



OFFERYNNAU STATUDOL CYMRU

2020 Rhif 1149 (Cy. 261)

IECHYD Y CYHOEDD, CYMRU

Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 3)
(Cymru) 2020

Cymeradywyd gan Senedd Cymru

<i>Gwnaed</i>	<i>21 Hydref 2020</i>
<i>Gosodwyd gerbron Senedd Cymru</i>	<i>22 Hydref 2020</i>
<i>Yn dod i rym</i>	<i>am 6.00 p.m. ar 23 Hydref 2020</i>

WELSH STATUTORY INSTRUMENTS

2020 No. 1149 (W. 261)

PUBLIC HEALTH, WALES

The Health Protection (Coronavirus Restrictions) (No. 3)
(Wales) Regulations 2020

Approved by Senedd Cymru

<i>Made</i>	<i>21 October 2020</i>
<i>Laid before Senedd Cymru</i>	<i>22 October 2020</i>
<i>Coming into force at</i>	<i>6.00 p.m. on 23 October 2020</i>

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CYMRU

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IECHYD Y CYHOEDD,
CYMRU

PUBLIC HEALTH, WALES

Rheoliadau Diogelu Iechyd
(Cyfyngiadau Coronafeirws) (Rhif
3) (Cymru) 2020

The Health Protection (Coronavirus
Restrictions) (No. 3) (Wales)
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 yn gosod gofynion a chyfyngiadau ar unigolion, busnesau ac eraill.

Mae 7 Rhan i'r Rheoliadau.

Mae **Rhan 1** yn darparu y daw'r Rheoliadau hyn i rym am 6 p.m. ar **23 Hydref 2020** ac y deuant i ben ar ddiwedd y dydd ar **8 Tachwedd 2020**.

Mae **Rhan 2** yn gosod cyfyngiadau ar symud a theithio. Mae rheoliad 3 yn ei gwneud yn ofynnol i bobl sy'n byw yng Nghymru aros gartref, oni bai bod ganddynt esgus rhesymol dros ymadael. Yn ogystal, o dan yr amgylchiadau cyfyngedig pan fo pobl yn gallu ymadael â'r cartref, mae cyfyngiad yn rheoliad 4 ar bobl rhag ymgynnull gydag unrhyw berson sydd ddim yn rhan o'u haelwyd. Effaith cyffredinol y darpariaethau hyn yw cyfyngu ar symudiadau pobl sy'n byw yng Nghymru. Yn gyson â hynny, mae rheoliad 5 yn darparu bod angen esgus rhesymol ar bobl sy'n byw tu allan i Gymru er mwyn teithio i

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. The Regulations impose requirements and restrictions on individuals, businesses and others.

There are 7 Parts to the Regulations.

Part 1 provides that these Regulations come into force at 6 p.m. on **23 October 2020** and expire at the end of the day on **8 November 2020**.

Part 2 imposes limits on movement and travel. Regulation 3 requires people living in Wales to stay at home, unless they have a reasonable excuse not to. In addition, in the limited circumstances where people can leave home, there is a restriction in regulation 4 on people gathering with anyone who is not part of their household. The overall effect of these provisions is to restrict movement of people within Wales. Consistent with that, regulation 5 provides that people who live outside Wales need a reasonable excuse to travel into Wales. Regulations 6 and 7 limit the circumstances in which a pupil or student has a reasonable excuse to

Gymru. Mae rheoliadau 6 a 7 yn cyfyngu ar yr amgylchiadau pan fo gan ddisgybl neu fyfyrwr esgus rhesymol dros fynychu mangre ysgol neu sefydliad addysg bellach. Mae rheoliad 9 hefyd yn gwneud darpariaeth bellach sy'n ei gwneud yn drosedd (a gosbir drwy gosb uwch) trefnu digwyddiadau cerddorol mawr sy'n annog pobl i ymgynnull yn anghyfreithlon.

Mae **Rhan 3** yn ymwneud â busnesau a gwasanaethau y mae eu mangreoedd ar agor i'r cyhoedd fel arfer, gan ei gwneud yn ofynnol i lawer ohonynt gau. Mae Rhan 1 o Atodlen 1 yn rhestru'r busnesau hynny a'r gwasanaethau hynny y mae rhaid i'w mangreoedd fod ar gau i'r cyhoedd (er bod rheoliad 11 yn ei gwneud yn glir nad yw hyn yn atal rhai gweithgareddau penodol rhag digwydd yn y fangre). Mae Rhan 2 o Atodlen 1 yn rhestru busnesau a mangreoedd y mae rhaid i'w mangreoedd gael eu cau ond y gall mynediad iddynt gael ei ganiatáu ar sail cyfyngedig. Mae'r rhain wedi eu categorio yn fangreoedd sy'n gwerthu bwyd a diod (a restrir ym Mhennod 1 ac y caniateir mynediad cyfyngedig iddynt yn unol â rheoliad 12); mangreoedd sy'n cynnig llety gwesty neu lety gwyliau (a restrir ym Mhennod 2 ac y caniateir mynediad cyfyngedig iddynt yn unol â rheoliad 13); ac eraill (a restrir ym Mhennod 3 ac y caniateir mynediad cyfyngedig iddynt yn unol â rheoliad 14). Mae rheoliad 15 yn darparu eithriad i'r gofyniad i gau sy'n gymwys i fangreoedd busnesau neu wasanaethau a restrir yn Rhan 3 o Atodlen 1. Mae rheoliad 16 yn ei gwneud yn glir, pan fo mwy nag un math o fusnes neu wasanaeth yn cael ei ddarparu yn yr un fangre, nad yw'r mathau o fusnes neu wasanaeth a waharddir gan rheoliad 11 (ac a restrir yn Rhan 1 o Atodlen 1) i barhau.

Mae **Rhan 4** yn gwneud darpariaethau at ddiben lleihau'r risg o ddod i gysylltiad â'r coronafeirws. Mae rheoliad 17 yn gymwys i "mangre reoleiddiedig" (unrhyw fan sydd ar agor i'r cyhoedd neu lle y gwneir gwaith) ac yn ei gwneud yn ofynnol: (1) i bob mesur rhesymol gael ei gymryd i sicrhau y cynhelir pellter o 2 fetr rhwng personau yn y fangre; (2) i unrhyw fesurau rhesymol eraill gael eu cymryd, er enghraifft er mwyn cyfyngu ar ryngweithio wyneb yn wyneb agos a chynnal hylendid; a (3) i wybodaeth gael ei darparu i'r rheini sy'n mynd i fangre neu sy'n gweithio ynddi ynghylch sut i leihau'r risg o ddod i gysylltiad â'r coronafeirws. Mae hefyd yn pennu y gall peidio â gwneud gweithgaredd, cau rhan o fangre, caniatáu i staff ynysu a chasglu gwybodaeth gyswllt oddi wrth y rheini yn y fangre fod yn fesurau rhesymol. Mae rheoliadau 18 a 19 yn darparu bod rhaid gwisgo gorchuddion wyneb ar drafniadaeth gyhoeddus, gan gynnwys tacsis, ac mewn mannau penodol o dan do, yn ddarostyngedig i esemptiadau ac eithriadau a restrir. Mae rheoliad 20 yn darparu i ganllawiau gael eu dyroddi ynghylch cymhwyso'n ymarferol y gofynion a osodir gan y Rhan hon, a rhaid i'r rheini y

attend the premises of a school or further education institution. Regulation 9 makes further provision making it an offence (punished by a higher penalty) for organising large scale music events that encourage people to gather illegally.

Part 3 relates to business and services whose premises are ordinarily open to the public, requiring many to close. Part 1 of Schedule 1 lists those businesses and services whose premises must be closed to the public (though regulation 11 makes clear that this does not prevent certain activities from taking place on the premises). Part 2 of Schedule 1 lists businesses and premises whose premises must be closed but to which access may be allowed on a limited basis. These are categorised as premises selling food and drink (which are listed in Chapter 1 and to which limited access is allowed in accordance with regulation 12); premises offering hotel or holiday accommodation (which are listed in Chapter 2 and to which limited access is allowed in accordance with regulation 13); and others (which are listed in Chapter 3 and to which limited access is allowed in accordance with regulation 14). Regulation 15 provides for an exception to the requirement to close which applies to the premises of businesses or services listed in Part 3 of Schedule 1. Regulation 16 makes clear that where more than one type of business or service is provided at the same premises, those prohibited by regulation 11 (and listed in Part 1 of Schedule 1) may not continue.

Part 4 makes provisions for the purpose of minimising risk of exposure to coronavirus. Regulation 17 applies to "regulated premises" (any place which is open to the public or where work is carried out) and requires: (1) all reasonable measures to be taken to ensure that a distance of 2 metres is maintained between persons on the premises; (2) any other reasonable measures to be taken, for example to limit close face to face interaction and maintain hygiene; and (3) information to be provided to those entering or working at premises about how to minimise risk of exposure to coronavirus. It also specifies that not carrying out an activity, closing part of a premises, allowing staff to isolate and collecting contact information from those on the premises may be reasonable measures. Regulations 18 and 19 provide that face coverings must be worn on public transport, including taxis, and in certain indoor places, subject to listed exemptions and exceptions. Regulation 20 provides for guidance to be issued about the practical application of the requirements imposed by this Part,

mae'r gofynion yn gymwys iddynt roi sylw i'r canllawiau hynny.

Mae **Rhan 5** yn ymwneud â gorfodi'r cyfyngiadau a'r gofynion. Mae rheoliad 21 yn gwneud darpariaeth ynghylch y rheini a gaiff gymryd camau gorfodi, mae rheoliad 22 yn gwneud darpariaeth bellach (yn Atodlenni 2 a 3) ynghylch gorfodi'r angen i gymryd mesurau ataliol o dan reoliad 17, mae rheoliad 23 yn ymwneud â hysbysiadau cydymffurfio, ac mae rheoliad 24 yn ymwneud â phwerau symud a gwasgaru. Mae rheoliad 25 yn ymwneud yn benodol â gorfodi'r gofyniad i wisgo gorchudd wyneb ac mae rheoliad 26 yn ymwneud â phlant. Mae rheoliad 27 yn cynnwys pŵer i fynd i fangre ac mae rheoliad 28 yn caniatáu i rym rhesymol gael ei ddefnyddio o dan amgylchiadau penodol.

Mae **Rhan 6** yn gwneud darpariaeth ynghylch troseddau a chosbau. Mae rheoliad 29 yn darparu bod person sy'n torri gofynion (a restrir) yn y Rheoliadau hyn, heb esgus rhesymol, yn cyflawni trosedd. Mae'r drosedd honno i'w chosbi drwy ddirwy ddiderfyn. Mae rheoliad 30 yn ymwneud â throseddau gan gyrff corfforedig. Mae rheoliad 31 yn caniatáu i droseddau gael eu cosbi drwy hysbysiadau cosb benodedig ac mae rheoliad 32 yn ymwneud ag erlyn troseddau o dan y rheoliadau.

Mae **Rhan 7** yn cynnwys termau wedi eu diffinio (rheoliad 33) ac yn dirymu Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) (Rhif 2) 2020 (O.S. 2020/725 (Cy. 162)) fel y'u diwygiwyd (rheoliad 34). Mae rheoliad 33 hefyd yn gwneud darpariaeth sy'n addasu'r cyfyngiadau niferus ar unigolion yn y Rheoliadau sy'n cyfyngu ar ryngweithio ag unrhyw un nad yw'n aelod o'u haelwyd. Mae hyn yn caniatáu i berson sy'n byw ar ei ben ei hun neu ddim ond gyda phlant gytuno i ffurfio aelwyd estynedig gydag aelwyd arall, sy'n golygu y gall aelodau o'r ddwy aelwyd ryngweithio â'i gilydd fel pe baent yn aelodau o un aelwyd.

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.

and those to whom the requirements apply must have regard to that guidance.

Part 5 relates to the enforcement of the restrictions and requirements. Regulation 21 makes provision about those who can take enforcement action, regulation 22 makes further provision (in Schedules 2 and 3) about enforcing the need to take preventative measures under regulation 17, regulation 23 relates to compliance notices, and regulation 24 to powers of removal and dispersal. Regulation 25 relates specifically to enforcing the requirement to wear a face covering and regulation 26 to children. Regulation 27 contains a power to enter premises and regulation 28 allows reasonable force to be used in certain circumstances.

Part 6 makes provision about offences and penalties. Regulation 29 provides that a person who, without a reasonable excuse, contravenes (listed) requirements in these Regulations commits an offence. That offence is punishable by an unlimited fine. Regulation 30 relates to offences by bodies corporate. Regulation 31 allows for offences to be punished by way of fixed penalty notices and regulation 32 relates to prosecutions of offences under the regulations.

Part 7 contains defined terms (regulation 33) and revokes the Health Protection (Coronavirus Restrictions) (Wales) (No.2) Regulations 2020 (S.I. 2020/725 (W. 162)) as they were amended (regulation 34). Regulation 33 also makes provision which modifies the numerous restrictions on individuals in the Regulations which limit interaction with anyone who is not a member of their household. This allows a person who lives alone or only with children to agree to form an extended household with another household, which means that members of both households can interact with each other as if they were members of one household.

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 1149 (Cy. 261)

**IECHYD Y CYHOEDD,
CYMRU**

**Rheoliadau Diogelu Iechyd
(Cyfyngiadau Coronafeirws) (Rhif
3) (Cymru) 2020**

Cymeradywyd gan Senedd Cymru

Gwnaed 21 Hydref 2020

*Gosodwyd gerbron Senedd
Cymru 22 Hydref 2020*

Yn dod i rym am 6.00 p.m. ar 23 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 aciwt difrifol 2 (SARS-CoV-2) yng Nghymru.

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.

2020 No. 1149 (W. 261)

PUBLIC HEALTH, WALES

**The Health Protection (Coronavirus
Restrictions) (No. 3) (Wales)
Regulations 2020**

Approved by Senedd Cymru

Made 21 October 2020

Laid before Senedd Cymru 22 October 2020

*Coming into force at 6.00 p.m. on 23 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 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.

(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.

RHAN 1

Cyflwyniad

Enwi, cychwyn a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 3) (Cymru) 2020.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(3) Daw'r Rheoliadau hyn i rym am 6.00 p.m. ar 23 Hydref 2020.

Dod i ben

2.—(1) Daw'r Rheoliadau hyn i ben ar ddiwedd y dydd ar 8 Tachwedd 2020.

(2) Nid yw'r rheoliad hwn yn effeithio ar ddilysrwydd unrhyw beth a wneir yn unol â'r Rheoliadau hyn cyn iddynt ddod i ben.

RHAN 2

Cyfyngiadau ar symud ac ymgynnull gydag eraill

Gofyniad i aros gartref

3.—(1) Ni chaiff unrhyw berson yng Nghymru, heb esgus rhesymol, ymadael â'r man lle y mae'n byw neu aros i ffwrdd o'r man hwnnw.

(2) Mae esgus rhesymol yn cynnwys yr angen i wneud y canlynol—

- (a) cael cyflenwadau oddi wrth unrhyw fusnes neu wasanaeth a restrir yn Rhan 3 o Atodlen 1 gan gynnwys—
 - (i) bwyd a chyflenwadau meddygol ar gyfer y rheini ar yr un aelwyd (gan gynnwys anifeiliaid ar yr aelwyd) neu ar gyfer personau hyglwyf;
 - (ii) cyflenwadau ar gyfer cynnal, cynnal a chadw a gweithrediad hanfodol yr aelwyd, neu aelwyd person hyglwyf;
- (b) ceisio neu ddarparu cynhorthwy meddygol, gan gynnwys cael gafael ar unrhyw un neu ragor o'r gwasanaethau y cyfeirir atynt ym mharagraff 47 o Ran 3 o Atodlen 1 neu gael gafael ar wasanaethau milfeddygol;
- (c) darparu, cael neu gael gafael ar ofal neu gynhorthwy, gan gynnwys gofal plant neu ofal personol perthnasol o fewn ystyr "relevant personal care" ym mharagraff 7(3B) o Atodlen 4 i Ddeddf Diogelu Grwpiau

PART 1

Introduction

Title, application and coming into force

1.—(1) The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020.

(2) These Regulations apply in relation to Wales.

(3) These Regulations come into force at 6.00 p.m. on 23 October 2020.

Expiry

2.—(1) These Regulations expire at the end of the day on 8 November 2020.

(2) This regulation does not affect the validity of anything done pursuant to these Regulations before they expire.

PART 2

Restrictions on movement and gathering with others

Requirement to stay at home

3.—(1) No person in Wales may, without a reasonable excuse, leave the place where they are living or remain away from that place.

(2) A reasonable excuse includes the need to do the following—

- (a) obtain supplies from any business or service listed in Part 3 of Schedule 1 including—
 - (i) food and medical supplies for those in the same household (including animals in the household) or for vulnerable persons;
 - (ii) supplies for the essential upkeep, maintenance and functioning of the household, or the household of a vulnerable person;
- (b) obtain or provide medical assistance, including accessing any of the services referred to in paragraph 47 of Part 3 of Schedule 1 or accessing veterinary services;
- (c) provide, receive or access care or assistance, including childcare or relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable

- Hyglwyf 2006(1), pan fo'r person sy'n cael y gofal yn berson hyglwyf;
- (d) gweithio neu ddarparu gwasanaethau gwirfoddol neu elusennol, pan na fo'n rhesymol ymarferol gwneud hynny gartref;
- (e) pan fo'r person yn athletwr elit, hyfforddi ar gyfer digwyddiad chwaraeon penodedig, paratoi ato a chystadlu ynddo;
- (f) darparu hyfforddiant neu gymorth arall i athletwr elit mewn cysylltiad â digwyddiad chwaraeon penodedig;
- (g) gwasanaethu fel swyddog mewn digwyddiad chwaraeon penodedig neu fel arall ymwneud â'i redeg;
- (h) gwneud ymarfer corff, naill ai—
- (i) ar ei ben ei hun,
 - (ii) gydag aelodau eraill o aelwyd y person, neu
 - (iii) gyda gofalwr y person;
- (i) darparu neu gael cynhorthwy brys;
- (j) mynd i weinyddiad priodas neu ffurfiad partneriaeth sifil—
- (i) fel parti i'r briodas neu'r bartneriaeth sifil,
 - (ii) os caiff ei wahodd i fynd iddi, neu
 - (iii) fel gofalwr person sy'n mynd i'r briodas neu'r bartneriaeth sifil.
- (k) mynd i angladd—
- (i) fel person sy'n gyfrifol am drefnu'r angladd,
 - (ii) os caiff ei wahodd gan berson sy'n gyfrifol am drefnu'r angladd, neu
 - (iii) fel gofalwr person sy'n mynd i'r angladd;
- (l) cyflawni rhwymedigaeth gyfreithiol, gan gynnwys mynd i'r llys neu fodloni amodau mechnïaeth, neu gymryd rhan mewn achos cyfreithiol;
- (m) cael gafael ar wasanaethau cyhoeddus neu gael y gwasanaethau hynny;
- (n) cael gafael ar wasanaethau addysgol neu gael y gwasanaethau hynny, yn ddarostyngedig i reoliadau 6 a 7;
- (o) mewn perthynas â phlant nad ydynt yn byw ar yr un aelwyd â'u rhieni, neu un o'u rhieni, parhau â threfniadau presennol ar gyfer gweld rhieni a phlant, a chyswllt rhyngddynt, ac at ddibenion y paragraff hwn, mae "rhiant" yn
- Groups Act 2006(1), where the person receiving the care is a vulnerable person;
- (d) work or provide voluntary or charitable services, where it is not reasonably practicable to do so from home;
- (e) where the person is an elite athlete, train and prepare for, and compete in, a specified sporting event;
- (f) provide coaching and other support to an elite athlete in connection with a specified sporting event;
- (g) officiate at or otherwise be involved in running a specified sporting event;
- (h) exercise, either—
- (i) alone,
 - (ii) with other members of the person's household, or
 - (iii) with the person's carer;
- (i) provide or receive emergency assistance;
- (j) attend a solemnization of a marriage or formation of a civil partnership—
- (i) as a party to the marriage or civil partnership,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
- (k) attend a funeral—
- (i) as a person responsible for arranging the funeral,
 - (ii) if invited by a person responsible for arranging the funeral, or
 - (iii) as the carer of a person attending;
- (l) meet a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (m) access or receive public services;
- (n) access or receive educational services, subject to regulations 6 and 7;
- (o) in relation to children who do not live in the same household as their parents, or one of their parents, continue existing arrangements for access to, and contact between, parents and children, and for the purposes of this paragraph, "parent" includes a person who is

(1) 2006 p. 47. Mewnosodwyd paragraff 7(3B) gan adran 66(2) o Ddeddf Diogelu Rhyddidau 2012 (p. 9).

(1) 2006 c. 47. Paragraph 7(3B) was inserted by section 66(2) of the Protection of Freedoms Act 2012 (c. 9).

cynnwys person nad yw'n rhiant i'r plentyn, ond sydd â chyfrifoldeb rhiant dros y plentyn neu sydd â gofal drosto;

- (p) cael arian oddi wrth unrhyw fusnes neu wasanaeth a restrir ym mharagraff 44 neu 45 o Ran 3 o Atodlen 1 neu adneuo arian gydag unrhyw fusnes neu wasanaeth o'r fath;
- (q) symud cartref;
- (r) paratoi eiddo preswyl i bersonau symud i mewn;
- (s) osgoi anaf neu salwch neu ddianc rhag risg o niwed.

