



OFFERYNNAU STATUDOL CYMRU

2021 Rhif 154 (Cy. 38)

IECHYD Y CYHOEDD, CYMRU

Rheoliadau Diogelu Iechyd (Coronafeirws,
Teithio Rhyngwladol) (Cymru) (Diwygio)
(Rhif 3) 2021

Gwnaed

13 Chwefror 2021

Yn dod i rym am 4.00 a.m. ar

15 Chwefror 2021

Gosodwyd gerbron Senedd Cymru am 2.00 p.m. ar 15 Chwefror 2021

WELSH STATUTORY INSTRUMENTS

2021 No. 154 (W. 38)

PUBLIC HEALTH, WALES

The Health Protection (Coronavirus,
International Travel) (Wales) (Amendment)
(No. 3) Regulations 2021

Made

13 February 2021

Coming into force at 4.00 a.m. on

15 February 2021

Laid before Senedd Cymru at 2.00 p.m. on

15 February 2021

£11.50



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2021 Rhif 154 (Cy. 38)

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**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

**Rheoliadau Diogelu Iechyd
(Coronafeirws, Teithio
Rhyngwladol) (Cymru) (Diwygio)
(Rhif 3) 2021**

**The Health Protection
(Coronavirus, International Travel)
(Wales) (Amendment) (No. 3)
Regulations 2021**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Diogelu Iechyd (Coronafeirws, Teithio Rhyngwladol) (Cymru) 2020 (O.S. 2020/574 (Cy. 132)) (y "Rheoliadau Teithio Rhyngwladol").

These Regulations amend the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 (S.I. 2020/574 (W. 132)) (the "International Travel Regulations").

Mae'r Rheoliadau Teithio Rhyngwladol yn gosod gofynion ar bersonau sy'n dod i Gymru ar ôl bod dramor. Maent yn cynnwys gofyniad i bersonau sy'n cyrraedd Cymru ynysu am gyfnod a bennir yn unol â'r Rheoliadau hynny.

The International Travel Regulations impose requirements on persons entering Wales after having been abroad. They include a requirement for persons arriving in Wales to isolate for a period determined in accordance with those Regulations.

Mae'r gofynion a osodir gan y Rheoliadau Teithio Rhyngwladol yn ddarostyngedig i eithriadau, ac mae categorïau penodol o berson wedi eu hesemtio rhag gorfod cydymffurfio.

The requirements imposed by the International Travel Regulations are subject to exceptions, and certain categories of person are exempt from having to comply.

Mae Rhan 2 o'r Rheoliadau hyn yn cyflwyno gofynion profi mandadol mewn cysylltiad â'r coronafeirws ar gyfer pob teithiwr i Gymru o wledydd neu diriogaethau nad ydynt yn esempt. Mae rheoliad 2 yn mewnosod Rhan 2B newydd y mae rheoliad 6B ohoni yn ei gwneud yn ofynnol i bobl sy'n cyrraedd o wledydd a thiriogaethau nad ydynt yn esempt archebu a thalu am brofion sydd i'w cymryd ar ddiwrnod 2 a diwrnod 8 ar ôl cyrraedd Cymru. Mae rheoliad 6C yn ei gwneud yn ofynnol i brofion gael eu cymryd ar ddiwrnod 2 a diwrnod 8 ar ôl cyrraedd Cymru ac os methir â chymryd prawf mae rheoliad 6D yn ei gwneud yn ofynnol i deithwyr ynysu am 14 o ddiwrnodau. Mae rheoliad 6E yn darparu ar gyfer y cyfnod ynysu os ceir canlyniad prawf positif. Mae Rhan 2A yn cyflwyno Atodlen 1B (gwybodaeth

Part 2 of these Regulations introduces mandatory testing requirements in respect of coronavirus for all travellers to Wales from non-exempt countries or territories. Regulation 2 inserts a new Part 2B in which regulation 6B requires arrivals from non-exempt countries and territories to book and pay for tests to be taken on day 2 and day 8 after arrival in Wales. Regulation 6C requires tests to be undertaken on day 2 and day 8 after arrival in Wales and in the event of a failure to take a test regulation 6D requires travellers to isolate for 14 days. Regulation 6E provides for the period of isolation in the event of a positive test result. Part 2B introduces Schedule 1B (booking information) outline the booking information required of passengers as part of the test arrangement provisions in regulation 6B. Schedule 1C (mandatory testing after arrival in

archebu) sy'n amlinellu'r wybodaeth archebu y mae'n ofynnol i deithwyr ei rhoi fel rhan o'r darpariaethau trefnu prawf yn rheoliad 6B. Mae Atodlen 1C (profi mandadol ar ôl cyrraedd Cymru) hefyd yn cael ei mewnosod er mwyn gwneud darpariaeth ar gyfer gofynion a safonau technegol y prawf diwrnod 2 a'r prawf diwrnod 8.

Mae Rhan 3 o'r Rheoliadau hyn yn gwneud diwygiadau amrywiol i'r Rheoliadau Teithio Rhyngwladol sy'n gosod mesurau ychwanegol yn ymwneud â chyrraedd o wlad neu diriogaeth a restrir yn Atodlen 3A. Mae rheoliad 12E wedi ei ddiwygio er mwyn gwneud darpariaeth i wahardd personau nad ydynt yn esempt sydd wedi bod mewn gwlad Atodlen 3A o fewn 10 niwrnod o gyrraedd, rhag dod i Gymru.

Mae Rhan 4 o'r Rheoliadau hyn yn gwneud diwygiadau amrywiol i'r Rheoliadau Teithio Rhyngwladol sy'n deillio o'r diwygiadau a wneir gan Rannau 2 a 3 o'r Rheoliadau hyn. Mae rheoliad 14 wedi ei ddiwygio i wneud darpariaeth ar gyfer troseddau o dorri gofynion y Rheoliadau hyn. Mae rheoliad 16 wedi ei ddiwygio i bennu gwerthoedd hysbysiadau cosb benodedig am droseddau o ddarparu gwybodaeth ffug/gamarweiniol mewn perthynas â theithio o wlad neu diriogaeth a restrir yn Atodlen 3, am fethu â bod wedi archebu prawf wrth gyrraedd, am fethu â chymryd prawf mandadol ac am dorri'r gofyniad yn rheoliad 12E. Mae rheoliad 17 o'r Rheoliadau Teithio Rhyngwladol, sy'n ymwneud â defnyddio a datgelu gwybodaeth, wedi ei ddiwygio er mwyn gwneud darpariaeth bellach ynghylch ystyr "Gwybodaeth am Deithiwr o Gymru" mewn perthynas â'r rheini y mae'n ofynnol iddynt ynysu. Mae rheoliad 18 ynghylch 'hunanargyhuddo' wedi ei ddiwygio er mwyn darparu ar gyfer troseddau o dan Ddeddf Twyll 2006 a Deddf Twyll a Ffugio 1981 mewn perthynas â darparu'r wybodaeth hon o dan y Rheoliadau Teithio Rhyngwladol.

Mae Rhan 5 o'r Rheoliadau hyn yn diwygio Atodlen 2 (personau esempt) i'r Rheoliadau Teithio Rhyngwladol, sy'n esemptio categorïau penodol o weithiwr rhag gorfod ynysu, neu o dan amgylchiadau penodol, rhag gorfod darparu gwybodaeth am deithiwr. Mae rheoliad 14 yn diwygio Rhan 1 o Atodlen 2 er mwyn mewnosod darpariaeth sy'n esemptio'r rheini sy'n tramwyo drwy'r Deyrnas Unedig rhag y gofyniad i ynysu yn ogystal â rhag y gofyniad i ddarparu gwybodaeth am deithiwr. Mae hefyd yn diwygio Rhan 2 o Atodlen 2 er mwyn hepgor paragraffau 5, 12, 17 i 35, 38 a 39 o Atodlen 2 i'r Rheoliadau Teithio Rhyngwladol.

Wales) is also inserted to make provision for the technical requirements and standards of the day 2 and day 8 tests.

Part 3 of these Regulations makes various amendments to the International Travel Regulations imposing additional measure relating to arrivals from a country or territory listed in Schedule 3A. Regulation 12E is amended to make provision for the prohibiting from entering into Wales of non-exempt persons who have been in a Schedule 3A country within the last 10 days of arrival.

Part 4 of these Regulations makes miscellaneous amendments to the International Travel Regulations resulting from the amendments made by Parts 2 and 3 of these Regulations. Regulation 14 is amended to make provision for offences for breaches of the requirements of these Regulations. Regulation 16 is amended to specify fixed penalty notices values for offences for providing false/misleading information relating to travel from a country or territory listed in Schedule 3, for failure to have a test booked on arrival, for a failure to undertake mandatory test and for breaches of the requirement in regulation 12E. Regulation 17 of the International Travel Regulations, regarding the use and disclosure of information, is amended to make further provision on the meaning of "Welsh Passenger Information" in relation to those required to isolate. Regulation 18 regarding 'self-incrimination' is amended to provide for offences under the Fraud Act 2006 and the Forgery and Counterfeiting Act 1981 in relation to the provision of this information under the International Travel Regulations.

Part 5 of these Regulations amends Schedule 2 (exempt persons) to the International Travel Regulations, which exempts certain categories of worker from having to isolate, or in certain circumstances, provide passenger information. Regulation 14 amends Part 1 of Schedule 2 to insert a provision exempting those in transit through the United Kingdom from both the requirement to isolate and to provide passenger information. It also amends Part 2 of Schedule 2 to remove paragraphs 5, 12, 17 to 35, 38 and 39 of Schedule 2 to the International Travel Regulations.

Mae Rhan 6 o'r Rheoliadau hyn yn creu eithriadau newydd rhag y gofynion i ynysu yn unol â rheoliadau 7 ac 8 o'r Rheoliadau Teithio Rhyngwladol. Mae rheoliad 15 yn mewnosod Atodlen 5 newydd yn y Rheoliadau Teithio Rhyngwladol (eithriadau sectorol). Mae rheoliad 4 yn diwygio rheoliad 10(4) o'r Rheoliadau Teithio Rhyngwladol (gofynion ynysu: eithriadau) mewn dwy ffordd. Yn gyntaf, er mwyn caniatáu i bobl ymadael â'u mangre ynysu at ddiben cael prawf am y coronafeirws. Yn ail, er mwyn darparu y caniateir i'r categorïau o weithwyr a restrir yn yr Atodlen 5 newydd ymadael â'u mangre ynysu er mwyn gwneud eu gwaith pan na fo modd iddynt wneud hynny o'u cartref.

Mae Rhan 7 o'r Rheoliadau hyn yn gwneud diwygiadau canlyniadol amrywiol i'r Rheoliadau Teithio Rhyngwladol mewn perthynas â hepgor gweithwyr Twannel y Sianel o restr Atodlen 2 o bersonau esempt ac yn gwneud mân newidiadau i Atodlen 5 i'r Rheoliadau hynny.

Mae Rhan 8 o'r Rheoliadau hyn yn diwygio Atodlen 4 i'r Rheoliadau Teithio Rhyngwladol (digwyddiadau chwaraeon penodedig). Mae rheoliad 9 yn rhoi rhestr wedi ei diweddarau yn lle'r rhestr bresennol o ddigwyddiadau chwaraeon.

Mae Rhan 9 o'r Rheoliadau hyn yn gwneud darpariaeth drosiannol mewn perthynas â'r Rheoliadau hyn.

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.

Part 6 of these Regulations creates new exceptions from the requirements to isolate pursuant to regulations 7 and 8 of the International Travel Regulations. Regulation 15 inserts a new Schedule 5 to the International Travel Regulations (sectoral exceptions). Regulation 4 amends regulation 10(4) of the International Travel Regulations (isolation requirements: exceptions) in two ways. Firstly, to permit people to leave their isolation premises for the purpose of obtaining a test for coronavirus. Secondly, to provide that the categories of workers listed in new Schedule 5 are permitted to leave their isolation premises in order to carry out their work where they are unable to do so from home.

Part 7 of these Regulations makes miscellaneous consequential amendments to the International Travel Regulations in relation to the removal of Channel Tunnel workers from the Schedule 2 list of exempt persons and makes minor changes to Schedule 5 to those Regulations.

Part 8 of these Regulations amends Schedule 4 to the International Travel Regulations (specified sporting events). Regulation 9 replaces the existing list of sporting events with an updated list.

Part 9 of these Regulations makes transitional provision in relation to these Regulations.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has not been prepared as to the likely cost and benefit of complying with these Regulations.

2021 Rhif 154 (Cy. 38)

2021 No. 154 (W. 38)

**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

**Rheoliadau Diogelu Iechyd
(Coronafeirws, Teithio
Rhyngwladol) (Cymru) (Diwygio)
(Rhif 3) 2021**

**The Health Protection
(Coronavirus, International Travel)
(Wales) (Amendment) (No. 3)
Regulations 2021**

Gwnaed 13 Chwefror 2021

Made 13 February 2021

*Yn dod i rym am 4.00 a.m. ar 15 Chwefror
2021*

*Coming into force at 4.00 a.m. on 15 February
2021*

*Gosodwyd gerbron Senedd
Cymru am 2.00 p.m. ar 15 Chwefror 2021*

*Laid before Senedd
Cymru at 2.00 p.m. on 15 February 2021*

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

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

RHAN 1

Cyffredinol

PART 1

General

Enwi, dod i rym a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Diogelu Iechyd (Coronafeirws, Teithio Rhyngwladol) (Cymru) (Diwygio) (Rhif 3) 2021.

(2) Daw'r Rheoliadau hyn i rym am 4.00 a.m. ar 15 Chwefror 2021.

Title, coming into force and interpretation

1.—(1) The title of these Regulations is the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 3) Regulations 2021.

(2) These Regulations come into force at 4.00 a.m. on 15 February 2021.

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

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

(3) Yn y Rheoliadau hyn, ystyr y “Rheoliadau Teithio Rhyngwladol” yw Rheoliadau Diogelu Iechyd (Coronafeirws, Teithio Rhyngwladol) (Cymru) 2020(1).

(3) In these Regulations, the “International Travel Regulations” means the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020(1).

RHAN 2

Diwygio'r Rheoliadau Teithio Rhyngwladol
mewn perthynas â chyrraedd o wledydd a
thiriogaethau nad ydynt yn esempt

PART 2

Amendment of the International Travel
Regulations relating to arrivals from non-
exempt countries and territories

Diwygio'r Rheoliadau Teithio Rhyngwladol

2. Mae'r Rheoliadau Teithio Rhyngwladol wedi eu diwygio yn unol â rheoliadau 2 i 12.

Amendment of the International Travel Regulations

2. The International Travel Regulations are amended in accordance with regulations 2 to 12.

Mewnosod Rhan 2B yn y Rheoliadau Teithio Rhyngwladol

3. Ar ôl Rhan 2A (hysbysiad o ganlyniad prawf negyddol etc.) o'r Rheoliadau Teithio Rhyngwladol mewnosoder—

Insertion of Part 2B of the International Travel Regulations

3. After Part 2A (notification of a negative test result etc.) of the International Travel Regulations insert—

“Rhan 2B

Gofynion profi mandadol

“Part 2B

Mandatory testing requirements

Gofyniad i drefnu profion cyn cyrraedd Cymru

6B.—(1) Mae'r rheoliad hwn a rheoliad 6C yn gymwys i berson (“P”) 5 oed neu drosodd sy'n ddarostyngedig i ofyniad ynysu o dan reoliad 7 (gofyniad i ynysu: cyrraedd o'r tu allan i'r Deyrnas Unedig) neu 8 (gofyniad i ynysu: cyrraedd o ran arall o'r Deyrnas Unedig).

Requirement to arrange tests before arriving in Wales

6B.—(1) This regulation and regulation 6C apply to a person (“P”) aged 5 or over who is subject to an isolation requirement under regulation 7 (requirement to isolate: arrivals from outside the United Kingdom) or 8 (requirement to isolate: arrivals from another part of the United Kingdom).

(1) O.S. 2020/574 (Cy. 132), a ddiwygiwyd gan O.S. 2020/595 (Cy. 136), O.S. 2020/714 (Cy. 160), O.S. 2020/726 (Cy. 163), O.S. 2020/804 (Cy. 177), O.S. 2020/817 (Cy. 179), O.S. 2020/840 (Cy. 185), O.S. 2020/868 (Cy. 190), O.S. 2020/886 (Cy. 196), O.S. 2020/917 (Cy. 205), O.S. 2020/942, O.S. 2020/944 (Cy. 210), O.S. 2020/962 (Cy. 216), O.S. 2020/981 (Cy. 220), O.S. 2020/1015 (Cy. 226), O.S. 2020/1042 (Cy. 231), O.S. 2020/1080 (Cy. 243), O.S. 2020/1098 (Cy. 249), O.S. 2020/1133 (Cy. 258), O.S. 2020/1165 (Cy. 263), O.S. 2020/1191 (Cy. 269), O.S. 2020/1223 (Cy. 277), O.S. 2020/1232 (Cy. 278), O.S. 2020/1237 (Cy. 279), O.S. 2020/1288 (Cy. 286), O.S. 2020/1329 (Cy. 295), O.S. 2020/1362 (Cy. 301), O.S. 2020/1477 (Cy. 316), O.S. 2020/1521 (Cy. 325), O.S. 2020/1602 (Cy. 332), O.S. 2020/1645 (Cy. 345), O.S. 2021/20 (Cy. 7), O.S. 2021/24 (Cy. 8), O.S. 2021/46 (Cy. 10), O.S. 2021/48 (Cy. 11), O.S. 2021/50 (Cy. 12), O.S. 2021/66 (Cy. 15) ac O.S. 2021/95 (Cy. 26).

