



Rheoliadau a wnaed gan Weinidogion Cymru, a osodwyd gerbron Cynulliad Cenedlaethol Cymru o dan adran 45R o Ddeddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984 (p. 22), i'w cymeradwyo drwy benderfyniad gan Gynulliad Cenedlaethol Cymru o fewn wyth niwrnod ar hugain gan ddechrau â'r diwrnod y gwneir yr offeryn, yn ddarostyngedig i'w estyn dros gyfnodau o ddiddymu neu doriad am fwy na phedwar diwrnod.

Regulations made by the Welsh Ministers, laid before the National Assembly for Wales under section 45R of the Public Health (Control of Disease) Act 1984 (c. 22), for approval by resolution of the National Assembly for Wales within twenty-eight days beginning with the day on which the instrument is made, subject to extension for periods of dissolution or recess for more than four days.

OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2020 Rhif 353 (Cy. 80)

2020 No. 353 (W. 80)

**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

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

**The Health Protection (Coronavirus
Restrictions) (Wales) 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 achosion o heintio neu ledaenu heintiau 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 yn cael eu gwneud mewn ymateb i'r bygythiad difrifol ac uniongyrchol i iechyd y cyhoedd a achosir 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'r Rheoliadau'n disodli Rheoliadau Diogelu Iechyd (Coronafeirws, Cau Busnes) (Cymru) 2020 a Rheoliadau Diogelu Iechyd (Coronafeirws: Cau Busnesau Hamdden, Llwybrau Troed a Thir Mynediad) (Cymru) 2020, a ddirymir gan **reoliad 2**, ac maent yn gwneud darpariaeth bellach.

The Regulations replace the Health Protection (Coronavirus, Business Closure) (Wales) Regulations 2020 and the Health Protection (Coronavirus: Closure of Leisure Businesses, Footpaths and Access Land) (Wales) Regulations 2020, which are revoked by **regulation 2**, and make further provision.

Mae'r Rheoliadau yn gosod cyfyngiadau ar unigolion, busnesau ac eraill. Yn unol â **rheoliad 3**, mae'r cyfyngiadau hyn yn gymwys ar gyfer "cyfnod yr argyfwng". Mae'r cyfnod hwn yn parhau hyd nes y rhoddir cyfarwyddyd gan Weinidogion Cymru yn pennu bod y cyfyngiadau, neu unrhyw un cyfyngiad (neu ran o gyfyngiad), yn cael ei derfynu. Mae'n ofynnol i Weinidogion Cymru barhau i adolygu'r angen am y cyfyngiadau bob 21 diwrnod.

Mae **rheoliad 4** yn ei gwneud yn ofynnol cau mangre, a restrir yn **Rhan 1** o **Atodlen 1** i'r Rheoliadau, lle y gwerthir bwyd a diod yn y fangre. Caniateir parhau i werthu bwyd a diod i'w fwyta neu i'w hyfed oddi ar y fangre (ond rhaid gwneud hyn yn unol â rheoliad 6 (1)). Mae rheoliad 4 hefyd yn gwahardd, yn ddarostyngedig i eithriadau cyfyngedig penodol, cynnal busnes neu ddarparu gwasanaeth sydd wedi ei restru yn **Rhan 2** neu **Ran 3** o **Atodlen 1**. Mae un eithriad yn caniatáu i rai mangreoedd busnes fod yn agored, ar gais Gweinidogion Cymru neu awdurdod lleol, er mwyn darparu gwasanaethau cyhoeddus brys.

Mae **rheoliad 5** yn gwneud darpariaeth benodol ynghylch llety gwyliau (gan gynnwys gwestai a thai byrddio). Mae'r rheoliad hwn yn darparu bod y gofyniad (yn rheoliad 4) i gau safleoedd gwyliau (safleoedd cartrefi symudol at ddefnydd gwyliau yn unig neu na ellir eu meddiannu drwy gydol y flwyddyn) a safleoedd gwersylla, yn cynnwys rhwymedigaeth ar berchnogion y safleoedd hyn i wneud eu gorau glas i sicrhau fod pobl yn gadael yr eiddo. Mae rheoliad 5 hefyd yn nodi eithriadau i'r gofyniad (yn rheoliad 4) i gau gwestai a mathau tebyg o lety.

