

SCHEDULE

Regulation 2(4)

Ffurflen 2	Form 2
Ysmygu mewn man di-fwg	Smoking in a smoke-free place
Methu ag atal ysmygu mewn cerbyd preifat di-fwg.	Failing to prevent smoking in a smoke-free private vehicle.
<b>[ENW'R AWDURDOD GORFODI]</b>	<b>[NAME OF ENFORCEMENT AUTHORITY]</b>
<b>[CYFEIRIAD YR AWDURDOD GORFODI]</b>	<b>[ADDRESS OF ENFORCEMENT AUTHORITY]</b>
<b>DEDDF IECHYD 2006:</b>	<b>HEALTH ACT 2006:</b>
<b>ADRAN 7 (YSMYGU MEWN MAN DI-FWG)</b>	<b>SECTION 7 (SMOKING IN A SMOKE-FREE PLACE)</b>
<b>ADRAN 8 (METHU AG ATAL YSMYGU MEWN MAN DI-FWG: CERBYD PREIFAT)</b>	<b>SECTION 8 (FAILING TO PREVENT SMOKING IN A SMOKE-FREE PLACE: PRIVATE VEHICLE)</b>
<b>HYSBYSIAD O GOSB BENOEDIG</b>	<b>FIXED PENALTY NOTICE</b>
<b>SWM Y GOSB: £50</b>	<b>PENALTY AMOUNT £50</b>

**RHAN 1**

**COPI'R DERBYNNYDD**

**PART 1**

**RECIPIENT COPY**

**Rhif yr hysbysiad o gosb**

\_\_\_\_\_

**Penalty notice number**

**Enw llawn y tramgwyddwr honedig**

\_\_\_\_\_

**Full name of alleged offender**

**Cyfeiriad y tramgwyddwr honedig**

\_\_\_\_\_

**Address of alleged offender**

\_\_\_\_\_

\_\_\_\_\_

*Status: This is the original version (as it was originally made).*

Cod post		Post code						
Dyddiad geni (os yw'n hysbys)		Date of birth (if known)						
Rhyw		Sex						
	<table border="0" style="width: 100%;"> <tr> <td style="width: 30%;"><i>Gwryw</i></td> <td style="width: 10%; text-align: center;"><input type="checkbox"/></td> <td style="width: 60%;"><i>Male</i></td> </tr> <tr> <td><i>Benyw</i></td> <td style="text-align: center;"><input type="checkbox"/></td> <td><i>Female</i></td> </tr> </table>	<i>Gwryw</i>	<input type="checkbox"/>	<i>Male</i>	<i>Benyw</i>	<input type="checkbox"/>	<i>Female</i>	
<i>Gwryw</i>	<input type="checkbox"/>	<i>Male</i>						
<i>Benyw</i>	<input type="checkbox"/>	<i>Female</i>						
Mae gennyf i,		I,						
<p>, un o swyddogion awdurdoddedig [enw'r awdurdod gorfodi] o dan adran 10 o Ddeddf Iechyd 2006, reswm i gredu eich bod wedi tramgwyddo o dan (<i>ticiwch un blwch</i>):</p>		<p>, an authorised officer of [name of enforcement authority] under section 10 of the Health Act 2006, have reason to believe that you committed an offence under (<i>tick one box</i>):</p>						
<p>Adran 7 o Ddeddf Iechyd 2006 (ysmygu mewn man di-fwg(1)), neu</p>	<input type="checkbox"/>	<p>Section 7 of the Health Act 2006 (smoking in a smoke-free place(2)), or</p>						
<p>Adran 8 o Ddeddf Iechyd 2006 (methu ag atal ysmegu mewn man di-fwg: cerbyd preifat(3))</p>	<input type="checkbox"/>	<p>Section 8 of the Health Act 2006 (failing to prevent smoking in a smoke-free place: private vehicle(4))</p>						
<p>mewn mangre, man neu gerbyd lle mae gan [enw'r awdurdod gorfodi] gyfrifoldebau gorfodi.</p>		<p>within premises, a place or vehicle in relation to which [name of enforcement authority] has enforcement responsibilities.</p>						
<p>Amgylchiadau'r tramgwydd honedig yw eich bod chi, am (<i>amser</i>)</p>		<p>The circumstances of the alleged offence are that at (<i>time</i>)</p>						
<p>o'r gloch ar (dyddiad)</p>		<p>hours, on (date)</p>						
<p>yn y fangre, man neu'r cerbyd canlynol, (<i>y lle y digwyddodd y tramgwydd honedig, gan gynnwys y cyfeiriad os oes un</i>)</p>		<p>you, at/on the following premises, place or vehicle (<i>where alleged offence took place, including address, if any</i>):</p>						