(1) S.I. 2020/574 (W. 132), amended by S.I. 2020/595 (W. 136), S.I. 2020/714 (W. 160), S.I. 2020/726 (W. 163), S.I. 2020/804 (W. 177), S.I. 2020/817 (W. 179), S.I. 2020/840 (W. 185), S.I. 2020/868 (W. 190), S.I. 2020/886 (W. 196), S.I. 2020/917 (W. 205), S.I. 2020/942, S.I. 2020/944 (W. 210), S.I. 2020/962 (W. 216), S.I. 2020/981 (W. 220), S.I. 2020/1015 (W. 226), S.I. 2020/1042 (W. 231), S.I. 2020/1080 (W. 243), S.I. 2020/1098 (W. 249), S.I. 2020/1133 (W. 258), S.I. 2020/1165 (W. 263), S.I. 2020/1191 (W. 269), S.I. 2020/1223 (W. 277), S.I. 2020/1232 (W. 278), S.I. 2020/1237 (W. 279), S.I. 2020/1288 (W. 286), S.I. 2020/1329 (W. 295), S.I. 2020/1362 (W. 301), S.I. 2020/1477 (W. 316), S.I. 2020/1521 (W. 325), S.I. 2020/1602 (W. 332), S.I. 2020/1645 (W. 345), S.I. 2021/20 (W. 7), S.I. 2021/24 (W. 8), S.I. 2021/46 (W. 10), S.I. 2021/48 (W. 11), S.I. 2021/50 (W. 12), S.I. 2021/66 (W. 15) and S.I. 2021/95 (W. 26).

(2) Yn y Rhan hon—

- (a) “prawf diwrnod 2” yw prawf sy’n cydymffurfio â pharagraff 1 o Atodlen 1C;
- (b) “prawf diwrnod 8” yw prawf sy’n cydymffurfio â pharagraff 2 o Atodlen 1C;
- (c) “darparwr prawf cyhoeddus” yw person sy’n darparu neu’n gweinyddu prawf gan arfer pwerau o dan Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(1), Deddf y Gwasanaeth Iechyd Gwladol 2006(2), Deddf y Gwasanaeth Iechyd Gwladol (Yr Alban) 1978(3), neu Orchymyn Iechyd a Gwasanaethau Cymdeithasol Personol (Gogledd Iwerddon) 1972(4).

(3) Cyn cyrraedd Cymru, rhaid i P drefnu â darparwr prawf cyhoeddus i gymryd—

- (a) prawf diwrnod 2, a
- (b) prawf diwrnod 8,

ar ôl i P gyrraedd Cymru.

(4) Ond nid yw’n ofynnol i P gydymffurfio â pharagraff (3) os yw person arall wedi trefnu’r profion ar ran P cyn i P gyrraedd Cymru.

(5) Pan fo P yn blentyn sy’n cyrraedd Cymru gyda pherson (“C”) sydd â chyfrifoldeb dros P—

- (a) (oni bai bod paragraff (4) yn gymwys i P) rhaid i C drefnu profion yn unol â pharagraff (3) ar ran P, a
- (b) nid yw’n ofynnol i P gydymffurfio â pharagraff (3).

(6) Nid yw prawf i’w drin fel pe bai wedi ei drefnu yn unol â’r rheoliad hwn oni bai—

- (a) bod y person sy’n trefnu’r prawf wedi hysbysu’r darparwr prawf cyhoeddus bod y profion yn cael eu trefnu at ddibenion y rheoliad hwn, a
- (b) bod yr wybodaeth a bennir yn Atodlen 1B wedi ei darparu i’r darparwr prawf cyhoeddus mewn perthynas â P.

(7) Pan drefnir y profion, rhaid i’r darparwr prawf cyhoeddus ddarparu cyfeirnod prawf—

- (a) i P, a

(2) In this Part—

- (a) a “day 2 test” is a test complying with paragraph 1 of Schedule 1C;
- (b) a “day 8 test” is a test complying with paragraph 2 of Schedule 1C;
- (c) a “public test provider” is a person who provides or administers a test exercising powers under the National Health Service (Wales) Act 2006(1), the National Health Services Act 2006(2), the National Health Service (Scotland) Act 1978(3), or the Health and Personal Social Services (Northern Ireland) Order 1972(4).

(3) Before arriving in Wales, P must arrange with a public test provider to take—

- (a) a day 2 test, and
- (b) a day 8 test,

after P’s arrival in Wales.

(4) But P is not required to comply with paragraph (3) if another person has arranged the tests on P’s behalf before P’s arrival in Wales.

(5) Where P is a child who arrives in Wales with a person (“R”) who has responsibility for P—

- (a) (unless paragraph (4) applies to P) R must arrange tests in accordance with paragraph (3) on behalf of P, and
- (b) P is not required to comply with paragraph (3).

(6) A test is not to be treated as having been arranged in accordance with this regulation unless—

- (a) the person arranging the test notified the public test provider that the tests were being arranged for the purposes of this regulation, and
- (b) the information specified in Schedule 1B was provided to the public test provider in relation to P.

(7) When the tests are arranged, the public test provider must provide a test reference number—

- (a) to P, and

(1) 2006 p. 42.
(2) 2006 p. 41.
(3) 1978 p. 29.
(4) O.S. 1972/1265 (G.I. 14).

(1) 2006 c. 42.
(2) 2006 c. 41.
(3) 1978 c. 29.
(4) S.I. 1972/1265 (N.I. 14).

(b) i unrhyw berson sy'n trefnu profion ar ran P.

(8) Os gofynnir iddo wneud hynny gan swyddog mewnfudo rhaid i P, neu C os yw P yn blentyn, ddarparu cyfeirnod y prawf neu dystiolaeth arall i'r swyddog fod y profion wedi eu trefnu ar ran P.

Gofyniad i gymryd profion

6C.—(1) Wrth gyrraedd Cymru, rhaid i P gymryd—

(a) prawf diwrnod 2, a weinyddir gan ddarparwr prawf cyhoeddus, heb fod yn hwyrach na diwedd yr ail ddiwrnod ar ôl y diwrnod y mae P yn cyrraedd Cymru, a

(b) prawf diwrnod 8, a weinyddir gan ddarparwr prawf cyhoeddus, heb fod yn gynharach na diwedd y seithfed diwrnod ar ôl y diwrnod y mae P yn cyrraedd Cymru.

(2) Ond nid yw paragraff (1)(b) yn gymwys pan fo prawf diwrnod 2 P yn cynhyrchu canlyniad positif.

(3) Pan fo P yn blentyn, rhaid i unrhyw berson sydd â chyfrifoldeb dros P sicrhau, i'r graddau y bo'n rhesymol ymarferol, fod P yn cydymffurfio â pharagraff (1).

(4) Pan na fo P yn cymryd prawf diwrnod 2 fel sy'n ofynnol gan y rheoliad hwn am fod ganddo esgus rhesymol, rhaid i P, cyn gynted ag y bo'n ymarferol pan na fydd y materion sy'n arwain at yr esgus rhesymol yn gymwys mwyach, gymryd prawf arall sy'n cydymffurfio â gofynion prawf diwrnod 2.

(5) Pan gymerir prawf arall yn lle prawf diwrnod 2, mae P i'w drin fel pe bai P wedi cymryd prawf diwrnod 2 yn unol â'r rheoliad hwn.

Gofyniad i ynysu o fethu â chymryd profion

6D.—(1) Mae'r rheoliad hwn yn gymwys pan fo person ("P")—

(a) yn methu â chymryd prawf diwrnod 2 yn unol â rheoliad 6C(1)(a) ac yn methu â chymryd prawf diwrnod 8 yn unol â rheoliad 6C(1)(b), neu

(b) yn cymryd prawf diwrnod 2 yn unol â rheoliad 6C(1)(a) (sy'n negyddol neu'n amhendant) ond yn methu â chymryd prawf diwrnod 8 yn unol â rheoliad 6C(1)(b).

(b) to any person who arranges tests on P's behalf.

(8) If requested by an immigration officer to do so, P, or R if P is a child, must provide the officer with the test reference number or other evidence that the tests have been arranged on P's behalf.

Requirement to take tests

6C.—(1) Upon arrival in Wales, P must take—

(a) a day 2 test, administered by a public test provider, no later than the end of the second day after the day on which P arrives in Wales, and

(b) a day 8 test, administered by a public test provider, no earlier than the end of the seventh day after the day on which P arrives in Wales.

(2) But paragraph (1)(b) does not apply where P's day 2 test generates a positive result.

(3) Where P is a child, any person who has responsibility for P must, so far as reasonably practicable, ensure that P complies with paragraph (1).

(4) Where P does not take a day 2 test as required by this regulation by reason of having a reasonable excuse, P must, as soon as practicable after the matters giving rise to the reasonable excuse no longer apply, take a replacement test that complies with the requirements for a day 2 test.

(5) Where a replacement test is taken instead of a day 2 test, P is to be treated as if P had taken a day 2 test in accordance with this regulation.

Requirement to isolate on failure to take tests

6D.—(1) This regulation applies where a person ("P")—

(a) fails to take a day 2 test in accordance with regulation 6C(1)(a) and fails to take a day 8 test in accordance with regulation 6C(1)(b), or

(b) takes a day 2 test in accordance with regulation 6C(1)(a) (which is negative or inconclusive) but fails to take a day 8 test in accordance with regulation 6C(1)(b).

(2) Diwrnod ynysu olaf P o dan reoliad 7 neu 8 yw diwrnod olaf y cyfnod o 14 o ddiwrnodau sy'n dechrau â'r diwrnod ar ôl y diwrnod yr oedd P mewn gwlad neu diriogaeth nad yw'n esempt ddiwethaf (ac nid yw rheoliad 12 yn gymwys at ddibenion pennu diwrnod ynysu olaf P).

(3) Ond pan fo P yn cymryd prawf y mae paragraff (4) yn gymwys iddo a—

- (a) bod y canlyniad yn bositif, mae rheoliad 6E yn gymwys fel pe bai'r prawf wedi ei gymryd yn unol â rheoliad 6C;
- (b) bod y canlyniad yn negyddol, mae rheoliad 6G yn gymwys fel pe bai—
 - (i) P wedi cymryd prawf diwrnod 2 a phrawf diwrnod 8 yn unol â rheoliad 6C(1), a
 - (ii) bod y ddau brawf yn negyddol.

(4) Mae'r paragraff hwn yn gymwys i brawf diwrnod 8 a gymerir—

- (a) cyn diwedd cyfnod ynysu P fel y byddai wedi ei bennu o dan reoliad 12 pe na bai paragraff (1) yn gymwys, ond
- (b) cyn diwedd y seithfed diwrnod ar ôl y diwrnod y mae P yn cyrraedd Cymru.

Goblygiadau canlyniad prawf positif

6E. Pan fo prawf a gymerir gan berson ("P") yn unol â rheoliad 6C yn bositif—

- (a) nid yw rheoliad 10(3) (gofyniad i ynysu yn peidio â bod yn gymwys i P pan fydd P yn gadael Cymru), a, yn ddarostyngedig i reoliad 6I, rheoliad 6 neu 7, fel y bo'n briodol, o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) 2020(1) yn gymwys mewn perthynas â P, a
- (b) diwrnod ynysu olaf P o dan reoliad 7 neu 8 yw diwrnod olaf y cyfnod o 10 niwrnod sy'n dechrau â'r diwrnod y cymerodd P y prawf (ac nid yw rheoliad 12 yn gymwys at ddibenion pennu diwrnod ynysu olaf P).

(2) The last day of P's isolation under regulation 7 or 8 is the last day of the period of 14 days beginning with the day after the day on which P was last in a non-exempt country or territory (and regulation 12 does not apply for the purposes of determining the last day of P's isolation).

(3) But where P takes a test to which paragraph (4) applies and—

- (a) the result is positive, regulation 6E applies as if the test had been undertaken in accordance with regulation 6C;
- (b) the result is negative, regulation 6G applies as if—
 - (i) P had taken a day 2 test and a day 8 test in accordance with regulation 6C(1), and
 - (ii) both tests were negative.

(4) This paragraph applies to a day 8 test that is taken—

- (a) before the end of P's isolation period as it would have been determined under regulation 12 if paragraph (1) did not apply, but
- (b) before than the end of the seventh day after the day on which P arrives in Wales.

Consequences of positive test result

6E. Where a test taken by a person ("P") in accordance with regulation 6C is positive—

- (a) regulation 10(3) (isolation requirement ceasing to apply to P when P leaves Wales) and, subject to regulation 6I, regulation 6 or 7, as appropriate, of the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020(1) do not apply in relation to P, and
- (b) the last day of P's isolation under regulation 7 or 8 is the last day of the period of 10 days beginning with the day on which P took the test (and regulation 12 does not apply for the purposes of determining the last day of P's isolation).

(1) O.S. 2020/1609 (Cy. 335).

(1) S.I. 2020/1609 (W. 335).

Goblygiadau canlyniad positif i berson sy'n preswyllo yn yr un fangre

6F.—(1) Mae'r rheoliad hwn yn gymwys pan fo prawf a gymerir gan berson ("P") yn unol â rheoliad 6C yn positif a bod P yn preswyllo gyda pherson arall ("A")—

- (a) sydd o dan ofyniad i ynysu o dan reoliad 7 neu 8, a
- (b) y byddai ei ddiwrnod ynysu olaf, oni bai am y rheoliad hwn, yn cael ei bennu yn unol â rheoliad 12.

(2) Diwrnod ynysu olaf A o dan reoliad 7 neu 8 yw diwrnod olaf y cyfnod o 10 niwrnod sy'n dechrau â'r diwrnod y cymerodd P y prawf (ac nid yw rheoliad 12 yn gymwys at ddibenion pennu diwrnod ynysu olaf A).

(3) Ond nid yw hyn yn gymwys pan fo—

- (a) y prawf positif y cyfeirir ato ym mharagraff (1)(b) yn brawf diwrnod 8 a gymerwyd gan P yn unol â rheoliad 6C(1)(b), a
- (b) A wedi cael canlyniad positif i brawf diwrnod 2 a gymerodd A yn unol â rheoliad 6C(1)(a).

Goblygiadau peidio â chael canlyniad prawf diwrnod 8 cyn diwedd y cyfnod ynysu

6G.—(1) Mae'r rheoliad hwn yn gymwys pan fo person ("P")—

- (a) yn cymryd prawf diwrnod 2 a phrawf diwrnod 8 yn unol â rheoliad 6C(1),
- (b) yn cael canlyniad negyddol i'r prawf diwrnod 2, ac
- (c) heb gael canlyniad y prawf diwrnod 8 cyn diwedd diwrnod ynysu olaf P o dan reoliad 7 neu 8 (fel y'i pennir o dan reoliad 12).

(2) Os yw canlyniad prawf diwrnod 8 P yn negyddol, diwrnod ynysu olaf P o dan reoliad 7 neu 8 yw'r diwrnod y mae P yn cael canlyniad y prawf diwrnod 8 (ac nid yw rheoliad 12 yn gymwys at ddibenion pennu diwrnod ynysu olaf P).

Consequences of positive result for person residing in same premises

6F.—(1) This regulation applies where a test taken by a person ("P") in accordance with regulation 6C is positive and P resides with another person ("A")—

- (a) who is under a requirement to isolate under regulation 7 or 8, and
- (b) whose last day of isolation period would, if it were not for this regulation, be determined in accordance with regulation 12.

(2) The last day of A's isolation under regulation 7 or 8 is the last day of the period of 10 days beginning with the day on which P took the test (and regulation 12 does not apply for the purposes of determining the last day of A's isolation).

(3) But this does not apply where—

- (a) the positive test referred to in paragraph (1)(b) is a day 8 test taken by P in accordance with regulation 6C(1)(b), and
- (b) A received a positive result to a day 2 test that A took in accordance with regulation 6C(1)(a).

Consequences of not receiving result of day 8 test before end of isolation period

6G.—(1) This regulation applies where a person ("P")—

- (a) takes a day 2 test and a day 8 test in accordance with regulation 6C(1),
- (b) receives a negative result to the day 2 test, and
- (c) has not received a result to the day 8 test before the end of the last day of P's isolation under regulation 7 or 8 (as determined under regulation 12).

(2) If the result of P's day 8 test is negative, the last day of P's isolation under regulation 7 or 8 is the day on which P receives the result of the day 8 test (and regulation 12 does not apply for the purposes of determining the last day of P's isolation).

Goblygiadau cael canlyniad prawf amhendant

6H.—(1) Pan fo canlyniad prawf y mae person (“P”) yn ei gymryd yn unol â rheoliad 6C yn amhendant, pennir diwrnod ynysu olaf P o dan reoliad 7 neu 8 yn unol â pharagraff (2) (ac nid yw rheoliad 12 yn gymwys at ddibenion pennu diwrnod ynysu olaf P).