(3) Mae gan berson esgus rhesymol i ymadael â'r man lle y mae'n byw i fynd i ddigwyddiad i gadw Sul y Cofio—

- (a) a gynhelir ar 7 neu 8 Tachwedd 2020;
- (b) a gynhelir yn yr awyr agored;
- (c) a chanddo ddim mwy na 30 o bobl yn bresennol.

(4) Ym mharagraff (2)(h)—

- (a) rhaid i ymarfer corff ddechrau a gorffen yn y man lle y mae'r person yn byw, neu
- (b) pan fo angen i'r person, am resymau salwch neu nam corfforol neu feddyliol, neu anabledd (o fewn yr ystyr a roddir i "disability" yn adran 6 o Ddeddf Cydraddoldeb 2010(1)), wneud ymarfer corff mewn man arall, rhaid i ymarfer corff ddigwydd mewn ardal sy'n lleol i'r man lle y mae'r person yn byw.

(5) Nid yw paragraff (1) yn gynnwys i unrhyw berson sy'n ddigartref.

Gofyniad i beidio ag ymgynnull gyda phobl eraill

4.—(1) Pan na fo person yn y man lle y mae'n byw (yn rhinwedd bod ag esgus rhesymol o dan reoliad 3), ni chaiff y person hwnnw, heb esgus rhesymol, ymgynnull ag unrhyw berson arall ac eithrio—

- (a) aelodau o'i aelwyd,
- (b) ei ofalwr, neu
- (c) person y mae'n darparu gofal iddo.

(2) Mae esgus rhesymol yn cynnwys yr angen i wneud y canlynol—

- (a) gweithio neu ddarparu gwasanaethau gwirfoddol neu elusennol, pan na fo'n rhesymol ymarferol gwneud hynny heb ymgynnull gydag eraill;

not a parent of the child, but who has parental responsibility for, or who has care of, the child;

- (p) obtain money from or deposit money with any business or service listed in paragraph 44 or 45 of Part 3 of Schedule 1;
- (q) move home;
- (r) prepare a residential property for persons to move in;
- (s) avoid injury or illness or escape a risk of harm.

(3) A person also has a reasonable excuse to leave the place where they are living to attend an event to commemorate Remembrance Sunday that—

- (a) is held on 7 or 8 November 2020;
- (b) is held outdoors;
- (c) has no more than 30 people attending.

(4) In paragraph (2)(h)—

- (a) exercise must start and finish at the place where the person is living, or
- (b) where, for reasons of physical or mental illness or impairment, or a disability (within the meaning of section 6 of the Equality Act 2010(1)), the person needs to exercise in another place, exercise must take place in an area local to the place where the person is living.

(5) Paragraph (1) does not apply to a person who is homeless.

Requirement not to gather with other people

4.—(1) Where a person is not at the place where they are living (by virtue of having a reasonable excuse under regulation 3), that person may not, without a reasonable excuse, gather with any other person apart from—

- (a) members of their household,
- (b) their carer, or
- (c) a person they are providing care to.

(2) A reasonable excuse includes the need to do the following—

- (a) work or provide voluntary or charitable services, where it is not reasonably practicable to do so without gathering with others;

(1) 2010 p. 15.

(1) 2010 c.15.

- (b) cyflawni rhwymedigaeth gyfreithiol, gan gynnwys mynd i'r llys neu fodloni amodau mechnïaeth, neu gymryd rhan mewn achos cyfreithiol;
 - (c) cael gafael ar wasanaethau cyhoeddus neu gael y gwasanaethau hynny;
 - (d) cael gafael ar wasanaethau addysgol neu gael y gwasanaethau hynny, yn ddarostyngedig i reoliadau 6 a 7;
 - (e) darparu, cael neu gael gafael ar ofal neu gynhorthwy, gan gynnwys gofal plant neu ofal personol perthnasol o fewn ystyr "relevant personal care" ym mharagraff 7(3B) o Atodlen 4 i Ddeddf Diogelu Grwpiau Hyglwyf 2006, pan fo'r person sy'n cael y gofal yn berson hyglwyf;
 - (f) pan fo'r person yn athletwr elit, hyfforddi ar gyfer digwyddiad chwaraeon penodedig, paratoi ato neu gystadlu ynddo;
 - (g) darparu hyfforddiant a chymorth arall i athletwr elit mewn cysylltiad â digwyddiad chwaraeon penodedig;
 - (h) gwasanaethu fel swyddog mewn digwyddiad chwaraeon penodedig neu fel arall ymwneud â'i redeg;
 - (i) darparu neu gael cynhorthwy brys;
 - (j) mynd i weinyddiad priodas neu ffurfiad partneriaeth sifil—
 - (i) fel parti i'r briodas neu'r bartneriaeth sifil,
 - (ii) os caiff ei wahodd i fynd iddi, neu
 - (iii) fel gofalwr person sy'n mynd i'r briodas neu'r bartneriaeth sifil;
 - (k) mynd i angladd—
 - (i) fel person sy'n gyfrifol am drefnu'r angladd,
 - (ii) os caiff ei wahodd gan berson sy'n gyfrifol am drefnu'r angladd, neu
 - (iii) fel gofalwr person sy'n mynd i'r angladd.
- (3) Mae gan berson hefyd esgus rhesymol dros ymgynnull gyda pherson arall i fynd i ddigwyddiad i gadw Sul y Cofio—
- (a) a gynhelir ar 7 neu 8 Tachwedd 2020;
 - (b) a gynhelir yn yr awyr agored;
 - (c) a chanddo ddim mwy na 30 o bobl yn bresennol.
- (b) meet a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
 - (c) access or receive public services;
 - (d) access or receive educational services, subject to regulations 6 and 7;
 - (e) provide, receive or access care or assistance, including childcare or relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006, where the person receiving the care is a vulnerable person;
 - (f) where the person is an elite athlete, train and prepare for, and compete in, a specified sporting event;
 - (g) provide coaching and other support to an elite athlete in connection with a specified sporting event;
 - (h) officiate at or otherwise be involved in running a specified sporting event;
 - (i) provide or receive emergency assistance;
 - (j) attend a solemnization of a marriage or formation of a civil partnership—
 - (i) as a party to the marriage or civil partnership,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
 - (k) attend a funeral—
 - (i) as a person responsible for arranging the funeral,
 - (ii) if invited by a person responsible for arranging the funeral, or
 - (iii) as the carer of a person attending.
- (3) A person also has a reasonable excuse to gather with another person to attend an event to commemorate Remembrance Sunday that—
- (a) is held on 7 or 8 November 2020;
 - (b) is held outdoors;
 - (c) has no more than 30 people attending.

Cyfyngiad ar deithio i Gymru

5.—(1) Ni chaiff unrhyw berson sy'n byw y tu allan i Gymru, heb esgus rhesymol, fynd i Gymru neu aros yng Nghymru.

(2) Mae esgus rhesymol yn cynnwys yr angen i wneud y canlynol yng Nghymru—

- (a) cael—
 - (i) bwyd a chyflenwadau meddygol ar gyfer y rheini ar yr un aelwyd (gan gynnwys anifeiliaid ar yr aelwyd) neu ar gyfer personau hyglwyf;
 - (ii) cyflenwadau ar gyfer cynnal, cynnal a chadw a gweithrediad hanfodol yr aelwyd, neu aelwyd person hyglwyf;
- (b) cael arian oddi wrth unrhyw fusnes neu wasanaeth a restrir ym mharagraff 44 neu 45 o Ran 3 o Atodlen 1 neu adneuo arian gydag unrhyw fusnes neu wasanaeth o'r fath;
- (c) cael neu ddarparu cynhorthwy meddygol, gan gynnwys cael gafael ar unrhyw un neu ragor o'r gwasanaethau y cyfeirir atynt ym mharagraff 47 o Ran 3 o Atodlen 1 neu gael gafael ar wasanaethau milfeddygol;
- (d) darparu, cael neu gael gafael ar ofal neu gynhorthwy, gan gynnwys gofal plant neu ofal personol perthnasol o fewn ystyr "relevant personal care" ym mharagraff 7(3B) o Atodlen 4 i Ddeddf Diogelu Grwpiau Hyglwyf 2006, pan fo'r person sy'n cael y gofal yn berson hyglwyf;
- (e) gweithio neu ddarparu gwasanaethau gwirfoddol neu elusennol pan na fo'n rhesymol ymarferol gwneud y gwaith neu ddarparu'r gwasanaeth o'r tu allan i Gymru;
- (f) pan fo'r person yn athletwr elît, hyfforddi ar gyfer digwyddiad chwaraeon penodedig, paratoi ato a chystadlu ynddo;
- (g) darparu hyfforddiant neu gymorth arall i athletwr elît mewn cysylltiad â digwyddiad chwaraeon penodedig;
- (h) gwasanaethu fel swyddog mewn digwyddiad chwaraeon penodedig neu fel arall ymwneud â'i redeg;
- (i) darparu neu gael cynhorthwy brys;
- (j) mynd i weinyddiad priodas neu ffurfiadartneriaeth sifil—
 - (i) fel parti i'r briodas neu'r bartneriaeth sifil,
 - (ii) os caiff ei wahodd i fynd iddi, neu
 - (iii) fel gofalwr person sy'n mynd i'r briodas neu'r bartneriaeth sifil;

Restriction on travelling into Wales

5.—(1) No person living outside Wales may, without a reasonable excuse, enter or remain in Wales.

(2) A reasonable excuse includes the need to do the following in Wales—

- (a) obtain—
 - (i) food and medical supplies for those in the same household (including animals in the household) or for vulnerable persons;
 - (ii) supplies for the essential upkeep, maintenance and functioning of the household, or the household of a vulnerable person;
- (b) obtain money from or deposit money with any business or service listed in paragraph 44 or 45 of Part 3 of Schedule 1;
- (c) obtain or provide medical assistance, including accessing any of the services referred to in paragraph 47 of Part 3 of Schedule 1 or accessing veterinary services;
- (d) provide, receive or access care or assistance, including childcare or relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006, where the person receiving the care is a vulnerable person;
- (e) work or provide voluntary or charitable services where it is not reasonably practicable to carry out the work or provide the service from outside Wales;
- (f) where the person is an elite athlete, train and prepare for, and compete in, a specified sporting event;
- (g) provide coaching and other support to an elite athlete in connection with a specified sporting event;
- (h) officiate at or otherwise be involved in running a specified sporting event;
- (i) provide or receive emergency assistance;
- (j) attend a solemnization of a marriage or formation of a civil partnership—
 - (i) as a party to the marriage or civil partnership,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;

- (k) mynd i angladd—
 - (i) fel person sy'n gyfrifol am drefnu'r angladd,
 - (ii) os caiff ei wahodd gan berson sy'n gyfrifol am drefnu'r angladd, neu
 - (iii) fel gofawr person sy'n mynd i'r angladd;
- (l) cyflawni rhwymedigaeth gyfreithiol, gan gynnwys mynd i'r llys neu fodloni amodau mechnaeth, neu gymryd rhan mewn achos cyfreithiol;
- (m) cael gafael ar wasanaethau cyhoeddus neu gael y gwasanaethau hynny;
- (n) cael gafael ar wasanaethau addysgol, yn ddarostyngedig i reoliadau 6 a 7;
- (o) mewn perthynas â phlant nad ydynt yn byw ar yr un aelwyd â'u rhieni, neu un o'u rhieni, parhau â threfniadau presennol ar gyfer gweld rhieni a phlant, a chyswllt rhyngddynt, ac at ddibenion y paragraff hwn, mae "rhiant" yn cynnwys person nad yw'n rhiant i'r plentyn, ond sydd â chyfrifoldeb rhiant dros y plentyn neu sydd â gofal drosto;
- (p) symud cartref;
- (q) osgoi anaf neu salwch neu ddianc rhag risg o niwed;
- (r) teithio i gyrraedd man y tu allan i Gymru.

(3) At ddibenion paragraff (1), nid yw'n esgus rhesymol i berson fynd i Gymru neu aros yng Nghymru i wneud unrhyw beth os byddai'n rhesymol ymarferol i'r person wneud y peth hwnnw y tu allan i Gymru.

Cyfyngiad ar fynd i'r ysgol

6.—(1) Ni chaiff disgybl ym mlwyddyn 9 neu uwch fynd i fangre ysgol yng Nghymru.

- (2) Ond nid yw paragraff (1) yn atal—
 - (a) disgybl rhag mynd i fangre ysgol—
 - (i) i wneud arholiad neu asesiad arall;
 - (ii) pan fo perchennog yr ysgol yn hysbysu rhiant y disgybl ei fod yn ystyried ei bod yn briodol i'r disgybl fynd yno oherwydd amgylchiadau eithriadol sy'n ymwneud â hyglwyfedd y disgybl;
 - (b) disgybl rhag mynd i fangre ysgol arbennig;
 - (c) disgybl rhag mynd i fangre uned cyfeirio disgyblion;
 - (d) disgybl rhag mynd i fangre uned mewn ysgol, lle—

- (k) attend a funeral—
 - (i) as a person responsible for arranging the funeral,
 - (ii) if invited by a person responsible for arranging the funeral, or
 - (iii) as the carer of a person attending;
- (l) meet a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (m) access or receive public services;
- (n) access or receive educational services, subject to regulations 6 and 7;
- (o) in relation to children who do not live in the same household as their parents, or one of their parents, continue existing arrangements for access to, and contact between, parents and children, and for the purposes of this paragraph, "parent" includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child;
- (p) move home;
- (q) avoid injury or illness or escape a risk of harm;
- (r) travel to reach a place outside Wales.

(3) For the purposes of paragraph (1), it is not a reasonable excuse for a person to enter, or remain in, Wales to do anything if it would be reasonably practicable for the person to do that thing outside Wales.

Restriction on attending school

6.—(1) A pupil in year 9 or above may not attend a school's premises in Wales.

- (2) But paragraph (1) does not prevent—
 - (a) a pupil from attending a school's premises—
 - (i) to undertake an examination or other assessment;
 - (ii) where the pupil's parent is notified by the proprietor of the school that the proprietor considers it appropriate for the pupil to attend due to exceptional circumstances related to the pupil's vulnerability;
 - (b) a pupil from attending the premises of a special school;
 - (c) a pupil from attending the premises of a pupil referral unit;
 - (d) a pupil from attending the premises of a unit in a school, where—

- (i) mae awdurdod lleol yn cydnabod bod yr uned wedi'i neilltuo ar gyfer disgyblion ag anghenion addysgol arbennig, a
- (ii) bod y disgybl yn cael ei addysgu'n gyfan gwbl neu'n bennaf yn yr uned;
- (e) disgybl sy'n ddisgybl preswyl—
 - (i) rhag preswylio mewn llety ym mangre'r ysgol;
 - (ii) rhag cael addysg yn y llety hwnnw.

- (i) the unit is recognised by a local authority as being reserved for pupils with special educational needs, and
- (ii) the pupil is wholly or mainly educated at the unit;
- (e) a pupil who is a boarder—
 - (i) from residing in accommodation at the school premises;
 - (ii) from being provided education at that accommodation.

Cyfyngiad ar fynd i addysg bellach

7.—(1) Ni chaiff myfyriwr fynd i fangre sefydliad addysg bellach yng Nghymru.

(2) Ond nid yw paragraff (1) yn atal myfyriwr rhag mynd i fangre—

- (a) sefydliad addysg bellach i wneud arholiad neu asesiad arall;
- (b) sefydliad yn y sector addysg bellach pan fo'r sefydliad yn hysbysu'r myfyriwr ei fod yn ystyried ei bod yn briodol i'r myfyriwr fynd yno oherwydd amgylchiadau eithriadol sy'n ymwneud â hyglwyfedd y myfyriwr.

Restriction on attending further education

7.—(1) A student may not attend the premises of a further education institution in Wales.

(2) But paragraph (1) does not prevent a student from attending the premises of—

- (a) a further education institution to undertake an examination or other assessment;
- (b) an institution within the further education sector where the student is notified by the institution that the institution considers it appropriate for the student to attend due to exceptional circumstances related to the student's vulnerability.

Dehongli rheoliadau 6 a 7

8. At ddibenion rheoliadau 6 a 7—

- (a) ystyr “Deddf 1996” yw Deddf Addysg 1996(1);
- (b) mae i “disgybl preswyl” yr ystyr a roddir i “boarder” gan adran 579 o Ddeddf 1996;
- (c) ystyr “sefydliad addysg bellach” yw—
 - (i) sefydliad yn y sector addysg bellach;
 - (ii) darparwr addysg neu hyfforddiant o fewn ystyr “education or training” yn adran 31(1)(a) neu (b) neu 32(1)(a) neu (b) o Ddeddf Dysgu a Sgiliau 2000(2)—
 - (aa) nad yw'n sefydliad o fewn ystyr paragraff (i);
 - (bb) nad yw'n sefydliad yn y sector addysg uwch o fewn ystyr “higher education sector” yn adran 91(5) o Ddeddf Addysg Bellach ac Uwch 1992(3), ac

Interpretation of regulations 6 and 7

8. For the purposes of regulations 6 and 7—

- (a) the “1996 Act” means the Education Act 1996(1);
- (b) “boarder” has the meaning given by section 579 of the 1996 Act;
- (c) “further education institution” means—
 - (i) an institution within the further education sector;
 - (ii) a provider of education or training within the meaning of section 31(1)(a) or (b) or 32(1)(a) or (b) of the Learning and Skills Act 2000(2) that—
 - (aa) is not an institution within the meaning of paragraph (i),
 - (bb) is not an institution within the higher education sector within the meaning of section 91(5) of the Further and Higher Education Act 1992(3), and

(1) 1996 p. 56.
 (2) 2000 p. 21.
 (3) 1992 p. 13.

(1) 1996 c. 56.
 (2) 2000 c. 21.
 (3) 1992 c. 13.

- (cc) sy'n cael cyllid i ddarparu'r addysg honno neu'r hyfforddiant hwnnw oddi wrth Weinidogion Cymru neu awdurdod lleol;
- ond nid yw'n cynnwys cyflogwr sy'n ddarparwr dim ond am fod y cyflogwr yn darparu addysg neu hyfforddiant o'r fath i'w gyflogeion;
- (d) mae i "ysgol annibynnol" yr ystyr a roddir i "independent school" gan adran 463 o Ddeddf 1996;
- (e) mae i "sefydliad o fewn y sector addysg bellach" yr ystyr a roddir i "institutions within the further education sector" gan adran 91(3) o Ddeddf Addysg Bellach ac Uwch 1992;
- (f) mae i "rhiant" yr ystyr a roddir i "parent" gan adran 576 o Ddeddf 1996;
- (g) mae i "perchennog" yr ystyr a roddir i "proprietor" gan adran 579 o Ddeddf 1996;
- (h) mae i "disgybl" yr ystyr a roddir i "pupil" gan adran 4 o Ddeddf 1996;
- (i) mae i "uned cyfeirio disgyblion" yr ystyr a roddir i "pupil referral unit" gan adran 19 o Ddeddf 1996;
- (j) mae i "anghenion addysgol arbennig" yr ystyr a roddir i "special educational needs" gan adran 312 o Ddeddf 1996;
- (k) ystyr "ysgol arbennig" yw—
- (i) ysgol arbennig o fewn yr ystyr a roddir i "special school" gan adran 337 o Ddeddf 1996;
- (ii) ysgol annibynnol sy'n darparu'n gyfan gwbl neu'n bennaf addysg ar gyfer disgyblion ag anghenion addysgol arbennig;
- (l) mae i "ysgol" yr ystyr a roddir i "school" gan adran 4 o Ddeddf 1996;
- (m) ystyr "blwyddyn ysgol" yw'r cyfnod sy'n dechrau â'r tymor ysgol cyntaf i ddechrau ar ôl mis Gorffennaf ac sy'n dod i ben â dechrau'r tymor cyntaf o'r fath i ddechrau ar ôl y mis Gorffennaf canlynol;
- (n) ystyr "blwyddyn 9" yw grŵp blwyddyn y bydd y rhan fwyaf o'r plant ynddo yn cyrraedd 14 oed yn ystod y flwyddyn ysgol;
- (o) ystyr "grŵp blwyddyn" yw grŵp o blant mewn ysgol y bydd y rhan fwyaf ohonynt yn cyrraedd yr un oedran mewn blwyddyn ysgol benodol.
- (cc) is in receipt of funding for provision of that education or training from the Welsh Ministers or a local authority,
- but does not include an employer who is a provider by reason only of the employer providing such education or training to its employees;
- (d) "independent school" has the meaning given by section 463 of the 1996 Act;
- (e) "institution within the further education sector" has the meaning given by section 91(3) of the Further and Higher Education Act 1992;
- (f) "parent" has the meaning given by section 576 of the 1996 Act;
- (g) "proprietor" has the meaning given by section 579 of the 1996 Act;
- (h) "pupil" has the meaning given by section 4 of the 1996 Act;
- (i) "pupil referral unit" has the meaning given by section 19 of the 1996 Act;
- (j) "special educational needs" has the meaning given by section 312 of the 1996 Act;
- (k) "special school" means—
- (i) a special school within the meaning given by section 337 of the 1996 Act;
- (ii) an independent school which wholly or mainly provides education for pupils with special educational needs;
- (l) "school" has the meaning given by section 4 of the 1996 Act;
- (m) "school year" means the period beginning with the first school term to begin after July and ending with the beginning of the first such term to begin after the following July;
- (n) "year 9" means a year group in which the majority of children will, in the school year, attain the age of 14;
- (o) "year group" means a group of children at a school the majority of whom will, in a particular school year, attain the same age.