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(1) Mae adran 7(1) o Ddeddf Iechyd 2006 yn darparu bod "smoke-free places" yn cynnwys mangreodded di-fwg a cherbydau di-fwg.  
(2) Section 7(1) of the Health Act 2006 provides that smoke-free places include smoke-free premises and smoke-free vehicles.  
(3) Yn rhinwedd Rheoliadau Mangreodded etc. Di-fwg (Cymru) (Diwygio) 2015, mae cerbyd preifat yn ddi-fwg pan fo'n gaeedig, gyda mwy nag un person yn bresennol yn y cerbyd a pherson o dan 18 oed yn bresennol yn y cerbyd.  
(4) By virtue of the Smoke-free Premises etc. (Wales) (Amendment) Regulations 2015, a private vehicle is smoke-free when it is enclosed, there is more than one person present in the vehicle and a person under the age of 18 is present in the vehicle.

sef mangre, lle neu gerbyd y mae darpariaethau adran 7 neu 8 o Ddeddf Iechyd 2006 yn gymwys iddi neu iddo, ac yr honnir eich bod chi wedi (*manylion y tramgwydd*):

being premises, a place or vehicle to which the provisions of section 7 or 8 of the Health Act 2006 applies, allegedly (*details of offence*):

Mae'r hysbysiad hwn yn rhoi cyfle ichi fodloni unrhyw atebolrwydd am gollfam am y tramgwydd hwn drwy dalu cosb benodedig o **£50 (hanner cant o bunnoedd)**. Ni chychwynnir achos am y tramgwydd hwn cyn diwedd cyfnod o 29 diwrnod sy'n dechrau gyda (*y dyddiad y rhoddir yr hysbysiad hwn*)

This notice offers you the opportunity of discharging any liability for conviction for that offence by payment of a fixed penalty of **£50 (fifty pounds)**. No proceedings will be taken for this offence before the expiration of 29 days beginning with (*date on which this notice is given*)

Ni fyddwch yn agored i'ch collfarnu am y tramgwydd os talwch y gosb benodedig o fewn y cyfnod hwnnw. Yn y Ffurflen hon, cyfeirir at y cyfnod hwn fel y cyfnod o 29 diwrnod.

You will not be liable to conviction for the offence if you pay the fixed penalty within that period. In this Form this period is referred to as the 29 day period.

**Cewch dalu swm gostyngedig o £30 (deg punt ar hugain) os talwch o fewn y cyfnod o 15 diwrnod sy'n dechrau gyda (*y dyddiad y rhoddir yr hysbysiad hwn*)**

**You can pay a discounted amount of £30 (thirty pounds) if you pay within the period of 15 days beginning with (*date on which this notice is given*)**

Os nad yw'r 15fed diwrnod yn ddiwrnod gwaith, caniateir ichi dalu ar y diwrnod gwaith nesaf. Ystyr "diwrnod gwaith" yw unrhyw ddiwrnod nad yw'n ddydd Sadwrn, dydd Sul, Dydd Nadolig, dydd Gwener y Groglith nac unrhyw ddiwrnod sy'n wyl banc yng Nghymru a Lloegr o dan Deddf Bancio a Thrafodion Ariannol 1971. Yn y Ffurflen hon, cyfeirir at y cyfnod hwn fel y cyfnod o 15 diwrnod.