(2) Diwrnod ynysu olaf P yw—

- (a) diwrnod olaf y cyfnod o 10 niwrnod sy’n dechrau â’r diwrnod y cymerodd P y prawf, neu
- (b) pan fo P yn cymryd prawf y mae paragraff (4) yn gymwys iddo a bod canlyniad y prawf yn negyddol, y diweddaraf o’r canlynol—
 - (i) diwrnod olaf y cyfnod o 10 niwrnod sy’n dechrau â’r diwrnod ar ôl y diwrnod yr oedd P mewn gwlad neu diriogaeth nad yw’n esempt ddiwethaf, neu
 - (ii) y diwrnod y mae P yn cael y canlyniad negyddol, neu
- (c) pan fo P yn cymryd prawf y mae paragraff (4) yn gymwys iddo a bod canlyniad y prawf yn bositif, diwrnod olaf y cyfnod o 10 niwrnod sy’n dechrau â’r diwrnod y cymerodd P y prawf.

(3) Pan fo paragraff (2)(c) yn gymwys, nid yw’n ofynnol i P gymryd y prawf diwrnod 8 yn unol â rheoliad 6C.

(4) Mae’r paragraff hwn yn gymwys i—

- (a) prawf diwrnod 8 a gymerir yn unol â rheoliad 6C(1)(b);
- (b) prawf diwrnod 8 a gymerir—
 - (i) cyn diwedd cyfnod ynysu P fel y byddai wedi ei bennu o dan reoliad 12 pe na bai paragraff (1) yn gymwys, ond
 - (ii) cyn diwedd y seithfed diwrnod ar ôl y diwrnod y mae P yn cyrraedd Cymru.

Profion ac eithrio yn unol â’r Rheoliadau hyn

6I.—(1) Mae’r rheoliad hwn yn gymwys pan fo—

- (a) P yn cymryd prawf diwrnod 2 sy’n negyddol,

Consequences of receiving inconclusive test result

6H.—(1) Where the result of a test taken by a person (“P”) in accordance with regulation 6C is inconclusive, the last day of P’s isolation under regulation 7 or 8 is determined in accordance with paragraph (2) (and regulation 12 does not apply for the purposes of determining the last day of P’s isolation).

(2) The last day of P’s isolation is—

- (a) the last day of the period of 10 days beginning with the day P took the test, or
- (b) where P takes a test to which paragraph (4) applies and the result of the test is negative, the later of—
 - (i) the last day of the period of 10 days beginning with the day after the day on which P was last in a non-exempt country or territory, or
 - (ii) the day on which P receives the negative result, or
- (c) where P takes a test to which paragraph (4) applies and the result of the test is positive, the last day of the period of 10 days beginning with the day P took the test.

(3) Where paragraph (2)(c) applies, P is not required to take a day 8 test in accordance with regulation 6C.

(4) This paragraph applies to—

- (a) a day 8 test taken in accordance with regulation 6C(1)(b);
- (b) a day 8 test that is taken—
 - (i) before the end of P’s isolation period as it would have been determined under regulation 12 if paragraph (1) did not apply, but
 - (ii) before than the end of the seventh day after the day on which P arrives in Wales.

Tests other than in accordance with these Regulations

6I.—(1) This regulation applies where—

- (a) P takes a day 2 test which is negative,

(b) tra bo P yn ynysu yn unol â rheoliad 7 neu 8, mae P yna'n cymryd prawf ac eithrio yn unol â'r Rheoliadau hyn, ac

(c) hysbysir P bod y prawf yn bositif.

(2) Mae'n peidio â bod yn ofynnol i P ynysu yn unol â'r Rheoliadau hyn, ac mae rheoliad 6 neu 7, fel y bo'n briodol, o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) 2020 yn gymwys mewn perthynas â P.

Codi tâl am brofion

6J.—(1) Caiff Gweinidogion Cymru neu berson a ddynodir gan Weinidogion Cymru osod tâl mewn cysylltiad â phroffion diwrnod 2 neu brofion diwrnod 8.

(2) O ran Gweinidogion Cymru—

- (a) rhaid iddynt gyhoeddi manylion y taliadau mewn ffordd y maent yn ystyried ei bod yn briodol, a
- (b) cânt adennill unrhyw swm sy'n ddyledus gan berson yn unol â thâl fel dyled.”

Mewnosod Atodlenni 1B ac 1C

4. Ar ôl Atodlen 1A (profi cyn cyrraedd Cymru) i'r Rheoliadau Teithio Rhyngwladol mewnosoder—

“Atodlen 1B Rheoliad 6B Gwybodaeth archebu

Gwybodaeth archebu

1. Manylion personol—

- (a) enw llawn;
- (b) rhyw;
- (c) tras ethnig;
- (d) dyddiad geni;
- (e) rhif pasbort, neu gyfeirnod dogfen deithio (fel y bo'n briodol);
- (f) rhif GIG (os yw'n hysbys ac yn gymwys);
- (g) rhif ffôn;
- (h) cyfeiriad cartref;
- (i) cyfeiriad e-bost.

(b) while P is isolating in accordance with regulation 7 or 8, P subsequently takes a test other than in accordance with these Regulations, and

(c) P is notified that the test is positive.

(2) P ceases to be required to isolate in accordance with these Regulations, and regulation 6 or 7, as appropriate, of the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 applies in relation to P.

Charge for tests

6J.—(1) The Welsh Ministers or a person designated by the Welsh Ministers may impose a charge in respect of day 2 tests or day 8 tests.

(2) The Welsh Ministers—

- (a) must publish details of the charges in a way they consider to be appropriate, and
- (b) may recover any sum owed by a person pursuant to a charge as a debt.”

Insertion of Schedules 1B and 1C

4. After Schedule 1A (testing before arrival in Wales) to the International Travel Regulations insert—

“Schedule 1B Regulation 6B Booking information

Booking information

1. Personal details—

- (a) full name;
- (b) sex;
- (c) ethnicity;
- (d) date of birth;
- (e) passport number, or travel document reference number (as appropriate);
- (f) NHS number (if known and applicable);
- (g) telephone number;
- (h) home address;
- (i) email address.

2. Manylion y daith—

- (a) cyfeiriad y fangre addas y mae P yn bwriadu preswyllo ynddi fel sy'n ofynnol gan reoliad 7 neu 8;
- (b) dyddiad cyrraedd y Deyrnas Unedig;
- (c) rhif coets;
- (d) rhif hediad neu enw llestr;
- (e) y dyddiad yr oedd P mewn gwlad neu diriogaeth nad yw'n esempt ddiwethaf;
- (f) y wlad neu'r diriogaeth y bydd P yn teithio ohoni pan fydd P yn cyrraedd y Deyrnas Unedig, ac unrhyw wlad neu diriogaeth y bydd P wedi bod ynddi fel rhan o'r daith honno.

Atodlen 1C Rheoliad 6B

Profi mandadol ar ôl cyrraedd Cymru

Gofynion prawf diwrnod 2

1. Mae prawf diwrnod 2 yn cydymffurfio â'r paragraff hwn—

- (a) pan fo'n brawf lled-feintiol ar gyfer canfod y coronafeirws—
 - (i) sy'n targedu o leiaf ddau enyn SARS-CoV-2 y gellir gwahaniaethu rhyngddynt ac eithrio'r genyn S a rheolaethau cyfeirio perfformiad,
 - (ii) sy'n cynnwys rheolwaith sicrwydd in silico yn erbyn pob amrywiolyn sy'n destun pryder, a
 - (iii) sy'n cynhyrchu toddiant prawf sy'n darparu asid niwclëig a echdynnwyd sy'n addas ar gyfer dilyniannu genom cyfan gan ddefnyddio dull penodedig,
- (b) pan fo gweithgynhyrchydd unrhyw ddyfais a ddefnyddir at ddibenion y prawf yn datgan—
 - (i) bod y ddyfais yn defnyddio dull sefydledig o ganfod moleciwlau,
 - (ii) bod gan y ddyfais benodolrwydd a sensitifrwydd sy'n fwy na 99% (a chyfwng hyder dwyochrog o 95% sydd uwchben 97% yn llwyr),

2. Journey details—

- (a) the address of the suitable premises at which P intends to reside as required by regulation 7 or 8;
- (b) the date of arrival in the United Kingdom;
- (c) coach number;
- (d) flight number of vessel name;
- (e) the date on which P was last in a non-exempt country or territory;
- (f) the country or territory P will be travelling from when P arrives in the United Kingdom, and any country or territory P will have been in as part of that journey.

Schedule 1C Regulation 6B

Mandatory testing after arrival in Wales

Day 2 test requirements

1. A day 2 test complies with this paragraph where—

- (a) it is a semi-quantitative test for the detection of coronavirus which—
 - (i) targets a minimum of two distinguishable SARS-CoV-2 genes other than the S gene and performance reference controls,
 - (ii) includes routine in silico assurance against every variant of concern, and
 - (iii) produces a test solution that provides extracted nucleic acid that is suitable for whole genome sequencing using a specified method,
- (b) the manufacturer of any device used for the purposes of the test states that the device—
 - (i) uses an established molecular detection method,
 - (ii) has a specificity and a sensitivity greater than 99% (with a 95% two-sided confidence interval entirely above 97%),

- (iii) bod gan y ddyfais derfyn canfod o lai na 1000 copi SARS-CoV-2 y mililitr, neu gyfwerth â hynny, a
- (iv) bod y ddyfais yn addas ar gyfer canfod pob amrywiolyn sy'n destun pryder, ac
- (c) pan fo unrhyw ddyfais a ddefnyddir at ddibenion y prawf—
 - (i) yn gallu cael ei defnyddio yn unol â Rhan 4 o Reoliadau Dyfeisiau Meddygol 2002(1), ac eithrio yn rhinwedd rheoliad 39(2) o'r Rheoliadau hynny yn unig, a
 - (ii) wedi ei dilysu ddim mwy na 18 mis cyn gweinyddu neu ddarparu'r prawf i P.

Gofynion prawf diwrnod 8

2. Mae prawf diwrnod 8 yn cydymffurfio â'r paragraff hwn—

- (a) pan fo'n brawf lled-feintiol ar gyfer canfod y coronafeirws sy'n targedu o leiaf ddau enyn SARS-CoV-2 y gellir gwahaniaethu rhyngddynt ac eithrio'r genyn S a rheolaethau cyfeirio perfformiad,
- (b) pan fo gweithgynhyrhydd unrhyw ddyfais a ddefnyddir at ddibenion y prawf yn datgan—
 - (i) bod y ddyfais yn defnyddio dull echdynnu moleciwlau,
 - (ii) bod gan y ddyfais benodolrwydd a sensitifrwydd sy'n fwy na 95% (a chyfwng hyder dwyochrog o 95% sydd uwchben 90% yn llwyr), a
 - (iii) bod gan y ddyfais derfyn canfod o lai na 1000 copi SARS-CoV-2 y mililitr, neu gyfwerth â hynny, a
- (c) pan fo unrhyw ddyfais a ddefnyddir at ddibenion y prawf—
 - (i) yn gallu cael ei defnyddio yn unol â Rhan 4 o Reoliadau Dyfeisiau Meddygol 2002, ac eithrio yn rhinwedd rheoliad 39(2) o'r Rheoliadau hynny yn unig, a
 - (ii) wedi ei dilysu ddim mwy na 18 mis cyn gweinyddu'r prawf neu ei ddarparu i P.

- (iii) has a limit of detection of less than or equal to 1000 SARS-CoV-2 copies per millilitre, and
- (iv) is suitable for identifying every variant of concern, and
- (c) any device used for the purposes of the test—
 - (i) can be put into service in accordance with Part 4 of the Medical Devices Regulations 2002(1), other than solely by virtue of regulation 39(2) of those Regulations, and
 - (ii) has been validated no more than 18 months before the test is administered or provided to P.

Day 8 test requirements

2. A day 8 test complies with this paragraph where—

- (a) it is a semi-quantitative test for the detection of coronavirus which targets a minimum of two distinguishable SARS-CoV-2 genes other than the S gene and performance reference controls,
- (b) the manufacturer of any device used for the purposes of the test states that the device—
 - (i) uses an extracted molecular method,
 - (ii) has a specificity and a sensitivity greater than 95% (with a 95% two-sided confidence interval entirely above 90%), and
 - (iii) has a limit of detection of less than or equal to 1000 SARS-CoV-2 copies per millilitre, and
- (c) any device used for the purposes of the test—
 - (i) can be put into service in accordance with Part 4 of the Medical Devices Regulations 2002, other than solely by virtue of regulation 39(2) of those Regulations, and
 - (ii) has been validated no more than 18 months before the test is administered or provided to P.

(1) O.S. 2002/618.

(1) S.I. 2002/618.

Dehongli

3. Yn yr Atodlen hon—

- (a) ystyr “dull penodedig” yw dull dilyniant wedi ei dargedu sy'n benodol i SARS-CoV-2 neu—
- (i) dull amplicon cyfatebol, neu
 - (ii) dull cipio abwyd dilyniant cyfatebol;
- (b) ystyr “wedi ei dilysu”, mewn perthynas â dyfais, yw y cadarnhawyd bod gan y ddyfais sensitifrwydd o 97% o leiaf a phenodolrwydd o 99% o leiaf ar gyfer o leiaf 150 o samplau positif a 250 o samplau negyddol, gan—
- (i) Gweinidogion Cymru,
 - (ii) y Sefydliad Cenedlaethol dros Ragoriaeth mewn Iechyd a Gofal, neu
 - (iii) labordy sydd wedi ei achredu gan Wasanaeth Achredu'r Deyrnas Unedig (“UKAS”) i safon ISO 15189 neu safon ISO/IEC 17025, ac eithrio labordy sy'n prosesu profion a ddarperir gan ddarparwr y prawf at ddibenion yr Atodlen hon, neu sy'n eiddo i ddarparwr y prawf;
- (c) ystyr “amrywiolyn sy'n destun pryder” yw amrywiolyn SARS-CoV-2 a nodwyd mewn dynodiad a wnaed gan y Grŵp arbenigol perthnasol yn y DU (NERVTAG ar hyn o bryd) at ddibenion y Rheoliadau hyn ac a gyhoeddir mewn ffordd y mae Gweinidogion Cymru yn ystyried ei bod yn briodol.”

RHAN 3

Diwygiadau i'r Rheoliadau Teithio Rhyngwladol yn ymwneud â chyrraedd o wlad neu diriogaeth a restrir yn Atodlen 3A i'r Rheoliadau Teithio Rhyngwladol

Diwygio rheoliad 9

5. Yn rheoliad 9(2) (gofynion ynysu: esemptiadau) o'r Rheoliadau Teithio Rhyngwladol, ar ôl is-baragraff (b) mewnosoder—

- “(c) person a ddisgrifir yn rheoliad 12E(2) (mesurau ychwanegol sy'n gymwys i bersonau sy'n teithio o wlad neu diriogaeth a restrir yn Atodlen 3A).”

Interpretation

3. In this Schedule—

- (a) “specified method” means a targeted sequence method specific to SARS-CoV-2 or an equivalent—
- (i) amplicon method, or
 - (ii) sequence bait capture method;
- (b) “validated”, in relation to a device, means confirmed as having a sensitivity of at least 97% and a specificity of at least 99% for at least 150 positive samples and 250 negative samples, by—
- (i) the Welsh Ministers,
 - (ii) the National Institute for Health and Care Excellence, or
 - (iii) a laboratory which is accredited by the United Kingdom Accreditation Service (“UKAS”) to ISO standard 15189 or ISO/IEC standard 17025, other than a laboratory which processes tests provided by the test provider for the purposes of this Schedule or is owned by the test provider;
- (c) “variant of concern” means a variant of SARS-CoV-2 identified in a designation made by the relevant expert UK Group (currently NERVTAG) for the purposes of these Regulations and published in a way that the Welsh Ministers consider to be appropriate.”

PART 3

Amendment of the International Travel Regulations relating to arrivals from a country or territory listed in Schedule 3A to the International Travel Regulations

Amendment of regulation 9

5. In regulation 9(2) (isolation requirements: exemptions) of the International Travel Regulations, after sub-paragraph (b) insert—

- “(c) a person described in regulation 12E(2) (additional measures applicable to persons travelling from a country or territory listed in Schedule 3A).”

Diwygio rheoliad 12E

6.—(1) Mae rheoliad 12E (mesurau ychwanegol sy'n gymwys i bersonau sy'n teithio o wlad neu diriogaeth a restrir yn Atodlen 3A) o'r Rheoliadau Teithio Rhyngwladol wedi ei ddiwygio fel a ganlyn.

(2) Yn lle paragraffau (1) i (9) rhodder—

“(1) Ni chaiff person (“P”) ddod i Gymru os yw P wedi bod mewn gwlad neu diriogaeth a restrir yn Atodlen 3A ar unrhyw adeg yn ystod y cyfnod sy'n dechrau â'r degfed diwrnod cyn y dyddiad y mae P yn cyrraedd Cymru.

(2) Ond nid yw paragraff (1) yn gymwys pan fo P—

- (a) yn berson a ddisgrifir ym mharagraff 1(1)(a) i (h) neu (k) o Atodlen 2 neu'n aelod o'r teulu sy'n ffurfio rhan o'i aelwyd;
- (b) yn berson a ddisgrifir ym mharagraff 1(1)(i) neu (j) o Atodlen 2 pan fo'r amodau ym mharagraff (3) wedi eu bodloni;
- (c) yn aelod o'r teulu sy'n ffurfio rhan o aelwyd person y mae is-baragraff (b) yn gymwys iddo—
 - (i) pan fo'r amodau ym mharagraff (3) wedi eu bodloni mewn perthynas â'r person hwnnw,
 - (ii) pan fo'r Swyddfa Dramor, y Gymanwlad a Datblygu wedi ei hysbysu bod P yn cyrraedd, a
 - (iii) pan fo'r Swyddfa Dramor, y Gymanwlad a Datblygu wedi cadarnhau na ddylai paragraff (1) fod yn gymwys i P;
- (d) yn berson a ddisgrifir yn y paragraffau a ganlyn o Atodlen 2—
 - (i) paragraffau 2 i 5;
 - (ii) paragraff 6 oni bai bod P, ar unrhyw adeg yn ystod y cyfnod sy'n dechrau â'r degfed diwrnod cyn y dyddiad y mae P yn cyrraedd Cymru, wedi bod mewn gwlad neu diriogaeth a restrir yn Atodlen 3A ar wahân i ynysoedd Açores, Madeira neu Bortiwgal;
 - (iii) paragraff 13 neu 13A;
 - (iv) paragraff 15 neu 16.