Gwaharddiad ar drefnu digwyddiadau cerddorol penodol sydd heb eu trwyddedu

9.—(1) Ni chaiff unrhyw berson ymwneud â threfnu digwyddiad cerddorol perthnasol sydd heb ei drwyddedu.

(2) At ddibenion y rheoliad hwn, ystyr “digwyddiad cerddorol perthnasol sydd heb ei drwyddedu” yw digwyddiad—

- (a) sy'n cynnwys mwy na 30 o bobl,
- (b) lle y mae pobl yn ymgynnull yn groes i reoliad 4(1),
- (c) lle y mae cerddoriaeth yn cael ei chwarae neu ei pherfformio at ddiben adloniant, neu at ddibenion sy'n cynnwys y diben hwnnw, a
- (d) lle o ran chwarae neu berfformio cerddoriaeth—
 - (i) y mae'n weithgarwch trwyddedadwy (o fewn ystyr Deddf Trwyddedu 2003(1)), a
 - (ii) nas cynhelir o dan awdurdodiad nac yn unol ag awdurdodiad (o fewn yr ystyr a roddir i “authorisation” gan adran 136(5) o'r Ddeddf honno).

(3) At ddibenion y rheoliad hwn, nid yw person yn ymwneud â threfnu digwyddiad cerddorol perthnasol sydd heb ei drwyddedu os nad yw'r person ond yn ymwneud â'r digwyddiad, neu na fyddai ond yn ymwneud â'r digwyddiad, drwy fynd iddo.

RHAN 3

Cyfyngiadau ar fusnesau a gwasanaethau y mae eu mangreoedd fel arfer ar agor i'r cyhoedd

PENNOD 1

Trosolwg

Cyfeiriadau at “mangre” a throsolwg

10.—(1) Yn y Rhan hon, mae cyfeiriadau at “mangre” yn gyfeiriadau at fangre busnes neu wasanaeth—

- (a) sydd yng Nghymru, a
- (b) y mae gan y cyhoedd fynediad iddi neu y caniateir i'r cyhoedd gael fynediad iddi, pa un ai drwy dalu neu fel arall.

(2) Mae Pennod 2 yn gwneud darpariaeth ynghylch busnesau neu wasanaethau y mae rhaid i'w mangreoedd gau.

Prohibition on organising certain unlicensed music events

9.—(1) No person may be involved in organising a relevant unlicensed music event.

(2) For the purposes of this regulation “relevant unlicensed music event” means an event—

- (a) which consists of more than 30 people,
- (b) at which people are gathered in contravention of regulation 4(1),
- (c) at which music is played or performed for the purpose, or for purposes which include the purpose, of entertainment, and
- (d) where the playing or performance of the music is—
 - (i) a licensable activity (within the meaning of the Licensing Act 2003(1)), and
 - (ii) not carried on under and in accordance with an authorisation (within the meaning given by section 136(5) of that Act).

(3) For the purposes of this regulation, a person is not involved in organising a relevant unlicensed music event if the person's only involvement is, or would be, attending it.

PART 3

Restrictions on businesses and services whose premises are ordinarily open to the public

CHAPTER 1

Overview

References to “premises” and overview

10.—(1) In this Part, references to “premises” are references to premises of a business or service—

- (a) which are in Wales, and
- (b) to which the public have or are permitted access, whether on payment or otherwise.

(2) Chapter 2 makes provision about businesses or services whose premises must close.

(1) 2003 p. 17.

(1) 2003 c. 17.

(3) Mae Pennod 3 yn gwneud darpariaeth ynghylch busnesau neu wasanaethau y mae rhaid i'w mangroedd gau ond y caniateir mynediad cyfyngedig iddynt.

(4) Mae Pennod 4 yn gwneud darpariaeth ynghylch busnesau neu wasanaethau y caiff eu mangroedd barhau i fod ar agor.

(5) Gweler rheoliad 17 am ddarpariaeth bellach ynghylch mangroedd a gaiff barhau i fod ar agor neu a gaeir ond y caniateir mynediad cyfyngedig iddynt yn unol â'r Rhan hon.

PENNOD 2

Busnesau a gwasanaethau y mae rhaid i'w mangroedd gau

Cau mangroedd a ddefnyddir gan fusnesau a gwasanaethau penodol

11.—(1) O ran person sy'n gyfrifol am gynnal busnes neu ddarparu gwasanaeth a restrir yn Rhan 1 o Atodlen 1—

- (a) rhaid iddo gau i aelodau'r cyhoedd unrhyw fangre a weithredir fel rhan o'r busnes neu'r gwasanaeth, a
- (b) ni chaiff gynnal y busnes neu'r gwasanaeth yn y fangre honno ac eithrio yn unol â'r rheoliad hwn.

(2) Nid yw paragraff (1) yn atal—

- (a) gwneud gwaith cynnal a chadw ac atgyweirio neu waith arall i sicrhau bod mangre yn addas i'w defnyddio pan na fydd paragraff (1) yn gymwys i'r fangre mwyach;
- (b) defnyddio mangre at unrhyw ddiben y mae Gweinidogion Cymru neu awdurdod lleol yn gofyn amdano neu'n ei awdurdodi;
- (c) defnyddio mangre i ddarlledu heb gynulleidfa yn bresennol yn y fangre (pa un ai dros y rhynggrwyd neu fel rhan o ddarllediad radio neu deledu);
- (d) defnyddio mangre ar gyfer darparu gwasanaethau neu wybodaeth (gan gynnwys gwerthu, llogi neu ddanfôn nwyddau neu wasanaethau)—
 - (i) drwy wefan, neu fel arall drwy gyfathrebiad ar lein,
 - (ii) dros y ffôn, gan gynnwys drwy neges destun, neu
 - (iii) drwy'r post.

(3) Chapter 3 makes provision about businesses or services whose premises must close but to which limited access may be allowed.

(4) Chapter 4 makes provision about businesses or services whose premises may continue be open.

(5) See regulation 17 for further provision about premises that may continue to be open or are closed but to which limited access may be permitted in accordance with this Part.

CHAPTER 2

Businesses and services whose premises must be closed

Closure of premises used by certain businesses and services

11.—(1) A person responsible for carrying on a business or providing a service which is listed in Part 1 of Schedule 1 must—

- (a) close to members of the public any premises operated as part of the business or service, and
- (b) not carry on the business or service at such premises otherwise than in accordance with this regulation.

(2) Paragraph (1) does not prevent—

- (a) carrying out maintenance and repairs or other work to ensure premises are suitable for use when paragraph (1) no longer applies to the premises;
- (b) the use of premises for any purpose as may be requested or authorised by the Welsh Ministers or a local authority;
- (c) the use of premises to broadcast without an audience present at the premises (whether over the internet or as part of a radio or television broadcast);
- (d) the use of premises for the provision of services or information (including the sale, hire or delivery of goods or services)—
 - (i) through a website, or otherwise by on-line communication,
 - (ii) by telephone, including by text message, or
 - (iii) by post.

Busnesau a gwasanaethau y mae rhaid cau eu mangreodded ond y caniateir mynediad cyfyngedig iddynt

Cau bariau a bwytai etc.

12.—(1) O ran person sy'n gyfrifol am gynnal busnes a restrir ym mharagraffau 22 i 25 o Atodlen 1—

- (a) rhaid iddo gau i aelodau'r cyhoedd unrhyw fangre a weithredir fel rhan o'r busnes, a
- (b) ni chaiff gynnal busnes yn y fangre honno ac eithrio yn unol â'r rheoliad hwn.

(2) Nid yw paragraff (1) yn atal—

- (a) defnyddio mangre ar gyfer—
 - (i) gwerthu bwyd a diod i'w fwyta neu i'w hyfed oddi ar y fangre, neu
 - (ii) gwasanaethau sy'n darparu bwyd neu ddiod i bobl ddigartref;
- (b) darparu gwasanaeth ystafell mewn gwesty neu lety arall (pan fo'r gwesty neu'r llety arall yn parhau i weithredu yn unol â'r eithriadau cyfyngedig a ganiateir gan reoliad 13);
- (c) ffreutur yn y gweithle rhag bod ar agor pan na fo dewis ymarferol arall i staff yn y gweithle hwnnw gael bwyd;
- (d) gwneud gwaith cynnal a chadw ac atgyweirio neu waith arall i sicrhau bod mangre yn addas i'w defnyddio pan na fydd paragraff (1) yn gymwys i'r fangre mwyach.

(3) At ddibenion paragraff (1), mae ardal o dan do sy'n gyfagos i fangre'r busnes lle y mae seddau yn cael eu rhoi ar gael i gwsmeriaid y busnes (pa un ai gan y busnes ai peidio) i'w thrin fel rhan o fangre'r busnes hwnnw.

Cau llety gwyliau

13.—(1) O ran person sy'n gyfrifol am gynnal busnes a restrir ym mharagraffau 26 i 29 o Atodlen 1—

- (a) rhaid iddo gau i aelodau'r cyhoedd unrhyw fangre a weithredir fel rhan o'r busnes, a
- (b) ni chaiff gynnal busnes yn y fangre honno ac eithrio yn unol â'r rheoliad hwn.

(2) Nid yw paragraff (1) yn atal—

- (a) defnyddio mangre at unrhyw ddiben y mae Gweinidogion Cymru neu awdurdod lleol yn gofyn amdano neu'n ei awdurdodi;

Business and services whose premises must be closed but to which limited access may be allowed

Closure of bars and restaurants etc.

12.—(1) A person responsible for carrying on a business which is listed in paragraphs 22 to 25 of Schedule 1 must—

- (a) close to members of the public any premises operated as part of the business, and
- (b) not carry on business at such premises otherwise than in accordance with this regulation.

(2) Paragraph (1) does not prevent—

- (a) the use of premises for—
 - (i) the sale of food and drink for consumption off the premises, or
 - (ii) services providing food or drink to the homeless;
- (b) the provision of room service at a hotel or other accommodation (where the hotel or other accommodation continues to operate in accordance with the limited exceptions allowed by regulation 13);
- (c) a workplace canteen from being open where there is no practical alternative for staff at that workplace to obtain food;
- (d) the carrying out of maintenance and repairs or other work to ensure premises are suitable for use when paragraph (1) no longer applies to the premises.

(3) For the purposes of paragraph (1), an indoor area adjacent to the premises of the business where seating is made available for customers of the business (whether or not by the business) is to be treated as part of the premises of that business.

Closure of holiday accommodation

13.—(1) A person responsible for carrying on a business which is listed in paragraphs 26 to 29 of Schedule 1 must—

- (a) close to members of the public any premises operated as part of the business, and
- (b) not carry on business at such premises otherwise than in accordance with this regulation.

(2) Paragraph (1) does not prevent—

- (a) the use of premises for any purpose as may be requested or authorised by the Welsh Ministers or a local authority;

- (b) darparu llety ar gyfer unrhyw bersonau sy'n aros yn y llety hwnnw pan ddaw'r Rheoliadau hyn i rym ac—
 - (i) nad ydynt yn gallu dychwelyd i'w prif breswylfa, neu
 - (ii) sy'n defnyddio'r llety fel eu prif breswylfa;
- (c) defnyddio mangre i gynnal y busnes drwy ddarparu gwybodaeth neu wasanaethau eraill—
 - (i) drwy wefan, neu fel arall drwy gyfathrebiad ar lein,
 - (ii) dros y ffôn, gan gynnwys ymholiadau drwy neges destun, neu
 - (iii) drwy'r post;
- (d) gwneud gwaith cynnal a chadw ac atgyweirio neu waith arall i sicrhau bod mangre yn addas i'w defnyddio pan nad yw paragraff (1) yn gymwys mwyach i'r fangre.

- (b) the provision of accommodation for any persons staying in that accommodation when these Regulations come into force and who—
 - (i) are unable to return to their main residence, or
 - (ii) are using the accommodation as their main residence;
- (c) the use of premises to carry on the business by providing information or other services—
 - (i) through a website, or otherwise by on-line communication,
 - (ii) by telephone, including enquiries by text message, or
 - (iii) by post;
- (d) the carrying out of maintenance and repairs or other work to ensure premises are suitable for use when paragraph (1) no longer applies to the premises.

Cau addoldai, canolfannau cymunedol ac amlogfeydd

14.—(1) Rhaid i berson sy'n gyfrifol am fangre o fath a restrir ym mharagraffau 30 i 32 o Atodlen 1 sicrhau bod y fangre ar gau i aelodau'r cyhoedd, ac eithrio ar gyfer y defnydd a ganiateir gan baragraffau (2), (3) a (4).

- (2) Caiff addoldy fod ar agor—
 - (a) ar gyfer angladdau;
 - (b) ar gyfer gweinyddu priodas neu ffurfio partneriaeth sifil;
 - (c) i ddarlledu (heb gynulleidfa) weithred addoli, angladd neu weinyddiad priodas neu ffurfiad partneriaeth sifil (pa un ai dros y rhyngwyd neu fel rhan o ddarllediad radio neu deledu);
 - (d) i ddarparu gwasanaethau gwirfoddol hanfodol;
 - (e) i ddarparu gwasanaethau cyhoeddus ar gais Gweinidogion Cymru neu awdurdod lleol.
- (3) Caiff canolfan gymunedol fod ar agor—
 - (a) i ddarparu gwasanaethau gwirfoddol hanfodol, neu
 - (b) i ddarparu gwasanaethau cyhoeddus ar gais Gweinidogion Cymru neu awdurdod lleol.

(4) Caiff amlogfa agor i aelodau'r cyhoedd ar gyfer angladdau neu gladdu (ac i ddarlledu angladd neu gladdu pa un ai dros y rhyngwyd neu fel arall).

(5) Ond nid yw paragraff (1) yn gymwys i'r tir o amgylch amlogfa, gan gynnwys unrhyw gladdfa neu ardd goffa.

Closure of places of worship, community centres and crematoriums

14.—(1) A person responsible for premises of a kind listed in paragraphs 30 to 32 of Schedule 1 must ensure that the premises are closed to members of the public, except for the uses permitted by paragraphs (2), (3) and (4).

- (2) A place of worship may be open—
 - (a) for funerals;
 - (b) for the solemnization of a marriage or formation of a civil partnership;
 - (c) to broadcast (without a congregation) an act of worship, funeral or the solemnization of a marriage or formation of a civil partnership (whether over the internet or as part of a radio or television broadcast);
 - (d) to provide essential voluntary services;
 - (e) to provide public services upon the request of the Welsh Ministers or a local authority.
- (3) A community centre may be open—
 - (a) to provide essential voluntary services, or
 - (b) to provide public services upon the request of the Welsh Ministers or a local authority.

(4) A crematorium may open to members of the public for funerals or burials (and to broadcast a funeral or burial whether over the internet or otherwise).

(5) But paragraph (1) does not apply to the grounds surrounding a crematorium, including any burial ground or garden of remembrance.

(6) Yn y rheoliad hwn, mae “gwasanaethau cyhoeddus” yn cynnwys darparu banciau bwyd neu gymorth arall ar gyfer pobl ddigartref neu bobl hygryf, gofal plant, sesiynau rhoi gwaed neu gymorth mewn argyfwng.

PENNOD 4

Busnesau a gwasanaethau y caiff eu mangroedd fod ar agor

Mangroedd agored

15.—(1) Er gwaethaf darpariaethau blaenorol y Rhan hon, caiff mangroedd a weithredir gan fusnesau neu wasanaethau a restrir yn Rhan 3 o Atodlen 1 barhau i fod ar agor.

(2) A chaiff canolfannau siopa, arcedau siopa a marchnadoedd fod ar agor i'r cyhoedd i'r graddau y mae hyn yn ofynnol i gael gafael ar fusnes neu wasanaeth a restrir yn Rhan 3 o Atodlen 1.

(3) Ond ni chaiff person sy'n gyfrifol am fangre sydd wedi ei hawdurdodi ar gyfer gwerthu neu gyflenwi alcohol i'w yfed oddi ar y fangre werthu na chyflenwi alcohol rhwng 10.00 p.m. a 6.00 a.m.

(4) Nid yw paragraff (3) yn caniatáu i'r person sy'n gyfrifol am y fangre werthu na chyflenwi alcohol, yn groes i awdurdodiad a ganiateir neu a roddir mewn cysylltiad â'r fangre.

PENNOD 5

Busnesau cymysg

Busnesau cymysg

16.—(1) Pan—

- (a) bo'n ofynnol i berson sy'n gyfrifol am gynnal busnes (“busnes A”), yn rhinwedd rheoliad 11(1), 12(1) neu 13(1), beidio â chynnal busnes A mewn mangre, a
- (b) bo busnes A yn ffurfio rhan o fusnes mwy (“busnes B”),

cydymffurfir â'r gofyniad yn rheoliad 11(1), 12(1) neu 13(1) os yw'r person sy'n gyfrifol am gynnal busnes B yn peidio â chynnal busnes A yn y fangre.

(2) Felly er mwyn osgoi amheuaeth, pan—

- (a) caiff mangre a weithredir gan fusnes neu wasanaeth barhau i fod ar agor yn rhinwedd rheoliad 15(1), a
- (b) bo'r busnes hwnnw neu'r gwasanaeth hwnnw yn ffurfio rhan o ymgymeriad mwy sy'n cynnwys cynnal busnes neu wasanaeth arall yn yr un fangre,

(6) In this regulation, “public services” includes the provision of food banks or other support for homeless or vulnerable people, childcare, blood donation sessions or support in an emergency.

CHAPTER 4

Business and services whose premises may be open

Open premises

15.—(1) Despite the preceding provisions of this Part, premises operated by businesses or services listed in Part 3 of Schedule 1 may continue to be open.

(2) And shopping centres, shopping arcades and markets may be open to the public to the extent that this is required for access to a business or service listed in Part 3 of Schedule 1.

(3) But a person responsible for premises authorised for the sale or supply of alcohol for consumption off the premises may not sell or supply alcohol between 10.00 p.m. and 6.00 a.m.

(4) Paragraph (3) does not allow the person responsible for the premises to sell or supply alcohol in contravention of an authorisation granted or given in respect of the premises.

CHAPTER 5

Mixed businesses

Mixed businesses

16.—(1) Where—

- (a) a person responsible for carrying on a business (“business A”) is required, by virtue of regulation 11(1), 12(1) or 13(1), to cease carrying on business A at premises, and
- (b) business A forms part of a larger business (“business B”),

the requirement in regulation 11(1), 12(1) or 13(1) is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

(2) So for the avoidance of doubt, where—

- (a) premises operated by a business or service may continue to be open by virtue of regulation 15(1), and
- (b) that business or service forms part of a larger undertaking which includes the carrying on of another business or service on the same premises,

rhaid i'r person sy'n gyfrifol am y busnes arall hwnnw neu'r gwasanaeth arall hwnnw beidio â'i gynnal os yw'n ofynnol iddo wneud hynny yn rhinwedd rheoliad 11(1), 12(1) neu 13(1).

RHAN 4

Lleihau'r risg o ddod i gysylltiad â'r coronafeirws

Gofyniad i gymryd mesurau ataliol mewn mangre reoleiddiedig i leihau risg

17.—(1) At ddibenion paragraff (2)—

(a) ystyr “mangre reoleiddiedig” yw—

- (i) mangre y caniateir i'r cyhoedd gael mynediad iddi yn rhinwedd rheoliad 11(2), 12(2), 13(2) neu 14(2), (3) neu (4);
- (ii) mangre busnes neu wasanaeth a gaiff barhau i fod ar agor yn rhinwedd rheoliad 15;
- (iii) cerbyd a ddefnyddir i ddarparu gwasanaeth trafnidiaeth gyhoeddus;
- (iv) mangre arall lle y mae gwaith yn cael ei wneud, a

(b) ystyr y “person cyfrifol” yw—

- (i) mewn perthynas â mangre reoleiddiedig y cyfeirir ati yn is-baragraff (a)(i), (ii) neu (iii), y person sy'n gyfrifol am y fangre,
- (ii) mewn perthynas â mangre reoleiddiedig o'r math y cyfeirir ato yn is-baragraff (a)(iv), y person sy'n gyfrifol am y gwaith sy'n cael ei wneud yn y fangre.

(2) At ddibenion lleihau'r risg o ddod i gysylltiad â'r coronafeirws mewn mangre reoleiddiedig, neu ledaenu'r coronafeirws gan y rheini sydd wedi bod mewn mangre reoleiddiedig, rhaid i'r person cyfrifol—

(a) cymryd pob mesur rhesymol i sicrhau—

- (i) y cynhelir pellter o 2 fetr rhwng unrhyw bersonau yn y fangre (ac eithrio rhwng dau aelod o'r un aelwyd, neu rhwng gofalwr a'r person sy'n cael ei gynorthwyo gan y gofalwr);
- (ii) pan fo'n ofynnol i bersonau aros i fynd i'r fangre, y cynhelir pellter o 2 fetr rhyngddynt (ac eithrio rhwng dau aelod o'r un aelwyd, neu rhwng gofalwr a'r person sy'n cael ei gynorthwyo gan y gofalwr),

the person responsible for that other business or service must cease to carry it on if required to do so by virtue of regulation 11(1), 12(1) or 13(1).

