



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2021 Rhif 202 (Cy. 49) (C. 5)

2021 No. 202 (W. 49) (C. 5)

**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

Gorchymyn Deddf Iechyd y
Cyhoedd (Cymru) 2017 (Cychwyn
Rhif 6) 2021

The Public Health (Wales) Act 2017
(Commencement No. 6) Order 2021

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Gorchymyn hwn, sydd wedi ei wneud gan Weinidogion Cymru, yn dwyn i rym ddarpariaethau penodedig o Ddeddf Iechyd y Cyhoedd (Cymru) 2017 ("y Ddeddf").

This Order made by the Welsh Ministers brings into force specified provisions of the Public Health (Wales) Act 2017 ("the Act").

Mae erthygl 2 yn dwyn i rym Bennod 1 o Ran 3 (adrannau 4 i 29) o'r Ddeddf ar 1 Mawrth 2021, i'r graddau nad yw'r darpariaethau hynny eisoes wedi eu cychwyn. Mae erthygl 2 hefyd yn dwyn i rym Atodlen 1 (cosbau penodedig) ac Atodlen 2 (ysmygu: diwygiadau canlyniadol) i'r Ddeddf. Cyflwynir Atodlen 1 gan adrannau 27 a 49 o'r Ddeddf, a chyflwynir Atodlen 2 gan adran 29 o'r Ddeddf.

Article 2 brings into force Chapter 1 of Part 3 (sections 4 to 29) of the Act on 1 March 2021, to the extent that those provisions have not already been commenced. Article 2 also brings into force Schedule 1 (fixed penalties) and Schedule 2 (smoking: consequential amendments) to the Act. Schedule 1 is introduced by sections 27 and 49 of the Act, and Schedule 2 is introduced by section 29 of the Act.

**NODYN AM Y GORCHMYNION CYCHWYN
CYNHARACH**

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

Mae'r darpariaethau a ganlyn o'r Ddeddf wedi eu dwyn i rym drwy Orchmynion Cychwyn a wnaed cyn dyddiad y Gorchymyn hwn:

**NOTE AS TO EARLIER COMMENCEMENT
ORDERS**

(This note is not part of the Order)

The following provisions of the Act have been brought into force by Commencement Orders made before the date of this Order:

<i>Y Ddarpariaeth</i>	<i>Y Dyddiad Cychwyn</i>	<i>Rhif O.S.</i>	<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Adran 2	4 Hydref 2017	2017/949 (Cy. 237) (C. 85)	Section 2	4 October 2017	2017/949 (W. 237) (C. 85)
Adran 3	4 Hydref 2017	2017/949 (Cy. 237) (C. 85)	Section 3	4 October 2017	2017/949 (W. 237) (C. 85)
Adran 6 (yn rhannol)	29 Medi 2020	2020/1048 (Cy. 234) (C. 30)	Section 6 (partially)	29 September 2020	2020/1048 (W. 234) (C. 30)
Adran 10 (yn rhannol)	29 Medi 2020	2020/1048 (Cy. 234) (C. 30)	Section 10 (partially)	29 September 2020	2020/1048 (W. 234) (C. 30)
Adran 11 (yn rhannol)	29 Medi 2020	2020/1048 (Cy. 234) (C. 30)	Section 11 (partially)	29 September 2020	2020/1048 (W. 234) (C. 30)
Adran 15	29 Medi 2020	2020/1048 (Cy. 234) (C. 30)	Section 15	29 September 2020	2020/1048 (W. 234) (C. 30)
Adran 16	29 Medi 2020	2020/1048 (Cy. 234) (C. 30)	Section 16	29 September 2020	2020/1048 (W. 234) (C. 30)
Adran 17 (yn rhannol)	29 Medi 2020	2020/1048 (Cy. 234) (C. 30)	Section 17 (partially)	29 September 2020	2020/1048 (W. 234) (C. 30)
Adran 18 (yn rhannol)	29 Medi 2020	2020/1048 (Cy. 234) (C. 30)	Section 18 (partially)	29 September 2020	2020/1048 (W. 234) (C. 30)
Adran 27 (yn rhannol)	29 Medi 2020	2020/1048 (Cy. 234) (C. 30)	Section 27 (partially)	29 September 2020	2020/1048 (W. 234) (C. 30)
Adran 28 (yn rhannol)	29 Medi 2020	2020/1048 (Cy. 234) (C. 30)	Section 28 (partially)	29 September 2020	2020/1048 (W. 234) (C. 30)
Adran 94	1 Chwefror 2018	2018/1 (Cy. 1) ⁽¹⁾	Section 94	1 February 2018	2018/1 (W. 1) ⁽¹⁾
Rhan 5	1 Chwefror 2018	2018/1 (Cy. 1)	Part 5	1 February 2018	2018/1 (W. 1)
Rhan 7	1 Ebrill 2019	2019/829 (Cy. 152) ⁽²⁾	Part 7	1 April 2019	2019/829 (W. 152) ⁽²⁾
Rhan 8	31 Mai 2018	2018/605 (Cy. 116) (C. 48)	Part 8	31 May 2018	2018/605 (W. 116) (C. 48)

Adran 119	4 Hydref 2017	2017/949 (Cy. 237) (C. 85)	Section 119	4 October 2017	2017/949 (W. 237) (C. 85)
Atodlen 1 (yn rhannol)	29 Medi 2020	2020/1048 (Cy. 234) (C. 30)	Schedule 1 (partially)	29 September 2020	2020/1048 (W. 234) (C. 30)
Atodlen 4	31 Mai 2018	2018/605 (Cy. 116) (C. 48)	Schedule 4	31 May 2018	2018/605 (W. 116) (C. 48)

⁽¹⁾ Ni ddyrannwyd rhif i'r offeryn yn y gyfres o Offerynnau Cychwyn.