Amendment of regulation 12E

6.—(1) Regulation 12E (additional measures applicable to persons travelling from a country or territory listed in Schedule 3A) of the International Travel Regulations is amended as follows.

(2) For paragraphs (1) to (9) substitute—

“(1) A person (“P”) may not enter Wales if P has been in a country or territory listed in Schedule 3A at any time in the period beginning with the 10th day before the date of P's arrival in Wales.

(2) But paragraph (1) does not apply where P is—

- (a) a person described in paragraph 1(1)(a) to (h) or (k) of Schedule 2 or a member of the family forming part of their household;
- (b) a person described in paragraph 1(1)(i) or (j) of Schedule 2 where the conditions in paragraph (3) are met;
- (c) a member of the family forming part of the household of a person to whom sub-paragraph (b) applies, where—
 - (i) the conditions in paragraph (3) are met in relation to that person,
 - (ii) the Foreign, Commonwealth and Development Office has been notified of P's arrival, and
 - (iii) the Foreign Commonwealth and Development Office has confirmed that paragraph (1) should not apply to P;
- (d) a person described in the following paragraphs of Schedule 2—
 - (i) paragraphs 2 to 5;
 - (ii) paragraph 6 unless P has at any time during the period beginning with the 10th day before the date of P's arrival in Wales been in a country or territory listed in Schedule 3A apart from The Azores, Madeira or Portugal;
 - (iii) paragraph 13 or 13A;
 - (iv) paragraph 15 or 16.

(3) Yr amodau a bennir yn y paragraff hwn yw bod, cyn i P ymadael i'r Deyrnas Unedig—

- (a) pennaeth perthnasol y genhadaeth, y swydd gonsylaidd neu'r swyddfa sy'n cynrychioli tiriogaeth dramor yn y Deyrnas Unedig, neu Lywodraethwr tiriogaeth dramor Brydeinig (yn ôl y digwydd), neu berson sy'n gweithredu ar ei awdurdod, yn cadarnhau yn ysgrifenedig i'r Swyddfa Dramor, y Gymanwlad a Datblygu ei bod yn ofynnol i P ymgymryd â gwaith sy'n hanfodol i'r wlad dramor a gynrychiolir gan y genhadaeth neu'r swydd gonsylaidd, y diriogaeth dramor a gynrychiolir gan y swyddfa neu'r diriogaeth dramor Brydeinig, a
- (b) y Swyddfa Dramor, y Gymanwlad a Datblygu yna wedi cadarnhau yn ysgrifenedig i'r person sy'n rhoi'r cadarnhad y cyfeirir ato yn is-baragraff (a)—
 - (i) ei fod wedi cael y cadarnhad hwnnw, a
 - (ii) bod P yn teithio i'r Deyrnas Unedig i gynnal busnes swyddogol gyda'r Deyrnas Unedig ac nad yw'n ofynnol iddo gydymffurfio â pharagraff (1).

(4) Pan fo gair neu ymadrodd wedi ei ddiffinio at ddibenion Atodlen 2 ac yn cael ei ddefnyddio yn y rheoliad hwn, mae'r un diffiniad yn gymwys at ddibenion y rheoliad hwn.”

Diwygio rheoliad 12F

7. Yn rheoliad 12F(2) (gwahardd awyrennau a llestrau sy'n teithio'n uniongyrchol o wlad neu diriogaeth a restrir yn Atodlen 3A rhag cyrraedd) o'r Rheoliadau Teithio Rhyngwladol, mewnosoder y canlynol ar ôl is-baragraff (c)—

- “(d) awyren neu lestr a weithredir gan wlad neu diriogaeth dramor neu i'w chefnogi pan fo, cyn iddi neu iddo gyrraedd Cymru, Adran o'r Llywodraeth wedi darparu cadarnhad ysgrifenedig i'r gweithredwr bod yr awyren neu'r llestr yn cludo teithwyr sy'n teithio i gynnal busnes swyddogol gyda'r Deyrnas Unedig.”

(3) The conditions specified in this paragraph are that, prior to P's departure to the United Kingdom—

- (a) the relevant head of the mission, consular post, or office representing a foreign territory in the United Kingdom, or a Governor of a British overseas territory (as the case may be), or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that P is required to undertake work which is essential to the foreign country represented by the mission or consular post, the foreign territory represented by the office or the British overseas territory, and
- (b) the Foreign, Commonwealth and Development Office has then confirmed in writing to the person giving the confirmation referred to in sub-paragraph (a) that—
 - (i) it has received that confirmation, and
 - (ii) P is travelling to the United Kingdom to conduct official business with the United Kingdom and is not required to comply with paragraph (1).

(4) Where a word or expression is defined for the purposes of Schedule 2 and is used in this regulation, the same definition applies for the purposes of this regulation.”

Amendment of regulation 12F

7. In regulation 12F(2) (prohibition on the arrival of aircraft and vessels travelling directly from a country or territory listed in Schedule 3A) of the International Travel Regulations, insert the following after sub-paragraph (c)—

- “(d) an aircraft or vessel which is operated by or in support of a foreign country or territory where, prior to its arrival in Wales, a Government Department has provided written confirmation to the operator that the aircraft or vessel is carrying passengers who are travelling to conduct official business with the United Kingdom.”

RHAN 4

Diwygiadau amrywiol i'r Rheoliadau Teithio
Rhyngwladol yn ymwneud â Rhannau 2 a 3 o'r
Rheoliadau hyn

Diwygio rheoliad 14

8. Mae rheoliad 14 (troseddau) wedi ei ddiwygio fel a ganlyn—

- (a) ym mharagraff (1)—
 - (i) yn is-baragraff (f), hepgorer “neu”;
 - (ii) yn is-baragraff (g), yn lle “12D(1)” rhodder “12E”;
 - (iii) ar ôl is-baragraff (g) mewnosoder—
 - “(h) 6B a 6C, neu
 - (i) 6D,”;
- (b) ar ôl paragraff (1A) mewnosoder—

“(1B) Ond nid yw person yn cyflawni trosedd os oes ganddo esgus rhesymol dros dorri rheoliad 6B neu 6C.

(1C) At ddibenion rheoliad 6B mae esgus rhesymol yn cynnwys, yn benodol—

- (a) pan nad oedd yn rhesymol ymarferol i berson archebu prawf oherwydd anabledd;
- (b) pan oedd person yn ystyried yn rhesymol cyn cyrraedd Cymru na fyddai wedi bod yn rhesymol ymarferol i'r person (neu, yn ôl y digwydd, y plentyn y mae gan y person gyfrifoldeb drosto) ddarparu sampl ar gyfer prawf oherwydd anabledd;
- (c) pan oedd angen triniaeth feddygol ar berson â'r fath frys fel nad oedd archebu prawf yn rhesymol ymarferol;
- (d) pan oedd person yn gydymaith i berson a ddisgrifir yn is-baragraff (a) neu (c), er mwyn darparu cymorth iddo, boed yn feddygol neu fel arall, ac nad oedd yn rhesymol ymarferol i'r person a oedd yn gydymaith archebu prawf;
- (e) pan ddechreuodd person ei daith i Gymru mewn gwlad neu diriogaeth nad oedd gan y person fynediad rhesymol ynddi i'r cyfleusterau neu'r gwasanaethau sy'n ofynnol i archebu prawf, gyda thâl neu'n ddi-dâl, ac nad oedd cyfleusterau neu wasanaethau o'r fath yn rhesymol hygyrch yn ei bwynt ymadael olaf os oedd hwnnw'n wahanol i'r lle y dechreuodd ei daith.

PART 4

Miscellaneous amendments to the International
Travel Regulations relating to Parts 2 and 3 of
these Regulations

Amendment to regulation 14

8. Regulation 14 (offences) is amended as follows—

- (a) in paragraph (1)—
 - (i) in sub-paragraph (f), omit “or”;
 - (ii) in sub-paragraph (g), for “12D(1)” substitute “12E”;
 - (iii) after sub-paragraph (g) insert—

“(h) 6B and 6C, or

(i) 6D,”;
- (b) after paragraph (1A) insert—

“(1B) But a person does not commit an offence if they have a reasonable excuse for contravening regulation 6B or 6C.

(1C) For the purposes of regulation 6B a reasonable excuse includes, in particular, where—

- (a) it was not reasonably practicable for a person to book a test due to a disability;
- (b) a person reasonably considered before arriving in Wales that it would not be reasonably practicable for the person (or, as the case may be, the child for whom the person has responsibility) to provide a sample for a test due to a disability;
- (c) a person required medical treatment with such urgency that booking a test was not reasonably practicable;
- (d) a person was accompanying, in order to provide support, whether medical or otherwise, a person described in sub-paragraph (a) or (c) where it was not reasonably practicable for the accompanying person to book a test;
- (e) a person began their journey to Wales in a country or territory in which the person did not have reasonable access to the facilities or services required to book a test, with or without payment, and such facilities or services were not reasonably accessible in their last point of departure if this was different to where they began their journey.

(1D) At ddibenion rheoliad 6C, mae esgus rhesymol yn cynnwys, yn benodol—

- (a) pan na fo'n rhesymol ymarferol i P gymryd prawf oherwydd anabled;
- (b) pan fo angen triniaeth feddygol ar P â'r fath frys fel nad yw cymryd prawf yn rhesymol ymarferol;
- (c) pan fo prawf yn cael ei ganslo am resymau y tu hwnt i reolaeth P."

Diwygio rheoliad 16

9. Yn rheoliad 16 (hysbysiadau cosb benodedig)—

- (a) ar ôl paragraff (6)(aa) mewnosoder—
“(ab) o dorri gofyniad a osodir gan reoliad 6D,”;

(b) ar ôl paragraff (6A) mewnosoder—

“(6AA) Pan ddyroddir yr hysbysiad cosb benodedig i berson mewn cysylltiad â throsedd a ddisgrifir yn rheoliad 14(1)(g), rhaid i'r swm a bennir o dan baragraff (5)(c) fod yn £10,000.

(6AB) Pan ddyroddir yr hysbysiad cosb benodedig i berson mewn cysylltiad â throsedd a ddisgrifir yn rheoliad 14(1)(h), rhaid i'r swm a bennir o dan baragraff (5)(c) fod—

- (a) yn achos hysbysiad cosb benodedig a ddyroddir mewn cysylltiad â methiant i drefnu profion yn unol â rheoliad 6B(3) neu (5), yn £1,000;
 - (b) yn achos yr hysbysiad cosb benodedig cyntaf a ddyroddir mewn cysylltiad â methiant i gymryd prawf yn unol â rheoliad 6C(1) neu (3), yn £1,000;
 - (c) yn achos yr ail hysbysiad cosb benodedig a ddyroddir mewn cysylltiad â methiant i gymryd prawf yn unol â rheoliad 6C(1) neu (3), yn £2,000.”;
- (c) ym mharagraff (7), ar y dechrau mewnosoder “Yn ddarostyngedig i baragraff (7A),”;
- (d) ar ôl paragraff (7) mewnosoder—
“(7A) Pan ddyroddir hysbysiad cosb benodedig i berson mewn cysylltiad â throsedd—
- (a) o dan reoliad 14(2), a
 - (b) sy'n ymwneud â hanes teithio person i wlad neu diriogaeth a restrir yn Atodlen 3A,

rhaid i'r swm a bennir o dan baragraff (5)(c) fod yn £10,000.”

(1D) For the purposes of regulation 6C, a reasonable excuse includes, in particular, where—

- (a) it is not reasonably practicable for P to undertake a test due to a disability;
- (b) P requires medical treatment with such urgency that undertaking a test is not reasonably practicable;
- (c) a test is cancelled for reasons beyond P's control.”

Amendment to regulation 16

9. In regulation 16 (fixed penalty notices)—

- (a) after paragraph (6)(aa) insert—
“(ab) of contravening a requirement imposed by regulation 6D,”;

(b) after paragraph (6A) insert—

“(6AA) Where the fixed penalty notice is issued to a person in respect of an offence described in regulation 14(1)(g), then the amount specified under paragraph (5)(c) must be £10,000.

(6AB) Where the fixed penalty notice is issued to a person in respect of an offence described in regulation 14(1)(h), then the amount specified under paragraph (5)(c) must be—

- (a) in the case of a fixed penalty notice issued in respect of a failure to arrange tests in accordance with regulation 6B(3) or (5), £1,000;
 - (b) in the case of the first fixed penalty notice issued in respect of a failure to take a test in accordance with regulation 6C(1) or (3), £1,000;
 - (c) in the case of the second fixed penalty notice issued in respect of a failure to take a test in accordance with regulation 6C(1) or (3), £2,000.”;
- (c) in paragraph (7), at the beginning insert “Subject to paragraph (7A),”;
- (d) after paragraph (7) insert—
“(7A) Where a fixed penalty notice is issued to a person in respect of an offence—
- (a) under regulation 14(2), and
 - (b) it relates to that person's travel history to a country or territory listed in Schedule 3A,

the amount specified under paragraph (5)(c) must be £10,000.”

Diwygio rheoliad 17

10. Yn rheoliad 17 (defnyddio a datgelu gwybodaeth)—

(a) ym mharagraff (2), ar ol is-baragraff (a)(ii) mewnosoder—

“(iii) pan fo person yn trefnu prawf o dan reoliad 6B neu’n cymryd prawf o dan reoliad 6C—

(aa) gwybodaeth a gynhyrchir pan fo’r person yn trefnu prawf, neu’n cymryd prawf;

(bb) gwybodaeth a gafwyd gan ddarparwr prawf cyhoeddus (o fewn yr ystyr a roddir gan reoliad 6B(2)(c)) o dan reoliad 6B(6);

(cc) canlyniad prawf;

(dd) gwybodaeth a gofnodwyd gan ddarparwr prawf cyhoeddus wrth weinyddu prawf a gymerwyd yn unol â rheoliad 6C (gan gynnwys cadarnhad bod y prawf wedi ei gymryd, manylion o ran pryd ac ymhle y’i cymerwyd, unrhyw resymau dros beidio â chymryd prawf a manylion unrhyw brawf sydd i’w gymryd yn ei le);

(iv) gwybodaeth a roddwyd i swyddog mewnfudo yn unol â rheoliad 6B(8);

(v) pan fo sampl a gymerwyd mewn cysylltiad â phrawf diwrnod 2 o dan reoliad 6C wedi ei dilyniannu, y ffeil BAM wedi ei didoli sy’n ymwneud â’r sampl honno sy’n cynnwys yr holl ddarlleniadau sy’n alinio i’r genom cyfeirio SARS-CoV-2 gyda’r darlleniadau heb eu halinio a dynol wedi eu hepgor;”;

(b) ym mharagraff (3), ar ôl is-baragraff (b) mewnosoder—

“(c) darparwr prawf cyhoeddus;

(d) swyddog mewnfudo.”

Amendment to regulation 17

10. In regulation 17 (use and disclosure of information)—

(a) in paragraph (2), after sub-paragraph (a)(ii) insert—

“(iii) where a person arranges a test under regulation 6B or takes a test under regulation 6C—

(aa) information generated where the person arranges or takes a test;

(bb) information obtained by a public test provider (within the meaning given by regulation 6B(2)(c)) under regulation 6B(6);

(cc) the results of a test;

(dd) information recorded by a public test provider in the course of administering a test taken in accordance with regulation 6C (including confirmation that the test was taken, details of when and where it was taken, any reasons for a test not being taken and the details of any replacement test to be taken);

(iv) information provided to an immigration officer pursuant to regulation 6B(8);

(v) where a sample taken in respect of a day 2 test under regulation 6C has been sequenced, the sorted BAM file relating to that sample containing all reads aligning to the SARS-CoV-2 reference genome with unaligned and human reads removed;”;

(b) in paragraph (3), after sub-paragraph (b) insert—

“(c) a public test provider;

(d) an immigration officer.”

Diwygio rheoliad 18

11. Mae rheoliad 18 (hunanargyhuddo) wedi ei ddiwygio fel a ganlyn—

- (a) ym mharagraff (2), ar ôl “mewn” mewnosoder “unrhyw”;
- (b) hepgorer “ac eithrio ar gyfer trosedd o dan y Rheoliadau hyn neu adran 5 o Ddeddf Anudon 1911 (datganiadau anwir a wneir ac eithrio ar lw)”;
- (c) ar ôl paragraff (2) mewnosoder—

“(2A) Nid yw paragraff (2) yn gymwys os yw’r achos ar gyfer—

- (a) trosedd o dan y Rheoliadau hyn,
- (b) trosedd o dan adran 5 o Ddeddf Anudon 1911(1) (datganiadau anwir a wneir ac eithrio ar lw),
- (c) trosedd o dan adran 1 o Ddeddf Twyll 2006(2) (twyll), neu
- (d) trosedd o dan adran 2 neu 3 o Ddeddf Twyll a Ffugio 1981(3) (trosedd o gopïo neu ddefnyddio offeryn ffug).”