PART 4

Minimising risk of exposure to coronavirus

Requirement to take preventative measures on regulated premises to minimise risk

17.—(1) For the purposes of paragraph (2)—

(a) “regulated premises” means—

- (i) premises which may be accessed by the public by virtue of regulation 11(2), 12(2), 13(2) or 14(2), (3) or (4)
- (ii) premises of a business or service which may continue to be open by virtue of regulation 15;
- (iii) a vehicle used to provide a public transport service;
- (iv) other premises where work is being carried out, and

(b) the “responsible person” means—

- (i) in relation to regulated premises referred to in sub-paragraph (a)(i), (ii) or (iii), the person responsible for the premises,
- (ii) in relation to regulated premises of the kind referred to in sub-paragraph (a)(iv), the person responsible for the work being carried out on the premises.

(2) For the purposes of minimising the risk of exposure to coronavirus at regulated premises, or the spread of coronavirus by those who have been at regulated premises, the responsible person must—

(a) take all reasonable measures to ensure—

- (i) that a distance of 2 metres is maintained between any persons on the premises (except between two members of the same household, or a carer and the person assisted by the carer);
- (ii) where persons are required to wait to enter the premises, that a distance of 2 metres is maintained between them (except between two members of the same household, or a carer and the person assisted by the carer),

- (b) cymryd unrhyw fesurau rhesymol eraill at y diben hwnnw, er enghraifft mesurau sy'n cyfyngu ar ryngweithio agos wyneb yn wyneb ac yn cynnal hylendid megis—
 - (i) newid trefn mangre gan gynnwys lleoliad dodrefn a gweithfannau;
 - (ii) rheoli'r defnydd o fynedfeydd, tramwyfeydd, grisiau a lifftiau;
 - (iii) rheoli'r defnydd o gyfleusterau a rennir megis toiledau a cheginau;
 - (iv) rheoli'r defnydd o unrhyw ran arall o'r fangre neu fynediad iddi fel arall;
 - (v) gosod rhwystrau neu sgriniau;
 - (vi) darparu, neu'n ei gwneud yn ofynnol defnyddio, cyfarpar diogelu personol, ac
- (c) darparu gwybodaeth i'r rheini sy'n mynd i'r fangre neu'n gweithio ynddi ynglŷn â sut i leihau'r risg o ddod i gysylltiad â'r coronafeirws.

(3) Mae mesurau y gellir eu cymryd o dan baragraff (2) hefyd yn cynnwys—

- (a) peidio â gwneud gweithgareddau penodol;
- (b) cau rhan o'r fangre;
- (c) caniatáu a galluogi i berson sydd fel arfer yn gweithio yn y fangre ynysu am gyfnod penodedig oherwydd profi'n bositif am y coronafeirws neu am ei fod wedi dod i gysylltiad agos â rhywun sydd wedi profi'n bositif, pan ofynnwyd i'r person hwnnw wneud hynny gan—
 - (i) Gweinidogion Cymru;
 - (ii) swyddog iechyd cyhoeddus;
 - (iii) swyddog i Fwrdd Iechyd Lleol;
 - (iv) person sydd wedi ei ddynodi gan awdurdod lleol at ddibenion cysylltu â phersonau a all fod wedi dod i gysylltiad â'r coronafeirws;
- (d) casglu gwybodaeth gyswllt oddi wrth bob person yn y fangre neu, mewn perthynas â phersonau o'r un aelwyd, oddi wrth un ohonynt, a'i chadw am 21 o ddiwrnodau at ddiben ei darparu i unrhyw un o'r canlynol, ar eu cais neu ar ei gais—
 - (i) Gweinidogion Cymru,
 - (ii) swyddog iechyd cyhoeddus,
 - (iii) person sydd wedi ei ddynodi gan awdurdod lleol i brosesu gwybodaeth at ddibenion cysylltu â phersonau a all fod wedi dod i gysylltiad â'r coronafeirws.

- (b) take any other reasonable measures for that purpose, for example measures which limit close face to face interaction and maintain hygiene such as—
 - (i) changing the layout of premises including the location of furniture and workstations;
 - (ii) controlling use of entrances, passageways, stairs and lifts;
 - (iii) controlling use of shared facilities such as toilets and kitchens;
 - (iv) otherwise controlling the use of, or access to, any other part of the premises;
 - (v) installing barriers or screens;
 - (vi) providing or requiring use of personal protective equipment, and
- (c) provide information to those entering or working at the premises about how to minimise the risk of exposure to coronavirus.

(3) Measures that may be taken under paragraph (2) also include—

- (a) not carrying out certain activities;
- (b) closing a part of the premises;
- (c) allowing and enabling a person who ordinarily works at the premises to isolate for a specified period due to testing positive for coronavirus or having had close contact with somebody who has tested positive, where that person has been asked to do so by—
 - (i) the Welsh Ministers;
 - (ii) a public health officer;
 - (iii) an officer of a Local Health Board;
 - (iv) a person designated by a local authority for the purposes of contacting persons who may have been exposed to coronavirus;
- (d) collecting contact information from each person at the premises or, in relation to persons from the same household, from one of them, and retaining it for 21 days for the purpose of providing it to any of the following, upon their request—
 - (i) the Welsh Ministers,
 - (ii) a public health officer,
 - (iii) a person designated by a local authority to process information for the purposes of contacting persons who may have been exposed to coronavirus.

(4) Yn y rheoliad hwn—

- (a) ystyr “gwybodaeth gyswllt”, mewn perthynas â pherson yn y fangre, yw enw'r person a gwybodaeth sy'n ddigonol i allu cysylltu â'r person, i roi gwybod iddo y gall fod wedi dod i gysylltiad â'r coronafeirws yn y fangre (gan gynnwys rhif ffôn a'r dyddiad a'r amser yr oedd y person yn y fangre);
- (b) mae i “swyddog iechyd cyhoeddus” yr un ystyr ag a roddir i “public health officer” ym mharagraff 3(2)(c) o Atodlen 21 i Ddeddf y Coronafeirws 2020(1);
- (c) mae i “Bwrdd Iechyd Lleol” yr ystyr a roddir i “Local Health Board” gan adran 11 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(2).

Gofyniad i wisgo gorchudd wyneb ar drafnidiaeth gyhoeddus

18.—(1) Rhaid i berson (“P”) sy'n teithio fel teithiwr mewn cerbyd a ddefnyddir i ddarparu gwasanaeth trafnidiaeth gyhoeddus wisgo gorchudd wyneb.

(2) Ond nid yw hyn yn ofynnol—

- (a) pan fo esemptiad yn gymwys o dan baragraff (3);
- (b) pan fo gan P esgus rhesymol dros beidio â gwisgo gorchudd wyneb, ac o ran hynny gweler paragraff (4).

(3) Mae esemptiad i'r gofyniad i wisgo gorchudd wyneb yn gymwys—

- (a) pan fo P yn blentyn o dan 11 oed;
- (b) mewn cerbyd sy'n darparu gwasanaeth cludiant i'r ysgol;
- (c) ar fferi—
 - (i) pan fo'r rhan o'r fferi sydd ar agor i deithwyr yn yr awyr agored yn gyfan gwbl, neu
 - (ii) pan ellir cynnal pellter o 2 fetr o leiaf rhwng personau ar y rhan o'r fferi sydd ar agor i deithwyr;
- (d) ar long fordeithio;
- (e) pan ddyrennir caban, man cysgu neu lety tebyg arall i P yn y cerbyd, ar unrhyw adeg pan yw P yn y llety hwnnw—
 - (i) ar ei ben ei hunan, neu
 - (ii) gydag aelodau o aelwyd P neu ofalwr i aelod o'r aelwyd yn unig;

(4) In this regulation—

- (a) “contact information”, in relation to a person at the premises, means the person's name and information sufficient to enable the person to be contacted, to inform them that they may have been exposed to coronavirus at the premises (including a telephone number and the date and time at which the person was at the premises);
- (b) “public health officer” has the same meaning as in paragraph 3(2)(c) of Schedule 21 to the Coronavirus Act 2020(1);
- (c) “Local Health Board” has the meaning given by section 11 of the National Health Service (Wales) Act 2006(2).

Requirement to wear face covering on public transport

18.—(1) A person (“P”) who is travelling as a passenger on a vehicle used to provide a public transport service must wear a face covering.

(2) But this is not required—

- (a) where an exemption applies under paragraph (3);
- (b) where P has a reasonable excuse not to wear a face covering, as to which see paragraph (4).

(3) An exemption to the requirement to wear a face covering applies—

- (a) where P is a child under the age of 11;
- (b) on a vehicle providing a school transport service;
- (c) on a ferry where—
 - (i) the part of the ferry which is open to passengers is entirely outdoors, or
 - (ii) a distance of at least 2 metres can be maintained between persons on the part of the ferry which is open to passengers;
- (d) on a cruise ship;
- (e) where P is allocated a cabin, berth or other similar accommodation on the vehicle, at any time when P is in that accommodation—
 - (i) alone, or
 - (ii) only with members of P's household or a member of the household's carer;

(1) 2020 p. 7.
(2) 2006 p. 42.

(1) 2020 c. 7.
(2) 2006 c.42.

- (f) pan—
- (i) caniateir i P, neu pan fo'n ofynnol fel arfer i P, fynd i gerbyd ac aros ynddo wrth ddefnyddio'r gwasanaeth trafndiaeth gyhoeddus,
 - (ii) na fo'r cerbyd ei hunan yn cael ei ddefnyddio ar gyfer darparu gwasanaeth trafndiaeth gyhoeddus, a
 - (iii) bo P yn aros yn y cerbyd hwnnw;
- (g) ar gerbyd awyr na chychwynnodd o fan yng Nghymru, nac sydd i lanio mewn man yng Nghymru;
- (h) ar lestr nad yw'n docio mewn porthladd yng Nghymru.

(4) Mae'r amgylchiadau pan fo gan P esgus rhesymol dros beidio â gwisgo gorchudd wyneb yn cynnwys—

- (a) pan na fo P yn gallu rhoi gorchudd am ei wyneb, neu wisgo neu dynnu gorchudd wyneb, oherwydd salwch neu nam corfforol neu feddyliol, neu anabledd (o fewn yr ystyr a roddir i "disability" yn adran 6 o Ddeddf Cydraddoldeb 2010);
- (b) pan fo P yn gorfod tynnu'r gorchudd wyneb er mwyn cyfathrebu â pherson arall sy'n cael anhawster i gyfathrebu (mewn perthynas â lleferydd, iaith neu fel arall);
- (c) pan fo P yn gorfod tynnu'r gorchudd wyneb er mwyn osgoi niwed neu anaf, neu'r risg o niwed neu anaf, i P ei hunan neu i eraill;
- (d) pan fo P yn teithio i osgoi anaf, neu i ddianc rhag risg o niwed, ac nad oes gan P orchudd wyneb;
- (e) pan fo P yn gorfod tynnu'r gorchudd wyneb i—
 - (i) cymryd meddyginiaeth;
 - (ii) bwyta neu yfed, os caniateir gwneud hyn yn y cerbyd a bod hynny'n rhesymol angenrheidiol (er enghraifft oherwydd hyd y daith);
- (f) pan ofynnir i P dynnu'r gorchudd wyneb gan—
 - (i) swyddog gorfodaeth, neu
 - (ii) gweithredwr y gwasanaeth trafndiaeth gyhoeddus, cyflogai i'r gweithredwr neu berson sydd wedi ei awdurdodi gan y gweithredwr.

(5) Rhaid i weithredwr gwasanaeth trafndiaeth gyhoeddus y mae paragraff (1) yn gymwys iddo ddarparu gwybodaeth i deithwyr am y gofyniad i wisgo gorchuddion wyneb yn ei gerbydau.

- (f) where—
- (i) P is permitted, or ordinarily required, to board and to stay in a vehicle when using the public transport service,
 - (ii) the vehicle is not itself used for the provision of a public transport service, and
 - (iii) P stays in that vehicle;
- (g) on an aircraft which neither took off from, nor is to land at, a place in Wales;
- (h) on a vessel which does not dock at a port in Wales.

(4) The circumstances in which P has a reasonable excuse to not wear a face covering include—

- (a) where P is unable to put on, wear or remove a face covering because of a physical or mental illness or impairment, or a disability (within the meaning of section 6 of the Equality Act 2010);
- (b) where P has to remove the face covering to communicate with another person who has difficulty communicating (in relation to speech, language or otherwise);
- (c) where P has to remove the face covering in order to avoid harm or injury, or the risk of harm or injury, to themselves or others;
- (d) where P is travelling to avoid injury, or to escape a risk of harm, and does not have a face covering;
- (e) where P has to remove the face covering to—
 - (i) take medication;
 - (ii) eat or drink, if this is allowed on the vehicle and is reasonably necessary (for example due to the length of the journey);
- (f) where P is asked to remove the face covering by—
 - (i) an enforcement officer, or
 - (ii) the operator of the public transport service, an employee of the operator or a person authorised by the operator.

(5) An operator of a public transport service to which paragraph (1) applies must provide information to passengers about the requirement to wear face coverings on their vehicles.

(6) At ddibenion y rheoliad hwn ystyr “gwasanaeth cludiant i’r ysgol” yw unrhyw gludiant nad yw ond yn cael ei ddarparu at ddiben—

- (a) cludo person i’r ysgol ac o’r ysgol neu’r man arall y mae’r person yn cael addysg neu hyfforddiant ynddo, neu
- (b) hwyluso fel arall bresenoldeb person mewn ysgol neu fan arall y mae’r person yn cael addysg neu hyfforddiant ynddo.

Gofyniad i wisgo gorchudd wyneb mewn mannau cyhoeddus penodol o dan do

19.—(1) Rhaid i berson (“P”) wisgo gorchudd wyneb yn ardaloedd cyhoeddus o dan do mangreuedd y mae gan y cyhoedd fynediad iddynt neu y caniateir i’r cyhoedd gael mynediad iddynt, pa un ai drwy dalu neu fel arall.

(2) Ond nid yw hyn yn ofynnol—

- (a) pan fo P yn blentyn o dan 11 oed;
- (b) pan fo gan P esgus rhesymol dros beidio â gwisgo gorchudd wyneb, ac o ran hynny gweler paragraff (3).

(3) Mae’r amgylchiadau pan fo gan P esgus rhesymol dros beidio â gwisgo gorchudd wyneb yn cynnwys—

- (a) pan na fo P yn gallu rhoi gorchudd am ei wyneb, neu wisgo neu dynnu gorchudd wyneb, oherwydd salwech neu nam corfforol neu feddyliol, neu anabledd (o fewn yr ystyr a roddir i “disability” yn adran 6 o Ddeddf Cydraddoldeb 2010);
- (b) pan fo P yn ymgymryd â gweithgaredd ac y gellir ystyried yn rhesymol fod gwisgo gorchudd wyneb yn ystod y gweithgaredd hwnnw yn peri risg i iechyd P;
- (c) pan fo P yn gorfod tynnu’r gorchudd wyneb i gyfathrebu â pherson arall sy’n cael anhawster i gyfathrebu (mewn perthynas â lleferydd, iaith neu fel arall);
- (d) pan fo P yn gorfod tynnu’r gorchudd wyneb er mwyn osgoi niwed neu anaf, neu’r risg o niwed neu anaf, i P ei hunan neu i eraill;
- (e) pan fo P yn y fangre i osgoi anaf, neu i ddianc rhag risg o niwed, ac nad oes gan P orchudd wyneb;
- (f) pan fo P yn gorfod tynnu’r gorchudd wyneb i—
 - (i) cymryd meddyginiaeth;
 - (ii) bwyta neu yfed, pan fo’n rhesymol angenrheidiol;

(6) For the purposes of this regulation a “school transport service” means any transport service provided solely for the purpose of—

- (a) carrying a person to and from the school or other place at which the person receives education or training, or
- (b) otherwise facilitating a person’s attendance at a school or other place at which the person receives education or training.

Requirement to wear face covering in certain indoor public places

19.—(1) A person (“P”) must wear a face covering in indoor public areas of premises to which the public have or are permitted access, whether on payment or otherwise.

(2) But this is not required—

- (a) where P is a child under the age of 11;
- (b) where P has a reasonable excuse not to wear a face covering, as to which see paragraph (3).

(3) The circumstances in which P has a reasonable excuse to not wear a face covering include—

- (a) where P is unable to put on, wear or remove a face covering because of a physical or mental illness or impairment, or a disability (within the meaning of section 6 of the Equality Act 2010);
- (b) where P is undertaking an activity and wearing a face covering during that activity may reasonably be considered to be a risk to P’s health;
- (c) where P has to remove the face covering to communicate with another person who has difficulty communicating (in relation to speech, language or otherwise);
- (d) where P has to remove the face covering in order to avoid harm or injury, or the risk of harm or injury, to themselves or others;
- (e) where P is at the premises to avoid injury, or to escape a risk of harm, and does not have a face covering;
- (f) where P has to remove the face covering to—
 - (i) take medication;
 - (ii) eat or drink, where reasonably necessary;

- (g) pan ofynnir i P dynnu'r gorchudd wyneb gan swyddog gorfodaeth.

- (g) where P is asked to remove the face covering by an enforcement officer.

Canllawiau ar leihau dod i gysylltiad â'r coronafeirws

20.—(1) Rhaid i berson y mae'n ofynnol iddo gymryd mesurau rhesymol o dan reoliad 17(2) roi sylw i ganllawiau a ddyroddir gan Weinidogion Cymru ynghylch y mesurau hynny.

(2) Rhaid i weithredwr gwasanaeth trafndiaeth gyhoeddus y mae rheoliad 18 yn gymwys iddo roi sylw i ganllawiau a ddyroddir gan Weinidogion Cymru ynghylch—

- (a) y gofyniad i wisgo gorchudd wyneb yn unol â pharagraffau (1) i (4) o reoliad 18 a gorfodi'r gofyniad hwnnw o dan reoliad 25;

- (b) darparu gwybodaeth i deithwyr yn unol â pharagraff (5) o reoliad 18.

(3) O ran Gweinidogion Cymru—

- (a) cânt ddiwygio canllawiau a ddyroddir o dan baragraff (1) neu (2), a

- (b) rhaid iddynt gyhoeddi'r canllawiau (ac unrhyw ddiwygiadau).

(4) Caiff canllawiau o dan y rheoliad hwn gynnwys (drwy gyfeirio neu drosi) ganllawiau, codau ymarfer neu ddogfennau eraill a gyhoeddir gan berson arall (er enghraifft, cymdeithas fasnach, corff sy'n cynrychioli aelodau o ddiwydiant neu undeb llafur).

RHAN 5

Gorfodi

Swyddogion gorfodaeth

21.—(1) At ddibenion rheoliad 22 ac Atodlen 2, ystyr “swyddog gorfodaeth” yw person sydd wedi ei ddynodi gan awdurdod lleol at ddibenion y Rheoliadau hyn.

(2) At ddibenion rheoliadau 23 i 31, ystyr “swyddog gorfodaeth” yw—

- (a) cwnstabl,
- (b) swyddog cymorth cymunedol yr heddlu,
- (c) person sydd wedi ei ddynodi gan—
- (i) Gweinidogion Cymru, neu
- (ii) awdurdod lleol,
- at ddibenion y Rheoliadau hyn (ond gweler paragraff (3)), neu

Guidance on minimising exposure

20.—(1) A person required to take reasonable measures under regulation 17(2) must have regard to guidance issued by the Welsh Ministers about those measures.

(2) An operator of a public transport service to which regulation 18 applies must have regard to guidance issued by the Welsh Ministers about—

- (a) the requirement to wear a face covering in accordance with paragraphs (1) to (4) of regulation 18 and the enforcement of that requirement under regulation 25;

- (b) providing information to passengers in accordance with paragraph (5) of regulation 18.

(3) The Welsh Ministers—

- (a) may revise guidance issued under paragraph (1) or (2), and

- (b) must publish the guidance (and any revisions).

(4) Guidance under this regulation may incorporate (by reference or transposition) guidance, codes of practice or other documents published by another person (for example, a trade association, body representing members of an industry or a trade union).

PART 5

Enforcement

Enforcement officers

21.—(1) For the purposes of regulation 22 and Schedule 2, an “enforcement officer” means a person designated by a local authority for the purposes of these Regulations.

(2) For the purposes of regulations 23 to 31, an “enforcement officer” means—

- (a) a constable,
- (b) a police community support officer,
- (c) a person designated by—
- (i) the Welsh Ministers, or
- (ii) a local authority,
- for the purposes of these Regulations (but see paragraph (3)), or

(d) person sydd wedi ei ddynodi gan Weinidogion Cymru neu awdurdod lleol o dan—

(i) rheoliad 17(1) o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020(1) at ddibenion y Rheoliadau hynny, neu

(ii) rheoliad 10(11)(c) o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020(2) yn berson perthnasol (o fewn yr ystyr a roddir gan y rheoliad hwnnw),

(ond gweler paragraff (3)).

(3) Ni chaiff person sydd wedi ei ddynodi gan awdurdod lleol arfer swyddogaethau swyddog gorfodaeth ond mewn perthynas â thorri gofyniad yn rheoliad 11(1), 12(1), 13(1), 14(1), 15(3), 17(2) neu Atodlen 2 (neu achos honedig o'i dorri).

Gorfodi'r gofyniad i gymryd mesurau ataliol

22. Mae Atodlenni 2 a 3 yn gwneud darpariaeth ar gyfer rhoi swyddogaethau i swyddogion gorfodaeth at ddiben gorfodi rheoliad 17(2) ac mewn cysylltiad â rhoi'r swyddogaethau hynny.