Mae **rheoliad 6** yn gymwys i rai busnesau a gwasanaethau penodol a restrir yn **Rhan 4** o **Atodlen 1** y caniateir iddynt barhau ond y mae'n rhaid iddynt wneud hynny yn ddarostyngedig i'r amodau a bennir.

Mae **rheoliad 7** yn gwneud darpariaeth benodol ynghylch addoldai, amlogsfeydd a chanolfannau cymunedol y mae'n rhaid iddynt gau yn ddarostyngedig i rai eithriadau penodol. Mae'r eithriadau yn cynnwys darparu gwasanaethau gwirfoddol hanfodol i bobl ddigartref neu bobl sy'n agored i niwed ac, ar gais Gweinidogion Cymru neu awdurdod lleol, i ddarparu gwasanaethau cyhoeddus brys.

Mae **rheoliad 8** yn gosod cyfyngiadau ar symud a chynulliadau. Mae hyn yn darparu na chaiff neb adael y man lle y mae'n byw ynddo heb esgus rhesymol (mae enghreifftiau o'r rhain wedi eu rhestru). Mae hefyd yn darparu na chaiff neb gymryd rhan mewn cynulliad o fwy na dau berson mewn man cyhoeddus ac eithrio o dan amgylchiadau penodol.

The Regulations impose restrictions on individuals, businesses and others. In accordance with **regulation 3**, these restrictions apply for an "emergency period". This period lasts until a direction is given by the Welsh Ministers specifying that the restrictions, or any one restriction (or part of a restriction), is terminated. The Welsh Ministers are required to keep the need for the restrictions under review every 21 days.

Regulation 4 requires the closure of premises, listed in **Part 1** of **Schedule 1** to the Regulations, in which food and drink are sold on the premises. Selling food and drink for consumption off the premises is allowed to continue (but this must be done in accordance with regulation 6(1)). Regulation 4 also prohibits, subject to certain limited exceptions, the carrying on of a business or the provision of a service which is listed in **Part 2** or **Part 3** of **Schedule 1**. One exception allows certain business premises to be open, at the request of the Welsh Ministers or a local authority, in order to provide urgent public services.

Regulation 5 makes specific provision about holiday accommodation (including hotels and boarding houses). This provides that the requirement (in regulation 4) to close holiday sites (mobile homes sites for holiday use only or which cannot be occupied all year round) and camping sites, includes an obligation on the owners of these sites to use their best endeavours to vacate the premises. Regulation 5 also sets out exceptions to the requirement (in regulation 4) to close hotels and similar forms of accommodation.

Regulation 6 applies to certain businesses and services listed in **Part 4** of **Schedule 1** that are allowed to continue but must do so subject to the conditions specified.

Regulation 7 makes specific provision about places of worship, crematoriums and community centres which must close subject to certain exceptions. Exceptions include providing essential voluntary services to homeless or vulnerable people and, upon the request of the Welsh Ministers or a local authority, providing urgent public services.

Regulation 8 imposes restrictions on movement and gatherings. This provides that no person may leave the place they live without a reasonable excuse (examples of which are listed). It also provides that no person may participate in a gathering in a public place of more than two people except in certain circumstances.

Mae **rheoliad 9** yn gosod gofyniad ar awdurdodau lleol, awdurdodau Parciau Cenedlaethol, Cyfoeth Naturiol Cymru a'r Ymddiriedolaeth Genedlaethol i gau rhai llwybrau cyhoeddus a thir sy'n hygyrch i'r cyhoedd. Nid yw'n ofynnol i Weinidogion Cymru adolygu'r darpariaethau hyn ond mae rhaid i'r cyrff y gosodir dyletswydd arnynt i gau llwybrau troed a thir gadw'r angen i gau o dan ystyriaeth.

Mae **rheoliad 10** yn ymwneud â gorfodi'r cyfyngiadau a osodir gan y Rheoliadau, sy'n cynnwys pŵer mynediad y darperir ar ei gyfer yn **rheoliad 11**. Mae **rheoliad 12** yn darparu bod person sydd, heb esgus rhesymol, yn mynd yn groes i'r gofynion (rhestredig) yn y Rheoliadau hyn yn cyflawni trosedd. Gellir cosbi'r drosedd honno drwy ddirwy ddirerfyn. Mae **rheoliad 13** yn caniatáu i droseddau gael eu cosbi drwy hysbysiad cosb benodedig ac mae **rheoliad 14** yn ymwneud ag erlyn troseddau o dan y Rheoliadau.