Diwygio Atodlen 1

12. Yn Atodlen 1 (gwybodaeth am deithiwr), ar ôl paragraff 2 mewnosoder—

“3. Pan fo rheoliad 6B yn ei gwneud yn ofynnol i brawf diwrnod 2 a phrawf diwrnod 8 gael eu trefnu—

- (a) enw darparwr y profion, a
- (b) cyfeirnod y profion a ddarparwyd iddynt gan ddarparwr y prawf yn unol â rheoliad 6B(7).”

RHAN 5

Diwygiadau i Atodlen 2 i'r Rheoliadau Teithio Rhyngwladol

Diwygiadau i Atodlen 2 (personau esempt)

13.—(1) Mae Atodlen 2 i'r Rheoliadau Teithio Rhyngwladol (personau esempt) wedi ei diwygio fel a ganlyn.

Amendment to regulation 18

11. Regulation 18 (self-incrimination) is amended as follows—

- (a) in paragraph (2), after “in” insert “such”;
- (b) omit “other than for an offence under these Regulations or section of the Perjury Act 1911(false statements made otherwise than on oath)”;
- (c) after paragraph (2) insert—

“(2A) Paragraph (2) does not apply if the proceedings are for—

- (a) an offence under these Regulations,
- (b) an offence under section 5 of the Perjury Act 1911(1) (false statements made otherwise than on oath),
- (c) an offence under section 1 of the Fraud Act 2006(2) (fraud), or
- (d) an offence under section 2 or 3 of the Forgery and Counterfeiting Act 1981(3) (offence of copying or using a false instrument).”

Amendment to Schedule 1

12. In Schedule 1 (passenger information), after paragraph 2 insert—

“3. Where regulation 6B requires a day 2 test and a day 8 test to be arranged—

- (a) the name of the provider of the tests, and
- (b) the reference number for the tests provided to them by the test provider in accordance with regulation 6B(7).”

PART 5

Amendments to Schedule 2 to the International Travel Regulations

Amendments to Schedule 2 (exempt persons)

13.—(1) Schedule 2 to the International Travel Regulations (exempt persons) is amended as follows.

(1) 1911 p. 6. Diwygiwyd adran 5 gan adran 1(2) o Ddeddf Cyfiawnder Troseddol 1948 (p. 58).
(2) 2006 p. 35.
(3) 1981 p. 45.

(1) 1911 c. 6. Section 5 was amended by section 1(2) of the Criminal Justice Act 1948 (c. 58).
(2) 2006 c. 35.
(3) 1981 c. 45.

(2) Yn Rhan 1 o Atodlen 2, ar ôl paragraff 4 mewnosoder—

“5. Person sydd, ar ôl cyrraedd y Deyrnas Unedig, yn pasio drwodd i wlad neu diriogaeth arall heb ddod i'r Deyrnas Unedig.”

(3) Yn Rhan 2 o Atodlen 2, hepgorer paragraffau 5, 12, 17 i 35, 38 a 39.

(4) Ym mharagraff 36 o Atodlen 2, ar ôl is-baragraff (b) mewnosoder “pan na ellir ymgymryd â'r gweithgaredd hwnnw yn rhesymol yn y cartref.”

RHAN 6

Mewnosod Atodlen 5 newydd yn y Rheoliadau Teithio Rhyngwladol a diwygiadau i reoliad 10 o'r Rheoliadau Teithio Rhyngwladol

Mewnosod Atodlen 5 yn y Rheoliadau Teithio Rhyngwladol (eithriadau sectorol)

14. Ar ôl Atodlen 4 i'r Rheoliadau Teithio Rhyngwladol (digwyddiadau chwaraeon penodedig) mewnosoder—

“ATODLEN 5 Rheoliad 10(4)(m) Eithriadau sectorol

1.—(1) Gweithiwr sy'n ymgymryd â gwaith hanfodol neu waith brys—

- (a) sy'n gysylltiedig â chyflenwadau dŵr a gwasanaethau carthffosiaeth, a
- (b) a gyflawnir gan ymgymerwr dŵr, ymgymerwr carthffosiaeth, trwyddedai cyflenwi dŵr, trwyddedai carthffosiaeth neu awdurdod lleol, neu ar ei ran,

pan fo'r gweithiwr wedi teithio i'r Deyrnas Unedig yng nghwrs y gwaith.

(2) At ddibenion is-baragraff (1)—

- (a) mae “gwaith hanfodol neu waith brys” yn cynnwys—
 - (i) archwiliadau, gwaith cynnal a chadw, atgyweiriadau a gweithgareddau amnewid asedau;

(2) In Part 1 of Schedule 2, after paragraph 4 insert—

“5. A person who, on arrival in the United Kingdom, passes through to another country or territory without entering the United Kingdom.”

(3) In Part 2 of Schedule 2, omit paragraphs 5, 12, 17 to 35, 38 and 39.

(4) In paragraph 36 of Schedule 2, after sub-paragraph (b) insert “where that activity cannot reasonably be undertaken at home.”

PART 6

Insertion of new Schedule 5 to the International Travel Regulations and amendments to regulation 10 of the International Travel Regulations

Insertion of Schedule 5 to the International Travel Regulations (sectoral exceptions)

14. After Schedule 4 to the International Travel Regulations (specified sporting events) insert—

“SCHEDULE 5 Regulation 10(4)(m) Sectoral Exceptions

1.—(1) A worker engaged in essential or emergency works—

- (a) related to water supplies and sewerage services, and
- (b) carried out by, for, or on behalf of a water undertaker, sewerage undertaker, water supply licensee, sewerage licensee or local authority,

where the worker has travelled to the United Kingdom in the course of the work.

(2) For the purposes of sub-paragraph (1)—

- (a) “essential or emergency works” includes—
 - (i) inspections, maintenance, repairs, and asset replacement activities;

(ii) monitro, samplu a dadansoddi cyflenwadau dŵr o dan Reoliadau Cyflenwadau Dŵr Preifat (Cymru) 2017(1), Rheoliadau Cyflenwad Dŵr (Ansawdd Dŵr) 2018(2), Rheoliadau Cyflenwadau Dŵr Preifat (Lloegr) 2016(3) neu Reoliadau Cyflenwad Dŵr (Ansawdd Dŵr) 2016(4);

- (b) ystyr “trwyddedai carthffosiaeth” yw person sy’n ddeiliad trwydded garthffosiaeth o dan adran 17BA o Ddeddf y Diwydiant Dŵr 1991(5);
- (c) mae i “gwasanaethau carthffosiaeth” yr ystyr a roddir i “sewerage services” yn adran 219(1) o Ddeddf y Diwydiant Dŵr 1991(6);
- (d) ystyr “ymgymerwr carthffosiaeth” yw cwmni a benodwyd yn ymgymerwr carthffosiaeth o dan adran 6 o Ddeddf y Diwydiant Dŵr 1991(7);
- (e) mae i “trwyddedai cyflenwi dŵr” yr ystyr a roddir i “water supply licensee” yn adrannau 17A(7) a 219(1) o Ddeddf y Diwydiant Dŵr 1991(8);
- (f) ystyr “ymgymerwr dŵr” yw cwmni a benodwyd yn ymgymerwr dŵr o dan adran 6 o Ddeddf y Diwydiant Dŵr 1991.

2.—(1) Gweithiwr sy’n ymgymryd â gwaith hanfodol neu waith brys sy’n gysylltiedig â rheoli’r risg o lifogydd ac erydu arfordirol ar ran—

- (a) Asiantaeth yr Amgylchedd(9);
- (b) Cyfoeth Naturiol Cymru(10);

(ii) monitoring, sampling and analysis of water supplies under the Private Water Supplies (Wales) Regulations 2017(1), the Water Supply (Water Quality) Regulations 2018(2), the Private Water Supplies (England) Regulations 2016(3) or the Water Supply (Water Quality) Regulations 2016(4);

- (b) “sewerage licensee” means a person who is the holder of a sewerage licence under section 17BA of the Water Industry Act 1991(5);
- (c) “sewerage services” has the meaning given in section 219(1) of the Water Industry Act 1991(6);
- (d) “sewerage undertaker” means a company appointed as a sewerage undertaker under section 6 of the Water Industry Act 1991(7);
- (e) “water supply licensee” has the meaning given in sections 17A(7) and 219(1) of the Water Industry Act 1991(8);
- (f) “water undertaker” means a company appointed as a water undertaker under section 6 of the Water Industry Act 1991.

2.—(1) A worker engaged in essential or emergency works relating to flood and coastal erosion risk management on behalf of—

- (a) the Environment Agency(9);
- (b) Natural Resources Wales(10);

(1) O.S. 2017/1041 (Cy. 270); a ddiwygiwyd gan O.S. 2018/647 (Cy. 121), O.S. 2019/460 (Cy. 110) ac O.S. 2019/463 (Cy. 111).

(2) O.S. 2018/647 (Cy. 121), a ddiwygiwyd gan O.S. 2019/463 (Cy. 111).

(3) O.S. 2016/618; offerynnau diwygio perthnasol yw O.S. 2017/506, O.S. 2018/707 ac O.S. 2019/558.

(4) O.S. 2016/614; offerynnau diwygio perthnasol yw O.S. 2017/506, O.S. 2018/706, O.S. 2018/378, O.S. 2019/526 ac O.S. 2019/558.

(5) 1991 p. 56. Mewnosodwyd adran 17BA(6) gan adran 4(1) o Ddeddf Dŵr 2014 (p. 21). Mewnosodwyd y cyfeiriad at “sewerage licensee” yn adran 219(1) gan baragraff 120(2)(f) o Atodlen 7 i Ddeddf Dŵr 2014.

(6) 1991 p. 56. Diwygiwyd y diffiniad o “sewerage services” gan baragraff 120 o Atodlen 7 i Ddeddf Dŵr 2014.

(7) Diwygiwyd adran 6 gan adran 36(2) o Ddeddf Dŵr 2003 (p. 37) ac Atodlen 8 iddi, Atodlen 23 i Ddeddf Dadreoleiddio 2015 (p. 20), ac Atodlen 7 i Ddeddf Dŵr 2014.

(8) Mewnosodwyd adran 17A gan adran 1 o Ddeddf Dŵr 2014.

(9) Mae Asiantaeth yr Amgylchedd yn gorff corfforedig a sefydlwyd o dan adran 1 o Ddeddf yr Amgylchedd 1995 (p. 25).

(10) Mae Adnoddau Naturiol Cymru yn gorff corfforedig a sefydlwyd o dan erthygl 3 o Orchymyn Corff Adnoddau Naturiol Cymru (Sefydlu) 2012 (O.S. 2012/1903 (Cy. 230)).

(1) S.I. 2017/1041 (W.270), amended by S.I. 2018/647 (W. 121), S.I. 2019/460 (W. 110) and S.I. 2019/463 (W. 111).

(2) S.I. 2018/647 (W. 121), amended by S.I. 2019/463 (W. 111).

(3) S.I. 2016/618; relevant amending instruments are S.I. 2017/506, S.I. 2018/707 and S.I. 2019/558.

(4) S.I. 2016/614; relevant amending instruments are S.I. 2017/506, S.I. 2018/706, S.I. 2018/378, S.I. 2019/526 and S.I. 2019/558.

(5) 1991 c. 56. Section 17BA(6) was inserted by section 4(1) of the Water Act 2014 (c. 21). The reference to “sewerage licensee” was inserted in section 219(1) by paragraph 120(2)(f) of Schedule 7 to the Water Act 2014.

(6) 1991 c 56. The definition of “sewerage services” was amended by paragraph 120 of Schedule 7 to the Water Act 2014.

(7) Section 6 was amended by section 36(2) of, and Schedule 8 to, the Water Act 2003 (c. 37), Schedule 23 to the Deregulation Act 2015 (c. 20), and Schedule 7 to the Water Act 2014.

(8) Section 17A was inserted by section 1 of the Water Act 2014.

(9) The Environment Agency is a body corporate established under section 1 of the Environment Act 1995 (c. 25).

(10) Natural Resources Wales is a body corporate established under article 3 of the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903 (W. 230)).

- (c) awdurdod llifogydd lleol arweiniol yng Nghymru;
- (d) awdurdod llifogydd lleol arweiniol yn Lloegr.

(2) Yn is-baragraff (1), mae i “rheoli’r risg o lifogydd ac erydu arfordirol” ac “awdurdod llifogydd lleol arweiniol” yr ystyrion a roddir i “flood and coastal erosion risk management” a “lead local flood authority” gan Ddeddf Rheoli Llifogydd a Dŵr 2010(1).

3. Gweithiwr sy’n ymgymryd â gwaith hanfodol neu waith brys sy’n ymwneud â gweithrediadau mwynloddio sydd ar waith ar hyn o bryd neu a fu gynt ar waith ar ran—

- (a) yr Awdurdod Glo(2);
- (b) cyngor sir neu gyngor bwrdeistref sirol yng Nghymru;
- (c) Cyfoeth Naturiol Cymru.

4.—(1) Gweithiwr sy’n ymgymryd â gwaith hanfodol neu waith brys—

- (a) sy’n gysylltiedig—
 - (i) â gorsaf gynhyrchu,
 - (ii) â chydgyssylltydd trydan,
 - (iii) â rhwydwaith gwres ardal fel y diffinnir “district heat network” yn rheoliad 2 o Reoliadau Rhwydweithiau Gwres (Mesuryddion a Bilio) 2014(3),
 - (iv) â gwresogi cymunedol fel y diffinnir “communal heating” yn rheoliad 2 o Reoliadau Rhwydweithiau Gwres (Mesuryddion a Bilio) 2014,
 - (v) â systemau glanhau awtomataidd ar falast a systemau ailosod traciau ar rwydwaith, neu
 - (vi) â chomisiynu, cynnal a chadw ac atgyweirio peiriannau diwydiannol i’w defnyddio ar rwydwaith, neu
- (b) a gyflawnir gan, ar gyfer, neu ar ran—
 - (i) gweithredwr y system genedlaethol,
 - (ii) person sydd â thrwydded drawsyrro,

- (c) a lead local flood authority in Wales;
- (d) a lead local flood authority in England.

(2) In sub-paragraph (1), “flood and coastal erosion risk management” and “lead local flood authority” have the meaning given by the Flood and Water Management Act 2010(1).

3. A worker engaged in essential or emergency works relating to current or former mining operations on behalf of—

- (a) the Coal Authority(2);
- (b) a council for a county or county borough in Wales;
- (c) Natural Resources Wales.

4.—(1) A worker engaged in essential or emergency works—

- (a) related to—
 - (i) a generating station,
 - (ii) an electricity interconnector,
 - (iii) a district heat network as defined in regulation 2 of the Heat Network (Metering and Billing) Regulations 2014(3),
 - (iv) communal heating as defined in regulation 2 of the Heat Network (Metering and Billing) Regulations 2014,
 - (v) automated ballast cleaning and track relaying systems on a network, or
 - (vi) the commissioning, maintenance and repair of industrial machinery for use on a network, or
- (b) carried out by, for, or on behalf of—
 - (i) the national system operator,
 - (ii) a person holding a transmission licence,

(1) 2010 p. 29.

(2) Mae’r Awdurdod Glo yn gorff corfforedig a sefydlwyd o dan adran 1 o Ddeddf y Diwydiant Glo 1994 (p. 21).

(3) O.S. 2014/3120. Nid oes unrhyw offerynnau diwygio perthnasol.

(1) 2010 c. 29.

(2) The Coal Authority is a body corporate established under section 1 of the Coal Industry Act 1994 (c. 21).

(3) S.I. 2014/3120. There are no relevant amending instruments.

- (iii) person sydd â thrwydded ddosbarthu,
- (iv) person sydd â thrwydded o dan adrannau 7 a 7ZA o Ddeddf Nwy 1986(1),
- (v) cyfleuster mewnfurio neu allforio nwy naturiol hylifedig fel y diffinnir “LNG import or export facility” yn adran 48 o Ddeddf Nwy 1986(2), neu
- (vi) person sydd â thrwydded rwydwaith o dan adran 8 o Ddeddf Rheilffyrdd 1993(3),

- (iii) a person holding a distribution licence,
- (iv) a person holding a licence under sections 7 and 7ZA of the Gas Act 1986(1),
- (v) a LNG import or export facility as defined in section 48 of the Gas Act 1986(2), or
- (vi) a person holding a network licence under section 8 of the Railways Act 1993(3),

pan fo’r teithiwr wedi teithio i’r Deyrnas Unedig at ddibenion y gwaith.

where the worker has travelled to the United Kingdom for the purposes of the work.

(2) At ddibenion is-baragraff (1)—

(2) For the purposes of sub-paragraph (1)—

- (a) ystyr “trwydded ddosbarthu” yw trwydded a roddwyd o dan adran 6(1)(c) o Ddeddf Trydan 1989(4);
- (b) mae “gwaith hanfodol neu waith brys” yn cynnwys comisiynu, archwiliadau, gwaith cynnal a chadw, atgyweiriadau a gweithgareddau amnewid asedau;
- (c) ystyr “gweithredwr y system genedlaethol” yw’r person sy’n gweithredu system drawsyrro genedlaethol Prydain Fawr;
- (d) mae i “rhwydwaith” yr ystyr a roddir i “network” yn adran 83(1) o Ddeddf Rheilffyrdd 1993(5);
- (e) ystyr “trwydded drawsyrro” yw trwydded a roddwyd o dan adran 6(1)(b) o Ddeddf Trydan 1989;
- (f) mae i “cydgysylltydd trydan”, “gorsaf gynhyrchu” a “system drawsyrro” yr ystyron a roddir i “electricity interconnector”, “generating station” a “transmission system” yn adran 64(1) o Ddeddf Trydan 1989(6).