Hysbysiadau cydymffurfio

23.—(1) Caiff swyddog gorfodi roi hysbysiad cydymffurfio i berson os oes gan y swyddog sail resymol dros amau bod y person yn torri gofyniad yn rheoliad 11(1), 12(1), 13(1), 14(1) neu 18(5).

(2) Caiff hysbysiad cydymffurfio bennu mesurau y mae rhaid i'r person y'i rhoddir iddo eu cymryd cyn gynted ag y bo'n rhesymol ymarferol er mwyn atal y person hwnnw rhag parhau i dorri'r gofyniad.

Pwerau symud a gwasgaru

24.—(1) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person ("P") yn torri rheoliad 3(1), caiff y swyddog—

(a) cyfarwyddo P i ddychwelyd i'r man lle y mae P yn byw;

(b) symud P i'r man hwnnw.

(2) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod pobl wedi ymgynnull yn groes i reoliad 4(1), caiff y swyddog—

(a) cyfarwyddo'r cynulliad i wasgaru;

(d) a person designated by the Welsh Ministers or a local authority under—

(i) regulation 17(1) of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020(1) for the purposes of those Regulations, or

(ii) regulation 10(11)(c) of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020(2) as a relevant person (within the meaning given by that regulation),

(but see paragraph (3)).

(3) A person designated by a local authority may exercise an enforcement officer's functions only in relation to a contravention (or alleged contravention) of a requirement in regulation 11(1), 12(1), 13(1), 14(1), 15(3), 17(2) or Schedule 2.

Enforcement of requirement to take preventative measures

22. Schedules 2 and 3 make provision for and in connection with conferring functions on enforcement officers for the purpose of enforcing regulation 17(2).

Compliance notices

23.—(1) An enforcement officer may give a compliance notice to a person if the officer has reasonable grounds for suspecting that the person is contravening a requirement in regulation 11(1), 12(1), 13(1), 14(1) or 18(5).

(2) A compliance notice may specify measures that the person to whom it is given must take as soon as is reasonably practicable so as to prevent that person from continuing to contravene the requirement.

Powers of removal and dispersal

24.—(1) Where an enforcement officer has reasonable grounds for suspecting that a person ("P") is contravening regulation 3(1), the officer may—

(a) direct P to return to the place where P is living;

(b) remove P to that place.

(2) Where an enforcement officer has reasonable grounds for suspecting that people are gathered together in contravention of regulation 4(1), the officer may—

(a) direct the gathering to disperse;

(1) O.S. 2020/725 (Cy. 162). Diwygiwyd gan O.S. 2020/985 (Cy. 222).
(2) O.S. 2020/353 (Cy. 80).

(1) S.I. 2020/725 (W. 162). Amended by S.I. 2020/985 (W. 222).
(2) S.I. 2020/353 (W. 80).

- (b) cyfarwyddo unrhyw berson yn y cynulliad i ddychwelyd i'r man lle y mae'n byw;
- (c) symud unrhyw berson yn y cynulliad i'r man lle y mae'n byw.

(3) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person (“P”) yn torri rheoliad 5(1), caiff y swyddog gyfarwyddo P i ymadael â Chymru.

(4) Wrth arfer y pŵer ym mharagraff (1), (2) neu (3), caiff swyddog gorfodaeth gyfarwyddo person i ddilyn unrhyw gyfarwyddiadau y mae'r swyddog yn ystyried eu bod yn angenrheidiol.

(5) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person (“P”) yn torri, neu ar fin torri, rheoliad 9(1), caiff y swyddog—

- (a) cyfarwyddo P i ddilyn unrhyw gyfarwyddiadau y mae'r swyddog yn ystyried eu bod yn angenrheidiol er mwyn stopio neu atal y toriad;
- (b) symud P o leoliad neu leoliad arfaethedig y digwyddiad y mae'r swyddog yn amau ei fod yn cael, neu ar fin cael, ei drefnu yn groes i reoliad 9(1).

Gorfodi gofynion gorchuddion wyneb

25.—(1) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person (“P”) yn torri (neu ar fin torri) rheoliad 18(1), caiff y swyddog—

- (a) cyfarwyddo P i beidio â mynd i'r cerbyd sy'n darparu'r gwasanaeth trafniadaeth gyhoeddus o dan sylw;
- (b) symud P o'r cerbyd.

(2) Pan fo gan—

- (a) gweithredwr gwasanaeth trafniadaeth gyhoeddus,
- (b) cyflogai i'r gweithredwr, neu
- (c) person sydd wedi ei awdurdodi gan y gweithredwr,

sail resymol dros amau bod person (“P”) ar fin torri rheoliad 18(1), caiff y gweithredwr, y cyflogai neu'r person awdurdodedig gyfarwyddo P i beidio â mynd i'r cerbyd sy'n darparu'r gwasanaeth trafniadaeth gyhoeddus o dan sylw.

(3) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person (“P”) yn torri (neu ar fin torri) rheoliad 19(1), caiff y swyddog—

- (a) cyfarwyddo P i beidio â mynd i'r fangre;
- (b) symud P o'r fangre.

- (b) direct any person in the gathering to return to the place where they are living;
- (c) remove any person in the gathering to the place where they are living.

(3) Where an enforcement officer has reasonable grounds for suspecting that a person (“P”) is contravening regulation 5(1), the officer may direct P to leave Wales.

(4) When exercising the power in paragraph (1), (2) or (3), an enforcement officer may direct a person to follow such instructions as the officer considers necessary.

(5) Where an enforcement officer has reasonable grounds for suspecting that a person (“P”) is contravening, or is about to contravene, regulation 9(1), the officer may—

- (a) direct P to follow such instructions as the officer considers necessary in order to stop or prevent the contravention;
- (b) remove P from the location or proposed location of the event which the officer suspects is being, or is about to be, organised in contravention of regulation 9(1).

Enforcement of face covering requirements

25.—(1) Where an enforcement officer has reasonable grounds for suspecting that a person (“P”) is contravening (or is about to contravene) regulation 18(1), the officer may—

- (a) direct P not to board the vehicle providing the public transport service in question;
- (b) remove P from the vehicle.

(2) Where—

- (a) the operator of a public transport service,
- (b) an employee of the operator, or
- (c) a person authorised by the operator,

has reasonable grounds to suspect that a person (“P”) is about to contravene regulation 18(1), the operator, employee or authorised person may direct P not to board the vehicle providing the public transport service in question.

(3) Where an enforcement officer has reasonable grounds to suspect that a person (“P”) is contravening (or is about to contravene) regulation 19(1), the officer may—

- (a) direct P not to enter the premises;
- (b) remove P from the premises.

Gorfodi: plant

26.—(1) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person (“P”) yn torri rheoliad 3(1) neu’n ymgynnull yn groes i reoliad 4(1) a’i fod yn blentyn gydag unigolyn (“U”) a chanddo gyfrifoldeb dros P—

- (a) caiff y swyddog gyfarwyddo U i fynd â P i’r man lle y mae P yn byw, a
- (b) rhaid i U, i’r graddau y mae’n rhesymol ymarferol, sicrhau bod P yn cydymffurfio ag unrhyw gyfarwyddyd neu gyfarwyddiad a roddir gan y swyddog i P.

(2) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod person (“P”) yn torri rheoliad 5(1) a’i fod yn blentyn gydag unigolyn (“U”) a chanddo gyfrifoldeb dros P—

- (a) caiff y swyddog gyfarwyddo U i fynd â P i fan y tu allan i Gymru, a
- (b) rhaid i U, i’r graddau y mae’n rhesymol ymarferol, sicrhau bod P yn cydymffurfio ag unrhyw gyfarwyddyd neu gyfarwyddiad a roddir gan y swyddog i P.

(3) Pan fo gan swyddog gorfodaeth sail resymol dros amau bod plentyn yn methu â chydymffurfio â gofyniad yn rheoliad 18(1) neu 19(1), caiff y swyddog gyfarwyddo unrhyw unigolyn (“U”) a chanddo gyfrifoldeb dros y plentyn i sicrhau, i’r graddau y mae’n rhesymol ymarferol, fod y plentyn yn cydymffurfio â’r gofyniad.

(4) At ddibenion paragraffau (1), (2) a (3), mae gan U gyfrifoldeb dros plentyn os oes gan U—

- (a) gwarchodaeth neu ofal am y plentyn am y tro, neu
- (b) cyfrifoldeb rhiant dros y plentyn.

Pŵer mynediad

27.—(1) Caiff swyddog gorfodaeth fynd i fangre—

- (a) os oes gan y swyddog sail resymol dros amau bod gofyniad a osodir gan y Rheoliadau hyn yn cael, wedi cael, neu ar fin cael ei dorri yn y fangre, a
- (b) os yw’r swyddog yn ystyried ei bod yn angenrheidiol mynd i’r fangre at ddiben canfod a yw’r gofyniad yn cael, wedi cael, neu ar fin cael ei dorri.

(2) Caiff swyddog gorfodaeth sy’n mynd i fangre yn unol â pharagraff (1) gymryd unrhyw bersonau eraill, cyfarpar a deunyddiau i’r fangre y mae’n ymddangos i’r swyddog eu bod yn briodol.

(3) Rhaid i swyddog gorfodaeth sy’n mynd i fangre yn unol â pharagraff (1)—

Enforcement: children

26.—(1) Where an enforcement officer has reasonable grounds to suspect that a person (“P”) is contravening regulation 3(1) or is in a gathering in contravention of regulation 4(1) and is a child accompanied by an individual (“I”) who has responsibility for P—

- (a) the officer may direct I to take P to the place where P is living, and
- (b) I must, so far as reasonably practicable, ensure that P complies with any direction or instruction given by the officer to P.

(2) Where an enforcement officer has reasonable grounds to suspect that a person (“P”) is contravening regulation 5(1) and is a child accompanied by an individual (“I”) who has responsibility for P—

- (a) the officer may direct I to take P to a place outside Wales, and
- (b) I must, so far as reasonably practicable, ensure that P complies with any direction or instruction given by the officer to P.

(3) Where an enforcement officer has reasonable grounds to suspect that a child is failing to comply with the requirement in regulation 18(1) or 19(1), the officer may direct any individual (“I”) who has responsibility for the child to secure, so far as reasonably practicable, that the child complies with the requirement.

(4) For the purposes of paragraphs (1), (2) and (3), I has responsibility for a child if I—

- (a) has custody or charge of the child for the time being, or
- (b) has parental responsibility for the child.

Power of entry

27.—(1) An enforcement officer may enter premises, if the officer—

- (a) has reasonable grounds for suspecting that a requirement imposed by these Regulations is being, has been or is about to be contravened on the premises, and
- (b) considers it necessary to enter the premises for the purpose of ascertaining whether the requirement is being, has been or is about to be contravened.

(2) An enforcement officer entering premises in accordance with paragraph (1) may take such other persons, equipment and materials onto the premises as appears to the officer to be appropriate.

(3) An enforcement officer entering premises in accordance with paragraph (1)—

- (a) os gofynnir iddo gan berson yn y fangre, ddangos tystiolaeth o bwy yw'r swyddog ac amlinellu'r diben yr arferir y pŵer ato;
- (b) os nad yw'r fangre wedi ei meddiannu neu os yw'r meddiannydd yn absennol dros dro, adael y fangre wedi ei diogelu rhag mynediad anawdurdodedig yr un mor effeithiol ag yr oedd pan aeth y swyddog iddi.

Gorfodi: darpariaeth atodol

28.—(1) Caiff swyddog gorfodaeth gymryd camau gweithredu eraill i hwyluso arfer pŵer a roddir i'r swyddog gan y Rhan hon.

(2) Caiff swyddog gorfodaeth ddefnyddio grym rhesymol wrth arfer pŵer o dan—

- (a) rheoliad 24(1)(b), (2)(c) neu (5)(b),
- (b) rheoliad 25(1)(b) neu (3)(b), neu
- (c) rheoliad 27(1).

(3) Ni chaiff swyddog gorfodaeth ond arfer pŵer o dan y Rhan hon os yw'r swyddog yn ystyried ei bod yn angenrheidiol ac yn gymesur gwneud hynny.

(4) Yn y Rhan hon mae cyfeiriadau at ofyniad yn cynnwys cyfeiriadau at gyfyngiad.

- (a) if asked by a person on the premises, must show evidence of the officer's identity and outline the purpose for which the power is exercised;
- (b) if the premises are unoccupied or the occupier is temporarily absent, must leave the premises as effectively secured against unauthorised entry as when the officer found them.

Enforcement: supplemental provision

28.—(1) An enforcement officer may take other action to facilitate the exercise of a power conferred on the officer by this Part.

(2) An enforcement officer may use reasonable force in the exercise of a power under—

- (a) regulation 24(1)(b), (2)(c) or (5)(b),
- (b) regulation 25(1)(b) or (3)(b), or
- (c) regulation 27(1).

(3) An enforcement officer may only exercise a power under this Part if the officer considers that it is necessary and proportionate to do so.

(4) In this Part references to a requirement include references to a restriction.

RHAN 6

Troseddau a chosbau

Troseddau a chosbau

29.—(1) Mae person sydd—

- (a) heb esgus rhesymol, yn torri gofyniad yn rheoliad 9(1), 11(1), 12(1), 13(1), 14(1) neu 15(3), neu
- (b) yn torri gofyniad yn rheoliad 3(1), 4(1), 5(1), 18(1) neu 19(1)

yn cyflawni trosedd.

(2) Mae person sy'n rhwystro, heb esgus rhesymol, unrhyw berson rhag cyflawni swyddogaeth o dan y Rheoliadau hyn yn cyflawni trosedd.

(3) Mae person sydd—

- (a) heb esgus rhesymol, yn torri paragraff 3(1) o Atodlen 2,
- (b) yn torri paragraff 3(2) o'r Atodlen honno, neu
- (c) heb esgus rhesymol, yn tynnu, yn cuddio neu'n difrodi hysbysiad neu arwydd y mae'n ofynnol ei arddangos o dan baragraff 7(2) o'r Atodlen honno,

yn cyflawni trosedd.

PART 6

Offences and penalties

Offences and penalties

29.—(1) A person who—

- (a) without reasonable excuse, contravenes a requirement in regulation 9(1), 11(1), 12(1), 13(1), 14(1) or 15(3), or
- (b) contravenes a requirement in regulation 3(1), 4(1), 5(1), 18(1) or 19(1)

commits an offence.

(2) A person who obstructs, without reasonable excuse, any person carrying out a function under these Regulations commits an offence.

(3) A person who—

- (a) without reasonable excuse, contravenes paragraph 3(1) of Schedule 2,
- (b) contravenes paragraph 3(2) of that Schedule, or
- (c) without reasonable excuse, removes, obscures or damages a notice or sign required to be displayed under paragraph 7(2) of that Schedule,

commits an offence.

- (4) Mae person sydd, heb esgus rhesymol—
- (a) yn torri cyfarwyddyd a roddir—
 - (i) gan swyddog gorfodaeth o dan Ran 5, neu
 - (ii) gan weithredwr gwasanaeth trafniadaeth gyhoeddus, cyflogai i'r gweithredwr, neu berson sydd wedi ei awdurdodi gan y gweithredwr, o dan reoliad 25(2), neu
 - (b) yn methu â chydymffurfio â hysbysiad cydymffurfio a roddir gan swyddog gorfodaeth o dan reoliad 23(1),

yn cyflawni trosedd.

(5) Mae trosedd o dan y Rheoliadau hyn i'w chosbi ar euogfarn ddiannod drwy ddirwy.

(6) Mae adran 24 o Ddeddf yr Heddlu a Thystiolaeth Droseddol 1984(1) yn gymwys mewn perthynas â throsedd o dan y rheoliad hwn fel petai'r rhesymau yn is-adran (5) yn cynnwys—

- (a) cynnal iechyd y cyhoedd;
- (b) cynnal trefn gyhoeddus.

Troseddau a gyflawnwyd gan gyrff corfforedig etc.

30.—(1) Os profir bod trosedd o dan y Rheoliadau hyn a gyflawnwyd gan gorff corfforedig—

- (a) wedi ei chyflawni â chydsyniad neu ymoddefiad swyddog i'r corff hwnnw, neu
- (b) i'w phriodoli i unrhyw esgeulustod ar ran swyddog o'r fath,

mae'r swyddog (yn ogystal â'r corff corfforedig) yn euog o'r drosedd ac yn agored i gael ei erlyn, i gael achos yn ei erbyn a'i gosbi yn unol â hynny.

(2) Ym mharagraff (1), ystyr "swyddog", mewn perthynas â chorff corfforedig, yw cyfarwyddwr, rheolwr, ysgrifennydd neu swyddog tebyg arall i'r corff corfforedig.

(3) Caniateir i achos am drosedd o dan y Rheoliadau hyn yr honnir ei bod wedi ei chyflawni gan bartneriaeth gael ei ddwyn yn enw'r bartneriaeth yn hytrach nag yn enw unrhyw un neu ragor o'r partneriaid.

(4) Caniateir i achos am drosedd o dan y Rheoliadau hyn yr honnir ei bod wedi ei chyflawni gan gorff anghorfforedig ac eithrio partneriaeth gael ei ddwyn yn enw'r corff yn hytrach nag yn enw unrhyw un neu ragor o'i aelodau ac, at ddbenion unrhyw achos o'r fath, mae unrhyw reolau llys sy'n ymwneud â chyflwyno dogfennau yn gael effaith fel pe bai'r corff hwnnw yn gorff corfforedig.

(4) A person who, without reasonable excuse—

- (a) contravenes a direction given—
 - (i) by an enforcement officer under Part 5, or
 - (ii) by the operator of a public transport service, an employee of the operator, or a person authorised by the operator, under regulation 25(2), or
- (b) fails to comply with a compliance notice given by an enforcement officer under regulation 23(1),

commits an offence.

(5) An offence under these Regulations is punishable on summary conviction by a fine.

(6) Section 24 of the Police and Criminal Evidence Act 1984(1) applies in relation to an offence under this regulation as if the reasons in subsection (5) included—

- (a) to maintain public health;
- (b) to maintain public order.

Offences committed by bodies corporate etc.

30.—(1) If an offence under these Regulations committed by a body corporate is proved—

- (a) to have been committed with the consent or connivance of an officer of the body, or
- (b) to be attributable to any neglect on the part of such an officer,

the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted and proceeded against and punished accordingly.

(2) In paragraph (1), "officer", in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

(3) Proceedings for an offence under these Regulations alleged to have been committed by a partnership may be brought in the name of the partnership instead of in the name of any of the partners.

(4) Proceedings for an offence under these Regulations alleged to have been committed by an unincorporated body other than a partnership may be brought in the name of the body instead of in the name of any of its members and, for the purposes of any such proceedings, any rules of court relating to the service of documents have effect as if that body were a body corporate.

(1) 1984 p. 60. Amnewidiwyd adran 24 gan adran 110(1) o Ddeddf Troseddu Cyfundrefnol Difrifol a'r Heddlu 2005 (p. 15).

(1) 1984 c. 60. Section 24 was substituted by section 110(1) of the Serious Organised Crime and Police Act 2005 (c. 15).

(5) Mae adran 33 o Ddeddf Cyfiawnder Troseddol 1925(1) ac Atodlen 3 i Ddeddf Llysoedd Ynadon 1980(2) yn gymwys mewn achos am drosedd a ddygir yn erbyn partneriaeth neu gymdeithas anghorfforedig ac eithrio partneriaeth fel y maent yn gymwys mewn perthynas â chorff corfforedig.

(6) Mae dirwy a osodir ar bartneriaeth ar ei heuogfarnu o drosedd o dan y Rheoliadau hyn i'w thalu o asedau'r bartneriaeth.

(7) Mae dirwy a osodir ar gymdeithas anghorfforedig ac eithrio partneriaeth ar ei heuogfarnu o drosedd o dan y Rheoliadau hyn i'w thalu o gronfeydd y gymdeithas.

Hysbysiadau cosb benodedig

31.—(1) Caiff swyddog gorfodaeth ddyroddi hysbysiad cosb benodedig i unrhyw un y mae'r swyddog yn credu'n rhesymol—

- (a) ei fod wedi cyflawni trosedd o dan y Rheoliadau hyn (ac eithrio trosedd o dan reoliad 29(3)(a)), a
- (b) ei fod yn 18 oed neu drosodd.

(2) Hysbysiad yw hysbysiad cosb benodedig sy'n cynnig i'r person y'i dyroddir iddo y cyfle i gael ei ryddhau o unrhyw atebolrwydd am euogfarn am y drosedd drwy dalu cosb benodedig i—

- (a) awdurdod lleol, neu
- (b) person sydd wedi ei ddynodi gan Weinidogion Cymru at ddibenion cael taliad o dan y rheoliad hwn,

a bennir yn yr hysbysiad.

(3) Caiff Gweinidogion Cymru eu dynodi hwy eu hunain o dan baragraff (2)(b).

(4) Mae person sydd wedi ei ddynodi gan Weinidogion Cymru at ddibenion cael taliad o dan reoliad 13 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020 neu reoliad 21 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020 i'w drin fel pe bai wedi ei ddynodi at ddibenion cael taliad o dan y rheoliad hwn.

(5) Pan fo awdurdod lleol wedi ei bennu yn yr hysbysiad rhaid iddo fod yn awdurdod (neu yn ôl y digwydd, unrhyw un o'r awdurdodau) yr honnir bod y drosedd wedi ei chyflawni yn ei ardal.

