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WELSH STATUTORY  
INSTRUMENTS

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**2021 Rhif 970 (Cy. 228)**

**2021 No. 970 (W. 228)**

**IECHYD Y CYHOEDD,  
CYMRU**

**PUBLIC HEALTH, WALES**

Rheoliadau Diogelu Iechyd  
(Cyfyngiadau Coronafeirws) (Rhif  
5) (Cymru) (Diwygio) (Rhif 16)  
2021

The Health Protection (Coronavirus  
Restrictions) (No. 5) (Wales)  
(Amendment) (No. 16) Regulations  
2021

**NODYN ESBONIADOL**

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

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

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

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

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

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

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

These Regulations amend the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 (S.I. 2020/1609 (W. 335)) ("the principal Regulations") to—

- ei gwneud yn glir fod y cyfeiriad yn y mesur rhesymol a restrir yn is-baragraff (a)(ii) o dan Gam 3 o reoliad 16(1) o'r prif Reoliadau at atal "unrhyw berson sydd wedi cael cysylltiad agos yn y 10 niwrnod blaenorol â pherson sydd wedi cael canlyniad positif am y coronafeirws" yn gyfeiriad at y cysylltiadau agos hynny y mae'n ofynnol iddynt ynysu yn unol â rheoliad 8(2) o'r prif Reoliadau yn unig;
- diwygio'r gofyniad ar y rheini sy'n gyfrifol am ymgyrchu mewn etholiad i gymryd mesurau rhesymol i leihau'r risg o ddot i gysylltiad â'r coronafeirws, neu o ledaenu'r coronafeirws, fel ei fod yn adlewyrchu'n agosach ofynion tebyg a osodir ar bersonau sy'n gyfrifol am fangreodded;
- dileu'r gofyniad i wisgo gorchudd wyneb wrth fynd i briodas, partneriaeth sifil neu seremoni briodas arall;
- hepgor Rhan 6 o'r prif Reoliadau, sy'n darparu ar gyfer amgylchiadau pan fo rhaid i ysgolion fod ar agor pan fyddant ar gau fel arall i ganiatáu i blant gweithwyr hanfodol neu blant sy'n agored i niwed fynychu.
- clarify that in the reasonable measure listed at sub-paragraph (a)(ii) under Step 3 of regulation 16(1) of the principal Regulations, the reference to preventing "any person who has had close contact in the previous 10 days with a person who has tested positive for coronavirus" is a reference to only those close contacts who are required to isolate in accordance with regulation 8(2) of the principal Regulations;
- amend the requirement on those responsible for election campaigning to take reasonable measures to minimise the risk of exposure to, or spread of, coronavirus, so that it more closely reflects similar requirements placed on persons responsible for premises;
- remove the requirement to wear a face covering when attending a marriage, civil partnership or alternative wedding ceremony;
- omit Part 6 of the principal Regulations, which provides for circumstances in which schools may be required to be open when they may otherwise be closed to allow children of critical workers or children who are vulnerable to attend.

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

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

**2021 Rhif 970 (Cy. 228)**

**2021 No. 970 (W. 228)**

**IECHYD Y CYHOEDD,  
CYMRU**

**PUBLIC HEALTH, WALES**

**Rheoliadau Diogelu Iechyd  
(Cyfyngiadau Coronafeirws) (Rhif  
5) (Cymru) (Diwygio) (Rhif 16)  
2021**

**The Health Protection (Coronavirus  
Restrictions) (No. 5) (Wales)  
(Amendment) (No. 16) Regulations  
2021**

*Cymeradwywyd gan Senedd Cymru*

*Approved by Senedd Cymru*

*Gwnaed am 2.40 p.m. ar 27 Awst 2021*

*Made at 2.40 p.m. on 27 August 2021*

*Gosodwyd gerbron Senedd  
Cymru am 5.30 p.m. ar 27 Awst 2021*

*Laid before Senedd  
Cymru at 5.30 p.m. on 27 August 2021*

*Yn dod i rym 28 Awst 2021*

*Coming into force 28 August 2021*

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

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

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

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

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(1) 1984 p. 22. Mewnosodwyd adrannau 45C, 45F a 45P gan adran 129 o Ddeddf Iechyd a Gofal Cymdeithasol 2008 (p. 14). Mae'r swyddogaethau o dan yr adrannau hyn wedi eu rhoi i "the appropriate Minister" ("y Gweinidog priodol"). O dan adran 45T(6) o Ddeddf 1984, y Gweinidog priodol, o ran Cymru, yw Gweinidogion Cymru.

