



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2021 Rhif 686 (Cy. 172)

2021 No. 686 (W. 172)

**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

Rheoliadau Diogelu Iechyd
(Cyfyngiadau Coronafeirws) (Rhif
5) (Cymru) (Diwygio) (Rhif 12)
2021

The Health Protection (Coronavirus
Restrictions) (No. 5) (Wales)
(Amendment) (No. 12) 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").

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").

Mae'r diwygiad yn gwneud yn glir effaith y gwaharddiad ar drefnu digwyddiadau ym mharagraff 4 o Atodlen 1 i'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.

The amendment clarifies the effect of the prohibition on organising events in paragraph 4 of Schedule 1 to 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.

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CYMRU**

PUBLIC HEALTH, WALES

**Rheoliadau Diogelu Iechyd
(Cyfyngiadau Coronafeirws) (Rhif
5) (Cymru) (Diwygio) (Rhif 12)
2021**

**The Health Protection (Coronavirus
Restrictions) (No. 5) (Wales)
(Amendment) (No. 12) Regulations
2021**

Cymeradwywyd gan Senedd Cymru

Approved by Senedd Cymru

Gwnaed am 3.35 p.m. ar 8 Mehefin 2021

Made at 3.35 p.m. on 8 June 2021

*Gosodwyd gerbron Senedd
Cymru am 5.45 p.m. ar 8 Mehefin 2021*

*Laid before Senedd
Cymru at 5.45 p.m. on 8 June 2021*

Yn dod i rym am 6.00 p.m. ar 8 Mehefin 2021

Coming into force at 6.00 p.m. on 8 June 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.

(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.

(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 12) 2021.

(2) Daw'r Rheoliadau hyn i rym am 6.00 p.m. ar 8 Mehefin 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 Atodlen 1, paragraff 4—

- (a) yn is-baragraff (2)(e), yn lle “o ddim mwy na 30 o bobl mewn mangre reoleiddiedig heb gyfrif personau o dan 11 oed na phersonau sy'n gweithio yn y fangre” rhodder “mewn mangre reoleiddiedig lle nad yw mwy na 30 o bobl yn bresennol”;
- (b) yn is-baragraff (2)(f)(i), hepgorer “, heb gyfrif personau o dan 11 oed na phersonau sy'n gweithio yn y cynulliad neu sy'n darparu gwasanaethau gwirfoddol ynddo”;
- (c) ar ôl is-baragraff (2)(g) mewnosoder—
 - “(h) digwyddiad a gynhelir i unrhyw raddau o dan do mewn mangre reoleiddiedig ac—
 - (i) lle nad yw mwy na 6 o bobl yn bresennol, neu

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. 12) Regulations 2021.

(2) These Regulations come into force at 6.00 p.m. on 8 June 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 Schedule 1, paragraph 4—

- (a) in sub-paragraph (2)(e), for “of no more than 30 people at regulated premises not counting persons under the age of 11 or persons working at the premises” substitute “at regulated premises where no more than 30 people are in attendance”;
- (b) in sub-paragraph (2)(f)(i), omit “, not counting persons under the age of 11 or persons working, or providing voluntary services, at the gathering,”;
- (c) after sub-paragraph (2)(g) insert—
 - “(h) an event that is held to any extent indoors at regulated premises and at which—
 - (i) no more than 6 people are in attendance, or

(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) ac O.S. 2021/668 (Cy. 169).

(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) and S.I. 2021/668 (W. 169).

- (ii) lle mae'r holl bobl sy'n bresennol yn aelodau o'r un aelwyd neu, os yw'r fangre reoleiddiedig yn lety gwyliau neu lety teithio, o'r un aelwyd estynedig;
- (i) digwyddiad a gynhelir yn yr awyr agored mewn mangre reoleiddiedig (ac eithrio mewn llety gwyliau neu lety teithio) ac—
 - (i) lle nad yw mwy na 30 o bobl yn bresennol, neu
 - (ii) lle mae'r holl bobl sy'n bresennol yn aelodau o'r un aelwyd;
- (j) digwyddiad a gynhelir yn yr awyr agored mewn mangre nad yw'n fangre reoleiddiedig neu yn yr awyr agored mewn llety gwyliau neu lety teithio ac—
 - (i) lle nad yw mwy na 30 o bobl yn bresennol, neu
 - (ii) lle mae'r holl bobl sy'n bresennol yn aelodau o'r un aelwyd neu'r un aelwyd estynedig.”;
- (d) ar ôl is-baragraff (2) mewnosoder—

“(2A) Wrth bennu, at ddibenion is-baragraff (2), nifer y personau sy'n bresennol mewn digwyddiad, nid yw'r canlynol i'w hystyried—

 - (a) unrhyw blant o dan 11 oed,
 - (b) gofalwr unrhyw berson sy'n bresennol, neu
 - (c) unrhyw berson sy'n gweithio yn y digwyddiad neu sy'n darparu gwasanaethau gwirfoddol ynddo.”
- (ii) all of the people in attendance are members of the same household or, if the regulated premises are holiday or travel accommodation, the same extended household;
- (i) an event that is held outdoors at regulated premises (other than at holiday or travel accommodation) and at which—
 - (i) no more than 30 people are in attendance, or
 - (ii) all of the people in attendance are members of the same household;
- (j) an event that is held outdoors at premises that are not regulated premises or outdoors at holiday or travel accommodation and at which—
 - (i) no more than 30 people are in attendance, or
 - (ii) all of the people in attendance are members of the same household or extended household.”;
- (d) after sub-paragraph (2) insert—

“(2A) In determining, for the purposes of sub-paragraph (2), the number of persons in attendance at an event, no account is to be taken of—

 - (a) any children under the age of 11,
 - (b) the carer of any person in attendance, or
 - (c) any person working, or providing voluntary services, at the event.”

Mark Drakeford

Y Prif Weinidog, un o Weinidogion Cymru
Am 3.35 p.m. ar 8 Mehefin 2021

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First Minister, one of the Welsh Ministers
At 3.35 p.m. on 8 June 2021

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