⁽²⁾ Ni ddyrannwyd rhif i'r offeryn yn y gyfres o Offerynnau Cychwyn.

⁽¹⁾ Instrument not allocated number in the Commencement Instruments series.

⁽²⁾ Instrument not allocated number in the Commencement Instruments series.

Gweler hefyd adran 126(1) o'r Ddeddf ar gyfer y darpariaethau a ddaeth i rym ar 3 Gorffennaf 2017 (dyddiad y Cydsyniad Brenhinol).

See also section 126(1) of the Act for the provisions that came into force on 3 July 2017 (the date of Royal Assent).

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**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

Gorchymyn Deddf Iechyd y
Cyhoedd (Cymru) 2017 (Cychwyn
Rhif 6) 2021

The Public Health (Wales) Act 2017
(Commencement No. 6) Order 2021

Gwnaed

25 Chwefror 2021

Made

25 February 2021

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adran 126(2) o Deddf Iechyd y Cyhoedd (Cymru) 2017(1), yn gwneud y Gorchymyn a ganlyn:

The Welsh Ministers in exercise of the powers conferred by section 126(2) of the Public Health (Wales) Act 2017(1), make the following Order:

Enwi a dehongli

Title and interpretation

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Iechyd y Cyhoedd (Cymru) 2017 (Cychwyn Rhif 6) 2021.

1.—(1) The title of this Order is the Public Health (Wales) Act 2017 (Commencement No. 6) Order 2021.

(2) Yn y Gorchymyn hwn, ystyr “y Ddeddf” yw Deddf Iechyd y Cyhoedd (Cymru) 2017.

(2) In this Order, “the Act” means the Public Health (Wales) Act 2017.

Y darpariaethau sy'n dod i rym ar 1 Mawrth 2021

Provisions coming into force on 1 March 2021

2. Y diwrnod penodedig i'r darpariaethau a ganlyn o'r Ddeddf ddod i rym yw 1 Mawrth 2021, i'r graddau nad ydynt eisoes mewn grym—

2. The day appointed for the coming into force of the following provisions of the Act is 1 March 2021, so far as not already in force—

- (a) adran 4 (ysmygu);
- (b) adran 5 (y drosedd o ysmegu mewn mangre ddi-fwg neu gerbyd di-fwg);
- (c) adran 6 (y drosedd o fethu ag atal ysmegu mewn mangre ddi-fwg);
- (d) adran 7 (gweithleoedd);
- (e) adran 8 (mangreoedd sydd ar agor i'r cyhoedd);
- (f) adran 9 (lleoliadau gofal awyr agored i blant);
- (g) adran 10 (tir ysgolion);

- (a) section 4 (smoking);
- (b) section 5 (offence of smoking in smoke-free premises or vehicle);
- (c) section 6 (offence of failing to prevent smoking in smoke-free premises);
- (d) section 7 (workplaces);
- (e) section 8 (premises that are open to the public);
- (f) section 9 (outdoor care settings for children);
- (g) section 10 (school grounds);

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|---|---|
| (h) adran 11 (tir ysbytai); | (h) section 11 (hospital grounds); |
| (i) adran 12 (meysydd chwarae cyhoeddus); | (i) section 12 (public playgrounds); |
| (j) adran 13 (mangreoedd di-fwg ychwanegol); | (j) section 13 (additional smoke-free premises); |
| (k) adran 14 (darpariaeth bellach ynghylch mangreoedd di-fwg ychwanegol: anheddau); | (k) section 14 (further provision about additional smoke-free premises: dwellings); |
| (l) adran 17 (arwyddion: mangreoedd di-fwg); | (l) section 17 (signs: smoke-free premises); |
| (m) adran 18 (awdurdodau gorfodi); | (m) section 18 (enforcement authorities); |
| (n) adran 19 (pwerau mynediad); | (n) section 19 (powers of entry); |
| (o) adran 20 (gwarant i fynd i mewn i annedd); | (o) section 20 (warrant to enter dwelling); |
| (p) adran 21 (gwarant i fynd i mewn i fangreoedd eraill); | (p) section 21 (warrant to enter other premises); |
| (q) adran 22 (darpariaeth atodol ynghylch pwerau mynediad); | (q) section 22 (supplementary provision about powers of entry); |
| (r) adran 23 (pwerau arolygu etc.); | (r) section 23 (powers of inspection etc.); |
| (s) adran 24 (rhwystro etc. swyddogion); | (s) section 24 (obstruction etc. of officers); |
| (t) adran 25 (eiddo a gedwir: apelau); | (t) section 25 (retained property: appeals); |
| (u) adran 26 (eiddo a gyfeddar: digolledu); | (u) section 26 (appropriated property: compensation); |
| (v) adran 27 (hysbysiadau cosb benodedig); | (v) section 27 (fixed penalty notices); |
| (w) adran 28 (dehongli'r Bennod hon); | (w) section 28 (interpretation of this Chapter); |
| (x) adran 29 (diwygiadau canlyniadol); | (x) section 29 (consequential amendments); |
| (y) Atodlen 1 (cosbau penodedig); a | (y) Schedule 1 (fixed penalties); and |
| (z) Atodlen 2 (ysmygu: diwygiadau canlyniadol). | (z) Schedule 2 (smoking: consequential amendments). |

Eluned Morgan

Y Gweinidog Iechyd Meddwl, Llesiant a'r Gymraeg,
un o Weinidogion Cymru
25 Chwefror 2021

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Minister for Mental Health, Wellbeing and Welsh
Language, one of the Welsh Ministers
25 February 2021

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