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CYMRU

WELSH STATUTORY
INSTRUMENTS

2020 Rhif 1610 (Cy. 336)

2020 No. 1610 (W. 336)

**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

**Rheoliadau Diogelu Iechyd
(Cyfyngiadau Coronafeirws) (Rhif
5) (Cymru) (Diwygio) 2020**

**The Health Protection (Coronavirus
Restrictions) (No. 5) (Wales)
(Amendment) Regulations 2020**

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

(This note is not part of the Regulations)

Mae Rhan 2A o Ddeddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984 yn galluogi Gweinidogion Cymru, drwy reoliadau, i wneud darpariaeth at ddiben atal, diogelu rhag, rheoli neu ddarparu ymateb iechyd y cyhoedd i fynychder neu ledaeniad haint neu halogiad yng Nghymru.

Part 2A of the Public Health (Control of Disease) Act 1984 enables the Welsh Ministers, by regulations, to make provision for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection or contamination in Wales.

Mae'r Rheoliadau hyn wedi eu gwneud mewn ymateb i'r bygythiad difrifol ac uniongyrchol i iechyd y cyhoedd a berir gan fynychder a 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.

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.

Mae'r Rheoliadau hyn yn gwneud diwygiadau i Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) 2020 (O.S. 2020/1609 (Cy. 335)) (y "prif Reoliadau") er mwyn—

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

- (a) dod â'r prif Reoliadau (oni bai am Ran 6) i rym ar 20 Rhagfyr 2020;
- (b) cynnwys ardal Haen 4 arfaethedig Lloegr yn y diffiniad o "ardal o'r DU sydd o dan gyfyngiadau", sy'n golygu na chaiff unrhyw berson sy'n byw mewn ardal Haen 4 ddod i Gymru heb esgus rhesymol;
- (c) darparu bod Lefel Rhybudd 4 yn gymwys i Gymru o 20 Rhagfyr 2020 ymlaen;
- (d) cyfyngu'r addasiadau a wneir yn Atodlen 6 i'r prif Reoliadau i'r cyfyngiadau sy'n gymwys dros gyfnod y Nadolig fel eu bod yn gymwys ar 25 Rhagfyr 2020 yn unig.

- (a) bring the principal Regulations (apart from Part 6) into force on 20 December 2020;
- (b) include the proposed Tier 4 area of England in the definition of "restricted UK area", meaning that no person living in a Tier 4 area may enter Wales without a reasonable excuse;
- (c) provide that Alert Level 4 applies to Wales from 20 December 2020 onwards;
- (d) limit the modifications made in Schedule 6 to the principal Regulations to the restrictions applicable over the Christmas period so that they apply only on 25 December 2020.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ni luniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

The 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 1610 (Cy. 336)

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**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

**Rheoliadau Diogelu Iechyd
(Cyfyngiadau Coronafeirws) (Rhif
5) (Cymru) (Diwygio) 2020**

**The Health Protection (Coronavirus
Restrictions) (No. 5) (Wales)
(Amendment) Regulations 2020**

Cymeradywyd gan Senedd Cymru

Approved by Senedd Cymru

Gwnaed am 9.12 p.m. ar 19 Rhagfyr 2020

Made at 9.12 p.m. on 19 December 2020

*Yn dod i rym am 11.59 p.m. ar 19 Rhagfyr
2020*

*Coming into force at 11.59 p.m. on 19
December 2020*

*Gosodwyd gerbron Senedd
Cymru 21 Rhagfyr 2020*

Laid before Senedd Cymru 21 December 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(2) o Ddeddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984(1).

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 45C(1) and (3)(c), 45F(2) and 45P(2) of the Public Health (Control of Disease) Act 1984(1).

Mae'r Rheoliadau hyn wedi eu gwneud mewn ymateb i'r bygythiad difrifol ac uniongyrchol i iechyd y cyhoedd a berir gan fynychder a lledaeniad coronafeirws syndrom anadlol aciwt difrifol 2 (SARS-CoV-2) yng Nghymru.

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales.

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

The Welsh Ministers consider that restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

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.

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.

Enwi a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) (Diwygio) 2020.

(2) Daw'r Rheoliadau hyn i rym am 11.59 p.m. ar 19 Rhagfyr 2020.

Diwygio Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) 2020

2.—(1) Mae Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) 2020(1) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 1(3), yn lle “21 Rhagfyr 2020” rhodder “20 Rhagfyr 2020”.