If the 15th day is not a working day, you may pay on the next working day. "Working day" means any day which is not Saturday, Sunday, Christmas Day, Good Friday or a day which is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971. In this Form this period is referred to as the 15 day period.

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Mae Rhan 2 o'r hysbysiad hwn yn cynnwys gwybodaeth y dylid rhoi sylw iddi ar unwaith gan y person y rhoddir yr hysbysiad iddo. Rhoddir manylion am sut i dalu'r gosb benodedig yn Rhan 3 o'r hysbysiad hwn. Rhoddir manylion am sut i ofyn am wrandawriad llys ynglŷn â'r drosedd honedig hon yn Rhan 4 o'r hysbysiad hwn. Os oes gennych unrhyw gwestiwn, neu os hoffech drafod yr hysbysiad hwn, cysylltwch â/ag [enw a chyfeiriad yr awdurdod gorfodi ynghyd â'i fanylion cyswllt].

Information for the immediate attention of the person who has been issued this penalty notice is at Part 2 of this notice. Details about how to pay this fixed penalty are at Part 3 of this notice. Details about how to request a court hearing in relation to this alleged offence are at Part 4 of this notice. If you have any questions, or if you wish to discuss this notice, please contact [name and address of enforcement authority and contact details].

Llofnod y swyddog awdurdodedig

Signature of authorised officer

\_\_\_\_\_

Dyddiad dyroddi

Date of issue

\_\_\_\_\_

**RHAN 2**

**PART 2**

**GWYBODAETH AR GYFER SYLW PRYDLON Y PERSON Y RHODDIR YR HYSBYSIAD HWN IDDO:**

**INFORMATION FOR THE IMMEDIATE ATTENTION OF THE PERSON WHO HAS BEEN ISSUED WITH THIS NOTICE:**

Rydych wedi cael yr hysbysiad hwn oherwydd bod gan swyddog awdurdodedig [enw'r awdurdod gorfodi], a enwir yn Rhan 1 o'r hysbysiad hwn, reswm i gredu eich bod wedi cyflawni'r tramgwydd o

You have received this notice because the authorised officer of [name of enforcement authority] named in Part 1 of this notice has reason to believe that you have committed the offence of

- (i) ysmegu mewn mangre neu gerbyd di-fwg; neu
- (ii) methu ag atal ysmegu mewn cerbyd preifat di-fwg,

- (i) smoking in a smoke-free premises or vehicle; or
- (ii) failing to prevent smoking in a smoke-free private vehicle,

fel y'i disgrifir yn Rhan 1. O fewn y cyfnod o 29 diwrnod a bennir yn Rhan 1, rhaid ichi naill ai dalu'r gosb neu ofyn am wrandawriad i'r mater gerbron llys. Ni chaniateir ichi wneud y ddau beth.

as described in Part 1. Within the 29 day period specified in Part 1, you must either pay the penalty or request that the matter be heard by a court. You may not do both.

Os methwch â gwneud y naill beth na'r llall, caiff [enw'r awdurdod gorfodi] fel awdurdod gorfodi yn rhinwedd adran 10 o Ddeddf Iechyd 2006, ddwyn y mater gerbron llys. Mae person a geir yn euog o ysmegu mewn man di-fwg yn agored, o'i gollfarnu'n ddiannod, i ddirwy nad yw'n fwy na lefel 1 ar y raddfa safonol. Mae person a geir yn euog o'r tramgwydd o ysmegu mewn cerbyd preifat di-fwg yn agored, o'i gollfarnu'n ddiannod, i ddirwy nad yw'n fwy na lefel 4 ar y raddfa safonol.

If you fail to do either, [name of enforcement authority] as an enforcement authority by virtue of section 10 of the Health Act 2006, may pursue this matter in court. A person found guilty of the offence of smoking in a smoke-free place is liable on summary conviction to a fine not exceeding level 1 on the standard scale. A person found guilty of the offence of failing to prevent smoking in a smoke-free private vehicle is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

**RHAN 3**

**TALU'R GOSB**

Swm y gosb benodedig yw **£50 (hanner cant o bunnoedd)**. Rhaid talu'r swm o fewn y cyfnod o 29 diwrnod a bennir yn Rhan 1.