Mae **rheoliad 15** yn darparu bod y Rheoliadau hyn yn dod i ben ar 26 Medi 2020, ond nid yw'r ffaith bod y Rheoliadau yn dod i ben yn effeithio ar ddilysrwydd camau a gymerir o dan y Rheoliadau cyn iddynt ddod i ben.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal asesiadau effaith rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, nid oes asesiad effaith rheoleiddiol wedi'i baratoi ynglŷn â chost a budd tebygol cydymffurfio â'r Rheoliadau hyn.

Regulation 9 imposes a requirement on local authorities, National Park authorities, Natural Resources Wales and the National Trust to close certain public paths and land accessible by the public. There is no requirement on the Welsh Ministers to review these provisions but the bodies on whom the duty to close footpaths and land is imposed must keep the need for any closure under consideration.

Regulation 10 relates to the enforcement of the restrictions imposed by the Regulations, which include a power of entry provided for in **regulation 11**. **Regulation 12** 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 13** allows for offences to be punished by way of a fixed penalty notice and **regulation 14** relates to prosecutions of offences under the regulations.

Regulation 15 provides that these regulations expire on 26 September 2020, however the expiry of the Regulations does not affect the validity of actions taken under the Regulations before they expire.

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.

Rheoliadau a wnaed gan Weinidogion Cymru, a osodwyd gerbron Cynulliad Cenedlaethol Cymru o dan adran 45R o Ddeddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984 (p. 22), i'w cymeradwyo drwy benderfyniad gan Gynulliad Cenedlaethol Cymru o fewn wyth niwrnod ar hugain gan ddechrau â'r diwrnod y gwneir yr offeryn, yn ddarostyngedig i'w estyn dros gyfnodau o ddiddymu neu doriad am fwy na phedwar diwrnod.

OFFERYNNAU STATUDOL
CYMRU

2020 Rhif 353 (Cy. 80)

**IECHYD Y CYHOEDD,
CYMRU**

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

Gwnaed am 2.45 p.m. ar 26 Mawrth 2020

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru 27 Mawrth 2020*

Yn dod i rym am 4.00 p.m. ar 26 Mawrth 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 o ganlyniad i fynychder a lledaeniad coronafeirws syndrom anadlu aciwt difrifol 2 (SARS-CoV-2) yng Nghymru.

Regulations made by the Welsh Ministers, laid before the National Assembly for Wales under section 45R of the Public Health (Control of Disease) Act 1984 (c. 22), for approval by resolution of the National Assembly for Wales within twenty-eight days beginning with the day on which the instrument is made, subject to extension for periods of dissolution or recess for more than four days.

WELSH STATUTORY
INSTRUMENTS

2020 No. 353 (W. 80)

PUBLIC HEALTH, WALES

**The Health Protection (Coronavirus
Restrictions) (Wales) Regulations
2020**

Made at 2.45 p.m. on 26 March 2020

*Laid before the National Assembly for
Wales 27 March 2020*

*Coming into force at 4.00 p.m. on 26 March
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.

(1) 1984 p. 22. Mewn osodwyd adrannau 45C, 45F a 45P gan adran 129 o Ddeddf Iechyd a Gofal Cymdeithasol 2008 (p. 14). Mae'r swyddogaethau o dan yr adrannau hyn wedi eu rhoi i "the appropriate Minister" ("y Gweinidog priodol"). O dan adran 45T(6) o Ddeddf 1984, y Gweinidog priodol, o ran Cymru, yw Gweinidogion Cymru.

(1) 1984 c. 22. Sections 45C, 45F and 45P were inserted by section 129 of the Health and Social Care Act 2008 (c. 14). The functions under these sections are conferred on "the appropriate Minister". Under section 45T(6) of the 1984 Act the appropriate Minister, as respects Wales, is the Welsh Ministers.

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

Yn unol ag adran 45R o'r Ddeddf honno, oherwydd brys, mae Gweinidogion Cymru o'r farn ei bod yn angenrheidiol gwneud yr offeryn hwn heb fod drafft wedi ei osod gerbron Cynulliad Cenedlaethol Cymru ac wedi ei gymeradwyo ganddo drwy benderfyniad.

Enwi, dod i rym, cymhwyso a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020 a deuant i rym am 4.00p.m. ar 26 Mawrth 2020.