- (a) “distribution licence” means a licence granted under section 6(1)(c) of the Electricity Act 1989(4);
- (b) “essential or emergency works” includes commissioning, inspections, maintenance, repairs, and asset replacement activities;
- (c) “national system operator” means the person operating the national transmission system for Great Britain;
- (d) “network” has the meaning given in section 83(1) of the Railways Act 1993(5);
- (e) “transmission licence” means a licence granted under section 6(1)(b) of the Electricity Act 1989;
- (f) “electricity interconnector”, “generating station” and “transmission system” have the meanings given in section 64(1) of the Electricity Act 1989(6).

(1) 1986 p. 44. Mewnosodwyd adran 7ZA gan adran 149(6) o Ddeddf Ynni 2004.
 (2) Mewnosodwyd y diffiniad gan O.S. 2011/2704.
 (3) 1993 p. 43.
 (4) 1989 p. 29.
 (5) Mae diwygiadau i adran 83(1) ond nid yw’r un ohonynt yn berthnasol.
 (6) Mewnosodwyd y diffiniad o “electricity interconnector” gan adran 147(7) o Ddeddf Ynni 2004. Amnewidiwyd y diffiniad o “transmission system” gan baragraff 15 o Atodlen 19 i Ddeddf 2004.

(1) 1986 c. 44. Section 7ZA was inserted by section 149(6) of the Energy Act 2004.
 (2) The definition was inserted by S.I. 2011/2704.
 (3) 1993 c. 43.
 (4) 1989 c. 29.
 (5) There are amendments to section 83(1) but none is relevant.
 (6) The definition of “electricity interconnector” was inserted by section 147(7) of the Energy Act 2004. The definition of “transmission system” was substituted by paragraph 15 of Schedule 19 to the 2004 Act.

5.—(1) Person sydd—

- (a) yn bersonél niwclear, ac sy'n hanfodol i weithrediad safle a diogel safle y rhoddwyd trwydded safle niwclear mewn cysylltiad ag ef,
- (b) yn ymatebydd argyfwng niwclear, neu
- (c) yn arolygydd asiantaeth,

pan fo'r person wedi teithio i'r Deyrnas Unedig yng nghwrs ei waith.

(2) At ddibenion is-baragraff (1)—

- (a) mae i “arolygydd asiantaeth” yr ystyr a roddir i “agency inspector” yn adran 1(1) o Ddeddf Diogelwch Niwclear 2000(1);
- (b) ystyr “ymatebydd argyfwng niwclear” yw person sy'n rhoi cymorth i'r Deyrnas Unedig yn unol â'r Confensiwn ar Gymorth yn Achos Damwain Niwclear neu Argyfwng Radiolegol a wnaed yn Fienna ar 26 Medi 1986, sydd wedi ei hysbysu'n briodol i'r Deyrnas Unedig ac wedi ei dderbyn ganddi, pan fo'r Deyrnas Unedig wedi gofyn am gymorth o dan y Confensiwn hwnnw;
- (d) ystyr “personél niwclear” yw—
 - (i) gweithiwr a gyflogir i gyflawni gwaith ar safle neu mewn perthynas â safle y rhoddwyd trwydded safle niwclear mewn cysylltiad ag ef, neu
 - (ii) cyflogai i'r Awdurdod Datgomiynu Niwclear(2);
- (e) mae i “trwydded safle niwclear” yr ystyr a roddir i “nuclear site licence” yn adran 1 o Ddeddf Safleoedd Niwclear 1965(3).

6. Arolygydd o'r Sefydliad Gwahardd Arfau Cemegol, o fewn yr ystyr a roddir i “inspector” gan adran 24(e) o Ddeddf Arfau Cemegol 1996(4), sydd wedi teithio i'r Deyrnas Unedig at ddibenion arolygiad.

5.—(1) A person who is—

- (a) nuclear personnel, and who is essential to the safe and secure operation of a site in respect of which a nuclear site licence has been granted,
- (b) a nuclear emergency responder, or
- (c) an agency inspector,

where the person travelled to the United Kingdom in the course of the person's work.

(2) For the purposes of sub-paragraph (1)—

- (a) “agency inspector” has the meaning given in section 1(1) of the Nuclear Safeguards Act 2000(1);
- (b) “nuclear emergency responder” means a person providing assistance to the United Kingdom in accordance with the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency done at Vienna on 26 September 1986, who has been duly notified to and accepted by the United Kingdom, where the United Kingdom has requested assistance under that Convention;
- (c) “nuclear personnel” means—
 - (i) a worker who is employed to carry out work on or in relation to a site in respect of which a nuclear site licence has been granted, or
 - (ii) an employee of the Nuclear Decommissioning Authority(2);
- (d) “nuclear site licence” has the meaning given in section 1 of the Nuclear Installations Act 1965(3).

6. An inspector from the Organisation for the Prohibition of Chemical Weapons, within the meaning given to “inspector” by section 24(e) of the Chemical Weapons Act 1996(4), who has travelled to the United Kingdom for the purposes of an inspection.

(1) 2000 p. 5.

(2) Sefydlwyd yr Awdurdod Datgomiynu Niwclear gan adran 1 o Ddeddf Ynni 2004.

(3) 1965 p. 57. Amnewidiwyd adran 1 gan baragraff 17 o Atodlen 2 i Ddeddf Ynni 2013 (p. 32); yn rhinwedd adran 1(2), cyfeirir at drwydded a ddisgrifir yn adran 1(1) fel “nuclear site licence”.

(4) 1996 p. 6.

(1) 2000 c. 5.

(2) The Nuclear Decommissioning Authority was established by section 1 of the Energy Act 2004.

(3) 1965 c. 57. Section 1 was substituted by paragraph 17 of Schedule 2 to the Energy Act 2013 (c. 32); by virtue of section 1(2), a licence described in section 1(1) is referred to as a “nuclear site licence”.

(4) 1996 c. 6.

7.—(1) Person sydd—

- (a) yn cyflawni swyddogaeth hanfodol ar safle gofod,
- (b) yn rheolwr llongau gofod sy'n gyfrifol am lywio a rheoli cerbyd lansio neu long ofod ar gyfer gweithrediadau enwol, osgoi gwrthdrawiadau neu anomaleddau, neu
- (c) a gyflogir gan berson sy'n gweithredu neu'n cynnal galluoedd ymwybyddiaeth o sefyllfa'r gofod, neu sydd o dan gcontract i ddarparu gwasanaethau i'r person hwnnw,

pan fo'r person wedi teithio i'r Deyrnas Unedig yng nghwrs y gwaith.

(2) At ddibenion is-baragraff (1)—

- (a) mae i "safle gofod" yr ystyr a roddir i "space site" ym mharagraff 5(3) o Atodlen 4 i Ddeddf y Diwydiant Gofod 2018(1);
- (b) ystyr "galluoedd ymwybyddiaeth o sefyllfa'r gofod" yw'r synwryddion, y systemau a'r gwasanaethau dadansoddi y mae eu hangen i roi rhybuddion sy'n sensitif o ran amser ynglŷn â digwyddiadau tywydd yn y gofod, gwrthdrawiadau orbitol, drylliadau orbitol neu ailfyndiad gwrthrychau a wnaed gan bobl o'u horbit;
- (c) mae i "llong ofod" yr ystyr a roddir i "spacecraft" yn adran 2(6) o Ddeddf y Diwydiant Gofod 2018;
- (d) ystyr "rheolwr llong ofod" yw person sy'n gymwys, sydd wedi ei awdurdodi ac sy'n gyfrifol am gynnal gweithrediad saff a diogel llong ofod drwy fonitro statws llong ofod, rhoi gorchmynion llywio neu reoli agweddau eraill ar y llong ofod sy'n dylanwadu ar ei hymddygiad gan gynnwys ei symudiadau yn y gofod.

8.—(1) Peiriannydd awyrofod arbenigol, neu weithiwr awyrofod arbenigol, pan fo'r peiriannydd neu'r gweithiwr wedi teithio i'r Deyrnas Unedig yng nghwrs ei waith.

(2) At ddibenion is-baragraff (1)—

7.—(1) A person who is—

- (a) carrying out a critical function at a space site,
- (b) a spacecraft controller responsible for command and control of a launch vehicle or spacecraft for nominal operations, collision avoidance or anomalies, or
- (c) employed by, or contracted to provide services to, a person who operates or maintains space situational awareness capabilities,

where the person has travelled to the United Kingdom in the course of the work.

(2) For the purposes of sub-paragraph (1)—

- (a) "space site" has the meaning given in paragraph 5(3) of Schedule 4 to the Space Industry Act 2018(1);
- (b) "space situational awareness capabilities" means the sensors, systems and analytical services needed to provide time-sensitive warnings of space weather events, orbital collisions, orbital fragmentations or the re-entry of man-made objects from orbit;
- (c) "spacecraft" has the meaning given in section 2(6) of the Space Industry Act 2018;
- (d) "spacecraft controller" means a person competent, authorised and responsible for maintaining the safe and secure operation of spacecraft through monitoring the status of a spacecraft, issuing manoeuvre commands or controlling other aspects of the spacecraft that influence its behaviour including its motion in space.

8.—(1) A specialist aerospace engineer, or a specialist aerospace worker, where the engineer or worker has travelled to the United Kingdom in the course of their work.

(2) For the purposes of sub-paragraph (1)—

(1) 2018 p. 5.

(1) 2018 c. 5.

- (a) ystyr “peiriannydd awyrofod arbenigol” yw person sydd wedi ei gyflogi neu wedi ei gymryd ymlaen fel arall i ddarparu gwasanaethau peiriannyddol at ddiben sicrhau bod gweithgareddau hedfan yn parhau i weithredu (gan gynnwys darparu gwasanaethau cynnal a chadw ac atgyweirio ar gyfer llinellau cynhyrchu, cydrannau hedfan, awyrennau ar y ddaear ac awyrennau newydd, ond heb ei gyfyngu i hynny);
- (b) ystyr “gweithiwr awyrofod arbenigol” yw person sydd wedi ei gyflogi neu wedi ei gymryd ymlaen fel arall i ddarparu gwasanaethau at ddiben sicrhau bod diogelwch yn cael ei reoli a bod ansawdd yn cael ei sicrhau fel sy’n ofynnol gan y safonau, y canllawiau a’r cyhoeddiadau perthnasol ar ddiogelwch hedfan a gynhyrchir gan yr Awdurdod Hedfan Sifil neu Asiantaeth Diogelwch Hedfan yr Undeb Ewropeaidd⁽¹⁾.

9.—(1) Person sy’n ymgymryd â gweithgareddau gweithredu, cynnal a chadw neu ddiogelwch cyfleuster yn y sector olew is sydd â chapasiti o fwy nag 20,000 o dunelli—

- (a) pan fo’r cyfleuster yn y sector olew is yn ymgymryd â gweithgaredd penodedig a gyflawnir yn y Deyrnas Unedig yng nghwrs busnes, ac yn cyfrannu (yn uniongyrchol neu’n anuniongyrchol) at gyflenwi tanwyddau sy’n seiliedig ar olew crai i ddefnyddwyr yn y Deyrnas Unedig neu bersonau sy’n cynnal busnes yn y Deyrnas Unedig, a

- (a) “specialist aerospace engineer” means a person who is employed or otherwise engaged to provide engineering services for the purpose of ensuring the continued operation of aviation activities (including but not limited to the provision of maintenance and repair services for production lines, aviation components, grounded aircraft and new aircraft);
- (b) “specialist aerospace worker” means a person who is employed or otherwise engaged to provide services for the purpose of ensuring safety management and quality assurance as required by relevant standards, guidance and publications on aviation safety produced by the Civil Aviation Authority or the European Union Aviation Safety Agency⁽¹⁾.

9.—(1) A person engaged in operational, maintenance or safety activities of a downstream oil facility that has a capacity in excess of 20,000 tonnes, where—

- (a) the downstream oil facility is engaged in a specified activity carried on in the United Kingdom in the course of a business, and contributes (directly or indirectly) to the supply of crude oil based fuels to consumers in the United Kingdom or persons carrying on business in the United Kingdom, and

⁽¹⁾ Sefydlwyd yr Awdurdod Hedfan Sifil o dan adran 1(1) o Ddeddf Hedfan Sifil 1971 (p. 75). Disodlwyd y Ddeddf honno gan statud cydgrynhoi, Deddf Hedfan Sifil 1982 (p. 16), y mae adran 2(1) ohoni yn darparu ar gyfer parhad yr Awdurdod Hedfan Sifil. Mae diwygiadau i adran 2 ond nid yw’r un ohonynt yn berthnasol. Sefydlwyd Asiantaeth Diogelwch Hedfan yr Undeb Ewropeaidd gan Reoliad (EU) 2018/1139 Senedd Ewrop a’r Cyngor dyddiedig 4 Gorffennaf 2018 ar reolau cyffredin ym maes hedfan sifil a sefydlu Asiantaeth Diogelwch Hedfan yr Undeb Ewropeaidd, a Rheoliadau diwygio (EC) Rhif 2111/2005, (EC) Rhif 1008/2008, (EU) Rhif 996/2010, (EU) Rhif 376/2014 a Chyfarwydddebau 2014/30/EU a 2014/53/EU Senedd Ewrop a’r Cyngor, ac sy’n diddymu Rheoliadau (EC) Rhif 552/2004 ac (EC) Rhif 216/2008 Senedd Ewrop a’r Cyngor a Rheoliad y Cyngor (EEC) Rhif 3922/91.

⁽¹⁾ The Civil Aviation Authority was established under section 1(1) of the Civil Aviation Act 1971 (c. 75). That Act was replaced by a consolidating statute, the Civil Aviation Act 1982 (c. 16), section 2(1) of which provides for the continued existence of the Civil Aviation Authority. There are amendments to section 2 but none is relevant. The European Union Aviation Safety Agency was established by Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91.

- (b) pan fo angen y gweithgareddau er mwyn sicrhau bod y cyfleuster yn parhau i weithredu'n ddiogel,

pan fo'r person wedi teithio i'r Deyrnas Unedig yng nghwrs ei waith.

(2) At ddibenion is-baragraff (1)—

- (a) mae gan gyfleuster gapasiti o fwy nag 20,000 o dunelli ar unrhyw adeg os cafodd ei ddefnyddio yn y flwyddyn galendr flaenorol at ddibenion gweithgareddau'r sector olew is mewn perthynas â mwy na'r nifer hwnnw o dunelli o olew;
- (b) “gweithgareddau penodedig” yw—
 - (i) storio olew;
 - (ii) trafod olew;
 - (iii) cludo olew ar y môr neu ar ddŵr mewndirol;
 - (iv) cludo olew drwy bibellau;
 - (v) puro olew neu ei brosesu fel arall.

10.—(1) Gweithiwr y mae'n ofynnol iddo ymgymryd â'r canlynol neu y mae'n ofynnol iddo gychwyn y canlynol o fewn y cyfnod y byddai, oni bai am y paragraff hwn, wedi bod yn ddarostyngedig i ofyniad i ynysu (o fewn ystyr rheoliad 10(2) o'r Rheoliadau hyn)—

- (a) gweithgareddau ar osodiad alltraeth neu mewn perthynas ag ef,
- (b) gweithgareddau ar seilwaith y sector petrolewm uwch neu mewn perthynas ag ef,
- (c) gwaith diogelwch critigol ar osodiad neu ffynnon alltraeth sy'n cael ei ddatgomisiynu neu ei datgomisiynu neu ei gadw neu ei chadw hyd nes y caiff ei ddymchwel neu ei dymchwel neu ei aildefnyddio neu ei haildefnyddio, neu
- (d) gweithgareddau i ddarparu gweithwyr, nwyddau, deunyddiau neu gyfarpar neu wasanaethau hanfodol eraill y mae eu hangen i gefnogi gweithrediad diogel y gweithgareddau y cyfeirir atynt ym mharagraffau (a) i (c),

pan fo wedi teithio i'r Deyrnas Unedig yng nghwrs ei waith.

(2) At ddibenion is-baragraff (1)—

- (b) the activities are required to ensure continued safe operation of the facility,

where the person has travelled to the United Kingdom in the course of the person's work.

(2) For the purposes of sub-paragraph (1)—

- (a) a facility has a capacity in excess of 20,000 tonnes at any time if it was used in the previous calendar year for the purposes of downstream oil sector activities in relation to more than that number of tonnes of oil;
- (b) “specified activities” are—
 - (i) storing oil;
 - (ii) handling oil;
 - (iii) the carriage of oil by sea or inland water;
 - (iv) conveying oil by pipes;
 - (v) refining or otherwise processing oil.

10.—(1) A worker required to undertake or commence within the period during which they would, but for this paragraph, have been subject to an isolation requirement (within the meaning of regulation 10(2) of these Regulations)—

- (a) activities on or in relation to an offshore installation,
- (b) activities on or in relation to upstream petroleum infrastructure,
- (c) critical safety work on an offshore installation or well that is being decommissioned or preserved pending demolition or reuse, or
- (d) activities for the provision of workers, goods, materials or equipment or other essential services required to support the safe operation of the activities referred to in paragraphs (a) to (c),

where they have travelled to the United Kingdom in the course of their work.

