



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2020 Rhif 1022 (Cy. 227)

2020 No. 1022 (W. 227)

**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

Rheoliadau Diogelu Iechyd
(Cyfyngiadau Coronafeirws) (Rhif
2) (Cymru) (Diwygio) (Rhif 11)
(Blaenau Gwent, Casnewydd,
Merthyr Tudful a Phen-y-bont ar
Ogwr etc.) 2020

The Health Protection (Coronavirus
Restrictions) (No. 2) (Wales)
(Amendment) (No. 11) (Blaenau
Gwent, Bridgend, Merthyr Tydfil
and Newport etc.) Regulations 2020

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 2) (Cymru) 2020 (y "prif Reoliadau"). Mae'r diwygiadau

- (a) yn dynodi Bwrdeistrefi Sirol Blaenau Gwent, Merthyr Tudful a Phen-y-bont ar Ogwr, a Dinas a Bwrdeistref Sirol Casnewydd, yn ardaloedd diogelu iechyd lleol sy'n ddarostyngedig i gyfyngiadau a gofynion penodol;
- (b) yn darparu mai un o'r gofynion yw bod rhaid i fangreoedd trwyddedig gau am 11 p.m. ym mhob ardal diogelu iechyd leol (gan gynnwys Bwrdeistref Sirol Caerffili);

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. 2) (Wales) Regulations 2020 (the "principal Regulations"). The amendments—

- (a) designate Blaenau Gwent, Bridgend, and Merthyr Tydfil County Boroughs, and the City and County Borough of Newport, as local health protection areas that are subject to specific restrictions and requirements;
- (b) provide that one of the requirements is that licensed premises must close at 11 p.m. in all local health protection areas (including Caerphilly County Borough);

- (c) yn darparu ei fod yn esgus rhesymol i bersonau sy'n byw mewn llety lle y rhennir cyfleusterau penodol ymgynnull o dan do fel pe baent yn un aelwyd (mae hyn yn cynnwys tai amlfeddiannaeth a llety myfyrwyr);
- (d) yn gwneud mân ddiwygiadau i destun Cymraeg rheoliad 14C o'r prif Reoliadau.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau 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.

- (c) provide that it is a reasonable excuse for persons living in accommodation where certain facilities are shared to gather indoors as if they were a single household (this includes houses in multiple occupation and student accommodation);
- (d) make minor amendments to the Welsh language text of regulation 14C of the principal 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.

2020 Rhif 1022 (Cy. 227)

2020 No. 1022 (W. 227)

**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

Rheoliadau Diogelu Iechyd
(Cyfyngiadau Coronafeirws) (Rhif
2) (Cymru) (Diwygio) (Rhif 11)
(Blaenau Gwent, Casnewydd,
Merthyr Tudful a Phen-y-bont ar
Ogwr etc.) 2020

The Health Protection (Coronavirus
Restrictions) (No. 2) (Wales)
(Amendment) (No. 11) (Blaenau
Gwent, Bridgend, Merthyr Tydfil
and Newport etc.) Regulations 2020

Cymeradwywyd gan Senedd Cymru

Approved by Senedd Cymru

Gwnaed am 12.25 p.m. ar 22 Medi 2020

Made at 12.25 p.m. on 22 September 2020

*Gosodwyd gerbron Senedd
Cymru am 4.00 p.m. ar 22 Medi 2020*

*Laid before Senedd
Cymru at 4.00 p.m. on 22 September 2020*

Yn dod i rym am 6.00 p.m. ar 22 Medi 2020

*Coming into
force at 6.00 p.m. on 22 September 2020*

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 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 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.

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

The Welsh Ministers consider that the amendments made by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

(1) 1984 p. 22. Mewnswyddwyd 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.

(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.

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. Enw'r Rheoliadau hyn yw Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 11) (Blaenau Gwent, Casnewydd, Merthyr Tudful a Phen-y-bont ar Ogwr etc.) 2020 a deuant i rym am 6.00 p.m. ar 22 Medi 2020.

Diwygio Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020

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

(2) Yn rheoliad 14, ar ôl paragraff (2) mewnosoder—

“(2A) Mae hefyd yn esgus rhesymol i ddim mwy na 6 o bobl ymgynnull mewn (unrhyw) fangre o dan do pan fo'r holl bersonau yn y cynulliad—

- (a) yn byw yn yr un fangre, a
- (b) yn rhannu cyfleusterau toiled, ymolchi, bwyta neu goginio gyda'i gilydd.”

(3) Yn rheoliad 14C, yn y testun Cymraeg, yn y ddau le y mae'n digwydd (gan gynnwys yn y pennawd), yn lle “leol” rhodder “lleol”.

(4) Yn Atodlen 4A—

(a) ym mharagraff 1, ar ôl paragraff (b) mewnosoder—

- “(c) Bwrdeistref Sirol Blaenau Gwent;
- (d) Bwrdeistref Sirol Pen-y-bont ar Ogwr;
- (e) Bwrdeistref Sirol Merthyr Tudful;
- (f) Dinas a Bwrdeistref Sirol Casnewydd.”