- (2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.
- (3) Yn y Rheoliadau hyn—
- (a) ystyr “gofalwr” yw person sy'n darparu gofal ar gyfer y person a gynorthwyir pan—
- (i) bo hawlogoeth gan y gofalwr i asesiad o dan adran 24 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014(1),
- (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(2);
- (b) ystyr “coronafeirws” yw coronafeirws syndrom anadlu aciwt difrifol 2 (SARS-CoV-2);
- (c) ystyr “awdurdod lleol” yw cyngor sir neu gyngor bwrdeistref sirol yng Nghymru;
- (d) mae “person sy'n gyfrifol am gynnal busnes” yn cynnwys perchennog a rheolwr y busnes hwnnw;
- (e) mae “person hygllwyf” yn cynnwys—
- (i) unrhyw berson sy'n 70 oed neu'n hŷn;
- (ii) unrhyw berson o dan 70 oed sydd â chyflwr iechyd isorweddol, gan gynnwys y cyflyrau a restrir yn Atodlen 2, ond heb fod yn gyfyngedig iddynt;
- (iii) unrhyw berson sy'n feichiog.

(1) 2014 decc 4.
(2) 2016 decc 2.

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, the National Assembly for Wales.

Title, coming into force, application and interpretation

1.—(1) The title of these Regulations is the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 and they come into force at 4.00 p.m. on 26 March 2020.

- (2) These Regulations apply in relation to Wales.
- (3) In these Regulations—
- (a) “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(1),
- (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(2);
- (b) “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);
- (c) “local authority” means the council of a county or county borough in Wales;
- (d) a “person responsible for carrying on a business” includes the owner, proprietor, and manager of that business;
- (e) “vulnerable person” includes—
- (i) any person aged 70 or older;
- (ii) any person under 70 who has an underlying health condition, including, but not limited to, the conditions listed in Schedule 2;
- (iii) any person who is pregnant.

(1) 2014 anaw 4.
(2) 2016 anaw 2.

Dirymu

2.—(1) Mae Rheoliadau Diogelu Iechyd (Coronafeirws, Cau Busnes) (Cymru) 2020(1) a Rheoliadau Diogelu Iechyd (Coronafeirws: Cau Busnesau Hamdden, Llwybrau Troed a Thir Mynediad) (Cymru) 2020(2) wedi eu dirymu.

(2) Er gwaethaf dirymu'r Rheoliadau hynny, maent yn parhau mewn grym mewn perthynas ag unrhyw drosedd a gyflawnwyd oddi tanynt cyn y daeth y Rheoliadau hyn i rym.

Cyfnod yr argyfwng ac adolygu'r angen am gyfyngiadau

3.—(1) At ddibenion y Rheoliadau hyn, mae “cyfnod yr argyfwng”—

- (a) yn dechrau pan ddaw'r Rheoliadau hyn i rym, a
- (b) yn gorffen mewn perthynas â gofyniad neu gyfyngiad a osodir gan y Rheoliadau hyn ar y diwrnod ac ar yr adeg a bennir mewn cyfarwyddyd a gyhoeddir gan Weinidogion Cymru sy'n terfynu'r gofyniad neu'r cyfyngiad (gweler paragraffau (3) a (4)).

(2) Rhaid i Weinidogion Cymru adolygu'r angen am gyfyngiadau a gofynion a osodir gan y Rheoliadau hyn bob 21 o ddiwrnodau, gyda'r adolygiad cyntaf yn cael ei gynnal erbyn 15 Ebrill 2020.

(3) Cyn gynted ag y bo Gweinidogion Cymru yn ystyried nad oes angen gofyniad neu gyfyngiad a osodir gan y Rheoliadau hyn mwyach i atal, i ddiogelu rhag, i reoli neu i ddarparu ymateb iechyd y cyhoedd i fynychder neu ledaeniad haint yng Nghymru â'r coronafeirws, rhaid i Weinidogion Cymru gyhoeddi cyfarwyddyd sy'n terfynu'r gofyniad neu'r cyfyngiad.

(4) Caiff cyfarwyddyd a gyhoeddir o dan y rheoliad hwn—

- (a) terfynu unrhyw un neu ragor o ofynion neu gyfyngiadau;
- (b) terfynu gofyniad neu gyfyngiad mewn perthynas â busnes neu wasanaeth penodedig neu ddisgrifiad penodedig o fusnes neu wasanaeth.

