exemption Certificate” rhodder—

“A Ship Sanitation Control Exemption Certificate”; a

(b) yn lle is-bennawd B (llogau sydd wedi bod mewn ardaloedd heintiedig), rhodder—

“B Ships which have been in areas infected with plague”.

(4) Yn Rhan II (colera), hepgorer “Regulation 9(5)”.

(5) Yn Rhan IV (y frech wen), o dan is-bennawd A (llogau heintiedig), ym mharagraff (1), hepgorer “or who does not satisfy the medical officer that he or she possesses a valid International Vaccination Certificate”.

(6) Yn lle'r pennawd i Ran V rhodder—

“Rabies or viral haemorrhagic fever”.

(7) Ym mharagraff (2)(a) o Ran V, yn lle “Deratting Exemption Certificate” rhodder—
“Ship Sanitation Control Exemption Certificate”.

Heggor Atodlen 5 i'r prif Reoliadau

32. Heggorer Atodlen 5 i'r prif Reoliadau (Tystysgrif Rynglwadol o Frechiad neu Ailfrechiad yn erbyn y Frech Wen).

Trefniadau trosiannol

33. Rhaid i awdurdod lleol neu swyddog awdurdodedig drin—

- (a) Tystysgrif ddilys o Ddifa Llygod Mawr yn ystod y cyfnod y mae'n ddilys fel petai'n Dystysgrif Rheoli Glanweithdra Llong; neu
- (b) Tystysgrif ddilys o Esemptiad rhag Difa Llygod Mawr yn ystod y cyfnod y mae'n ddilys fel petai'n Dystysgrif Rheoli Glanweithdra Llong.

3 Gorffennaf 2007

Edwina Hart
Y Gweinidog dros Iechyd a Gwasanaethau
Cymdeithasol, un o Weinidogion Cymru

Mae'r Comisynwyr canlynol i Gyllid a Thollau ei Mawrhydi wedi cydsynio bod y Rheoliadau hyn yn cael eu gwneud

Mike Eland
Dave Hartnett.

Statws This is the original version (as it was originally made). Dim ond ar ei ffurf wreiddiol y mae'r eitem hon o ddeddfwriaeth ar gael ar hyn o bryd.

EXPLANATORY NOTE

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Iechyd y Cyhoedd (Llongau) 1979⁽⁹⁾ (“y prif Reoliadau”) sy'n darparu ar gyfer rheolaeth iechyd y cyhoedd ar longau sy'n cyrraedd porthladdoedd yng Nghymru a Lloegr neu sy'n ymadael â hwy.

Mae'r Rheoliadau yn gymwys o ran Cymru. Deuant i rym ar 1 Awst 2007, ar ôl daw Rheoliadau Iechyd Rhyngwladol 2005 (IHR) Sefydliad Iechyd y Byd yn effeithiol. (Mae testun llawn y Rheoliadau Iechyd Rhyngwladol ar gael ar wefan Sefydliad Iechyd y Byd, www.who.int/est/ihr/IHRWHA58_3-en.pdf).

Mae'r Rheoliadau'n rhoi ar waith yng Nghymru ddarpariaethau'r Rheoliadau Iechyd Rhyngwladol am dystysgrifau glanweithdra llongau (sylwer ar reoliadau 17, 3 a 33) ac yn diwygio neu'n diweddarau'r prif Reoliadau mewn ffyrdd eraill. Yn benodol, mae'r Rheoliadau yn darparu bod swyddogaethau awdurdodau iechyd o dan y prif Reoliadau yn dod yn swyddogaethau awdurdodau lleol ac maent yn newid y darpariaethau ynghylch y ffioedd a godir gan awdurdodau lleol (rheoliad 25).

Mae asesiad effaith reoliadol am yr effaith a gaiff yr offeryn hwn ar gostau busnes ar gael oddi wrth Stephanie Peaper ym Mharc Cathays, Caerdydd CF10 3NQ. E-bost: Stephanie.Peaper@wales.gsi.gov.uk.

⁽⁹⁾ O.S. 1979/1435.