;

(b) yn union o flaen paragraff 7, hepgorer y pennawd (“RHAN 3”) a'r is-bennawd oddi tano (“Cyfyngiadau nad ydynt yn gymwys ond mewn cysylltiad â Bwrdeistref Sirol Rhondda Cynon Taf”);

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. The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 11) (Blaenau Gwent, Bridgend, Merthyr Tydfil and Newport etc.) Regulations 2020 and they come into force at 6.00 p.m. on 22 September 2020.

Amendment of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020

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

(2) In regulation 14, after paragraph (2) insert—

“(2A) It is also a reasonable excuse for no more than 6 people to gather in (any) premises indoors where all the persons in the gathering—

- (a) live in the same premises, and
- (b) share toilet, washing, dining or cooking facilities with each other.”

(3) In regulation 14C, in the Welsh language text, in both places it occurs (including in the heading), for “leol” substitute “lleol”.

(4) In Schedule 4A—

(a) in paragraph 1, after paragraph (b) insert—

- “(c) Blaenau Gwent County Borough;
- (d) Bridgend County Borough;
- (e) Merthyr Tydfil County Borough;
- (f) the City and County Borough of Newport.”;

(b) immediately before paragraph 7, omit the heading (“PART 3”) and the sub-heading below it (“Restrictions applying only in respect of Rhondda Cynon Taf County Borough”);

(1) O.S. 2020/725 (Cy. 162), fel y'i diwygiwyd gan O.S. 2020/752 (Cy. 169), O.S. 2020/803 (Cy. 176), O.S. 2020/820 (Cy. 180), O.S. 2020/843 (Cy. 186), O.S. 2020/867 (Cy. 189), O.S. 2020/884 (Cy. 195), O.S. 2020/912 (Cy. 204), O.S. 2020/961 (Cy. 215), O.S. 2020/984 (Cy. 221), O.S. 2020/985 (Cy. 222), O.S. 2020/1007 (Cy. 224) ac O.S. 2020/1011 (Cy. 225).

(1) S.I. 2020/725 (W. 162), as amended by S.I. 2020/752 (W. 169), S.I. 2020/803 (W. 176), S.I. 2020/820 (W. 180), S.I. 2020/843 (W. 186), S.I. 2020/867 (W. 189), S.I. 2020/884 (W. 195), S.I. 2020/912 (W. 204), S.I. 2020/961 (W. 215), S.I. 2020/984 (W. 221), S.I. 2020/985 (W. 222), S.I. 2020/1007 (W. 224) and S.I. 2020/1011 (W. 225).

- (c) ym mharagraff 7—
(i) mewnosoder y canlynol fel pennawd—

“Cyfyngiadau ar fangreodd trwyddedig”

- (ii) yn is-baragraff (1), yn y geiriau o flaen paragraff (a), yn lle “ym Mwrdeistref Sirol Rhondda Cynon Taf” rhodder “mewn ardal diogelu iechyd leol”;
- (iii) yn lle is-baragraff (2) rhodder—
“(2) Nid yw is-baragraff (1)—
(a) yn caniatáu i’r fangre drwyddedig fod ar agor yn groes i awdurdodiad sydd wedi ei ganiatáu neu ei roi mewn cysylltiad â’r fangre;
(b) yn atal gwerthu neu gyflenwi alcohol gan westy neu lety arall fel rhan o wasanaeth ystafell.”;
- (iv) yn lle is-baragraff (3)(a) rhodder—
“(a) ystyr “mangre drwyddedig” yw tafarn, bar (gan gynnwys bar mewn clwb aelodau, gwesty neu lety arall), caffï neu fwyty (gan gynnwys bwyty neu ystafell fwyta mewn clwb aelodau, gwesty neu lety arall) y mae awdurdodiad wedi ei ganiatáu neu ei roi ar gyfer gwerthu neu gyflenwi alcohol mewn cysylltiad ag ef neu â hi.”.

- (c) in paragraph 7—
(i) insert the following as a heading—

“Restrictions on licensed premises”

- (ii) in sub-paragraph (1), in the words before paragraph (a), for “Rhondda Cynon Taf County Borough” substitute “a local health protection area”;
- (iii) for sub-paragraph (2) substitute—
“(2) Sub-paragraph (1)—
(a) does not allow the licensed premises to be open in contravention of an authorisation granted or given in respect of the premises;
(b) does not prevent the sale or supply of alcohol by a hotel or other accommodation as part of room service.”;
- (iv) in sub-paragraph (3)(a) for “are premises” substitute “means a public house, bar (including a bar in a members’ club, hotel or other accommodation), café or restaurant (including a restaurant or dining room in a members’ club, hotel or other accommodation)”.

Mark Drakeford

Y Prif Weinidog, un o Weinidogion Cymru
Am 12.25 p.m. ar 22 Medi 2020

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First Minister, one of the Welsh Ministers
At 12.25 p.m. on 22 September 2020

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