OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2020 Rhif 1079 (Cy. 242)

IECHYD Y CYHOEDD, CYMRU

Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 17) 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 acíwt 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 caniatáu i aelwyd sy'n cynnwys dim mwy nag un oedolyn (pa un a oes plant yn byw yn yr aelwyd hefyd ai peidio) sy'n byw mewn ardal diogelu iechyd leol ac aelwyd arall sydd hefyd yn byw yn yr ardal, ffurfio aelwyd estynedig dros dro;

(b) yn caniatáu i ganolfannau sglefrio agor, ond rhaid cymryd mesurau i leihau'r risg o ddod i gysylltiad â'r coronafeirws yn y fangre (yn unol â rheoliad 12 o'r prif Reoliadau);

2020 No. 1079 (W. 242)

PUBLIC HEALTH, WALES

The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 17) Regulations 2020

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) allow a household made up of no more than one adult (whether or not children also live in the household) living in a local health protection area and another household that also lives in the area, to form an extended household temporarily;

(b) permit skating rinks to open, but measures must be taken to minimise the risk of exposure to coronavirus on the premises (in accordance with regulation 12 of the principal Regulations);

(c) yn gwneud mân ddiwygiadau canlyniadol.

Caiff aelwyd ffurfio aelwyd estynedig dros dro yn unol â'r diwygiad a wneir gan y Rheoliadau hyn pa un a oedd eisoes wedi ffurfio aelwyd estynedig (gyda hyd at dair aelwyd arall) ai peidio cyn i'w hardal ddod yn ardal diogelu iechyd leol.

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.

(c) make minor consequential amendments.

A household may form a temporary extended household in accordance with the amendment made by these Regulations whether or not it had previously formed an extended household (with up to three other households) before its area became a local health protection area.

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.

OFFERYNNAU STATUDOL CYMRU

2020 Rhif 1079 (Cy. 242)

IECHYD Y CYHOEDD, CYMRU

Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 17) 2020

Cymeradwywyd gan Senedd Cymru

Gwnaed am *1.25 p.m. ar 2 Hydref 2020*

Gosodwyd gerbron Senedd Cymru am *3.50 p.m. ar 2 Hydref 2020*

Yn dod i rym *3 Hydref 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**).

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 acíwt difrifol 2 (SARS-CoV-2) yng Nghymru.

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.

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.

(**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.

WELSH STATUTORY INSTRUMENTS

2020 No. 1079 (W. 242)

PUBLIC HEALTH, WALES

The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 17) Regulations 2020

Approved by Senedd Cymru

Made *at 1.25 p.m. on 2 October 2020*

Laid before Senedd Cymru *at 3.50 p.m. on 2 October 2020*

Coming into force *3 October 2020*

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**).

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.

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.

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.

(**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.

Enwi a dod i rym

1. Enw'r Rheoliadau hyn yw Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 17) 2020 and a deuant i rym ar 3 Hydref 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 2A, ym mharagraff (3)(a), yn lle "a rheoliad 14(1)(b)(i)" rhodder ", rheoliad 14(1)(b)(i) a pharagraff 2 o Atodlen 4A".

(3) Yn rheoliad 12B, hepgorer paragraff (5).

(4) Yn Atodlen 2, hepgorer paragraff 10.

(5) Yn Atodlen 4, ar ôl paragraff 45 mewnosoder—

"**46.** Canolfannau sglefrio."

(6) Yn Atodlen 4A, yn lle paragraff 2 rhodder—

"Cyfyngiad ar aelwydydd estynedig

2.—(1) Pan fo aelwyd, cyn i'r ardal y mae'r aelwyd yn byw ynddi ddod yn ardal diogelu iechyd leol, wedi cytuno i gael ei thrin fel pe bai mewn aelwyd estynedig gydag aelwydydd eraill yn unol â rheoliad 2A—

(a) nid yw'r aelwyd honno i'w thrin fel pe bai yn yr aelwyd estynedig o'r adeg y daeth yr ardal yn ardal diogelu iechyd leol, a

(b) mae'r aelwydydd eraill yn parhau i gael eu trin fel aelwyd estynedig (ar yr amod nad ydynt yn byw mewn ardal diogelu iechyd leol) ac mae rheoliad 2A yn gymwys i'r aelwydydd hynny yn unol â hynny.

(2) Er gwaethaf rheoliad 2A(1), ni chaiff unrhyw aelwyd sy'n byw mewn ardal diogelu iechyd leol gytuno i gael ei thrin fel aelwyd estynedig gydag aelwydydd eraill.