(2) For the purposes of sub-paragraph (1)—

- (a) mae i “gosodiad alltraeth” yr ystyr a roddir i “offshore installation” yn adran 44 o Ddeddf Petrolewm 1998(1);
- (b) mae i “seilwaith y sector petrolewm uwch” yr ystyr a roddir i “upstream petroleum infrastructure” yn adran 9H o Ddeddf Petrolewm 1998(2);
- (c) mae i “ffynnon” yr ystyr a roddir i “well” yn adran 45A(10) o Ddeddf Petrolewm 1998(3).

11. Gweithredydd post, fel y diffinnir “postal operator” yn adran 27(3) o Ddeddf Gwasanaethau Post 2011(4), pan fo’r gweithredydd wedi teithio i’r Deyrnas Unedig yng nghwrs ei waith.

12. Gweithiwr sydd â sgiliau technegol arbenigol, pan fo angen y sgiliau technegol arbenigol hynny ar gyfer gwaith neu wasanaethau hanfodol neu frys (gan gynnwys comisiynu, cynnal a chadw, atgyweirio a gwiriadau diogelwch) i sicrhau y parheir i gynhyrchu, cyflenwi, symud, gweithgynhyrchu, storio neu gadw nwyddau, pan fo’r gweithiwr wedi teithio i’r Deyrnas Unedig yng nghwrs ei waith neu fel arall i ddechrau neu aildechrau gweithio.

13. Gweithiwr sydd â sgiliau technegol arbenigol, pan fo angen y sgiliau technegol arbenigol hynny ar gyfer gwaith hanfodol neu waith brys (gan gynnwys adeiladu, comisiynu, gosod, cynnal a chadw, atgyweirio a gwiriadau diogelwch) neu i gyflawni rhwymedigaethau contract neu fanylebau gwarantiad mewn cyfleusterau rheoli gwastraff a ddefnyddir ar gyfer rheoli, didoli, trin, adfer neu waredu gwastraff (gan gynnwys ynni o wastraff), neu mewn cysylltiad â hynny, pan fo’r gweithiwr wedi teithio i’r Deyrnas Unedig yng nghwrs ei waith.

14.—(1) Person sydd wedi teithio i’r Deyrnas Unedig at ddiben cludo deunydd a ffurfir o gelloedd dynol neu waed, neu sy’n cynnwys hynny, ac sydd i’w ddefnyddio er mwyn darparu gwasanaeth iechyd gan ddarparwr gwasanaethau iechyd.

- (a) “offshore installation” has the meaning given in section 44 of the Petroleum Act 1998(1);
- (b) “upstream petroleum infrastructure” has the meaning given in section 9H of the Petroleum Act 1998(2);
- (c) “well” has the meaning given in section 45A(10) of the Petroleum Act 1998(3).

11. A postal operator, as defined in section 27(3) of the Postal Services Act 2011(4), where the operator has travelled to the United Kingdom in the course of their work.

12. A worker with specialist technical skills, where those specialist technical skills are required for essential or emergency works or services (including commissioning, maintenance and repairs and safety checks) to ensure the continued production, supply, movement, manufacture, storage or preservation of goods, where the worker has travelled to the United Kingdom in the course of their work or otherwise to commence or resume their work.

13. A worker with specialist technical skills, where those specialist technical skills are required for essential or emergency works (including construction, commissioning, installation, maintenance, repairs and safety checks) or to fulfil contractual obligations or warranty specifications in, or in connection with, waste management facilities used for the management, sorting, treatment, recovery, or disposal of waste (including energy from waste), where the worker has travelled to the United Kingdom in the course of their work.

14.—(1) A person who has travelled to the United Kingdom for the purpose of transporting material which consists of, or includes, human cells or blood and which is to be used for the provision of a health service by a provider of health services.

(1) 1998 p. 17. Diwygiwyd adran 44 gan baragraff 11 o Atodlen 1 i Ddeddf Ynni 2008 (p. 32).
 (2) Amnewidiwyd adran 9H gan adran 74(2) o Ddeddf Ynni 2016 (p. 20).
 (3) Amnewidiwyd adran 45A gan adran 75(1) o Ddeddf Ynni 2008. Mae diwygiadau i adran 45A(10) ond nid yw’r un ohonynt yn berthnasol.
 (4) 2011 p. 5.

(1) 1998 c. 17. Section 44 was amended by paragraph 11 of Schedule 1 to the Energy Act 2008 (c. 32).
 (2) Section 9H was substituted by section 74(2) of the Energy Act 2016 (c. 20).
 (3) Section 45A was inserted by section 75(1) of the Energy Act 2008. There are amendments to section 45A(10) but none is relevant.
 (4) 2011 c. 5.

- (2) At ddibenion is-baragraff (1)—
- (a) mae “gwaed” yn cynnwys cydrannau gwaed;
 - (b) mae i “gwasanaeth iechyd” yr ystyr a roddir gan reoliad 10(8).

15. Person sy’n “arolygydd” o fewn yr ystyr a roddir i “inspector” yn rheoliad 8(1) o Reoliadau Meddyginiaethau Dynol 2012(1) sydd wedi teithio i’r Deyrnas Unedig i ymgymryd â gweithgareddau mewn perthynas â’i rôl fel person o’r fath.

16.—(1) Person sydd—

- (a) wedi teithio i’r Deyrnas Unedig—
 - (i) i gynnal treial clinigol o fewn ystyr “conducting a clinical trial” yn rheoliad 2(1) o Reoliadau Meddyginiaethau i’w Defnyddio gan Bobl (Treialon Clinigol) 2004(2),
 - (ii) i ymgymryd ag unrhyw weithgareddau sy’n angenrheidiol neu’n hwylus i baratoi at gynnal treial clinigol, neu
 - (iii) i gyflawni unrhyw weithgarwch cydymffurfio angenrheidiol mewn perthynas â threial clinigol na ellir ei gynnal o bell,
- (b) yn berson cymwys o fewn yr ystyr a roddir i “qualified person” yn rheoliad 43 o’r Rheoliadau hynny, pan fo wedi teithio i’r Deyrnas Unedig er mwyn ymgymryd â gweithgareddau mewn perthynas â’i rôl fel person o’r fath, neu
- (c) yn noddwr treial clinigol o fewn yr ystyr a roddir i “sponsor” yn rheoliad 2(1) o’r Rheoliadau hynny, neu’n cyflawni swyddogaethau neu ddyletswyddau noddwr o’r fath, ac sydd wedi teithio i’r Deyrnas Unedig i ymgymryd â gweithgareddau mewn perthynas â’r treial clinigol.

(2) At ddibenion is-baragraff (1), mae i “treial clinigol” yr ystyr a roddir i “clinical trial” yn rheoliad 2(1) o Reoliadau Meddyginiaethau i’w Defnyddio gan Bobl (Treialon Clinigol) 2004.

(2) For the purposes of sub-paragraph (1)—

- (a) “blood” includes blood components;
- (b) “health service” has the meaning given by regulation 10(8).

15. A person who is an “inspector” within the meaning given in regulation 8(1) of the Human Medicines Regulations 2012(1) who has travelled to the United Kingdom to undertake activities in relation to their role as such a person.

16.—(1) A person who—

- (a) has travelled to the United Kingdom to—
 - (i) conduct a clinical trial within the meaning of “conducting a clinical trial” in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004(2),
 - (ii) undertake such activities as are necessary or expedient to prepare for the conduct of a clinical trial, or
 - (iii) carry out any necessary compliance activity in relation to a clinical trial that cannot be conducted remotely,
- (b) is a “qualified person” within the meaning of regulation 43 of those Regulations, where they have travelled to the United Kingdom in order to undertake activities in relation to their role as such a person, or
- (c) is a “sponsor” within the meaning given in regulation 2(1) of those Regulations of a clinical trial, or carries out the functions or duties of such a sponsor, and has travelled to the United Kingdom to undertake activities in relation to the clinical trial.

(2) For the purposes of sub-paragraph (1), “clinical trial” has the meaning given in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004.

(1) O.S. 2012/1916.

(2) O.S. 2004/1031, y mae diwygiadau iddo nad ydynt yn berthnasol i’r Rheoliadau hyn.

(1) S.I. 2012/1916.

(2) S.I. 2004/1031, to which there are amendments not relevant to these Regulations.

17. Person sydd wedi teithio i'r Deyrnas Unedig i gynnal ymchwiliad clinigol o fewn yr ystyr a roddir i "clinical investigation" yn Rheoliadau Dyfeisiau Meddygol 2002(1), neu i ymgymryd ag unrhyw weithgareddau sy'n angenrheidiol neu'n hwylus i baratoi at gynnal ymchwiliad clinigol neu i gyflawni unrhyw weithgarwch cydymffurfio angenrheidiol arall mewn perthynas ag ymchwiliad clinigol na ellir ei gynnal o bell.

18.—(1) Person sydd—

- (a) yn berson cymwys o fewn yr ystyr a roddir i "qualified person" yn rheoliad 41(2) o Reoliadau Meddyginiaethau Dynol 2012(2),
- (b) yn berson cyfrifol o fewn yr ystyr a roddir i "responsible person" yn rheoliad 45(1) o'r Rheoliadau hynny, neu
- (c) yn berson â chymwysterau priodol sy'n gyfrifol am wylidwriaeth ffarmacolegol o fewn yr ystyr a roddir i "an appropriately qualified person responsible for pharmacovigilance" yn rheoliad 182(2)(a) o'r Rheoliadau hynny,

pan fo'r person wedi teithio i'r Deyrnas Unedig er mwyn ymgymryd â gweithgareddau mewn perthynas â'i rôl fel person o'r fath.

19.—(1) Person sydd wedi teithio i'r Deyrnas Unedig at ddibenion ei waith mewn diwydiannau seilwaith hanfodol gan gynnwys—

- (a) person sy'n ymwneud â gwaith cynnal a chadw ac atgyweirio hanfodol ar seilwaith data y mae ei angen i leihau a datrys diffoddiadau, neu â darparu nwyddau a gwasanaethau i gefnogi'r gweithgareddau hyn, a
- (b) gweithiwr proffesiynol technoleg gwybodaeth neu delathrebu (gan gynnwys ymgynghorydd technoleg gwybodaeth, dadansoddwr ansawdd, profwr meddalwedd, profwr systemau, a chynllunydd telathrebu), y mae angen ei arbenigedd er mwyn—

17. A person who has travelled to the United Kingdom to conduct a "clinical investigation" within the meaning of the Medical Devices Regulations 2002(1), or to undertake such activities as are necessary or expedient to prepare for the conduct of a clinical investigation or carry out any other necessary compliance activity in relation to a clinical investigation that cannot be conducted remotely.

18.—(1) A person who is—

- (a) a "qualified person" within the meaning of regulation 41(2) of the Human Medicines Regulations 2012(2),
- (b) a "responsible person" within the meaning of regulation 45(1) of those Regulations, or
- (c) "an appropriately qualified person responsible for pharmacovigilance" within the meaning of regulation 182(2)(a) of those Regulations,

where the person has travelled to the United Kingdom in order to undertake activities in relation to their role as such a person.

19.—(1) A person who has travelled to the United Kingdom for the purposes of their work in essential infrastructure industries including—

- (a) a person involved in essential maintenance and repair of data infrastructure required to reduce and resolve outages, or in the provision of goods and services to support these activities, and
- (b) an information technology or telecommunications professional (including information technology consultant, quality analyst, software tester, systems tester, and telecommunications planner), whose expertise is required to—

(1) O.S. 2002/618.
(2) O.S. 2012/1916.

(1) S.I. 2002/618.
(2) S.I. 2012/1916.

- (i) darparu ymateb hanfodol neu frys i fygythiadau a digwyddiadau sy'n ymwneud â diogelwch unrhyw system rhwydwaith a gwybodaeth, a
- (ii) sicrhau bod unrhyw system rhwydwaith a gwybodaeth yn parhau i weithredu.

(2) At ddibenion is-baragraff (1), mae i “system rhwydwaith a gwybodaeth” yr ystyr a roddir i “network and information system” yn rheoliad 1(2) o Reoliadau Systemau Rhwydwaith a Gwybodaeth 2018(1).

20. Person sy'n ymgymryd â gwaith brys neu waith hanfodol—

- (a) sy'n angenrheidiol er mwyn parhau i weithredu—
 - (i) rhwydweithiau a gwasanaethau cyfathrebu electronig fel y diffinnir “electronic communications network” ac “electronic communications service” yn adran 32 o Ddeddf Cyfathrebiadau 2003(2), neu
 - (ii) rhwydwaith a gwasanaethau trawsyrru darllediadau'r BBC,
- (b) mewn cwmnïau yn y gadwyn gyflenwi sy'n cynnal cyfrinachedd, cyflawnder ac argaeledd y rhwydweithiau a'r gwasanaethau cyfathrebu electronig a rhwydwaith a gwasanaethau trawsyrru'r BBC,

pan fo'r person wedi teithio i'r Deyrnas Unedig yng nghwrs ei waith.

21.—(1) Person sy'n preswyllo fel arfer yn y Deyrnas Unedig—

- (a) sy'n athletwr elít a fu'n cymryd rhan mewn cystadleuaeth elít dramor,
- (b) a fu'n darparu hyfforddiant neu gymorth arall i athletwr elít mewn cystadleuaeth elít dramor,
- (c) a fu'n gwasanaethu fel swyddog mewn cystadleuaeth elít dramor, neu a fu'n ymwneud â'i rhedeg,

- (i) provide an essential or emergency response to threats and incidents relating to the security of any network and information system, and
- (ii) ensure the continued operation of any network and information system.

(2) For the purposes of sub-paragraph (1), “network and information system” has the meaning in regulation 1(2) of the Network and Information Systems Regulations 2018(1).

20. A person who is engaged in urgent or essential work—

- (a) that is necessary for the continued operation of—
 - (i) electronic communications networks and services as defined in section 32 of the Communications Act 2003(2), or
 - (ii) the BBC's broadcasting transmission network and services,
- (b) in supply chain companies that maintain the confidentiality, integrity, and availability of the electronic communications networks and services and the BBC transmission network and services,

where the person has travelled to the United Kingdom in the course of their work.

21.—(1) A person habitually resident in the United Kingdom who—

- (a) is an elite athlete who participated in an overseas elite competition,
- (b) provided coaching or other support to an elite athlete at an overseas elite competition,
- (c) officiated at, or was involved in running, an overseas elite competition,

(1) O.S. 2018/506.

(2) 2003 p. 21. Diwygiwyd y diffiniad o “electronic communications network” gan O.S. 2011/1210.

(1) S.I. 2018/506.

(2) 2003 c. 21. The definition of “electronic communications network” was amended by S.I. 2011/1210.

- (d) sy'n athletwr elit a fu'n mynychu rhaglen hyfforddi dramor at ddiben hyfforddi neu baratoi i gymryd rhan mewn cystadleuaeth elit,
- (e) a fu'n darparu hyfforddiant neu gymorth arall i athletwr elit mewn rhaglen hyfforddi dramor at ddiben hyfforddi neu baratoi'r athletwr elit hwnnw i gymryd rhan mewn cystadleuaeth elit,

pan fo'r person wedi teithio i'r Deyrnas Unedig er mwyn dychwelyd o'r gystadleuaeth elit dramor neu'r rhaglen hyfforddi dramor.

(2) At ddibenion is-baragraff (1)—

- (a) ystyr “athletwr elit” yw person—
 - (i) sy'n ennill bywoliaeth o gystadlu mewn camp,
 - (ii) sydd wedi ei ddynodi felly at ddibenion y Rheoliadau hyn gan Gyngor Chwaraeon Cymru,
 - (iii) sydd wedi ei ddynodi felly at ddibenion Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020 (er bod y Rheoliadau hynny wedi eu dirymu), neu
 - (iv) nad yw'n dod o fewn is-baragraff (i), (ii) na (iii) sy'n cymryd rhan yng nghynghrair Pencampwyr UEFA neu yng nghynghrair Europa UEFA;
- (b) ystyr “cystadleuaeth elit” yw cystadleuaeth chwaraeon y mae unrhyw un neu ragor o'r cyfranogwyr yn cystadlu ynddi—
 - (i) i ennill bywoliaeth, neu
 - (ii) i gymhwyso ar gyfer y Gemau Olympaidd, y Gemau Paralympaidd neu Gemau'r Gymanwlad, neu fel rhan o'r broses ddethol ar gyfer y Gemau Olympaidd, y Gemau Paralympaidd neu Gemau'r Gymanwlad;
- (c) ystyr “cystadleuaeth elit dramor” yw cystadleuaeth elit sy'n cael ei chynnal y tu allan i'r Deyrnas Unedig; ac mae person i'w drin fel pe bai wedi dychwelyd o gystadleuaeth o'r fath os yw'r person, o fewn y cyfnod o 10 niwrnod sy'n dod i ben â diwrnod ynysu olaf y person, wedi bod mewn gwlad neu diriogaeth nad yw'n esempt at ddibenion cystadleuaeth o'r fath.

- (d) is an elite athlete who attended an overseas training programme for the purpose of training or preparing for participation in an elite competition,
- (e) provided coaching or other support to an elite athlete at an overseas training programme for the purpose of training or preparing that elite athlete for participation in an elite competition,

where the person has travelled to the United Kingdom to return from the overseas elite competition or the overseas training programme.

