

OFFERYNNAU STATUDOL CYMRU

2020 Rhif 802 (Cy. 175)

TRAFFIG FFYRDD, CYMRU

**Rheoliadau Gweithdrefn Gorchmynion Traffig
(Diwygio) (Cymru) (Coronafeirws) 2020**

<i>Gwnaed</i>	- - - -	23 Gorffennaf 2020
<i>Gosodwyd gerbron Senedd</i>		
<i>Cymru</i>	- - - -	27 Gorffennaf 2020
<i>Yn dod i rym</i>	- -	31 Gorffennaf 2020

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adrannau 16(2) a (2A), 35C(3), (4) a (4A), 46A(3), (4) a (4A), a 124(1) o Ddeddf Rheoleiddio Traffig Ffyrdd 1984(1), a Rhan III o Atodlen 9 iddi, ac ar ôl ymgynghori ag unrhyw sefydliadau cynrychioladol y tybiwyd eu bod yn briodol yn unol ag adran 134(10) o'r Ddeddf honno, yn gwneud y Rheoliadau a ganlyn.

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Gweithdrefn Gorchmynion Traffig (Diwygio) (Cymru) (Coronafeirws) 2020 a deuant i rym ar 31 Gorffennaf 2020.

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

Diwygiadau i Reoliadau Gweithdrefn Traffig Ffyrdd (Cyfyngiadau Dros Dro) 1992

2.—(1) Mae Rheoliadau Gweithdrefn Traffig Ffyrdd (Cyfyngiadau Dros Dro) 1992(2) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 3 (gweithdrefn ar gyfer gwneud gorchymyn dros dro), ym mharagraff (1) ar ôl "this Part" mewnosoder "and Part 7".

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- (1) [1984 p. 27](#). Amnewidiwyd adran 16(2) a (2A) gan adran 1(2) o Ddeddf Traffig Ffyrdd (Cyfyngiadau Dros Dro) [1991 \(p. 26\)](#); mewnosodwyd adrannau 35C a 46A gan adrannau 41 a 42 o Ddeddf Traffig Ffyrdd [1991 \(p. 40\)](#); mewnosodwyd adran 134(10) gan adran 69(1) o Ddeddf Cymru [2017 \(p. 4\)](#) a pharagraffau 43(1) a (3) o Ran 3 o Atodlen 6 iddi. Yn Atodlen 9, diwygiwyd paragraff 21 gan baragraff 80 o Atodlen 8 ac Atodlen 9 i Ddeddf Ffyrdd Newydd a Gwaith Stryd [1991 \(p. 22\)](#); a diwygiwyd paragraff 25 gan baragraff 80 o Atodlen 8 i Ddeddf Ffyrdd Newydd a Gwaith Stryd 1991. Yn rhinwedd [O.S. 1999/672](#), ac adran 162 o Ddeddf Llywodraeth Cymru [2006 \(p. 32\)](#) a pharagraff 30 o Atodlen 11 iddi, mae'r pwerau hyn yn arferadwy bellach gan Weinidogion Cymru o ran Cymru. Mae'r cyfeiriadau at "national authority" yn adran 16(2) a (2A), ac yn Rhan III o Atodlen 9 wedi eu mewnosod gan Ddeddf yr Alban [2016 \(p. 11\)](#) ac mae ystyr "national authority" yn adran 142(1) wedi ei ddiwygio gan adran 26(8) o Ran 2 o Ddeddf Cymru 2017 fel mai ystyr "national authority" o ran Cymru yw Gweinidogion Cymru.
- (2) [O.S. 1992/1215](#), a ddiwygiwyd gan [O.S. 2006/1177](#). Mae diwygiadau eraill nad ydynt yn berthnasol.