Cewch dalu swm gostyngedig o **£30 (deg punt ar hugain)** os byddwch yn talu o fewn y cyfnod o 15 diwrnod a bennir yn Rhan 1. Os byddwch yn dewis talu'r gosb hon, ni chymerir camau pellach mewn perthynas â'r tramgwydd honedig a ddisgrifir yn Rhan 1 o'r hysbysiad hwn. Nid yw talu'r gosb yn golygu eich bod yn cyfaddef eich bod yn euog, ac ni fydd yn achosi cofnod o gollfarn droseddol yn eich erbyn. Gellir talu drwy gwblhau Rhan 3A isod a'i hanfon ynghyd â'r taliad i'r cyfeiriad a nodir yn y Rhan honno, neu drwy gwblhau Rhan 3A isod a thalu'r swm yn bersonol yn [enw a chyfeiriad yr awdurdod gorfodi].

Mae'r dulliau talu derbynol yn cynnwys arian, sicc, archeb bost neu archeb arian, neu ar-lein yn y cyfeiriad gwe canlynol [cyfeiriad ar gyfer gwneud taliadau ar lein]. Dylid gwneud sicciau, archebion post neu archebion arian yn daladwy i [enw'r awdurdod gorfodi]. Os dewiswch dalu'r gosb hon gydag arian drwy'r post, rhaid ei anfon drwy'r post cofrestredig, a rhaid cadw'r prawf o'r postio. Os oes arnoch angen derbynneb am y taliad o'r gosb, rhaid ichi ofyn am dderbynneb wrth dalu, ac os byddwch yn talu drwy'r post, rhaid ichi ddarparu amlen stampiedig wedi ei hunan-gyfeirio.

**RHYBUDD: NI DDERBYNNIR TALIADAU SY'N CYRRAEDD YN HWYR. NI FYDDWN YN ANFON NODYN ATGOFFA ATOCH.**

**RHAN 3A**

**TALU COSB BENODEDIG A DDYRODDIR O DAN ADRAN 7 NEU 8 O DDEDDF IECHYD 2006**

**(YSMYGU MEWN MAN DI-FWG NEU FETHU AG ATAL YSMYGU MEWN CERBYD PREIFAT DI-FWG)**

**PART 3**

**PAYING THE PENALTY**

The amount of the fixed penalty is **£50 (fifty pounds)**. It must be paid within the 29 day period which is specified in Part 1.

You can pay a discounted amount of **£30 (thirty pounds)** if you pay within the 15 day period which is specified in Part 1. If you choose to pay this penalty, no further action will be taken in respect of the alleged offence described at Part 1 of this notice. The payment of the penalty involves no admission of guilt and will not result in a record of criminal conviction being made against you. Payment may be made by completing Part 3A below and sending it with payment to the address stated in that Part, or by completing Part 3A below and paying in person at [name and address of enforcement authority].

Acceptable methods of payment include cash, cheque, postal order or money order or online at the following web address [address for making online payments]. Cheques, postal orders or money orders should be made payable to [name of enforcement authority]. If you choose to pay this penalty in cash by post, this must be sent by registered post, and proof of posting must be retained. If you require a receipt for the payment of the penalty, you must ask for one at the time of payment, and if paying by post, you must provide a stamped, self-addressed envelope.