(5) Yn y rheoliad hwn, ystyr “penodedig” yw wedi ei bennu mewn cyfarwyddyd.

Revocation

2.—(1) The Health Protection (Coronavirus, Business Closure) (Wales) Regulations 2020(1) and the Health Protection (Coronavirus: Closure of Leisure Businesses, Footpaths and Access Land) (Wales) Regulations 2020(2) are revoked.

(2) Notwithstanding the revocation of those Regulations, they continue in force in relation to any offence committed under them before these Regulations came into force.

The emergency period and review of need for restrictions

3.—(1) For the purposes of these Regulations the “emergency period”—

- (a) starts when these Regulations come into force, and
- (b) ends in relation to a requirement or restriction imposed by these Regulations on the day and at the time specified in a direction published by the Welsh Ministers terminating the requirement or restriction (see paragraphs (3) and (4)).

(2) The Welsh Ministers must review the need for restrictions and requirements imposed by these Regulations every 21 days, with the first review being carried out by 15 April 2020.

(3) As soon as the Welsh Ministers consider that a requirement or restriction imposed by these Regulations is no longer necessary to prevent, protect against, control or provide a public health response to the incidence or spread of infection in Wales with the coronavirus, the Welsh Ministers must publish a direction terminating the requirement or restriction.

(4) A direction published under this regulation may—

- (a) terminate any one or more requirement or restriction;
- (b) terminate a requirement or restriction in relation to a specified business or service or a specified description of business or service.

(5) In this regulation, “specified” means specified in a direction.

(1) O.S. 2020/327 (Cy. 74).

(2) O.S. 2020/334 (Cy. 76).

(1) S.I. 2020/327 (W. 74).

(2) S.I. 2020/334 (W. 76).

Gofyniad i gau mangreoedd a busnesau yn ystod cyfnod yr argyfwng

4.—(1) Rhaid i berson sy'n gyfrifol am gynnal busnes a restrir yn Rhan 1 o Atodlen 1, yn ystod cyfnod yr argyfwng—

- (a) cau unrhyw fangre, neu ran o'r fangre, lle y gwerthir bwyd neu ddiod i'w fwyta neu i'w hyfed yn y fangre honno;
- (b) peidio â gwerthu bwyd neu ddiod i'w fwyta neu i'w hyfed yn ei fangre (ond os yw'r busnes yn gwerthu bwyd a diod i'w fwyta neu i'w hyfed oddi ar y fangre, caiff barhau i wneud hynny yn ddarostyngedig i reoliad 6(1)).

(2) At ddibenion paragraff (1), nid yw bwyd neu ddiod a werthir gan westy neu lety arall fel rhan o wasanaeth ystafell i'w drin neu i'w thrin fel pe bai'n cael ei werthu neu ei gwerthu i'w fwyta neu i'w hyfed yn ei fangre.

(3) At ddibenion paragraff (1), mae ardal 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.

(4) Rhaid i berson sy'n gyfrifol am gynnal busnes neu ddarparu gwasanaeth a restrir yn Rhan 2 neu 3 o Atodlen 1, yn ystod cyfnod yr argyfwng, beidio â chynnal y busnes hwnnw neu ddarparu'r gwasanaeth hwnnw.

(5) Ond nid yw paragraff (4) yn atal y defnydd—

- (a) o fangre a ddefnyddir ar gyfer y busnesau neu'r gwasanaethau a restrir ym mharagraffau 5, 6, 7, 8, 9, 10 neu 18 o Ran 2 i ddarlledu (heb gynulleidfa) berfformiad (boed dros y rhyngwrwyd neu fel rhan o ddarllediad radio neu deledu);
- (b) o unrhyw fangre addas a ddefnyddir ar gyfer y busnesau neu'r gwasanaethau a restrir yn Rhan 2 neu 3 o'r Atodlen honno i ddarparu, ar gais Gweinidogion Cymru neu awdurdod lleol, wasanaethau cyhoeddus brys (gan gynnwys darparu bwyd neu gymorth arall ar gyfer y digartref neu bersonau hyglwyf, sesiynau rhoi gwaed neu gymorth mewn argyfwng);
- (c) o fangre a ddefnyddir fel amgueddfa, oriel neu lyfrgell, neu a ddefnyddir i ddarparu gwasanaethau archifau, ar gyfer darparu gwybodaeth neu wasanaethau eraill—
 - (i) drwy wefan, neu fel arall drwy gyfathrebiad ar-lein,
 - (ii) dros y ffôn, gan gynnwys archebion drwy neges destun, neu

Requirement to close premises and businesses during the emergency period

4.—(1) A person responsible for carrying on a business which is listed in Part 1 of Schedule 1 must, during the emergency period—

- (a) close any premises, or part of the premises, in which food or drink are sold for consumption on those premises;
- (b) cease selling food or drink for consumption on its premises (but if the business sells food and drink for consumption off the premises it may continue to do so subject to regulation 6(1)).