- (3) Yn rheoliad 4 (llwybrau troed etc.), ym mharagraff (3) ar ôl “shall” mewnosoder “, subject to Part 7,”.
- (4) Yn rheoliad 8 (gorchmynion dirymu), ym mharagraff (3) ar ôl “shall” mewnosoder “, subject to Part 7,”.
- (5) Yn rheoliad 9 (parhau â'r gorchymyn yn ôl cyfarwyddyd yr Ysgrifennydd Gwladol), ym mharagraff (2) ar ôl “shall” mewnosoder “, subject to Part 7,”.
- (6) Yn rheoliad 10 (gweithdrefn ar gyfer cyhoeddi hysbysiad dros dro gan awdurdod traffig), ym mharagraff (4) ar ôl “shall” mewnosoder “, subject to Part 7,”.
- (7) Yn rheoliad 11 (llwybrau troed etc.), ar ôl “shall” mewnosoder “, subject to Part 7,”.
- (8) Ar ôl Rhan VI mewnosoder—

“PART 7

TEMPORARY PROVISIONS APPLICABLE DURING THE CORONAVIRUS PANDEMIC (WALES)

Interpretation

22. In this Part “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

Alternative publication and inspection requirements

23.—(1) Subject to regulation 24, paragraph (2) applies where—

- (a) a traffic authority is required to publish a notice in one or more newspapers in accordance with regulation 3(2) or (5), 8(3) or 9(2); and
- (b) the traffic authority considers that it would not be reasonably practicable to do so for reasons connected to the effects of coronavirus, including restrictions on movement.

(2) Where this paragraph applies, a notice under those regulations must be published using such alternative arrangements as the traffic authority considers appropriate for the purpose of informing persons likely to be affected by its provisions.

(3) Paragraph (4) applies where, in relation to a notice—

- (a) a traffic authority is required by regulation 3(7) or 4(3) to comply with the requirements of Part I of the Schedule (display of notice of order); or
- (b) a traffic authority is required by regulation 10(4), 11 or 13(4) to comply with the requirements of Part II of the Schedule (display of notice issued under section 14(2) of the 1984 Act),

and the traffic authority considers that it is not reasonably practicable to do so for reasons connected to the effects of coronavirus, including restrictions on movement.

(4) Where this paragraph applies, the traffic authority must use such alternative publicity arrangements as it considers appropriate for the purpose of informing persons likely to be affected by the provisions of the notice.

(5) Without prejudice to the generality of paragraphs (2) and (4), such alternative publicity arrangements may include—

- (a) online publication, including websites, online newspapers, email communication or social media;
- (b) leaflet distribution;

- (c) letter delivery, by post or otherwise.

Procedure for temporary orders made for purposes connected to coronavirus

24.—(1) Paragraph (2) applies where a traffic authority is satisfied in accordance with section 14(1) of the 1984 Act that an order under that section should be made for purposes connected to coronavirus.

(2) Where this paragraph applies, regulation 3 has effect in relation to the order as if it read—

“Procedure for making a temporary order

3.—(1) Subject to the following provisions of this Part, this regulation makes provision for the procedure to be followed in connection with the making of an order under section 14 of the 1984 Act for purposes connected to coronavirus.

(2) Not less than 7 days before making an order, the traffic authority must publish notice of its intention to make the order using such arrangements as the traffic authority considers appropriate for the purpose of informing persons likely to be affected by its provisions.

(3) The notice mentioned in paragraph (2) must state—

- (a) the reason or purpose mentioned in section 14(1) of the 1984 Act for making the order;
- (b) the effect of the order and, where applicable, the alternative route or routes available for traffic;
- (c) the date on which the order would come into force and its maximum duration; and
- (d) that it is also necessary to make the order for purposes connected to coronavirus and what those additional purposes are.

(4) The traffic authority must, on or before the day on which the order is made, give notice of the order—

- (a) to the chief officer of police of any police area in which any road to which the order relates is situated;
- (b) to the chief officer of the fire authority for the area in which any road to which the order relates is situated; and
- (c) where the order would be likely to have direct effect on traffic, or any class of traffic, on any road for the maintenance of which another traffic authority is responsible, to that other traffic authority.

(5) Subject to paragraph (8), within 14 days after making the order the traffic authority must publish a notice of the making of the order in one or more newspapers, whether in print or online, circulating in the area in which any road to which the order relates is situated.