**WARNING: LATE PAYMENT WILL NOT BE ACCEPTED. YOU WILL NOT BE SENT A REMINDER.**

**PART 3A**

**PAYMENT OF FIXED PENALTY ISSUED UNDER SECTION 7 OR 8 OF THE HEALTH ACT 2006**

**(SMOKING IN A SMOKE-FREE PLACE OR FAILING TO PREVENT SMOKING IN A SMOKE-FREE PRIVATE VEHICLE)**

**Status:** This is the original version (as it was originally made).

<b>Rhaid anfon y slip hwn gyda phob taliad</b>		<b>This slip must accompany all payments</b>
At [Enw a chyfeiriad yr awdurdod gorfodi y dylid anfon y taliad ato]	_____	To [Name and address of enforcement authority where payment should be sent]
<b>Rhif yr hysbysiad o gosb</b>	_____	<b>Penalty notice number</b>
Yr wyf yn amgáu'r swm o: ( <i>ticiwch un blwch</i> )		I enclose the amount of ( <i>tick one box</i> )
(os gwneir y taliad o fewn y cyfnod o 15 diwrnod a bennir yn Rhan 1)	<input type="checkbox"/> <b>£30</b>	(if the payment is made within the 15 day period specified in Part 1)
(os gwneir y taliad o fewn y cyfnod o 29 diwrnod a bennir yn Rhan 1)	<input type="checkbox"/> <b>£50</b>	(if the payment is made within the 29 day period specified in Part 1)
Enw llawn y tramgwyddwr honedig	_____	Full name of alleged offender
Cyfeiriad y tramgwyddwr honedig	_____ _____ _____	Address of alleged offender
Cod post	_____	Post code
Llofnod	_____	Signature
Dyddiad	_____	Date

**RHAN 4**

**PART 4**

**GOFYN AM WRANDAWIAD LLYS**

**REQUESTING A COURT HEARING**

Os ydych yn dewis gofyn am wrandawriad llys, **rhaid** gwneud hynny o fewn y cyfnod o 29 diwrnod drwy gwblhau Rhan 4A a'i hanfon at [enw'r awdurdod gorfodi], neu drwy ysgrifennu at [enw'r awdurdod gorfodi] yn y cyfeiriad a nodir yn Rhan 4A, gan roi eich manylion, rhif yr hysbysiad o gosb (sydd i'w gael yn Rhan 1 o'r hysbysiad hwn) a'r cyfeiriad lle y gellir cyflwyno gwŷs i chi. Bydd y wŷs yn dweud wrthych ym mhle a pha bryd i fod yn bresennol yn y llys. Dim ond derbynnydd yr hysbysiad hwn(sef y person a enwir yn Rhan 1) gaiff ofyn am wrandawriad llys.

If you choose to request a court hearing, you **must** within the 29 day period do so by completing Part 4A and sending it to [name of enforcement authority], or by writing to [name of enforcement authority] at the address stated in Part 4A, giving your details, the penalty notice number (which can be found in Part 1 of this notice) and an address at which a summons can be served on you. The summons will tell you when and where to attend court. Only the recipient of this notice (the person named at Part 1) may request a court hearing.

**RHAN 4A**

**PART 4A**

**DEDDF IECHYD 2006:**

**HEALTH ACT 2006:**

**YSMYGU MEWN MAN DI-FWG O DAN ADRAN 7 NEU METHU AG ATAL YSMYGU MEWN CERBYD PREFIAT DI-FWG O DAN ADRAN 8**

**SMOKING IN A SMOKE-FREE PLACE UNDER SECTION 7 OR FAILING TO PREVENT SMOKING IN A SMOKE-FREE PRIVATE VEHICLE UNDER SECTION 8**

**CAIS AM I LYS BARN YMDRIN Â'R TRAMGWY HONEDIG**

**REQUEST FOR ALLEGED OFFENCE TO BE DEALT WITH BY A COURT OF LAW**

At  
[Enw a chyfeiriad yr awdurdod gorfodi y dylid anfon rhan 4A ato]

To  
[Name and address of enforcement authority where part 4A should be sent]

**Rhif yr hysbysiad o gosb**

**Penalty notice number**

Rwyf yn dymuno i lys barn ddelio â mi ynglŷn â'r tramgwy honedig.

I wish to be dealt with by a court of law for the alleged offence.

Enw llawn y tramgwyddwr honedig

Full name of alleged offender

Cyfeiriad y tramgwyddwr honedig

Address of alleged offender

Cod post

Post code

Llofnod

Signature

**Status:** This is the original version (as it was originally made).

Dyddiad

Date

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