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(1) 1984 c. 22. Sections 45C, 45F and 45P were inserted by section 129 of the Health and Social Care Act 2008 (c. 14). The functions under these sections are conferred on "the appropriate Minister". Under section 45T(6) of the 1984 Act the appropriate Minister, as respects Wales, is the Welsh Ministers.

Mae Gweinidogion Cymru yn ystyried bod y cyfyngiadau a'r gofynion a osodir gan y Rheoliadau hyn yn gymesur â'r hyn y maent yn ceisio ei gyflawni, sef ymateb iechyd y cyhoedd i'r bygythiad hwnnw.

Yn unol ag adran 45R o'r Ddeddf honno, oherwydd brys, mae Gweinidogion Cymru o'r farn ei bod yn angenrheidiol gwneud yr offeryn hwn heb fod drafft wedi ei osod gerbron Senedd Cymru ac wedi ei gymeradwyo ganddi drwy benderfyniad.

### Enwi a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) (Diwygio) (Rhif 16) 2021.

(2) Daw'r Rheoliadau hyn i rym ar 28 Awst 2021.

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

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

(2) Yn rheoliad 16(1), o dan y pennawd "*Cam 3*", yn is-baragraff (a)(ii), yn lle "sydd wedi cael cysylltiad agos yn y 10 niwrnod blaenorol â pherson sydd wedi cael canlyniad positif am y coronafeirws" rhodder "y mae'n ofynnol iddo beidio ag ymadael â'r man lle y mae'r person yn byw, neu fod y tu allan iddo, yn rhinwedd rheoliad 8(2)".

(3) Yn rheoliad 18A(2)—

- (a) hepgorer is-baragraff (a);
- (b) yn is-baragraff (b), yn y geiriau o flaen paragraff (i), yn lle "mesurau eraill sy'n cyfyngu ar ryngweithio wyneb yn wyneb agos ac yn cynnal" rhodder "mesurau sy'n cyfyngu ar ryngweithio corfforol agos rhwng personau sy'n cymryd rhan yn y cynulliad, yn benodol rhyngweithio wyneb yn wyneb, a mesurau i gynnal".

The Welsh Ministers consider that restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with section 45R of that Act the Welsh Ministers are of the opinion that, by reason of urgency, it is necessary to make this instrument without a draft having been laid before, and approved by a resolution of, Senedd Cymru.

### Title and coming into force

1.—(1) The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 16) Regulations 2021.

(2) These Regulations come into force on 28 August 2021.

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

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

(2) In regulation 16(1), under the "*Step 3*" heading, in sub-paragraph (a)(ii), for "has had close contact in the previous 10 days with a person who has tested positive for coronavirus" substitute "is required to not leave or be outside of the place where the person is living by virtue of regulation 8(2)".

(3) In regulation 18A(2)—

- (a) omit sub-paragraph (a);
- (b) in sub-paragraph (b), in the words before paragraph (i), for "other measures which limit close face-to-face interaction and" substitute "measures which limit close physical interaction between persons participating in the gathering, in particular face-to-face interaction, and measures to".

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

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

(4) Yn rheoliad 20(2), ar ôl is-baragraff (a) mewnosoder—

“(aa) pan fo P yn mynd i weinyddiad priodas, ffurfiad partneriaeth sifil neu seremoni briodas arall;”.

(5) Hefgorer Rhan 6.

(4) In regulation 20(2), after sub-paragraph (a) insert—

“(aa) where P is attending a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony;”.

(5) Omit Part 6.

*Mark Drakeford*

Y Prif Weinidog, un o Weinidogion Cymru  
Am 2.40 p.m. ar 27 Awst 2021

First Minister, one of the Welsh Ministers  
At 2.40 p.m. on 27 August 2021

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