(3) Ond caiff aelwyd sy'n cynnwys dim mwy nag un oedolyn (ac unrhyw nifer o blant) sy'n byw mewn ardal diogelu iechyd leol ac aelwyd

(**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. 2020/985 (Cy. 222), O.S. 2020/1007 (Cy. 224), O.S. 2020/1011 (Cy. 225), O.S. 2020/1022 (Cy. 227), O.S. 2020/1035 (Cy. 229), O.S. 2020/1040 (Cy. 230), O.S. 2020/1043 (Cy. 232), O.S. 2020/1049 (Cy. 235) ac O.S. 2020/1066 (Cy. 240).

Title and coming into force

1. The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 17) Regulations 2020 and they come into force on 3 October 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 2A, in paragraph (3)(a), for "and regulation 14(1)(b)(i)" substitute ", regulation 14(1)(b)(i) and paragraph 2 of Schedule 4A".

(3) In regulation 12B, omit paragraph (5).

(4) In Schedule 2, omit paragraph 10.

(5) In Schedule 4, after paragraph 45 insert—

"**46.** Skating rinks."

(6) In Schedule 4A, for paragraph 2 substitute—

"Restriction on extended households

2.—(1) Where, before the area in which a household lives became a local health protection area, the household agreed to be treated as being in an extended household with other households in accordance with regulation 2A—

(a) that household is not to be treated as being in the extended household from the time at which the area became a local health protection area, and

(b) the other households continue to be treated as an extended household (provided they are not living in a local health protection area) and regulation 2A applies to those households accordingly.

(2) Despite regulation 2A(1), no household living in a local health protection area may agree to be treated as an extended household with other households.

(3) But a household comprising of no more than one adult (and any number of children) living in a local health protection area and

(**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. 2020/985 (W. 222), S.I. 2020/1007 (W. 224), S.I. 2020/1011 (W. 225), S.I. 2020/1022 (W. 227), S.I. 2020/1035 (W. 229), S.I. 2020/1040 (W. 230), S.I. 2020/1043 (W. 232), S.I. 2020/1049 (W. 235) and S.I. 2020/1066 (W. 240).

arall sydd hefyd yn byw yn yr ardal honno, gytuno i gael eu trin fel aelwyd estynedig dros dro.

(4) Mae aelwyd yn peidio â chael ei thrin fel pe bai mewn aelwyd estynedig dros dro—

(a) os yw'r aelwyd yn peidio â byw yn yr ardal diogelu iechyd leol, neu

(b) os yw'r ardal yn peidio â bod yn ardal diogelu iechyd leol.

(5) Mae paragraffau (2) i (6) o reoliad 2A yn gymwys i (ddwy) aelwyd a drinnir fel aelwyd estynedig dros dro o dan is-baragraff (3) fel y maent yn gymwys i (hyd at bedair) aelwyd a drinnir fel aelwyd estynedig o dan reoliad 2A(1).

(6) Ond nid yw rheoliad 2A(4) yn atal—

(a) dwy aelwyd rhag cael eu trin fel aelwyd estynedig dros dro o dan is-baragraff (3)—

(i) pan oedd y naill aelwyd neu'r llall yn cael ei thrin fel pe bai mewn aelwyd estynedig yn unol â rheoliad 2A, a

(ii) pan na fo'r naill aelwyd na'r llall yn cael ei thrin fel pe bai mewn aelwyd estynedig mwyach yn rhinwedd is-baragraff (1)(a);

(b) hyd at bedair aelwyd rhag cael eu trin fel aelwyd estynedig o dan reoliad 2A(1)—

(i) pan oedd o leiaf un o'r aelwydydd yn cael ei thrin fel pe bai mewn aelwyd estynedig dros dro yn unol ag is-baragraff (3), a

(ii) pan fo o leiaf un o'r aelwydydd yn peidio â chael ei thrin fel pe bai mewn aelwyd estynedig dros dro mwyach yn rhinwedd is-baragraff (4)."

another household also living in that area, may agree to be treated as a temporary extended household.

(4) A household ceases to be treated as being in a temporary extended household if—

(a) the household ceases to live in the local health protection area, or

(b) the area ceases to be a local health protection area.

(5) Paragraphs (2) to (6) of regulation 2A apply to (two) households treated as a temporary extended household under sub-paragraph (3) as they apply to (up to four) households treated as an extended household under regulation 2A(1).

(6) But regulation 2A(4) does not prevent—

(a) two households being treated as a temporary extended household under sub-paragraph (3) where either household—

(i) was treated as being in an extended household in accordance with regulation 2A, and

(ii) is no longer treated as being in an extended household by virtue of sub-paragraph (1)(a);

(b) up to four households being treated as an extended household under regulation 2A(1) where at least one of the households—

(i) was treated as being in a temporary extended household in accordance with sub-paragraph (3), and

(ii) is no longer treated as being in a temporary extended household by virtue of sub-paragraph (4)."

Mark Drakeford

Y Prif Weinidog, un o Weinidogion Cymru
Am 1.25 p.m. ar 2 Hydref 2020

First Minister, one of the Welsh Ministers
At 1.25 p.m. on 2 October 2020

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