(5) Section 33 of the Criminal Justice Act 1925(1) and Schedule 3 to the Magistrates' Courts Act 1980(2) apply in proceedings for an offence brought against a partnership or an unincorporated association other than a partnership as they apply in relation to a body corporate.

(6) A fine imposed on a partnership on its conviction for an offence under these Regulations is to be paid out of the partnership assets.

(7) A fine imposed on an unincorporated association other than a partnership on its conviction for an offence under these Regulations is to be paid out of the funds of the association.

Fixed penalty notices

31.—(1) An enforcement officer may issue a fixed penalty notice to anyone that the officer reasonably believes—

- (a) has committed an offence under these Regulations (except an offence under regulation 29(3)(a)), and
- (b) is aged 18 or over.

(2) A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to—

- (a) a local authority, or
- (b) a person designated by the Welsh Ministers for the purposes of receiving payment under this regulation,

as the notice may specify.

(3) The Welsh Ministers may designate themselves under paragraph (2)(b).

(4) A person designated by the Welsh Ministers for the purposes of receiving payment under regulation 13 of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 or regulation 21 of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 is to be treated as if designated for the purposes of receiving payment under this regulation.

(5) Where a local authority is specified in the notice it must be the authority (or as the case may be, any of the authorities) in whose area the offence is alleged to have been committed.

(1) 1925 p. 86.
(2) 1980 p. 43.

(1) 1925 c. 86.
(2) 1980 c. 43.

(6) Pan ddyroddir hysbysiad i berson o dan y rheoliad hwn mewn cysylltiad â throedd—

- (a) ni chaniateir dwyn unrhyw achos am y drosedd cyn diwedd y cyfnod o 28 o ddiwrnodau ar ôl y dyddiad y dyroddir yr hysbysiad;
- (b) ni chaniateir euogfarnu'r person o'r drosedd os yw'r person yn talu'r gosb benodedig cyn diwedd y cyfnod hwnnw.

(7) Rhaid i hysbysiad cosb benodedig—

- (a) rhoi manylion rhesymol fanwl am yr amgylchiadau yr honnir eu bod yn ffurfio'r drosedd;
- (b) datgan y cyfnod pryd (oherwydd paragraff (6)(a)) na ddygir achos am y drosedd;
- (c) pennu swm y gosb benodedig;
- (d) datgan enw a chyfeiriad y person y caniateir talu'r gosb benodedig iddo;
- (e) pennu dulliau o dalu a ganiateir.

(8) Pan ddyroddir yr hysbysiad mewn cysylltiad â throedd honedig o dorri rheoliad 9(1), rhaid i'r swm a bennir o dan baragraff (7)(c) fod yn £10,000 (ac nid yw paragraffau (10) ac (11) yn gymwys).

(9) Mewn unrhyw achos arall, rhaid i'r swm a bennir o dan baragraff (7)(c) fod yn £60 (yn ddarostyngedig i baragraffau (10) ac (11)).

(10) Caiff hysbysiad cosb benodedig bennu, os telir £30 cyn diwedd y cyfnod o 14 o ddiwrnodau yn dilyn dyddiad yr hysbysiad, mai dyna swm y gosb benodedig.

(11) Os yw'r person y dyroddir hysbysiad cosb benodedig iddo eisoes wedi cael hysbysiad cosb benodedig o dan y Rheoliadau hyn neu Reoliadau a grybwyllir ym mharagraff (12)—

- (a) nid yw paragraff (10) yn gymwys, a
- (b) rhaid i'r swm a bennir fel y gosb benodedig fod—
 - (i) yn achos yr ail hysbysiad cosb benodedig a geir, £120;
 - (ii) yn achos y trydydd hysbysiad cosb benodedig a geir, £240;
 - (iii) yn achos y pedwerydd hysbysiad cosb benodedig a geir, £480;
 - (iv) yn achos y pumed hysbysiad cosb benodedig a geir, £960;
 - (v) yn achos y chweched hysbysiad cosb benodedig a geir, ac unrhyw hysbysiad cosb benodedig a geir wedi hynny, £1920.

(6) Where a person is issued with a notice under this regulation in respect of an offence—

- (a) no proceedings may be taken for the offence before the end of the period of 28 days following the date the notice is issued;
- (b) the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.

(7) A fixed penalty notice must—

- (a) give reasonably detailed particulars of the circumstances alleged to constitute the offence;
- (b) state the period during which (because of paragraph (6)(a)) proceedings will not be taken for the offence;
- (c) specify the amount of the fixed penalty;
- (d) state the name and address of the person to whom the fixed penalty may be paid;
- (e) specify permissible methods of payment.

(8) Where the notice is issued in respect of an alleged offence of contravening regulation 9(1), the amount specified under paragraph (7)(c) must be £10,000 (and paragraphs (10) and (11) do not apply).

(9) In any other case, the amount specified under paragraph (7)(c) must be £60 (subject to paragraphs (10) and (11)).

(10) A fixed penalty notice may specify that if £30 is paid before the end of the period of 14 days following the date of the notice, that is the amount of the fixed penalty.

(11) If the person to whom a fixed penalty notice is given has already received a fixed penalty notice under these Regulations or Regulations mentioned in paragraph (12)—

- (a) paragraph (10) does not apply, and
- (b) the amount specified as the fixed penalty is to be—
 - (i) in the case of the second fixed penalty notice received, £120;
 - (ii) in the case of the third fixed penalty notice received, £240;
 - (iii) in the case of the fourth fixed penalty notice received, £480;
 - (iv) in the case of the fifth fixed penalty notice received, £960;
 - (v) in the case of the sixth and any subsequent fixed penalty notice received, £1920.

(12) Wrth gyfrifo nifer yr hysbysiadau cosb benodedig y mae person wedi eu cael, mae hysbysiadau cosb benodedig a ddyroddir i'r person hwnnw o dan—

- (a) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020,
- (b) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020, ac
- (c) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Swyddogaethau Awdurdodau Lleol etc.) (Cymru) 2020(1).

i'w hystyried, ond nid oes unrhyw ystyriaeth i'w rhoi i unrhyw hysbysiad cosb benodedig a ddyroddir i'r person hwnnw mewn cysylltiad â throsedd honedig o dorri rheoliad 14B(1) o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020 neu reoliad 9(1) o'r Rheoliadau hyn.

(13) Beth bynnag y bo unrhyw ddull arall a bennir o dan baragraff (7)(e), caniateir talu cosb benodedig drwy dalu ymlaen llaw a phostio llythyr sy'n cynnwys swm y gosb (mewn arian parod neu fel arall) i'r person y nodir ei enw o dan baragraff (7)(d) i'r cyfeiriad a nodir.

(14) Pan fo llythyr yn cael ei anfon fel y'i crybwyllir ym mharagraff (13), ystyrir bod taliad wedi ei wneud ar yr adeg y byddai'r llythyr hwnnw wedi cael ei ddanfôn yn nhrefn arferol y post.

(15) Mewn unrhyw achos, mae tystysgrif—

- (a) sy'n honni ei bod wedi ei llofnodi gan neu ar ran y person a chanddo gyfrifoldeb am faterion ariannol—
 - (i) yr awdurdod lleol, neu
 - (ii) y person sydd wedi ei ddynodi o dan baragraff (2)(b),a bennir yn yr hysbysiad cosb benodedig y mae'r achos yn ymwneud ag ef, a
- (b) sy'n datgan bod y taliad am gosb benodedig wedi dod i law, neu heb ddod i law, erbyn y dyddiad a bennir yn y dystysgrif,

yn dystiolaeth o'r ffeithiau a nodwyd.

Erllyn

32.—(1) Ni chaniateir dwyn achos am drosedd o dan y Rheoliadau hyn ond gan—

- (a) y Cyfarwyddwr Erlyniadau Cyhoeddus,
- (b) unrhyw berson sydd wedi ei ddynodi gan Weinidogion Cymru, neu

(12) In calculating how many fixed penalty notices a person has received, fixed penalty notices issued to that person under—

- (a) the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020,
- (b) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020, and
- (c) the Health Protection (Coronavirus Restrictions) (Functions of Local Authorities etc.) (Wales) Regulations 2020(1).

are to be taken into account, but no account is to be taken of any fixed penalty notice issued to that person in respect of an alleged offence of contravening regulation 14B(1) of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 or regulation 9(1) of these Regulations.

(13) Whatever other method may be specified under paragraph (7)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated under paragraph (7)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).

(14) Where a letter is sent as mentioned in paragraph (13), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.

(15) In any proceedings, a certificate—

- (a) that purports to be signed by or on behalf of the person with responsibility for the financial affairs of—
 - (i) the local authority, or
 - (ii) the person designated under paragraph (2)(b),specified in the fixed penalty notice to which the proceedings relate, and
- (b) which states that the payment of a fixed penalty was, or was not, received by the date specified in the certificate,

is evidence of the facts stated.

Prosecutions

32.—(1) No proceedings for an offence under these Regulations may be brought other than by—

- (a) the Director of Public Prosecutions,
- (b) any person designated by the Welsh Ministers, or

(1) O.S. 2020/1011 (Cy. 225).

(1) S.I. 2020/1011 (W. 225).

- (c) mewn perthynas ag achos am drosedd o dorri gofyniad yn rheoliad 11(1), 12(1), 13(1), 14(1), 15(3), 17(2) neu Atodlen 2, awdurdod lleol.

(2) Mae person sydd wedi ei ddynodi gan Weinidogion Cymru o dan reoliad 14 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020 neu reoliad 22 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020 i'w drin fel pe bai wedi ei ddynodi o dan y rheoliad hwn.

- (c) in relation to proceedings for an offence of contravening a requirement in regulation 11(1), 12(1), 13(1), 14(1), 15(3), 17(2) or Schedule 2, a local authority.

(2) A person designated by the Welsh Ministers under regulation 14 of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 or regulation 22 of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 is to be treated as if designated under this regulation.

RHAN 7

Cyffredinol

Dehongli

33.—(1) Yn y Rheoliadau hyn—

- (a) mae “claddu” yn cynnwys rhoi lludw person marw yn y ddaear;
- (b) ystyr “cartref gofal” yw mangre y mae “gwasanaeth cartref gofal” o fewn yr ystyr a roddir gan baragraff 1 o Atodlen 1 i Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016(1) yn cael ei ddarparu ynddi;
- (c) ystyr “gofalwr” yw person sy'n darparu gofal ar gyfer y person a gynorthwyir pan—
- (i) bo hawlogaeth gan y gofalwr i asesiad o dan adran 24 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014(2),
- (ii) bo'r gofal yn rhan o'r ddarpariaeth o wasanaethau gofal cymunedol o dan Ran 4 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014, neu
- (iii) bo'r gofal wedi ei ddarparu gan ddarparwr gofal sydd wedi ei gofrestru o dan Ran 1 o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016;
- (d) ystyr “plentyn” yw person sydd o dan 18 oed;
- (e) ystyr “coronafeirws” yw coronafeirws syndrom anadlol aciwt difrifol 2 (SARS-CoV-2);
- (f) ystyr “athletwr elit” yw unigolyn sydd wedi ei ddynodi felly at ddibenion y Rheoliadau hyn gan Gyngor Chwaraeon Cymru;

PART 7

General

Interpretation

33.—(1) In these Regulations—

- (a) “burial” includes the interment of a dead person's ashes;
- (b) “care home” means premises at which a “care home service” within the meaning given by paragraph 1 of Schedule 1 to the Regulation and Inspection of Social Care (Wales) Act 2016(1) is provided;
- (c) “carer” means a person who provides care for the person assisted where—
- (i) the carer is entitled to an assessment under section 24 of the Social Services and Well-being (Wales) Act 2014(2),
- (ii) the care is part of the provision of community care services under Part 4 of the Social Services and Well-being (Wales) Act 2014, or
- (iii) the care is provided by a care provider registered under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016;
- (d) “child” means a person who is aged under 18;
- (e) “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);
- (f) “elite athlete” means an individual designated as such for the purposes of these Regulations by the Sports Council for Wales;

(1) 2016 decc 2, fel y'i diwygiwyd gan O.S. 2017/1326 (Cy. 299) ac O.S. 2018/195 (Cy. 44).

(2) 2014 decc 4.

(1) 2016 anaw 2, as amended by S.I. 2017/1326 (W. 299) and S.I. 2018/195 (W. 44).

(2) 2014 anaw 4.

- (g) ystyr “gorchudd wyneb” yw gorchudd o unrhyw fath sy’n gorchuddio trwyn a cheg person;
- (h) ystyr “awdurdod lleol” yw cyngor sir neu gyngor bwrdeistref sirol yng Nghymru;
- (i) mae i “Bwrdd Iechyd Lleol” yr ystyr a roddir gan reoliad 17(4)(c);
- (j) mae i “cyfrifoldeb rhiant” yr un ystyr ag a roddir i “parental responsibility” yn Ndedd Plant 1989(1);
- (k) mae “person sy’n gyfrifol am gynnal busnes” yn cynnwys perchennog a rheolwr y busnes hwnnw;
- (l) mae “mangre” yn cynnwys unrhyw adeilad neu strwythur ac unrhyw dir;
- (m) ystyr “gwasanaeth trafnidiaeth gyhoeddus” yw gwasanaeth a ddarperir ar gyfer cludo teithwyr ar ffordd, ar reilffordd, ar dramffordd, yn yr awyr neu ar y dŵr;
- (n) mae i “mangre reoleiddiedig” yr ystyr a roddir gan reoliad 17(1);
- (o) “digwyddiadau chwaraeon penodedig” yw’r canlynol—
- (i) gêm pêl-droed Cymru v Norwy, gêm gymhwysol merched Pencampwriaethau Ewropeaidd UEFA ar 27 Hydref 2020;
- (ii) gêm rygbi Cymru v yr Alban, Twrnaint merched y 6 Gwlad ar 1 Tachwedd 2020;
- (iii) gêm Cynghrair Pencampwyr UEFA sy’n cynnwys Merched Dinas Abertawe AFC sydd i’w chynnal ar 3 neu 4 Tachwedd 2020;
- (p) mae “cerbyd” yn cynnwys awyren, car cebl, trê, tram a llestr;
- (q) mae “person hyglwyf” yn cynnwys—
- (i) unrhyw berson sy’n 70 oed neu’n hŷn;
- (ii) unrhyw berson o dan 70 oed sydd â chyflwr iechyd isorweddol;
- (iii) unrhyw berson sy’n feichiog;
- (iv) unrhyw blentyn;
- (v) unrhyw berson sy’n oedolyn hyglwyf o fewn yr ystyr a roddir i “vulnerable adult” gan adran 60(1) o Ddeddf Diogelu Grwpiau Hyglwyf 2006(2).
- (g) “face covering” means a covering of any type which covers a person’s nose and mouth;
- (h) “local authority” means the council of a county or county borough in Wales;
- (i) “Local Health Board” has the meaning given by regulation 17(4)(c);
- (j) “parental responsibility” has the same meaning as in the Children Act 1989(1);
- (k) a “person responsible for carrying on a business” includes the owner, proprietor, and manager of that business;
- (l) “premises” includes any building or structure and any land;
- (m) “public transport service” means a service provided for the carriage of passengers by road, railway, tramway, air or water;
- (n) “regulated premises” has the meaning given by regulation 17(1);
- (o) “specified sporting events” are the following—
- (i) Wales v Norway football match, women’s UEFA European Championships qualifying on 27 October 2020;
- (ii) Wales v Scotland rugby match, women’s 6 Nations Tournament on 1 November 2020;
- (iii) the UEFA Champions League match involving Swansea City AFC Ladies to be held on 3 or 4 November 2020;
- (p) “vehicle” includes an aircraft, a cable car, a train, a tram and a vessel;
- (q) “vulnerable person” includes—
- (i) any person aged 70 or older;
- (ii) any person under 70 who has an underlying health condition;
- (iii) any person who is pregnant;
- (iv) any child;
- (v) any person who is a vulnerable adult within the meaning given by section 60(1) of the Safeguarding Vulnerable Groups Act 2006(2).

(1) 1989 p. 41. Gweler Rhan 1 o’r Ddeddf, y mae diwygiadau amrywiol wedi eu gwneud iddi, gan gynnwys gan Ddeddf Ffrwythloni Dynol ac Embryoleg 2008 (c. 22) ac O.S. 2019/1458.

(2) 2006 p. 47, fel y’i diwygiwyd gan adran 65 o Ddeddf Diogelu Rhyddidau 2010 (p. 9).

(1) 1989 c. 41. See Part 1 of the Act, to which there have been various amendments, including by the Human Fertilisation and Embryology Act 2008 (c. 22) and S.I. 2019/1458.

(2) 2006 c. 47, as amended by section 65 of the Protection of Freedoms Act 2012 (c. 9).

(2) At ddibenion y Rheoliadau hyn—

- (a) mae cynulliad pan fydd dau neu ragor o bobl yn yr un man er mwyn gwneud rhywbeth gyda'i gilydd;
- (b) mae mangre o dan do os yw'n gaeedig neu'n sylweddol gaeedig o fewn yr ystyr a roddir gan reoliad 2 o Reoliadau Mangreoedd etc. Di-fwg (Cymru) 2007(1).

(3) Os yw aelwyd sy'n cynnwys dim mwy nag un oedolyn (ac unrhyw nifer o blant) ac aelwyd arall yn cytuno i gael eu trin fel un aelwyd (estynedig) at ddibenion y Rheoliadau hyn, mae unrhyw gyfeiriad yn y Rheoliadau hyn (ac eithrio ym mharagraffau (4) i (6)) at "aelwyd" i'w ddarllen fel pe bai'n cynnwys y ddwy aelwyd.

(4) Er mwyn cytuno i gael eu trin fel un aelwyd rhaid i bob oedolyn ar y ddwy aelwyd gytuno.

(5) Ond—

- (a) dim ond gydag un aelwyd arall y caiff aelwyd gytuno i gael ei thrin fel un aelwyd, a
- (b) os yw'r ddwy aelwyd yn peidio â chytuno i gael eu trin fel un aelwyd, ni chaiff y naill aelwyd na'r llall gytuno i gael ei thrin fel un aelwyd o dan baragraff (3) gydag unrhyw aelwyd arall.

(6) Os yw dwy aelwyd wedi cytuno i gael eu trin fel aelwyd estynedig dros dro yn unol â pharagraff 2 o Atodlen 4A i Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) ((Cymru) 2020(2) maent i'w trin fel pe baent hefyd wedi cytuno i hi gael eu trin fel un aelwyd (estynedig) at ddibenion y Rheoliadau hyn.

(7) At ddibenion y Rheoliadau hyn, mae mangre wedi ei hawdurdodi ar gyfer gwerthu neu gyflenwi alcohol pan fo awdurdodiad wedi ei ganiatáu neu ei roi i'r fangre o dan Ddeddf Trwyddedu 2003, ac mae i "awdurdodiad" yr ystyr a roddir i "authorisation" gan adran 136(5) o'r Ddeddf honno.

Dirymu

34.—(1) Mae'r Rheoliadau a ganlyn wedi eu dirymu—

- (a) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020;
- (b) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) 2020(3);

(1) O.S. 2007/787 (Cy. 68).

(2) O.S. 2020/725 (Cy. 162). Diwygiwyd paragraff 2 o Atodlen 4A gan O.S. 2020/1079 (Cy. 242).

(3) O.S. 2020/752 (Cy. 169).

(2) For the purposes of these Regulations—

- (a) there is a gathering when two or more people are in the same place in order to do something together;
- (b) premises are indoors if they are enclosed or substantially enclosed within the meaning given by regulation 2 of the Smoke-free Premises etc. (Wales) Regulations 2007(1).

(3) If a household comprising of no more than one adult (and any number of children) and another household agree to be treated as a single (extended) household for the purposes of these Regulations, any reference in these Regulations (other than in paragraphs (4) to (6)) to a "household" is to be read as including both households.

(4) To agree to be treated as a single household all of the adults of the two households must agree.

(5) But—

- (a) a household may only agree to be treated as a single household with one other household, and
- (b) if two households cease to agree to be treated as a single household, neither household may agree to be treated as a single household under paragraph (3) with any other household.

(6) If two households have agreed to be treated as a temporary extended household in accordance with paragraph 2 of Schedule 4A to the Health Protection (Coronavirus Restrictions) (No.2) (Wales) Regulations 2020(2) they are to be treated as also having agreed to be treated as a single (extended) household for the purposes of these Regulations.

(7) For the purposes of these Regulations, premises are authorised for the sale or supply of alcohol where the premises have been granted or given an authorisation under the Licensing Act 2003, and "authorisation" has the meaning given by section 136(5) of that Act.

Revocation

34.—(1) The following Regulations are revoked—

- (a) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020;
- (b) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) Regulations 2020(3);

(1) S.I. 2007/787 (W. 68).

(2) S.I. 2020/725 (W. 162). Paragraph 2 of Schedule 4A was amended by S.I. 2020/1079 (W. 242).

(3) S.I. 2020/752 (W. 169).