(6) The notice mentioned in paragraph (5) must state—

- (a) the reason or purpose mentioned in section 14(1) of the 1984 Act for the making of the order;
- (b) the effect of the order and, where applicable the alternative route or routes available for traffic; and
- (c) the date on which the order will come into force and its maximum duration.

(7) If and to the extent that—

- (a) it appears to the traffic authority that it would be desirable in the interests of giving adequate publicity to the order; and
- (b) it is reasonably practicable to do so,

the authority must comply with the requirements of Part I of the Schedule (display of notice of order) in relation to each length of road to which the order relates.

(8) Where the traffic authority considers that it is not reasonably practicable to comply with paragraph (5) for reasons connected to the effects of coronavirus, including restrictions on movement, the traffic authority must publish a notice of the making of the order using such alternative arrangements as the traffic authority considers appropriate for the purpose of informing persons likely to be affected by its provisions.

(9) Without prejudice to the generality of paragraphs (2) and (8), such publishing arrangements may include—

- (a) in the case of paragraph (2), in one or more newspapers circulating in the area in which any road to which the order relates is situated;
- (b) online publication, including websites, online newspapers, email communication or social media;
- (c) leaflet distribution;
- (d) letter delivery, by post or otherwise.

(10) When the order has been made, the traffic authority must comply with the requirements of Part III of the Schedule (traffic signs).”

(3) Where paragraph (2) applies and the order is one to which—

- (a) regulation 4 (footpaths, bridleways, cycle tracks and byways open to all traffic);
- (b) regulation 6 (orders to which no time limit applies); or
- (c) regulation 7 (continuation of restriction or prohibition imposed by notice),

applies, the references in regulation 4, 6 or 7, as applicable, to regulation 3 are to be read as references to regulation 3 as substituted by paragraph (2).

Expiry

25. Regulations 22 to 24 cease to have effect at the end of 31 July 2021.

Transitional provisions

26.—(1) Paragraph (2) applies where a notice is required to be—

- (a) published under regulation 3(2) or (5), 8(3) or 9(2);
- (b) displayed in accordance with the requirements of Part I of the Schedule, under regulation 3(7) or 4(3); or
- (c) displayed in accordance with the requirements of Part II of the Schedule under regulation 10(4), 11 or 13(4),

and the notice has been published or displayed by virtue of regulation 23 on or before 31 July 2021.

(2) Where this paragraph applies, the notice is to be treated after that date as having been published or displayed under those regulations as if they had not been modified by regulation 23.

27.—(1) Paragraph (2) applies where a notice is required to be—

- (a) published under regulation 3(2) or (5), as substituted by regulation 18; or
- (b) displayed in accordance with the requirements of Part I of the Schedule under regulation 3(7), as substituted by regulation 24,

and a notice has been published or displayed by virtue of regulation 24 on or before 31 July 2021.

(2) Where this paragraph applies the notice is to be treated after that date as having been published or displayed under regulation 3 as if it had not been substituted by regulation 24.”

Diwygiadau i Reoliadau Gorchmynion Traffig Awdurdodau Lleol (Gweithdrefn) (Cymru a Lloegr) 1996

3.—(1) Mae Rheoliadau Gorchmynion Traffig Awdurdodau Lleol (Gweithdrefn) (Cymru a Lloegr) 1996(3) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 4 (cymhwys Rheoliadau), ym mharagraff (1)—

- (a) rhodder “, IV and 7” yn lle “and IV”, a
- (b) rhodder “Part V and Part 7” yn lle “Part V”.

(3) Yn rheoliadau 5 a 15 (rhagarweiniol) rhodder “Parts IV and 7” yn lle “Part IV”.

(4) Yn rheoliad 21 (cydgrynhoi a mân orchmynion), ym mharagraff (4) ar ôl “shall” mewnosoder “, subject to Part 7,”.

(5) Yn rheoliad 22 (gorchmynion arbrofol), ym mharagraff (3) ar ôl “shall” mewnosoder “, subject to Part 7,”.

(6) Yn rheoliad 23 (gorchmynion i roi effaith barhaol i orchmynion arbrofol), ym mharagraff (3) (b) ar ôl “available for inspection” mewnosoder “, subject to Part 7,”.

