



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2021 Rhif 210 (Cy. 52)

2021 No. 210 (W. 52)

**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

**Rheoliadau Diogelu Iechyd
(Cyfyngiadau Coronafeirws) (Rhif
5) (Cymru) (Diwygio) (Rhif 4)
2021**

**The Health Protection (Coronavirus
Restrictions) (No. 5) (Wales)
(Amendment) (No. 4) 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 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.

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.

Mae'r Rheoliadau hyn wedi eu gwneud mewn ymateb i'r bygythiad difrifol ac uniongyrchol i iechyd y cyhoedd a berir gan fynychder a ledaeniad 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'r Rheoliadau hyn yn diwygio Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) 2020 (O.S. 2020/1609 (Cy. 335)) ("y prif Reoliadau"). Mae'r diwygiadau—

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

- (a) yn caniatáu i aelwyd mewn ardal Lefel Rhybudd 4 sydd ag 1 neu ragor o blant a dim oedolion (er enghraifft, person sy'n 17 mlwydd oed sy'n byw ar ei ben ei hun) ffurfio aelwyd estynedig ag aelwyd arall;
- (b) yn gwneud addasiadau dros dro i'r cyfyngiadau a'r gofynion sy'n gymwys i ardal Lefel Rhybudd 4 o dan Atodlen 4 i'r prif Reoliadau, sydd—
 - (i) yn caniatáu i aelwyd sydd ag 1 neu ragor o blant o dan 1 oed ffurfio aelwyd estynedig ag aelwyd arall;

- (a) permit a household in an Alert Level 4 area that comprises of 1 or more children and no adults (for example, a 17 year old living alone) to form an extended household with another household;
- (b) make temporary modifications to the restrictions and requirements applying to an Alert Level 4 area under Schedule 4 to the principal Regulations, which—
 - (i) permit a household that has 1 or more children under the age of 1 to form an extended household with another household;

(ii) yn caniatáu i fangroedd lle y caiff seremonïau priodasau sifil a ffurfiad partneriaethau sifil ddigwydd agor i'r cyhoedd i'r graddau y mae hyn yn ofynnol at ddibenion gweinyddu priodas, ffurfio partneriaeth sifil neu seremoni briodas arall yn y fangre;

(c) yn gwneud mân newidiadau a newidiadau canlyniadol, gan gynnwys dirymu darpariaethau sydd wedi eu disbyddu a diweddarau croesgyfeiriad at reoliadau sydd i'w dirymu.

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.

(ii) permit premises in which civil marriage ceremonies and the formation of civil partnerships may take place to open to the public to the extent that this is required for the purposes of the solemnisation of a marriage, formation of civil partnership or alternative wedding ceremony at the premises;

(c) make minor and consequential changes, including revoking spent provisions and updating a cross-reference to regulations that are to be revoked.

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 210 (Cy. 52)

2021 No. 210 (W. 52)

**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

**Rheoliadau Diogelu Iechyd
(Cyfyngiadau Coronafeirws) (Rhif
5) (Cymru) (Diwygio) (Rhif 4)
2021**

**The Health Protection (Coronavirus
Restrictions) (No. 5) (Wales)
(Amendment) (No. 4) Regulations
2021**

Cymeradwywyd gan Senedd Cymru

Approved by Senedd Cymru

Gwnaed am 4.51 p.m. ar 26 Chwefror 2021

Made at 4:51 p.m. on 26 February 2021

*Gosodwyd gerbron Senedd
Cymru am 8.00 p.m. ar 26 Chwefror 2021*

*Laid before Senedd
Cymru at 8.00 p.m. on 26 February 2021*

Yn dod i rym yn unol â rheoliad 1(2) a (3)

*Coming into force in accordance with
regulation 1(2) and (3)*

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.

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.

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.

(1) 1984 p. 22. Mewnysodwyd 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.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) (Diwygio) (Rhif 4) 2021.

(2) Daw'r Rheoliadau hyn, ac eithrio paragraffau (8) ac (11)(b) o reoliad 2, i rym ar 27 Chwefror 2021.