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| <p>(c) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 2) 2020(1);</p> <p>(d) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 3) 2020(2);</p> <p>(e) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 4) 2020(3);</p> <p>(f) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 5) 2020(4);</p> <p>(g) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 6) 2020(5);</p> <p>(h) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 7) 2020(6);</p> <p>(i) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 8) (Caerffili) 2020(7);</p> <p>(j) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 9) 2020(8);</p> <p>(k) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 10) (Rhondda Cynon Taf) 2020(9);</p> <p>(l) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 11) (Blaenau Gwent, Casnewydd, Merthyr Tudful a Phen-y-bont ar Ogwr etc.) 2020(10);</p> <p>(m) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 12) 2020(11);</p> <p>(n) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 13) (Llanelli etc.) 2020(12);</p> | <p>(c) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 2) Regulations 2020(1);</p> <p>(d) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 3) Regulations 2020(2);</p> <p>(e) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 4) Regulations 2020(3);</p> <p>(f) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 5) Regulations 2020(4);</p> <p>(g) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 6) Regulations 2020(5);</p> <p>(h) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 7) Regulations 2020(6);</p> <p>(i) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 8) (Caerphilly) Regulations 2020(7);</p> <p>(j) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 9) Regulations 2020(8);</p> <p>(k) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 10) (Rhondda Cynon Taf) Regulations 2020(9);</p> <p>(l) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 11) (Blaenau Gwent, Bridgend, Merthyr Tydfil and Newport etc.) Regulations 2020(10);</p> <p>(m) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 12) Regulations 2020(11);</p> <p>(n) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 13) (Llanelli etc.) Regulations 2020(12);</p> |
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(1) O.S. 2020/803 (Cy. 176).
(2) O.S. 2020/820 (Cy. 180).
(3) O.S. 2020/843 (Cy. 186).
(4) O.S. 2020/867 (Cy. 189).
(5) O.S. 2020/884 (Cy. 195).
(6) O.S. 2020/912 (Cy. 204).
(7) O.S. 2020/961 (Cy. 215).
(8) O.S. 2020/985 (Cy. 222).
(9) O.S. 2020/1007 (Cy. 224).
(10) O.S. 2020/1022 (Cy. 227).
(11) O.S. 2020/1035 (Cy. 229).
(12) O.S. 2020/1040 (Cy. 230).

(1) S.I. 2020/803 (W. 176).
(2) S.I. 2020/820 (W. 180).
(3) S.I. 2020/843 (W. 186).
(4) S.I. 2020/867 (W. 189).
(5) S.I. 2020/884 (W. 195).
(6) S.I. 2020/912 (W. 204).
(7) S.I. 2020/961 (W. 215).
(8) S.I. 2020/985 (W. 222).
(9) S.I. 2020/1007 (W. 224).
(10) S.I. 2020/1022 (W. 227).
(11) S.I. 2020/1035 (W. 229).
(12) S.I. 2020/1040 (W. 230).

- (o) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 14) (Abertawe a Chaerdydd) 2020(1);
- (p) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 15) (Bro Morgannwg, Castell-nedd Port Talbot a Thorfaen) 2020(2);
- (q) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 16) (Conwy, Sir Ddinbych, Sir y Fflint a Wrecsam) 2020(3);
- (r) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 17) 2020(4);
- (s) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 18) (Bangor) 2020(5);
- (t) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) (Diwygio) (Rhif 19) 2020(6).

(2) Er gwaethaf dirymu'r Rheoliadau hynny, maent yn parhau mewn grym mewn perthynas ag unrhyw drosedd a gyflawnwyd, neu unrhyw hysbysiad a roddwyd neu a ddyroddwyd, o dan Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020 cyn i'r Rheoliadau hyn ddod i rym.

Diwygiad canlyniadol

35.—(1) Yn rheoliad 19(10) o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Swyddogaethau Awdurdodau Lleol etc.) (Cymru) 2020, ar ôl is-baragraff (b) mewnosoder—

“(c) Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 3) (Cymru) 2020.”

- (o) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 14) (Cardiff and Swansea) Regulations 2020(1);
- (p) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 15) (Neath Port Talbot, Torfaen and Vale of Glamorgan) Regulations 2020(2);
- (q) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 16) (Conwy, Denbighshire, Flintshire and Wrexham) Regulations 2020(3);
- (r) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 17) Regulations 2020(4);
- (s) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 18) (Bangor) Regulations 2020(5);
- (t) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 19) Regulations 2020(6).

(2) Despite the revocation of those Regulations, they continue in force in relation to any offence committed, or any notice given or issued, under the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 before these Regulations came into force.

Consequential amendment

35.—(1) In regulation 19(10) of the Health Protection (Coronavirus Restrictions) (Functions of Local Authorities etc.) (Wales) Regulations 2020, after sub-paragraph (b) insert—

“(c) the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020.”

Mark Drakeford

Y Prif Weinidog, un o Weinidogion Cymru
21 Hydref 2020

First Minister, one of the Welsh Ministers
21 October 2020

(1) O.S. 2020/1043 (Cy. 232).
(2) O.S. 2020/1049 (Cy. 235).
(3) O.S. 2020/1066 (Cy. 240).
(4) O.S. 2020/1079 (Cy. 242).
(5) O.S. 2020/1102 (Cy. 251).
(6) O.S. 2020/1130 (Cy. 257).

(1) S.I. 2020/1043 (W. 232).
(2) S.I. 2020/1049 (W. 235).
(3) S.I. 2020/1066 (W. 240).
(4) S.I. 2020/1079 (W. 242).
(5) S.I. 2020/1102 (W. 251).
(6) S.I. 2020/1130 (W. 257).

Busnesau a gwasanaethau y mae eu mangreodded yn ddarostyngedig i gyfyngiadau neu i'w cau

RHAN 1

Busnesau neu wasanaethau y mae rhaid cau eu mangreodded

1. Unrhyw fusnes sy'n gwerthu nwyddau neu wasanaethau ar gyfer eu gwerthu neu eu hurio mewn siop, gan gynnwys—

- (a) siopau nwyddau i'r cartref;
- (b) salonau ewinedd a harddwch;
- (c) sefydliadau sy'n darparu gwasanaethau lliw haul, gwasanaethau tyllino, tyllu'r corff, tatŵio, electrolysis neu aciwbigo;
- (d) tai arwerthiant;
- (e) delwriaethau ceir;
- (f) marchnadoedd;
- (g) siopau betio;
- (h) salonau gwallt a barbwyd;
- (i) canolfannau garddio a meithrinfeydd planhigion.

2. Canolfannau siopa ac arcedau siopa.

3. Sinemâu.

4. Theatrau.

5. Clybiau nos, disgos, neuaddau dawnsio neu leoliadau eraill lle y darperir cerddoriaeth fyw neu wedi ei recordio i aelodau'r cyhoedd neu aelodau'r lleoliad ddawnsio.

6. Lleoliadau adloniant rhywiol (o fewn yr ystyr a roddir i "sexual entertainment venue" gan baragraff 2A o Atodlen 3 i Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982(1)).

7. Neuaddau bingo.

8. Neuaddau cyngerdd.

9. Casinos.

10. Canolfannau sgelfrio.

Businesses and services whose premises are subject to restrictions or closure

PART 1

Businesses or services whose premises must be closed

1. Any business selling goods or services for sale or hire in a shop, including—

- (a) homeware stores;
- (b) nail and beauty salons;
- (c) establishments providing tanning services, massage services, body piercings, tattooing, electrolysis or acupuncture;
- (d) auction houses;
- (e) car dealerships;
- (f) markets;
- (g) betting shops;
- (h) hair salons and barbers;
- (i) garden centres and plant nurseries.

2. Shopping centres and shopping arcades.

3. Cinemas.

4. Theatres.

5. Nightclubs, discotheques, dance halls or other venues where live or recorded music is provided for members of the public or members of the venue to dance.

6. Sexual entertainment venues (within the meaning given by paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982(1)).

7. Bingo halls.

8. Concert halls.

9. Casinos.

10. Skating rinks.

(1) Mewnosodwyd paragraff 2A o Atodlen 3 gan adran 27(3) o Ddeddf Plismona a Throsedd 2009 (p. 26).

(1) 1982 c. 30. Paragraph 2A of Schedule 3 was inserted by section 27(3) of the Policing and Crime Act 2009 (c. 26).

11. Pyllau nofio.

12. Canolfannau hamdden a chyfleusterau hamdden gan gynnwys stiwdios ffitrwydd o dan do, campfeydd a sbaon.

13. Cyrtiau chwaraeon, parciau sglefrïo, lawntiau bowlio, cyrsiau golff a meysydd neu leiniau chwaraeon amgaaedig (boed yn yr awyr agored neu o dan do).

14. Alïau bowlio, arcedau diddanu a mannau chwarae o dan do.

15. Amgueddfeydd, orielau a gwasanaethau archifau.

16. Ffeiriau pleser, parciau diddanu a pharciau thema.

17. Atyniadau i ymwelwyr a busnesau gwylïau, gweithgareddau hamdden neu ddi-gwyddiadau.

18. Canolfannau ailgylchu.

19. Llyfrgelloedd.

20. Asiantau eiddo neu asiantau gosod eiddo, swyddfeydd gwerthiant datblygwyr a chartrefi arddangos.

21. Lleoliadau ar gyfer digwyddiadau neu gynadleddau (gan gynnwys lleoliadau ar gyfer priodasau heblaw am fannau addoli a swyddfeydd cofrestru).

11. Swimming pools.

12. Leisure centres and leisure facilities including indoor fitness studios, gyms and spas.

13. Sports courts, skate parks, bowling greens, golf courses and enclosed sports grounds or pitches (whether outdoors or indoors).

14. Bowling alleys, amusement arcades and indoor play areas.

15. Museums, galleries and archive services.

16. Funfairs, amusements parks and theme parks.

17. Visitor attractions and holiday, leisure activity or events businesses.

18. Recycling centres.

19. Libraries.

20. Estate or letting agents, developer sales offices and show homes.

21. Venues for events or conferences (including venues for weddings other than places of worship and registry offices).

RHAN 2

Busnesau neu wasanaethau y mae rhaid cau eu mangreoedd ond y caniateir mynediad cyfyngedig iddynt

PENNOD 1

Mangreoedd sy'n gwerthu bwyd a diod i'w bwyta ac i'w hyfed yn y fangre

22. Bwytai, gan gynnwys bwytai ac ystafelloedd bwyta mewn clybiau aelodau ac ym mangreoedd busnesau a restrir ym Mhennod 2 o'r Rhan hon.

23. Caffis, gan gynnwys ffreuturau yn y gweithle a chaffis ym mangreoedd busnesau a restrir ym Mhennod 2 o'r Rhan hon.

24. Barïau, gan gynnwys barïau mewn clybiau aelodau ac ym mangreoedd busnesau a restrir ym Mhennod 2 o'r Rhan hon.

25. Tafarndai.

PART 2

Business or services whose premises must be closed but to which limited access is allowed

CHAPTER 1

Premises selling food and drink for consumption on the premises

22. Restaurants, including restaurants and dining rooms in members' clubs and on the premises of businesses listed in Chapter 2 of this Part.

23. Cafés, including workplace canteens and cafés on the premises of businesses listed in Chapter 2 of this Part.

24. Bars, including bars in members' clubs and on the premises of businesses listed in Chapter 2 of this Part.

25. Public houses.

PENNOD 2

Gwestai a llety gwyliau

26. Safleoedd gwyliau.
27. Safleoedd gwersylla.
28. Gwestai a llety gwely a brecwast.
29. Llety gwyliau arall (gan gynnwys fflatiau gwyliau, hostelau a thai byrddio).

PENNOD 3

Eraill

30. Mannau addoli.
31. Canolfannau cymunedol.
32. Amlosgfeydd.

RHAN 3

Busnesau a gwasanaethau y caniateir i'w mangreoedd fod ar agor

33. Manwerthwyr bwyd, gan gynnwys marchnadoedd bwyd, archfarchnadoedd, siopau cyfleustra, siopau cornel a sefydliadau sy'n gwerthu bwyd neu ddiod i'w fwyta neu i'w hyfed oddi ar y fangre (gan gynnwys mangreoedd sydd wedi eu hawdurdodi ar gyfer gwerthu neu gyflenwi alcohol i'w yfed oddi ar y fangre).

34. Caffis a ffreuturau mewn ysbyty, cartref gofal, ysgol neu mewn llety a ddarperir ar gyfer myfyrwyr.

35. Ffreuturau mewn carchar neu sefydliad y bwriedir iddo gael ei ddefnyddio at ddibenion y llynges, y fyddin neu'r llu awyr neu at ddibenion Adran yr Ysgrifennydd Gwladol sy'n gyfrifol am amddiffyn.

36. Llyfrgelloedd ysbytai a llyfrgelloedd mewn sefydliadau addysgol.

37. Siopau papurau newydd.

38. Siopau cyflenwadau adeiladu ac offer.

39. Fferyllfeydd (yn cynnwys fferyllfeydd nad ydynt yn darparu cyffuriau ar bresgripsiwn) a siopau cemist.

40. Siopau beiciau.

41. Gorsafoedd petrol.

42. Gwasanaethau trwsio ceir ac MOT.

43. Busnesau tacsï neu logi cerbydau.

CHAPTER 2

Hotels and holiday accommodation

26. Holiday sites.
27. Camping sites.
28. Hotels and bed and breakfast accommodation.
29. Other holiday accommodation (including holiday apartments, hostels and boarding houses).

CHAPTER 3

Others

30. Places of worship.
31. Community centres.
32. Crematoriums.

PART 3

Businesses and services whose premises may be open

33. Food retailers, including food markets, supermarkets, convenience stores, corner shops and establishments selling food or drink for consumption off the premises (including premises authorised for the sale or supply of alcohol for consumption off the premises).

34. Cafés and canteens at a hospital, care home, school or within accommodation provided for students.

35. Canteens at a prison or an establishment intended for use for naval, military or air force purposes or for the purposes of the Department of the Secretary of State responsible for defence.

36. Hospital libraries and libraries at educational establishments.

37. Newsagents.

38. Building supplies and hardware stores.

39. Pharmacies (including non-dispensing pharmacies) and chemists.

40. Bicycle shops.

41. Petrol stations.

42. Car repair and MOT services.

43. Taxi or vehicle hire businesses.

44. Banciau, cymdeithasau adeiladu, undebau credyd, darparwyr benthyciadau tymor byr, clybiau cynilo, peiriannau arian parod ac ymgymeriadau sydd, o ran eu busnes, yn gweithredu swyddfeydd cyfnewid arian cyfred, yn trawsyrru arian (neu unrhyw gynrychiolaeth o arian) drwy unrhyw ddull neu sieciau arian parod sydd wedi eu gwneud yn daladwy i gwsmeriaid.

45. Swyddfeydd post.

46. Golchdai a siopau glanhau dillad.

47. Gwasanaethau deintyddol, optegwyr, gwasanaethau awdioleg, trin traed, ceiropractyddion, osteopathiaid a gwasanaethau meddygol neu iechyd eraill, gan gynnwys gwasanaethau sy'n ymwneud ag iechyd meddwl.

48. Milfeddygon a siopau anifeiliaid anwes.

49. Siopau cyflenwadau amaethyddol neu ddyframaethu.

50. Marchnadoedd neu arwerthiannau da byw.

51. Trefnwyr angladdau.

44. Banks, building societies, credit unions, short term loan providers, savings clubs, cash points and undertakings which by way of business operate currency exchange offices, transmit money (or any representation of money) by any means or cash cheques which are made payable to customers.

45. Post offices.

46. Laundrettes and dry cleaners.

47. Dental services, opticians, audiology services, chiropody, chiropractors, osteopaths and other medical or health services, including services relating to mental health.

48. Veterinary surgeons and pet shops.

49. Agricultural or aquacultural supplies shops.

50. Livestock markets or auctions.

51. Funeral directors.

RHAN 4

Dehongli

52.—(1) At ddibenion yr Atodlen hon, ystyr “safle gwyliau” yw unrhyw dir yng Nghymru lle y gosodir cartref symudol neu garafán at ddibenion byw gan bobl (gan gynnwys unrhyw dir yng Nghymru a ddefnyddir ar y cyd â'r tir hwnnw), y mae'r caniatâd cynllunio perthnasol neu'r drwydded safle ar gyfer y tir mewn cysylltiad ag ef—

- (a) wedi ei fynegi i'w roi neu wedi ei mynegi i'w rhoi at ddefnydd gwyliau yn unig, neu
- (b) yn ei gwneud yn ofynnol bod adegau o'r flwyddyn pan na chaniateir gosod unrhyw gartref symudol neu garafán ar y safle i bobl fyw ynddo neu ynddi.

(2) At ddibenion penderfynu a yw safle yn safle gwyliau ai peidio, mae unrhyw ddarpariaeth yn y caniatâd cynllunio perthnasol neu yn y drwydded safle sy'n caniatáu gosod cartref symudol ar y tir i bobl fyw ynddo drwy gydol y flwyddyn i'w hanwybyddu os yw wedi ei hawdurdodi i'r canlynol feddiannu'r cartref symudol—

PART 4

Interpretation

52.—(1) For the purposes of this Schedule, a “holiday site” means any land in Wales on which a mobile home or caravan is stationed for the purposes of human habitation (including any land in Wales used in conjunction with that land), in respect of which the relevant planning permission or the site licence for the land—

- (a) is expressed to be granted for holiday use only, or
- (b) requires that there are times of the year when no mobile home or caravan may be stationed on the site for human habitation.

(2) For the purpose of determining whether or not a site is a holiday site, any provision of the relevant planning permission or of the site licence which permits the stationing of a mobile home on the land for human habitation all year round is to be ignored if the mobile home is authorised to be occupied by—

- (a) y person sy'n berchennog ar y safle, neu
- (b) person sydd wedi ei gyflogi gan y person hwnnw ond nad yw'n meddiannu'r cartref symudol o dan gytundeb y mae Rhan 4 o Ddeddf Cartrefi Symudol (Cymru) 2013(1) yn gymwys iddo.

ATODLEN 2

Rheoliad 22

Gorfodi gofyniad i gymryd mesurau ataliol mewn mangre reoleiddiedig

Hysbysiad gwella mangre

1.—(1) Caiff swyddog gorfodaeth ddyroddi hysbysiad (“hysbysiad gwella mangre”) i berson cyfrifol os yw'r swyddog yn ystyried—

- (a) nad yw'r person yn cydymffurfio â'r rhwymedigaethau a osodir ar y person gan reoliad 17(2), a
- (b) bod y mesurau a bennir yn yr hysbysiad yn angenrheidiol ac yn gymesur er mwyn sicrhau bod y person yn cydymffurfio â'r rhwymedigaethau hynny.

(2) Rhaid i hysbysiad gwella mangre—

- (a) pennu'r fangre y mae'n ymwneud â hi;
- (b) pennu'r mesurau y mae'n ei gwneud yn ofynnol eu cymryd er mwyn sicrhau bod y person yn cydymffurfio â'r rhwymedigaethau a osodir gan reoliad 17(2);
- (c) pennu terfyn amser y mae rhaid cymryd y mesurau oddi mewn iddo (na chaniateir iddo fod yn llai nag 48 awr sy'n dechrau â'r amser y dyroddir yr hysbysiad);
- (d) rhoi manylion yr hawl i apelio a roddir gan baragraff 5.

(3) Yn yr Atodlen hon, mae i “person cyfrifol” yr ystyr a roddir gan reoliad 17(1)(b).

Hysbysiad cau mangre

2.—(1) Os yw naill ai amod 1 neu amod 2 wedi ei fodloni, caiff swyddog gorfodaeth ddyroddi hysbysiad (“hysbysiad cau mangre”) i berson cyfrifol sy'n ei gwneud yn ofynnol i'r fangre, neu ran o'r fangre, gael ei chau.

(2) Amod 1 yw—

- (a) the person who is the owner of the site, or
- (b) a person employed by that person but who does not occupy the mobile home under an agreement to which Part 4 of the Mobile Homes (Wales) Act 2013(1) applies.

SCHEDULE 2

Regulation 22

Enforcement of requirement to take preventative measures on regulated premises

Premises improvement notice

1.—(1) An enforcement officer may issue a notice (a “premises improvement notice”) to a responsible person if the officer considers that—

- (a) the person is not complying with the obligations imposed on the person by regulation 17(2), and
- (b) the measures specified in the notice are necessary and proportionate in order to ensure that the person complies with those obligations.

(2) A premises improvement notice must—

- (a) specify the premises to which it relates;
- (b) specify the measures it requires to be taken in order to ensure that the person complies with the obligations imposed by regulation 17(2);
- (c) specify a time limit within which the measures must be taken (which must not be less than 48 hours beginning with the time the notice is issued);
- (d) give details of the right of appeal conferred by paragraph 5.

(3) In this Schedule, “responsible person” has the meaning given by regulation 17(1)(b).

Premises closure notice

2.—(1) If either condition 1 or condition 2 is satisfied, an enforcement officer may issue a notice (a “premises closure notice”) to a responsible person requiring the premises, or part of the premises, to be closed.

(2) Condition 1 is—

(1) 2013 dccc 6, fel y'i diwygiwyd gan Ddeddf Tai (Cymru) 2014 (dccc 7).

(1) 2013 anaw 6, as amended by the Housing (Wales) Act 2014 (anaw 7).

- (a) bod hysbysiad gwella mangre wedi ei ddyroddi i'r person,
- (b) bod y swyddog gorfodaeth yn ystyried bod y person wedi methu â chymryd y mesurau a bennir yn yr hysbysiad gwella mangre o fewn y terfyn amser penodedig, ac
- (c) bod y swyddog yn ystyried bod cau'r fangre, neu ran o'r fangre, yn angenrheidiol ac yn gymesur at ddiben lleihau'r risg o ddod i gysylltiad â'r coronafeirws.