(2) For the purposes of sub-paragraph (1)—

- (a) “elite athlete” means a person—
 - (i) who derives a living from competing in a sport,
 - (ii) who is designated as such for the purposes of these Regulations by the Sports Council for Wales,
 - (iii) who is designated as such for the purposes of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (despite the revocation of those Regulations), or
 - (iv) not falling within sub-paragraph (i), (ii) or (iii) who participates in the UEFA Champions' league or UEFA Europa league;
- (b) “elite competition” means a sporting competition at which any of the participants compete—
 - (i) to derive a living, or
 - (ii) to qualify for, or as part of a selection process for, the Olympics, Paralympics or Commonwealth Games;
- (c) “overseas elite competition” means an elite competition taking place outside the United Kingdom; and a person is to be treated as having returned from such a competition if the person has within the period of 10 days ending with the person's last day of isolation, been in a non-exempt country or territory for the purposes of such a competition.

22. Person—

- (a) sy'n ymgymryd â gosod, cynnal a chadw neu atgyweirio seilwaith telathrebu ffeibr optig tanfor,
- (b) y mae ei rôl yn cefnogi yn uniongyrchol y gwaith o osod, cynnal a chadw neu atgyweirio seilwaith telathrebu ffeibr optig tanfor,

pan fo wedi teithio i'r Deyrnas Unedig yng nghwrs ei waith.”

Diwygiad i reoliad 10 o'r Rheoliadau Teithio Rhyngwladol (gofynion ynysu: eithriadau)

15.—(1) Mae rheoliad 10 o'r Rheoliadau Teithio Rhyngwladol (gofynion ynysu: eithriadau) wedi ei ddiwygio fel a ganlyn.

(2) Yn rheoliad 10(4), ar ôl is-baragraff (k) mewnosoder—

- “(l) at ddiben cael prawf am y coronafeirws a ddarperir neu a weinyddir o dan Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006;
- (m) pan fo P yn berson sy'n dod o fewn unrhyw un neu ragor o'r paragraffau yn Atodlen 5, er mwyn teithio yn uniongyrchol i unrhyw fan neu o unrhyw fan lle y mae presenoldeb P yn ofynnol at ddibenion gwaith P, neu at ddibenion gweithgaredd y mae'r paragraff perthnasol yn Atodlen 5 yn ymwneud ag ef (yn ôl y digwydd), a phan fo P yn bresennol yn y man hwnnw.”

RHAN 7

Diwygiadau amrywiol i'r Rheoliadau Teithio Rhyngwladol ynghylch hepgor darpariaethau o Atodlen 2 ac ychwanegu Atodlen 5

Diwygiadau i'r Rheoliadau Teithio Rhyngwladol ynghylch hepgor darpariaethau penodol o Atodlen 2 ac ychwanegu Atodlen 5

16. Yn rheoliad 3, hepgorer paragraffau (2)(b) a (3)(f).

17.—(1) Mae rheoliad 6A wedi ei ddiwygio fel a ganlyn.

(2) Ym mharagraff (4)(a)—

22. A person—

- (a) who is engaged in the installation, maintenance or repair of subsea fibre optic telecommunications infrastructure,
- (b) whose role directly supports the installation, maintenance or repair of subsea fibre optic telecommunications infrastructure,

where they have travelled to the United Kingdom in the course of their work.”

Amendment to regulation 10 of the International Travel Regulations (isolation requirements: exceptions)

15.—(1) Regulation 10 of the International Travel Regulations (isolation requirements: exceptions) is amended as follows.

(2) In regulation 10(4), after sub-paragraph (k) insert—

- “(l) for the purpose of obtaining a test for coronavirus provided or administered under the National Health Service (Wales) Act 2006;
- (m) where P is a person falling within any of the paragraphs in Schedule 5, in order to travel directly to or from any place where P's presence is required for the purposes of P's work, or for the purposes of an activity to which the relevant paragraph in Schedule 5 relates (as the case may be), and when P is in attendance at that place.”

PART 7

Miscellaneous amendments to the International Travel Regulations regarding the removal of provisions from Schedule 2 and the addition of Schedule 5

Amendments to the International Travel Regulations regarding the removal of certain provisions from Schedule 2 and the addition of Schedule 5

16. In regulation 3, omit paragraphs (2)(b) and (3)(f).

17.—(1) Regulation 6A is amended as follows.

(2) In paragraph (4)(a)—

- (a) hepgorer “12 neu 28”;
- (b) ar ôl “10,” mewnosoder “neu”.
- (3) Ar ôl paragraff (4)(c) mewnosoder—
 - “(d) person a ddisgrifir ym mharagraff 24 o Atodlen 5.”

18. Yn rheoliad 9(2)(b), yn lle “mharagraffau 2 i 39 o Atodlen 2” rhodder “mharagraffau 2 i 16 ac 36 o Atodlen 2”.

19.—(1) Mae rheoliad 10(8) wedi ei ddiwygio fel a ganlyn.

(2) Yn y diffiniad o “athletwr elit”, yn lle “mharagraff 38(2)(a) o Atodlen 2” rhodder “mharagraff 31(2)(a) o Atodlen 5”.

(3) Yn y diffiniad o “cystadleuaeth elit”, yn lle “mharagraff 38(2)(b) o Atodlen 2” rhodder “mharagraff 31(2)(b) o Atodlen 5”.

RHAN 8

Diwygiadau i’r rhestr o ddigwyddiadau chwaraeon yn Atodlen 4 i’r Rheoliadau Teithio Rhyngwladol

Diwygiadau i’r rhestr o ddigwyddiadau chwaraeon penodedig

20.—(1) Mae Atodlen 4 (digwyddiadau chwaraeon penodedig) i’r Rheoliadau Teithio Rhyngwladol wedi ei diwygio fel a ganlyn.

- (2) Yn lle paragraffau 1 i 25 rhodder—
 - “Gornestau Rygbi’r Gynghrair Super League Betfred,
 - Gornestau Criced Rhyngwladol Bwrdd Criced Cymru a Lloegr,
 - Gornestau Clybiau Rygbi Proffesiynol Ewrop,
 - Gornestau Hoci FIH Pro League,
 - Gornestau Rhyngwladol y Gymdeithas Bêl-droed,
 - Gornestau Rygbi’r Undeb Guinness PRO14,
 - Matchroom – Gemau Pencampwriaeth Bocsio,
 - Digwyddiadau rhagbrofol y Gemau Olympaidd, y Gemau Paralympaidd a Gemau’r Gymanwlad,
 - Y Gorfforaeth Ddartiau Broffesiynol – Pencampwriaeth y Chwaraewyr,
 - Gornestau Rhyngwladol Rygbi’r Undeb,
 - Cwpan Her Rygbi’r Gynghrair,

- (a) omit “12 or 28”;
- (b) after “10,” insert “or”.
- (3) After paragraph (4)(c) insert—
 - “(d) a person described in paragraph 24 of Schedule 5.”

18. In regulation 9(2)(b), for “paragraphs 2 to 39 of Schedule 2”, substitute “paragraphs 2 to 16 and 36 of Schedule 2”.

19.—(1) Regulation 10(8) is amended as follows.

(2) In the definition of “elite athlete”, for “paragraph 38(2)(a) of Schedule 2” substitute “paragraph 31(2)(a) of Schedule 5”.

(3) In the definition of “elite competition”, for “paragraph 38(2)(b) of Schedule 2” substitute “paragraph 31(2)(b) of Schedule 5”.

PART 8

Amendments to the list of sporting events in Schedule 4 to the International Travel Regulations

Amendments to the list of specified sporting events

20.—(1) Schedule 4 (specified sporting events) to the International Travel Regulations is amended as follows.

- (2) For paragraphs 1 to 25 substitute—
 - “Betfred Super League Rugby Football League Fixtures,
 - England & Wales Cricket Board International Cricket Fixtures,
 - European Professional Club Rugby Fixtures,
 - FIH Pro League Hockey Fixtures,
 - Football Association International Fixtures,
 - Guinness PRO14 Rugby Football Union Fixtures,
 - Matchroom – Boxing Championship Matches,
 - Olympic, Paralympic and Commonwealth Games Qualification Events,
 - Professional Darts Corporation – Players Championship,
 - Rugby Football Union International Fixtures,
 - Rugby League Challenge Cup,

Gornestau Cyngghrair Pencampwyr UEFA a Chyngghrair Europa UEFA,
 Taith Snwcer y Byd – Shoot Out,
 Cyfres “The Trilogy” Cage Warriors,
 Bwrdd Criced Cymru a Lloegr – y T20 Blast,
 Bwrdd Criced Cymru a Lloegr – Cwpan Rachael Heyhoe Flint,
 Matchroom – Twrnamaint Snwcer Cyngghrair y Bencampwriaeth,
 Pencampwriaeth Bocsio Rhyngwladol – Queensberry Promotions,
 Motorsport UK – Pencampwriaeth Ceir Gwyllt Prydain,
 Gemau Pencampwriaeth Bocsio Rhyngwladol – MTK Promotions,
 Pencampwriaethau Badminton Agored Lloegr Gyfan Yonex,
 Noson Ymladd Taekwondo Prydain Fawr I – Digwyddiad Rhyngwladol Taekwondo, Para Taekwondo a Karate,
 Noson Ymladd Taekwondo Prydain Fawr II – Digwyddiad Rhyngwladol Taekwondo, Para Taekwondo a Karate,
 Uwch-gyfres Cwrlo Ewrop,
 Matchroom – Pencampwriaeth Pŵl y Byd,
 Hennessy Sports – Gemau Pencampwriaeth Bocsio Rhyngwladol,
 British Judo – Cystadleuaeth Wahodd Gaeedig Hŷn Prydain,
 Cyfarfod Rhyngwladol British Swimming,
 Motorsport UK – Pencampwriaeth Rali Groes Prydain a’r Bencampwriaeth Gefnogi,
 Y Gorfforaeth Ddartiau Broffesiynol – Meistri Ladbrokes,
 Y Gorfforaeth Ddartiau Broffesiynol – Uwch-gyngghrair Unibet,
 Taith Snwcer y Byd – Meistri’r Almaen,
 Taith Snwcer y Byd – Pencampwriaeth y Chwaraewyr,
 Taith Snwcer y Byd - Pencampwriaeth Agored Cymru,
 Rasio ceffylau - Betfair Ascot Chase Day,
 Rasio ceffylau - Betfair Hurdle Day,
 Gemau ail gyfle Cwpan Billie Jean King gan BNP Paribas – Prydain Fawr v Mecsico,

UEFA Champions League and UEFA Europa League Fixtures,
 World Snooker Tour – Shoot Out,
 Cage Warriors Trilogy Series,
 England & Wales Cricket Board – T20 Blast,
 England & Wales Cricket Board – The Rachael Heyhoe Flint Trophy,
 Matchroom – Championship League Snooker Tournament,
 International Championship Boxing – Queensberry Promotions,
 Motorsport UK – British Kart Championships,
 International Boxing Championship Matches – MTK Promotions,
 Yonex All England Open Badminton Championships,
 GB Taekwondo Fight Night I – International Taekwondo, Para Taekwondo and Karate Event,
 GB Taekwondo Fight Night II – International Taekwondo, Para Taekwondo and Karate Event,
 Curling Euro Super Series,
 Matchroom – World Pool Championship,
 Hennessy Sports – International Boxing Championship Matches,
 British Judo – British Closed Senior Invitational Competition,
 British Swimming International Meet,
 Motorsport UK – British Rallycross Championship and Support Championship,
 Professional Darts Corporation - Ladbrokes Masters,
 Professional Darts Corporation - Unibet Premier League,
 World Snooker Tour - German Masters,
 World Snooker Tour - Players Championship,
 World Snooker Tour - Welsh Open,
 Betfair Ascot Chase Day horse-racing,
 Betfair Hurdle Day horse-racing,
 Billie Jean King Cup Play-offs by BNP Paribas - Great Britain v Mexico,

Digwyddiadau Tennis Cadair Olwyn Dan Do Bolton ITF,
 Cwpan y Byd Gymnasteg FIG,
 Gemau Prawf Olympaidd a Pharalympaidd Taekwondo Prydain Fawr,
 Rasio ceffylau - Grand National Trial Day,
 Rasio ceffylau - Cyfarfod yr Imperial Cup,
 Rasio ceffylau - Cyfarfod y Lincoln Handicap,
 Matchroom – Cynghrair Pencampwriaeth Pŵl,
 Matchroom – Sêr Gymnasteg,
 Matchroom - Meistri Ping Pong y Byd,
 Rasio ceffylau - Cyfarfod y Midlands National,
 Digwyddiad Prawf y Pentathlon Modern,
 Cwpan y Byd Codi Pwysau Para,
 Y Gorfforaeth Ddartiau Broffesiynol – Taith Her,
 Y Gorfforaeth Ddartiau Broffesiynol – Taith Ddatblygu,
 Y Gorfforaeth Ddartiau Broffesiynol – Cystadleuaeth Agored y DU,
 Pencampwriaeth Rygbi'r Gynghrair Betfred,
 Rasio ceffylau - The Festival at Cheltenham,
 Pencampwriaeth y Pedair Gwlad Rygbi Cadair Olwyn,
 Twrnamaint Pêl-droed Wahodd Ryngwladol y Menywod (o dan ofal y Gymdeithas Bêl-droed),
 Taith Snwcer y Byd – Cyfres Pro Tour,
 Taith Snwcer y Byd – Cystadleuaeth Agored Gibraltar,
 Taith Snwcer y Byd – Pencampwriaeth y Daith,
 Y Gorfforaeth Ddartiau Broffesiynol – yr Ysgol Gymhwyso,
 Bocsio Rhyngwladol - Dennis Hobson Promotions,
 Super League Triathlon Arena Games Llundain,
 Rowndiau rhagbrofol cyfres Winter Classic British Showjumping,
 British Dressage - Cystadleuaeth Ryngwladol Keysoe,

Bolton Indoor ITF Wheelchair Tennis events,
 FIG Gymnastics World Cup,
 GB Taekwondo Olympic and Paralympic Test Matches,
 Grand National Trial Day horse-racing,
 Imperial Cup meeting horse-racing,
 Lincoln Handicap meeting horse-racing,
 Matchroom - Championship League Pool,
 Matchroom - Superstars of Gymnastics,
 Matchroom - World Ping Pong Masters,
 Midlands National meeting horse-racing,
 Modern Pentathlon Test Event,
 Para Powerlifting World Cup,
 Professional Darts Corporation - Challenge Tour,
 Professional Darts Corporation - Development Tour,
 Professional Darts Corporation - UK Open,
 Rugby League Betfred Championship,
 The Festival at Cheltenham horse-racing,
 Wheelchair Rugby Quad Nations,
 Women's Invitational International Football Tournament (hosted by the FA),
 World Snooker Tour - Pro Tour Series,
 World Snooker Tour - Gibraltar Open,
 World Snooker Tour - Tour Championship,
 Professional Darts Corporation - Q School,
 International Boxing - Dennis Hobson Promotions,
 Super League Triathlon Arena Games London,
 British Showjumping's Winter Classic series qualifiers,
 British Dressage - Keysoe International,

Digwyddiadau Llwybr Elit British Eventing,
Cystadleuaeth Sboncen Agored Manceinion 2021,
Boxing Road to Tokyo,
Cwpan y Cenedloedd Seiclo ar y Trac,
Cage Warriors 120,
Vitality Big Half,
Taith Snwcer y Byd – Pencampwriaeth y Byd Betfred (gan gynnwys y rowndiau rhagbrofol),
Matchroom - Meistri Pŵl y Byd,
Rasio ceffylau - All-Weather Finals Day,
Rasio ceffylau - Challenger Series Finals Day,
Rasio ceffylau – Cyfarfod Aintree Grand National,
Rasio ceffylau – Cyfarfod Craven,
Rasio ceffylau – Cyfarfod Ebrill Cheltenham,
Rasio ceffylau – Cyfarfod Cenedlaethol yr Alban,
Rasio ceffylau – Cyfarfod Greenham,
Rasio ceffylau - Classic Trial Day a'r Jumps Finale Day,
Ras Ryngwladol Burnham Market.”

British Eventing Elite Pathway Events,
Manchester Squash Open 2021,
Boxing Road to Tokyo,
Track Cycling Nations Cup,
Cage Warriors 120,
Vitality Big Half,
World Snooker Tour - Betfred World Championship (including qualifiers),
Matchroom - World Pool Masters,
All-Weather Finals Day horse-racing,
Challenger Series Finals Day horse-racing,
Aintree Grand National Meeting horse-racing,
Craven Meeting horse-racing,
Cheltenham April Meeting horse-racing,
Scottish National Meeting horse-racing,
Greenham Meeting horse-racing,
Classic Trial Day & Jumps Finale Day horse-racing,
Burnham Market International.”

RHAN 9

Darpariaeth Drosiannol

Darpariaeth drosiannol

21. Nid oes dim yn y Rheoliadau hyn yn gymwys mewn perthynas â pherson a gyrhaeddodd Gymru cyn 15 Chwefror 2021.

PART 9

Transitional Provision

Transitional provision

21. Nothing in these Regulations applies in relation to a person who arrived in Wales before 15 February 2021.

Vaughan Gething

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol,
un o Weinidogion Cymru
13 Chwefror 2021

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Minister for Health and Social Services, one of the
Welsh Ministers
13 February 2021

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Published by TSO (The Stationery Office), a Williams Lea company,
and available from:

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Mail, Telephone, Fax & E-mail

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ISBN 978-0-348-20746-0



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