(7) Yn rheoliad 25 (hysbysiadau amrywio), ym mharagraff (3) ar ôl “shall” mewnosoder “, subject to Part 7,”.

(8) Ar ôl Rhan VI mewnosoder—

“PART 7

TEMPORARY PROVISIONS APPLICABLE DURING THE CORONAVIRUS PANDEMIC (WALES)

Interpretation

30. In this Part “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

Alternative publication and inspection requirements

31.—(1) Paragraph (2) applies where—

- (a) an order making authority is required to publish a notice in a newspaper in accordance with regulation 7(1)(a), 10(3)(a), 17(2)(a), 21(4)(a) or 25(3); and
- (b) the authority considers that it would not be reasonably practicable to do so for reasons connected to the effects of coronavirus, including restrictions on movement.

(2) Where this paragraph applies, a notice under those regulations must be published using such alternative arrangements as the authority considers appropriate for the purpose of informing persons likely to be affected by its provisions.

(3) Without prejudice to the generality of paragraph (2), such alternative publishing arrangements may include—

- (a) online publication, including websites, online newspapers, email communication or social media;
- (b) leaflet distribution;
- (c) letter delivery, by post or otherwise.

(4) Paragraph (5) applies where—

- (a) an order making authority is required by regulation 7(3), 21(4)(b), 22(3) or 23(3) (b) to comply with the requirements of Schedule 2 as to the making of deposited documents available for public inspection; and
- (b) the authority considers that it would not be reasonably practicable to comply with paragraph 1 of that Schedule (documents specified in paragraph 2 to be available for inspection at various locations) for reasons connected to the effects of coronavirus, including restrictions on movement.

(5) Where this paragraph applies, the order making authority must make appropriate alternative arrangements for making the documents specified in paragraph 2 of Schedule 2 and, as the case may be, documents specified in regulation 23(3)(c) and (e) available for public inspection.

Expiry

32. Regulations 30 and 31 cease to have effect at the end of 31 July 2021.

Transitional provisions

33.—(1) Paragraph (2) applies where—

- (a) a notice is required to be published under regulation 7(1)(a), 10(3)(a), (17)(2)(a), 21(4)(a) or 25(3); or
- (b) documents are required to be made available for inspection in compliance with the requirements of Schedule 2 under regulation 7(3), 21(4)(b), 22(3) or 23(3)(b),

and the notice has been published or the documents made available for inspection by virtue of regulation 31 on or before 31 July 2021.

(2) Where this paragraph applies the notice and documents are to be treated after that date as having been published, or made available for inspection, under those regulations as if they had not been modified by regulation 31.”

Diwygiadau i Reoliadau Gorchmynion Traffig yr Ysgrifennydd Gwladol (Gweithdrefn) (Cymru a Lloegr) 1990

4.—(1) Mae Rheoliadau Gorchmynion Traffig yr Ysgrifennydd Gwladol (Gweithdrefn) (Cymru a Lloegr) 1990(4) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliadau 4 a 12 (rhagarweiniol), ar ôl “particular orders” mewnosoder “and Part 7”.

(3) Yn rheoliad 19 (darpariaethau arbennig ar gyfer gorchmynion sy'n rhoi effaith barhaol i orchmynion arbrol), ym mharagraff (3)(c) ar ôl “available for inspection” mewnosoder “, subject to Part 7.”.

(4) Ar ôl Rhan VI mewnosoder—

“PART 7

TEMPORARY PROVISIONS APPLICABLE DURING THE CORONAVIRUS PANDEMIC (WALES)

Interpretation

30. In this Part “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

Alternative publication and inspection requirements

31.—(1) Paragraph (2) applies where—

- (a) the Welsh Ministers are required to publish a notice in a local newspaper in accordance with regulation 6(1)(a), 8(2)(a) or 14(1)(c); and
- (b) the Welsh Ministers consider that it would not be reasonably practicable to do so for reasons connected to the effects of coronavirus, including restrictions on movement.