(3) Yn rheoliad 57(1)(t)(i), ar y diwedd rhodder “, o fewn unrhyw ardal Haen 4 neu o fewn unrhyw ardal arall lle y gosodir cyfyngiadau llym mach na'r rhai sy'n gymwys yn yr ardal Haen 3”.

(4) Yng Ngholofn 3 y tabl yn Atodlen 5, yn lle'r testun ar ôl “Lefel Rhybudd yr Ardal” rhodder “4”.

(5) Yn Atodlen 6—

- (a) ym mharagraff 1, yn lle “Yn ystod y cyfnod sy'n dechrau â 22 Rhagfyr 2020 ac sy'n dod i ben â 28 Rhagfyr 2020” rhodder “Ar 25 Rhagfyr 2020”;
- (b) hepgorer paragraff 2;
- (c) hepgorer paragraff 3;
- (d) ym mharagraff 4(2), yn y testun sy'n addasu paragraff 3 o Atodlen 4—
 - (i) ym mharagraff 3(1), yn lle “yn ystod cyfnod y Nadolig” rhodder “ar 25 Rhagfyr 2020”;
 - (ii) hepgorer paragraff 3A;
- (e) hepgorer paragraff 4(3);
- (f) hepgorer paragraff 4(4);
- (g) ym mharagraff 5—
 - (i) yn is-baragraff (1)(a), yn lle “yn ystod cyfnod y Nadolig yn rhinwedd yr addasiadau a wneir ym mharagraff 3 neu 4” rhodder “ar 25 Rhagfyr 2020 yn rhinwedd yr addasiadau a wneir ym mharagraff 4”;

Title and coming into force

1.—(1) The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) Regulations 2020.

(2) These Regulations come into force at 11.59 p.m. on 19 December 2020.

Amendment of the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020

2.—(1) The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020(1) are amended as follows.

(2) In regulation 1(3), for “21 December 2020” substitute “20 December 2020”.

(3) In regulation 57(1)(t)(i), at the end insert “, any Tier 4 area or any other area in which restrictions are imposed that are stricter than those applicable in the Tier 3 area”.

(4) In Column 3 of the table in Schedule 5, for the text after “Alert Level of Area” substitute “4”.

(5) In Schedule 6—

- (a) in paragraph 1, for “During the period beginning with 22 December 2020 and ending with 28 December 2020” substitute “On 25 December 2020”;
- (b) omit paragraph 2;
- (c) omit paragraph 3;
- (d) in paragraph 4(2), in the text modifying paragraph 3 of Schedule 4—
 - (i) in paragraph 3(1) for “during the Christmas period” substitute “on 25 December 2020”;
 - (ii) omit paragraph 3A;
- (e) omit paragraph 4(3);
- (f) omit paragraph 4(4);
- (g) in paragraph 5—
 - (i) in sub-paragraph (1)(a), for “during the Christmas period by virtue of the modifications made in paragraph 3 or 4” substitute “on 25 December 2020 by virtue of the modifications made in paragraph 4”;

(1) O.S. 2020/1609 (Cy. 335).

(1) S.I. 2020/1609 (W. 335).

(ii) yn lle is-baragraff (1)(b) rhodder—

“(b) pan oedd yr aelwyd, yn union 25 Rhagfyr 2020, yn rhan o aelwyd estynedig a ffurfiwyd o dan neu yn rhinwedd paragraff 3 o Atodlen 4 (“aelwyd estynedig cyn y Nadolig”) fel y mae’n gymwys heb yr addasiadau a wneir ym mharagraff 4.”;

(iii) yn is-baragraff (3), yn lle “cyfnod y Nadolig” rhodder “y dydd ar 25 Rhagfyr 2020”;

(iv) hepgorer is-baragraff (4).

(ii) for sub-paragraph (1)(b) substitute—

“(b) immediately before 25 December 2020, was part of an extended household formed under or by virtue of paragraph 3 of Schedule 4 (a “pre-Christmas extended household”) as it applies without the modifications made in paragraph 4.”;

(iii) in sub-paragraph (3), for “Christmas period” substitute “day on 25 December 2020”;

(iv) omit sub-paragraph (4).

Mark Drakeford

Y Prif Weinidog, un o Weinidogion Cymru
Am 9.12 p.m. ar 19 Rhagfyr 2020

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First Minister, one of the Welsh Ministers
At 9.12 p.m. on 19 December 2020

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