(2) For the purposes of paragraph (1), food or drink sold by a hotel or other accommodation as part of room service is not to be treated as being sold for consumption on its premises.

(3) For the purposes of paragraph (1), an 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.

(4) A person responsible for carrying on a business or providing a service which is listed in Part 2 or 3 of Schedule 1 must, during the emergency period, cease to carry on that business or to provide that service.

(5) But paragraph (4) does not prevent the use of—

- (a) premises used for the businesses or services listed in paragraphs 5, 6, 8, 9, 10 or 18 of Part 2 to broadcast (without an audience) a performance (whether over the internet or as part of a radio or television broadcast);
- (b) any suitable premises used for the businesses or services listed in Part 2 or 3 of that Schedule to provide, upon the request of the Welsh Ministers or a local authority, urgent public services (including the provision of food or other support for the homeless or vulnerable persons, blood donation sessions or support in an emergency);
- (c) premises used as a museum, gallery or library, or for providing archive services, for the provision of information or other services—
 - (i) through a website, or otherwise by on-line communication,
 - (ii) by telephone, including orders by text message, or

(iii) drwy'r post.

(6) Os yw busnes a restrir yn Atodlen 1 (“business A”) yn ffurfio rhan o fusnes mwy (“business B”), mae'r person sy'n gyfrifol am gynnal busnes B yn cydymffurfio â'r gofyniad ym mharagraff (1) neu (4) os yw'n cau busnes A i lawr.

Gofyniad i gau mangreoedd a busnesau yn ystod cyfnod yr argyfwng: darpariaeth benodol ynghylch llety gwyliau etc.

5.—(1) I'r graddau y mae rheoliad 4(4) yn gymwys i safle gwyliau neu safle gwersylla (yn rhinwedd ei restru yn Rhan 3 o Atodlen 1), mae'r rhwymedigaeth ar y person sy'n gyfrifol am gynnal y busnes (“P”) yn cynnwys rhwymedigaeth ar P i wneud ei orau glas i sicrhau fod unrhyw berson sy'n aros ar y safle pan yw'r busnes wedi peidio â chael ei gynnal yn gadael y fangre.

(2) Ond nid yw'r rhwymedigaeth ym mharagraff (1) yn gymwys mewn perthynas ag unrhyw berson sy'n defnyddio cartref symudol ar safle gwyliau i'w fyw ynddo gan bobl o dan gytundeb y mae Rhan 4 o Ddeddf Cartrefi Symudol (Cymru) 2013(1) yn gymwys iddo.

(3) I'r graddau y mae rheoliad 4(4) yn gymwys i unrhyw fusnes arall a restrir yn Rhan 3 o Atodlen 1, mae'r rhwymedigaeth ar y person sy'n gyfrifol am gynnal y busnes yn gymwys yn ddarostyngedig i'r angen—

- (a) i ddarparu llety i bersonau sy'n aros yn y llety hwnnw pan ddaw'r Rheoliadau hyn i rym ac—
 - (i) na allant ddychwelyd i'w prif breswylfa, neu
 - (ii) sy'n defnyddio'r llety fel eu prif breswylfa;
- (b) i gynnal y busnes, neu i gadw unrhyw fangre a ddefnyddir at y busnes yn agored, at unrhyw ddiben ar gais Gweinidogion Cymru neu awdurdod lleol.

(4) Yn y rheoliad hwn ac yn Rhan 3 o'r Atodlen, 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

(iii) by post.

(6) If a business listed in Schedule 1 (“business A”) forms part of a larger business (“business B”), the person responsible for carrying on business B complies with the requirement in paragraph (1) or (4) if it closes down business A.