(2) Where this paragraph applies, a notice under those regulations must be published using such alternative arrangements as the Welsh Ministers consider appropriate for the purpose of informing persons likely to be affected by its provisions.

(3) Without prejudice to the generality of paragraph (2), such alternative publishing arrangements may include—

- (a) online publication, including websites, online newspapers, email communication, or social media;
- (b) leaflet distribution;
- (c) letter delivery, by post or otherwise.

(4) Where a notice is published in accordance with paragraph (2), regulations 13 and 18, paragraph 3 of Part II of Schedule 2 and paragraph 3 of Schedule 3 have effect, in so far as they apply to the notice, as if “in a local newspaper” or, as the case may be, “in the local newspaper” were substituted with “in accordance with regulation 14(1)(c)”.

(5) Paragraph (6) applies—

- (a) where the Welsh Ministers are—
 - (i) required by regulation 6(1)(d) or 8(2)(e) to comply with the relevant requirements of Schedule 2 as to the notices to be displayed in each road to which an order relates; or
 - (ii) required by regulation 6(1)(e), 8(2)(f), 14(1)(e) or 19(3)(c) to comply with the relevant requirements of Schedule 3 as to the availability of documents for inspection; and
- (b) the Welsh Ministers consider that it would not be reasonably practicable to comply with paragraphs 1 or 2 of Part II of Schedule 2 or, as the case may be, paragraph 1 of Schedule 3, for reasons connected to the effects of coronavirus including restrictions on movement.

(6) Where this paragraph applies, the Welsh Ministers must make appropriate alternative arrangements for—

- (a) displaying the required notices;
- (b) making the documents specified in paragraph 1 of Schedule 3 and, as the case may be, documents specified in regulation 19(3)(b) and (d) available for public inspection.

Expiry

32. Regulations 30 and 31 cease to have effect at the end of 31 July 2021.

Transitional provisions

33.—(1) Paragraph (2) applies where a notice is required to be—

- (a) published under regulation 6(1)(a), 8(2)(a) or 14(1)(c); or
- (b) displayed in accordance with the requirements of Schedule 2 under regulation 6(1)(d) or 8(2)(e),

and the notice has been published or displayed by virtue of regulation 31 on or before 31 July 2021.

(2) Where this paragraph applies, the notice is to be treated after that date as having been published or displayed under those regulations as if they had not been modified by regulation 31.

34.—(1) Paragraph (2) applies where documents—

- (a) are required to be available for inspection in compliance with the requirements of Schedule 3 under regulation 6(1)(e), 8(2)(f), 14(1)(e) or 19(3)(c); and
- (b) have been made so available by virtue of regulation 31 on or before 31 July 2021.

(2) Where this paragraph applies the documents are to be treated after that date as having been made available for inspection under those regulations as if they had not been modified by regulation 31.”

23 Gorffennaf 2020

Ken Skates
Gweinidog yr Economi, Trafnidiaeth a Gogledd
Cymru, un o Weinidogion Cymru

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn gwneud darpariaeth mewn cysylltiad â gorchmynion traffig penodol a wnaed a hysbysiadau a roddwyd yng Nghymru, o dan Ddeddf Rheoleiddio Traffig Ffyrdd 1984. Cânt eu cyflwyno fel mesur brys mewn ymateb i effeithiau'r coronafeirws.

Maent yn diwygio'r weithdrefn ar gyfer gwneud gorchmynion traffig a rhoi hysbysiadau drwy ddarparu dull amgen o roi cyhoeddusrwydd i orchmynion o dan amgylchiadau pan na fo'n rhesymol ymarferol i ddilyn y gofynion cyhoeddusrwydd presennol o ganlyniad i'r coronafeirws. Maent hefyd yn symleiddio'r weithdrefn ar gyfer gwneud gorchmynion traffig dros dro a wneir at ddibenion sy'n gysylltiedig â'r coronafeirws.