(3) Amod 2 yw bod y swyddog gorfodaeth yn ystyried—

- (a) nad yw'r person yn cydymffurfio â'r rhwymedigaethau a osodir ar y person gan reoliad 17(2), a
- (b) bod cau'r fangre, neu ran o'r fangre, (heb fod hysbysiad gwella mangre wedi ei ddyroddi) yn angenrheidiol ac yn gymesur at ddiben lleihau'r risg o ddod i gysylltiad â'r coronafeirws.

(4) Rhaid i hysbysiad cau mangre—

- (a) cynnwys disgrifiad o'r fangre sydd i'w chau,
- (b) pan fo hysbysiad gwella mangre wedi ei ddyroddi, nodi'r mesurau y mae'r swyddog gorfodaeth yn ystyried—
 - (i) nad ydynt wedi eu cymryd, a
 - (ii) y mae rhaid eu cymryd er mwyn sicrhau bod y person cyfrifol yn cydymffurfio â'r rhwymedigaethau a osodir gan reoliad 17(2),
- (c) pan na fo hysbysiad gwella mangre wedi ei ddyroddi, nodi'r rhesymau pam y mae'r swyddog gorfodaeth yn ystyried nad yw'r person yn cydymffurfio â'r rhwymedigaethau a osodir gan reoliad 17(2),
- (d) yn y naill achos neu'r llall, nodi'r rhesymau pam y mae'r swyddog gorfodaeth yn ystyried bod cau'r fangre yn angenrheidiol ac yn gymesur at ddiben lleihau'r risg o ddod i gysylltiad â'r coronafeirws,
- (e) pennu'r cyfnod y mae'r hysbysiad yn cael effaith amdano, ac
- (f) rhoi manylion yr hawl i apelio a roddir gan baragraff 5.

(5) Ni chaniateir i'r cyfnod a bennir o dan is-baragraff (4)(e) fod yn hwy na 336 o oriau (14 o ddiwrnodau) sy'n dechrau â'r amser y dyroddir yr hysbysiad.

(6) Mae hysbysiad cau mangre yn cael effaith o'r amser y'i dyroddir neu o amser diweddarach a bennir yn yr hysbysiad.

- (a) a premises improvement notice has been issued to the person,
- (b) the enforcement officer considers that the person has failed to take the measures specified in the premises improvement notice within the specified time limit, and
- (c) the officer considers that the closure of the premises, or part of the premises, is necessary and proportionate for the purpose of minimising the risk of exposure to coronavirus.

(3) Condition 2 is that the enforcement officer considers that—

- (a) the person is not complying with the obligations imposed on the person by regulation 17(2), and
- (b) the closure of the premises, or part of the premises, (without a premises improvement notice having been issued) is necessary and proportionate for the purpose of minimising the risk of exposure to coronavirus.

(4) A premises closure notice must—

- (a) contain a description of the premises to be closed,
- (b) where a premises improvement notice has been issued, set out the measures that the enforcement officer considers—
 - (i) have not been taken, and
 - (ii) must be taken in order to ensure that the responsible person complies with the obligations imposed by regulation 17(2),
- (c) where a premises improvement notice has not been issued, set out the reasons why the enforcement officer considers that the person is not complying with the obligations imposed by regulation 17(2),
- (d) in either case, set out the reasons why the enforcement officer considers that closure of the premises is necessary and proportionate for the purpose of minimising the risk of exposure to coronavirus,
- (e) specify the period for which the notice has effect, and
- (f) give details of the right of appeal conferred by paragraph 5.

(5) The period specified under sub-paragraph (4)(e) may not be more than 336 hours (14 days) beginning with the time the notice is issued.

(6) A premises closure notice has effect from the time at which it is issued or from a later time specified in the notice.

(7) Ni chaniateir dyroddi hysbysiad cau mangre mewn perthynas â mangre sy'n rhan o seilwaith hollbwysig (er enghraifft, mangre a ddefnyddir i gynhyrchu trydan neu gyflenwi dŵr) neu a ddefnyddir i ddarparu gwasanaethau cyhoeddus hanfodol.

Effaith hysbysiad cau mangre

3.—(1) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl i hysbysiad cau mangre gymryd effaith, rhaid i'r person y'i dyroddir iddo sicrhau—

- (a) bod y fangre y mae'r hysbysiad yn ymwneud â hi yn cael ei chau, a
- (b) na chynhelir unrhyw fusnes neu na ddarperir unrhyw wasanaeth yn y fangre neu ohoni.

(2) Ni chaiff unrhyw berson fynd i'r fangre, neu fod yn y fangre, sydd wedi ei chau o dan is-baragraff (1) heb esgus rhesymol.

(3) At ddibenion is-baragraff (2), mae'r amgylchiadau pan fo gan berson esgus rhesymol yn cynnwys—

- (a) pan fo'r person yn byw yn y fangre;
- (b) pan fo'r person yn gwneud gwaith cynnal a chadw neu atgyweirio hanfodol;
- (c) pan fo'r person yn gwneud pethau sy'n angenrheidiol er mwyn sicrhau y gellir cydymffurfio â rheoliad 17(2) pan ganiateir i'r fangre fod ar agor;
- (d) pan fo'r person yn swyddog gorfodaeth neu berson sy'n cynorthwyo swyddog gorfodaeth;
- (e) pan fo'n angenrheidiol i'r person fod yn y fangre er mwyn osgoi anaf neu salwch neu ddianc rhag risg o niwed.

Terfynu hysbysiad gwella neu gau mangre

4.—(1) Caiff swyddog gorfodaeth ddyroddi hysbysiad sy'n terfynu hysbysiad gwella mangre neu hysbysiad cau mangre os yw wedi ei fodloni—

- (a) bod y mesurau a bennir yn yr hysbysiad gwella mangre (os dyroddwyd un) wedi eu cymryd, neu
- (b) bod mesurau eraill wedi eu cymryd i sicrhau y gellir cydymffurfio â rheoliad 17(2) yn y fangre o dan sylw.

(2) Mae hysbysiad gwella mangre neu hysbysiad cau mangre yn peidio â chael effaith ar yr amser y dyroddir hysbysiad o'r terfyniad.

(7) A premises closure notice may not be issued in relation to premises which form part of critical infrastructure (for example, premises used to generate electricity or supply water) or which are used to provide essential public services.

Effect of premises closure notice

3.—(1) As soon as is reasonably practicable after a premises closure notice takes effect, the person to whom it is issued must ensure that—

- (a) the premises to which the notice relates are closed, and
- (b) no business is carried on or service is provided on, or from, the premises.

(2) No person may enter, or be on, premises closed under sub-paragraph (1) without a reasonable excuse.

(3) For the purposes of sub-paragraph (2), the circumstances in which a person has a reasonable excuse include where—

- (a) the person lives on the premises;
- (b) the person is carrying out essential maintenance or repairs;
- (c) the person is doing things necessary to ensure that regulation 17(2) can be complied with when the premises are allowed to be open;
- (d) the person is an enforcement officer or a person assisting an enforcement officer;
- (e) it is necessary for the person to be on the premises to avoid injury or illness or escape a risk of harm.

Termination of premises improvement or closure notice

4.—(1) An enforcement officer may issue a notice terminating a premises improvement notice or a premises closure notice if satisfied that—

- (a) the measures specified in the premises improvement notice (if one was issued) have been taken, or
- (b) other measures have been taken to ensure that regulation 17(2) can be complied with at the premises in question.

(2) A premises improvement notice or premises closure notice ceases to have effect at the time notice of the termination is issued.

Apelau

5.—(1) Caiff person y dyroddir hysbysiad gwella mangre neu hysbysiad cau mangre iddo apelio i lys ynadon yn erbyn yr hysbysiad.

(2) Rhaid i apêl gael ei gwneud—

- (a) drwy gŵyn am orchymyn, ac yn unol â Deddf Llysoedd Ynadon 1980, a
- (b) o fewn 7 niwrnod ar ôl i'r hysbysiad gael ei ddyroddi.

(3) Ond caiff llys ynadon ganiatáu i apêl gael ei gwneud ar ôl diwedd y cyfnod a grybwyllir yn is-baragraff (2)(b) os yw wedi ei fodloni bod rheswm da dros fethu ag apelio cyn diwedd y cyfnod hwnnw (a thros unrhyw oedi cyn gwneud cais am ganiatâd i apelio y tu allan i amser).

(4) Caiff llys ynadon atal dros dro effaith hysbysiad gwella mangre neu hysbysiad cau mangre wrth aros am y penderfyniad ar yr apêl.

(5) Ar apêl yn erbyn hysbysiad gwella mangre neu hysbysiad cau mangre, caiff llys ynadon—

- (a) cadarnhau'r penderfyniad i ddyroddi'r hysbysiad;
- (b) cyfarwyddo bod yr hysbysiad i beidio â chael effaith;
- (c) addasu'r hysbysiad;
- (d) gwneud unrhyw orchymyn arall y mae'r llys yn ystyried ei fod yn briodol.

(6) Os yw'r llys ynadon yn cyfarwyddo bod hysbysiad i beidio â chael effaith neu'n addasu hysbysiad, caiff orchymyn i'r awdurdod lleol ar gyfer yr ardal lle y mae'r fangre o dan sylw ddiogolledu'r person sy'n gyfrifol am y fangre am gollod a ddiroddi'r o ganlyniad i ddyroddi'r hysbysiad.

(7) Caiff y naill parti neu'r llall ddwyn apêl yn erbyn penderfyniad llys ynadon ar apêl o dan yr adran hon i Lys y Goron.

(8) Ar apêl i Lys y Goron, caiff y Llys—

- (a) cadarnhau, amrywio neu wrthdroi penderfyniad y llys ynadon;
- (b) anfon yr achos yn ôl i'r llys ynadon i'w waredu yn unol â chyfarwyddydau a roddir gan Lys y Goron.

Dyroddi hysbysiadau gwella a chau mangreodded a therfyniadau

6.—(1) Caiff hysbysiad gwella mangre, hysbysiad cau mangre neu derfyniad o'r naill neu'r llall o'r mathau hynny o hysbysiad ei ddyroddi i berson drwy roi copi ohono yn ysgrifenedig i'r person hwnnw.

Appeals

5.—(1) A person to whom a premises improvement notice or premises closure notice is issued may appeal to a magistrates' court against the notice.

(2) An appeal must be made—

- (a) by way of complaint for an order, and in accordance with the Magistrates' Courts Act 1980, and
- (b) within 7 days after the day the notice is issued.

(3) But a magistrates' court may allow an appeal to be made after the expiry of the period mentioned in sub-paragraph (2)(b) if satisfied that there is a good reason for the failure to appeal before the expiry of that period (and for any delay in applying for permission to appeal out of time).

(4) A magistrates' court may suspend the effect of a premises improvement notice or premises closure notice pending the determination of an appeal.

(5) On an appeal against a premises improvement notice or premises closure notice, a magistrates' court may—

- (a) confirm the decision to issue the notice;
- (b) direct that the notice is to cease to have effect;
- (c) modify the notice;
- (d) make such other order as the court considers appropriate.

(6) If the magistrates' court directs that a notice is to cease to have effect or modifies a notice, it may order the local authority for the area in which the premises in question are situated to pay compensation for loss suffered as the result of the issue of the notice.

(7) An appeal by either party against the decision of a magistrates' court on an appeal under this section may be brought to the Crown Court.

(8) On an appeal to the Crown Court, the Court may—

- (a) confirm, vary or reverse the decision of the magistrates court;
- (b) remit the case to the magistrates' court to dispose of in accordance with directions given by the Crown Court.

Issuing premises improvement and closure notices and terminations

6.—(1) A premises improvement notice, premises closure notice or a termination of either of those types of notice is issued to a person by giving a copy of it in writing to that person.

(2) Ond pan na fo'r person sy'n gyfrifol am y fangre y mae'r hysbysiad neu'r terfyniad yn ymwneud â hi yn y fangre pan yw'r hysbysiad i'w ddyroddi, mae'r hysbysiad i'w drin fel pe bai wedi ei ddyroddi i'r person hwnnw—

- (a) os rhoddir copi ohono i unrhyw berson arall yn y fangre yr ymddengys ei fod yn gyfrifol am unrhyw fusnes neu wasanaeth a gynhelir yn y fangre, neu
- (b) os nad oes unrhyw berson o'r fath yn y fangre pan yw'r hysbysiad i'w ddyroddi, os gosodir copi o'r hysbysiad mewn lle amlwg yn y fangre.

Rhoi cyhoeddusrwydd i hysbysiadau gwella a chau mangreoedd

7.—(1) Mae'r rheoliad hwn yn gymwys pan fo swyddog gorfodaeth wedi dyroddi hysbysiad gwella mangre neu hysbysiad cau mangre.

(2) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl dyroddi'r hysbysiad, rhaid i'r swyddog gorfodaeth—

- (a) arddangos copi o'r hysbysiad, ac arwydd ar y ffurf a nodir yn Atodlen 3, mewn man amlwg yn agos i bob mynedfa i'r fangre;
- (b) trefnu i'r hysbysiad gael ei gyhoeddi ar wefan yr awdurdod lleol ar gyfer yr ardal lle y mae'r fangre.

(3) Rhaid i hysbysiad neu arwydd a arddangosir o dan is-baragraff (2)(a) fod o faint A4 o leiaf.

(4) Rhaid i hysbysiad y mae'n ofynnol ei arddangos a'i gyhoeddi o dan is-baragraff (2) barhau i gael ei arddangos a'i gyhoeddi, a rhaid i arwydd y mae'n ofynnol ei arddangos o dan yr is-baragraff hwnnw barhau i gael ei arddangos, am gyhyd ag y mae'r hysbysiad yn cael effaith.

Darparu gwybodaeth etc.

8.—(1) Caiff swyddog gorfodaeth, er mwyn hwyluso arfer pŵer a roddir i'r swyddog gan yr Atodlen hon—

- (a) ei wneud yn ofynnol i unrhyw berson roi unrhyw wybodaeth neu ateb unrhyw gwestiwn y mae'r swyddog yn ystyried ei bod neu ei fod yn berthnasol i arfer y pŵer;
- (b) ei gwneud yn ofynnol dangos unrhyw ddogfennau neu gofnodion electronig, edrych ar y dogfennau hynny neu'r cofnodion electronig hynny neu gymryd copïau ohonynt.

(2) But where the person responsible for the premises to which the notice or termination relates is not on the premises when it is to be issued, the notice is to be treated as having been issued to that person if—

- (a) a copy of it is given to any other person on the premises who appears to be responsible for any business or service being carried out on the premises, or
- (b) if there is no such person on the premises when the notice is to be issued, a copy of the notice is placed in a conspicuous position on the premises.

Publicising premises improvement and closure notices

7.—(1) This regulation applies where an enforcement officer has issued a premises improvement notice or a premises closure notice.

(2) As soon as reasonably practicable after issuing the notice, the enforcement officer must—

- (a) display a copy of the notice, and a sign in the form set out in Schedule 3, in a prominent place near every entrance to the premises;
- (b) arrange for the notice to be published on the website of the local authority for the area in which the premises are located.

(3) A notice or sign displayed under sub-paragraph (2)(a) must be at least A4 size.

(4) A notice required to be displayed and published under sub-paragraph (2) must continue to be displayed and published, and a sign required to be displayed under that sub-paragraph must continue to be displayed, for as long as the notice has effect.

Provision of information etc.

8.—(1) An enforcement officer may, to facilitate the exercise of a power conferred on the officer by this Schedule—

- (a) require any person to give any information or answer any question the officer considers to be relevant to the exercise of the power;
- (b) require the production of, inspect and take copies of, any documents or electronic records.

(2) Ni chaniateir ei gwneud yn ofynnol o dan is-baragraff (1) i berson ddarparu dogfen, cofnod neu wybodaeth arall y gellid maentumio hawliad am fraint broffesiynol gyfreithiol mewn cysylltiad â hi neu ag ef mewn achos cyfreithiol.

(3) Nid yw unrhyw wybodaeth neu ateb a roddir gan berson mewn ymateb i ofyniad a osodir o dan is-baragraff (1)(a) yn dderbyniadwy mewn tystiolaeth yn erbyn y person hwnnw, neu briod neu bartner sifil y person, mewn unrhyw achos ac eithrio achos o dan y Rheoliadau.

(2) A person may not be required under subparagraph (1) to provide a document, record or other information in respect of which a claim for legal professional privilege could be maintained in legal proceedings.




(3) No information or answer given by a person in response to a requirement imposed under subparagraph (1)(a) is admissible in evidence against that person, or the person's spouse or civil partner, in any proceedings other than proceedings under these Regulations.

Y ffurf ar arwydd i fynd gyda hysbysiad gwella mangre neu hysbysiad cau mangre

Yr arwydd i'w arddangos gyda hysbysiad gwella mangre

1.—(1) Rhaid i arwydd a arddangosir gyda hysbysiad gwella mangre o dan baragraff 7(2)(a) o Atodlen 2 fod ar y ffurf a nodir isod.

(2) Rhaid defnyddio'r lliwiau gwyn, du ac ambr C0 M60 Y100 K0 yn yr arwydd.

 <p>GIG CYMRU NHS WALES</p>	 <p>DIOGELU CYMRU KEEP WALES SAFE</p>	 <p>Llywodraeth Cymru Welsh Government</p>
<p style="text-align: center;">IECHYD Y CYHOEDD</p> <p style="text-align: center;">Y CORONAFeIRWS</p> <p style="text-align: center;">Gofyniad i leihau'r risg o ddod i gysylltiad â'r coronafeirws mewn mangre:</p>	<p style="text-align: center;">PUBLIC HEALTH</p> <p style="text-align: center;">CORONAVIRUS</p> <p style="text-align: center;">Requirement to minimise risk of exposure to coronavirus on premises:</p>	
<p style="font-size: 2em; margin: 0;">ANGEN GWELLA</p>		
<p style="font-size: 2em; margin: 0;">IMPROVEMENT NEEDED</p>		
<p style="text-align: center;">Diogelu Cymru gyda'n gilydd</p>	<p style="text-align: center;">Together we'll keep Wales safe</p>	
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Yr arwydd i'w arddangos gyda hysbysiad cau mangre

2.—(1) Rhaid i arwydd a arddangosir gyda hysbysiad cau mangre o dan baragraff 7(2)(a) o Atodlen 2 fod ar y ffurf a nodir isod.

(2) Rhaid defnyddio'r lliwiau gwyn, du a choch C15 M100 Y100 K0 yn yr arwydd.

 <p>GIG CYMRU NHS WALES</p>	<p>Iechyd Cyhoeddus Cymru Public Health Wales</p>	 <p>DIOGELU CYMRU KEEP WALES SAFE</p>	 <p>Llywodraeth Cymru Welsh Government</p>
<p>IECHYD Y CYHOEDD Y CORONAFeIRWS</p> <p>Gofyniad i leihau'r risg o ddod i gysylltiad â'r coronafeirws mewn mangre:</p>	<p>PUBLIC HEALTH CORONAVIRUS</p> <p>Requirement to minimise risk of exposure to coronavirus on premises:</p>		
<p>CAEWDYD Y FANGRE HON</p>			
<p>PREMISES CLOSED</p>			
<p>Diogelu Cymru gyda'n gilydd</p>	<p>Together we'll keep Wales safe</p>		
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Form of sign to accompany premises improvement notice or premises closure notice

Sign to be displayed with premises improvement notice

1.—(1) A sign displayed with a premises improvement notice under paragraph 7(2)(a) of Schedule 2 must be in the form set out below.


(2) The colours used in the sign must be white, black and amber C0 M60 Y100 K0.


 <p>GIG CYMRU NHS WALES Iechyd Cyhoeddus Cymru Public Health Wales</p>	 <p>DIOGELU CYMRU KEEP WALES SAFE</p>	 <p>Llywodraeth Cymru Welsh Government</p>
<p>IECHYD Y CYHOEDD Y CORONAFEIRWS</p> <p>Gofyniad i leihau'r risg o ddod i gysylltiad â'r coronafeirws mewn mangre:</p>	<p>PUBLIC HEALTH CORONAVIRUS</p> <p>Requirement to minimise risk of exposure to coronavirus on premises:</p>	
<div style="background-color: #f9a825; color: white; padding: 10px 0 10px 0; font-weight: bold; font-size: 24px; margin: 0 auto; width: 80%;"> ANGEN GWELLA </div>		
<div style="background-color: #f9a825; color: white; padding: 10px 0 10px 0; font-weight: bold; font-size: 24px; margin: 0 auto; width: 80%;"> IMPROVEMENT NEEDED </div>		
<p>Diogelu Cymru gyda'n gilydd</p>	<p>Together we'll keep Wales safe</p>	
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Sign to be displayed with premises closure notice

2.—(1) A sign displayed with a premises closure notice under paragraph 7(2)(a) of Schedule 2 must be in the form set out below.

(2) The colours used in the sign must be white, black and red C15 M100 Y100 K0.

 Iechyd Cyhoeddus
Cymru
Public Health
Wales

 **DIOGELU CYMRU**
KEEP WALES SAFE

 Llywodraeth Cymru
Welsh Government

**IECHYD Y CYHOEDD
Y CORONAFeIRWS**

Gofyniad i leihau'r risg
o ddod i gysylltiad â'r
coronafeirws mewn mangre:

**PUBLIC HEALTH
CORONAVIRUS**

Requirement to minimise
risk of exposure to
coronavirus on premises:

**CAEwyD Y
FANGRE HON**

**PREMISES
CLOSED**

**Diogelu Cymru
gyda'n gilydd**

**Together we'll
keep Wales safe**

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