Requirement to close premises and businesses during the emergency period: specific provision about holiday etc. accommodation

5.—(1) In so far as regulation 4(4) applies to a holiday site or camping site (by virtue of them being listed in Part 3 of Schedule 1), the obligation on the person responsible for carrying on the business (“P”) includes an obligation on P to use P's best endeavours to require any person staying at the site when the business has ceased to be carried on to vacate the premises.

(2) But the obligation in paragraph (1) does not apply in relation to any person using a mobile home on a holiday site for human habitation under an agreement to which Part 4 of the Mobile Homes (Wales) Act 2013(1) applies.

(3) In so far as regulation 4(4) applies to any other business listed in Part 3 of Schedule 1, the obligation on the person responsible for carrying on the business applies subject to the need to—

- (a) provide 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;
- (b) carry on the business, or keep any premises used in the business open, for any purpose as may be requested by the Welsh Ministers or a local authority.

(4) In this regulation and in Part 3 of the 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

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

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

- (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.

(5) At ddibenion penderfynu pa un 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—

- (a) y person sy'n berchennog 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.

Cyfyngiadau ar fusnesau a gwasanaethau penodol eraill yn ystod cyfnod yr argyfwng

6.—(1) Rhaid i berson sy'n gyfrifol am gynnal busnes, neu am ddarparu gwasanaeth, a restrir yn Rhan 4 o Atodlen 1, yn ystod cyfnod yr argyfwng—

- (a) cymryd pob mesur rhesymol i sicrhau y cynhelir pellter o 2 fetr rhwng unrhyw bersonau ym mangre'r busnes (ac eithrio rhwng dau aelod o'r un aelwyd, neu rhwng gofalwr a'r person sy'n cael cymorth gan y gofalwr),
- (b) cymryd pob mesur rhesymol i sicrhau nad yw personau ond yn cael mynediad i fangre'r busnes mewn niferoedd digon bach fel bod modd cynnal y pellter hwnnw, ac
- (c) cymryd pob mesur rhesymol i sicrhau y cynhelir pellter o 2 fetr rhwng personau sy'n aros i fynd i fangre'r busnes (ac eithrio rhwng dau aelod o'r un aelwyd, neu rhwng gofalwr a'r person sy'n cael cymorth gan y gofalwr).

(2) Rhaid i berson sy'n gyfrifol am gynnal busnes, nad yw wedi ei restru yn Rhan 4 o Atodlen 1, sy'n cynnig nwyddau i'w gwerthu neu i'w llogi mewn siop, yn ystod cyfnod yr argyfwng—

- (a) peidio â chynnal y busnes hwnnw ac eithrio drwy wneud danfoniadau neu drwy ddarparu gwasanaethau fel arall mewn ymateb i archebion neu ymholiadau a geir—
 - (i) drwy wefan, neu fel arall drwy gyfathrebiad ar-lein,

- (b) requires that there are times of the year when no mobile home or caravan may be stationed on the site for human habitation.

(5) 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) 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.

Restrictions on certain other businesses and services during the emergency period

6.—(1) A person responsible for carrying on a business, or providing a service, listed in Part 4 of Schedule 1 must, during the emergency period—

- (a) take all reasonable measures to ensure that a distance of 2 metres is maintained between any persons on the business premises (except between two members of the same household, or a carer and the person assisted by the carer),
- (b) take all reasonable measures to ensure that persons are only admitted to the business premises in sufficiently small numbers to make it possible to maintain that distance, and
- (c) take all reasonable measures to ensure that a distance of 2 metres is maintained between persons waiting to enter the business premises (except between two members of the same household, or a carer and the person assisted by the carer).

(2) A person responsible for carrying on a business, not listed in Part 4 of Schedule 1, of offering goods for sale or for hire in a shop must, during the emergency period—

- (a) cease to carry on that business except by making deliveries, or otherwise providing services in response to orders or enquiries received—
 - (i) through a website, or otherwise by on-line communication,

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

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

- (ii) dros y ffôn, gan gynnwys archebion drwy neges destun, neu
- (iii) drwy'r post;
- (b) cau unrhyw fangre nad yw'n ofynnol i gynnal y busnes neu i ddarparu gwasanaethau fel a ganiateir gan is-baragraff (a);
- (c) peidio â rhoi mynediad i unrhyw berson i'r fangre nad yw'n ofynnol i gynnal y busnes neu i ddarparu gwasanaethau fel a ganiateir gan is-baragraff (a).