Mae'r Rheoliadau hyn yn diwygio—

- (a) Rheoliadau Gweithdrefn Traffig Ffyrdd (Cyfyngiadau Dros Dro) 1992 (“Rheoliadau 1992”);
- (b) Rheoliadau Gorchmynion Traffig Awdurdodau Lleol (Gweithdrefn) (Cymru a Lloegr) 1996 (“Rheoliadau 1996”); ac
- (c) Rheoliadau Gorchmynion Traffig yr Ysgrifennydd Gwladol (Gweithdrefn) (Cymru a Lloegr) 1990 (“Rheoliadau 1990”).

Mae rheoliad 2 yn diwygio Rheoliadau 1992, sy'n nodi gweithdrefnau mewn cysylltiad â'r broses o wneud gorchmynion traffig dros dro a rhoi hysbysiadau drwy fewnosod Rhan 7 newydd yn y Rheoliadau hynny (mewn nosod rheoliadau 22 i 27 newydd). Mae'r rheoliad 23 newydd yn ymwneud â'r gofynion cyhoeddusrwydd ar gyfer gorchmynion a hysbysiadau rheoleiddio traffig. Mae'r diwygiadau yn rhoi'r dewis i awdurdod traffig i ddefnyddio trefniadau amgen ar gyfer rhoi cyhoeddusrwydd i hysbysiad sy'n ymwneud â gorchmynion traffig, pan na fo'n rhesymol ymarferol i gyhoeddi mewn papur newydd sy'n cylchredeg yn yr ardal, neu i arddangos hysbysiadau ar safle, am resymau sy'n gysylltiedig ag effeithiau'r coronafeirws, gan gynnwys cyfyngiadau symud.

Mae'r rheoliad 24 newydd yn ymwneud â gorchmynion traffig dros dro a wneir at ddibenion sy'n gysylltiedig â'r coronafeirws. Mae gweithdrefn symlach yn gymwys i'r broses o wneud gorchmynion sy'n dod o fewn y diben hwn.

Mae rheoliad 3 yn diwygio Rheoliadau 1996, sy'n nodi gweithdrefnau ar gyfer gwneud gorchmynion traffig parhaol ac arbrol, drwy fewnosod Rhan 7 newydd yn y Rheoliadau hynny (gan fewnosod rheoliadau 30 i 33 newydd). Mae'r diwygiadau yn rhoi'r dewis i awdurdod sy'n gwneud gorchmynion i ddefnyddio trefniadau amgen ar gyfer rhoi cyhoeddusrwydd i hysbysiad sy'n ymwneud â gorchmynion traffig, pan na fo'n rhesymol ymarferol i gyhoeddi mewn papur newydd sy'n cylchredeg yn yr ardal am resymau sy'n gysylltiedig ag effeithiau'r coronafeirws, gan gynnwys cyfyngiadau symud. Maent hefyd yn caniatáu i awdurdod traffig ddefnyddio dull amgen o wneud dogfennau ar gael i'r cyhoedd, pan na fo'n rhesymol ymarferol i wneud dogfennau ar gael i'w harchwilio mewn cyfeiriad penodol, am resymau sy'n gysylltiedig ag effeithiau'r coronafeirws.

Mae rheoliad 4 yn diwygio Rheoliadau 1990, sy'n nodi gweithdrefnau ar gyfer gorchmynion traffig penodol a wneir gan Weinidogion Cymru mewn cysylltiad â chefnffyrdd a ffyrdd gwledig, a gorchmynion o dan bwerau wrth gefn Gweinidogion Cymru yn Atodlen 9 i Ddeddf 1984. Mae'r diwygiadau hyn yn cael yr un effaith â'r diwygiadau a wnaed i Rheoliadau 1996.

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.*

Bydd y diwygiadau a wneir gan y Rheoliadau hyn yn peidio â chael effaith ar ddiwedd 31 Gorffennaf 2021. Mae'r Rheoliadau hyn yn darparu ar gyfer darpariaethau trosiannol er mwyn cynnal parhad ar ôl i'r diwygiadau ddod i ben.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. Ni luniwyd asesiad effaith rheoleiddiol ar gyfer yr offeryn hwn gan fod angen rhoi'r Rheoliadau mewn grym yn gyflym er mwyn delio ag argyfwng sy'n gysylltiedig ag effeithiau'r coronafeirws.