(3) Daw paragraffau (8) ac (11)(b) o reoliad 2 i rym ar 1 Mawrth 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) Hefgorer rheoliadau 11A, 11AA ac 11B.

(3) Yn rheoliad 12, yn lle “, 9(2), 11A(2) neu 11AA(2)” rhodder “neu 9(2)”.

(4) Yn rheoliad 14(2), hepgorer is-baragraff (aa).

(5) Yn rheoliad 22(4)(a), yn lle “, 9(2), 11A(2) neu 11AA(2)” rhodder “neu 9(2)”.

(6) Yn rheoliad 30, yn lle “, 9(2), 11A(2) neu 11AA(2)” rhodder “neu 9(2)”.

(7) Yn rheoliad 40—

(a) ym mharagraff (1)—

(i) yn is-baragraff (a), hepgorer “, 11A(2), 11AA(2)”;

(ii) yn is-baragraff (b), yn lle “, 9(3), 11A(3) neu 11AA(3)” rhodder “neu 9(3)”;

(b) ym mharagraff (2)(a), yn lle “, 9(3), 11A(3) neu 11AA(3)” rhodder “neu 9(3)”.

(8) Yn rheoliad 57(5)(a), yn lle “reoliad 2 o Reoliadau Mangreoedd etc. Di-fwg (Cymru) 2007” rhodder “reoliad 3 o Reoliadau Mangreoedd a Cherbydau Di-fwg (Cymru) 2020(2)”.

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. 4) Regulations 2021.

(2) These Regulations, apart from paragraphs (8) and (11)(b) of regulation 2, come into force on 27 February 2021.

(3) Paragraphs (8) and (11)(b) of regulation 2 come into force on 1 March 2021.

Amendment of 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) Omit regulations 11A, 11AA and 11B.

(3) In regulation 12, for “, 9(2), 11A(2) or 11AA(2)” substitute “or 9(2)”.

(4) In regulation 14(2), omit sub-paragraph (aa).

(5) In regulation 22(4)(a), for “, 9(2), 11A(2) or 11AA(2)” substitute “or 9(2)”.

(6) In regulation 30, for “, 9(2), 11A(2) or 11AA(2)” substitute “or 9(2)”.

(7) In regulation 40—

(a) in paragraph (1)—

(i) in sub-paragraph (a), omit “, 11A(2), 11AA(2)”;

(ii) in sub-paragraph (b), for “, 9(3), 11A(3) or 11AA(3)” substitute “or 9(3)”;

(b) in paragraph (2)(a), for “, 9(3), 11A(3) or 11AA(3)” substitute “or 9(3)”.

(8) In regulation 57(5)(a), for “regulation 2 of the Smoke-free Premises etc. (Wales) Regulations 2007” substitute “regulation 3 of the Smoke-free Premises and Vehicles (Wales) Regulations 2020(2)”.

(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) ac O.S. 2021/172 (Cy. 40).

(2) O.S. 2020/1211 (Cy. 273).

(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) and S.I. 2021/172 (W. 40).

(2) S.I. 2020/1211 (W. 273).

(9) Ym mharagraff 3 o Atodlen 4—

(a) yn is-baragraffau (1) a (4), ym mhob lle y mae'n digwydd, yn lle “un oedolyn” rhodder “anghenion llesiant”;

(b) ar ôl is-baragraff (7) mewnosoder—

“(8) Yn y paragraff hwn, ystyr “aelwyd anghenion llesiant” yw—

(a) aelwyd un oedolyn;

(b) aelwyd ag 1 neu ragor o blant a dim oedolion.”

(10) Yn lle'r pennawd i Atodlen 5 rhodder “Ardaloedd ac addasiadau dros dro”.

(11) Ym mharagraff 2 o Atodlen 5—

(a) ar ôl paragraff (b) mewnosoder—

“(c) mae paragraff 3(8) o Atodlen 4 i'w ddarllen fel pe bai wedi ei fewnosod ar ôl paragraff (b)—

“(c) aelwyd ag—

(i) 2 neu ragor o oedolion,

(ii) 1 neu ragor o blant o dan 1 oed, a

(iii) unrhyw nifer o blant eraill.”
;

(b) ar ôl paragraff (c) (fel y'i mewnosodir uchod) mewnosoder—

“(d) mae paragraff 11 o Atodlen 4 i'w ddarllen fel pe bai—

(i) wedi ei fewnosod ar ôl is-baragraff (1)—

“(1A) A chaiff mangre a gymeradwywyd agor i'r cyhoedd i'r graddau y mae hyn yn ofynnol at ddibenion gweinyddu priodas, ffurfio partneriaeth sifil neu seremoni priodas arall yn y fangre.”

(ii) wedi ei fewnosod ar ôl is-baragraff (4)—

“(5) Yn y paragraff hwn, ystyr “mangre a gymeradwywyd” yw mangre sydd wedi ei chymeradwyo yn unol â Rheoliadau Priodasau a Phartneriaethau Sifil (Mangreoedd a Gymeradwywyd) 2005(1)—

(9) In paragraph 3 of Schedule 4—

(a) in sub-paragraphs (1) and (4), in each place it occurs, for “single adult” substitute “well-being needs”;

(b) after sub-paragraph (7) insert—

“(8) In this paragraph, “well-being needs household” means—

(a) a single adult household;

(b) a household comprising of 1 or more children and no adults.”

(10) For the heading to Schedule 5 substitute “Areas and temporary modifications”.

(11) In paragraph 2 of Schedule 5—

(a) after paragraph (b) insert—

“(c) paragraph 3(8) of Schedule 4 is to be read as if after paragraph (b) there were inserted—

“(c) a household comprising of—

(i) 2 or more adults,

(ii) 1 or more children under the age of 1, and

(iii) any number of other children.”;

(b) after paragraph (c) (as inserted above) insert—

“(d) paragraph 11 of Schedule 4 is to be read as if—

(i) after sub-paragraph (1) there were inserted—

“(1A) And approved premises may be open to the public to the extent that this is required for the purposes of the solemnisation of a marriage, formation of civil partnership or alternative wedding ceremony at the premises.”

(ii) after sub-paragraph (4) there were inserted—

“(5) In this paragraph, “approved premises” means premises approved in accordance with the Marriages and Civil Partnerships (Approved Premises) Regulations 2005(1)—

(1) O.S. 2005/3168, fel y'i diwygiwyd gan O.S. 2011/2661, O.S. 2013/2294 ac O.S. 2019/1458.

(1) S.I. 2005/3168, as amended by S.I. 2011/2661, S.I. 2013/2294 and S.I. 2019/1458.

- (a) fel mangre y caniateir i briodasau gael eu gweinyddu ynddi yn unol ag adran 26(1)(bb) o Ddeddf Priodas 1949(1), neu
- (b) at ddibenion adran 6(3A)(a) o Ddeddf Partneriaeth Sifil 2004(2).””

- (a) as premises on which marriages may be solemnised in pursuance of section 26(1)(bb) of the Marriage Act 1949(1), or
- (b) for the purposes of section 6(3A)(a) of the Civil Partnership Act 2004(2).””

Mark Drakeford

Y Prif Weinidog, un o Weinidogion Cymru
Am 4.51 p.m. ar 26 Chwefror 2021

First Minister, one of the Welsh Ministers
At 4.51 p.m. on 26 February 2021

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(1) 1949 p. 76; amnewidiwyd adran 26 gan adran 3 o Ddeddf Priodas (Parau o'r Un Rhyw) 2013 (p. 30).
(2) 2004 p. 33; amnewidiwyd adran 6(3A) gan baragraff 2(2) o Atodlen 1 i O.S. 2005/2000.

(1) 1949 c. 76; section 26 was substituted by section 3 of the Marriage (Same Sex Couples) Act 2013 (c. 30).
(2) 2004 c. 33; section 6(3A) was substituted by paragraph 2(2) of Schedule 1 to S.I. 2005/2000.

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