(3) Os yw busnes y mae paragraff (2) yn gymwys iddo ("busnes A") yn ffurfio rhan o fusnes mwy ("busnes B"), mae'r person sy'n gyfrifol am gynnal busnes B yn cydymffurfio â'r gofyniad ym mharagraff (2) os yw'n peidio â chynnal busnes A.

Cyfyngiadau ar fannau addoli, amlogsfeydd a chanolfannau cymunedol,

7.—(1) Rhaid i berson sy'n gyfrifol am fan addoli sicrhau, yn ystod cyfnod yr argyfwng, fod y man addoli ar gau, ac eithrio at ddefnydd a ganiateir gan baragraff (2).

(2) Os cymrir pob cam rhesymol i sicrhau y cynhelir pellter o 2 fetr rhwng pob person yn y man addoli, caniateir defnyddio'r man—

- (a) ar gyfer angladdau,
- (b) i ddarlledu (heb gynulleidfa) weithred o addoli neu angladd (boed dros y rhyngwyd neu fel rhan o ddarllediad radio neu deledu), neu
- (c) i ddarparu gwasanaethau gwirfoddol hanfodol neu, ar gais Gweinidogion Cymru neu awdurdod lleol, wasanaethau cyhoeddus brys (gan gynnwys darparu banciau bwyd neu gymorth arall ar gyfer y digartref neu bobl hyglwyf, sesiynau rhoi gwaed neu gymorth mewn argyfwng).

(3) Rhaid i berson sy'n gyfrifol am amlogfa sicrhau, yn ystod cyfnod yr argyfwng, fod yr amlogfa ar gau i aelodau'r cyhoedd, ac eithrio ar gyfer at y defnydd a ganiateir gan baragraff (4).

(4) Os cymrir pob cam rhesymol wedi ei gymryd i sicrhau y cynhelir pellter o 2 fetr rhwng pob person yn yr amlogfa, caiff yr amlogfa agor i aelodau'r cyhoedd am angladdau neu gladdu (a darlledu angladd neu gladdu boed dros y rhyngwyd neu fel arall).

(5) Rhaid i berson sy'n gyfrifol am ganolfan gymunedol sicrhau, yn ystod cyfnod yr argyfwng, fod y ganolfan gymunedol ar gau ac eithrio—

- (ii) by telephone, including orders by text message, or
- (iii) by post;
- (b) close any premises which are not required to carry out the business or provide services as permitted by sub-paragraph (a);
- (c) cease to admit any person to the premises who is not required to carry on the business or provide services as permitted by sub-paragraph (a).

(3) If a business to which paragraph (2) applies ("business A") forms part of a larger business ("business B"), the person responsible for carrying on business B complies with the requirement in paragraph (2) if it ceases to carry on business A.

Restrictions on places of worship, crematoriums and community centres

7.—(1) A person responsible for a place of worship must ensure that, during the emergency period, the place of worship is closed, except for uses permitted by paragraph (2).

(2) If all reasonable measures are taken to ensure a distance of 2 metres is maintained between every person in the place of worship, the place may be used—

- (a) for funerals,
- (b) to broadcast (without a congregation) an act of worship or funeral (whether over the internet or as part of a radio or television broadcast), or
- (c) to provide essential voluntary services or, upon the request of the Welsh Ministers or a local authority, urgent public services (including the provision of food banks or other support for the homeless or vulnerable people, blood donation sessions or support in an emergency).

(3) A person responsible for a crematorium must ensure that, during the emergency period, the crematorium is closed to members of the public, except for the use permitted by paragraph (4).

(4) If all reasonable measures are taken to ensure a distance of 2 metres is maintained between every person in the crematorium, the 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) A person responsible for a community centre must ensure that, during the emergency period, the community centre is closed except where—

- (a) pan fo'n cael ei defnyddio i ddarparu gwasanaethau gwirfoddol hanfodol neu, ar gais Gweinidogion Cymru neu awdurdod lleol, wasanaethau cyhoeddus brys (gan gynnwys darparu banciau bwyd neu gymorth arall ar gyfer y digartref neu bersonau hygllwyf, sesiynau rhoi gwaed neu gymorth mewn argyfwng), a
- (b) os cymrir pob cam rhesymol wedi ei gymryd i sicrhau y cynhelir pellter o 2 fetr rhwng pob person yn y fangre tra darperir y gwasanaethau hynny.

Cyfyngiadau ar symud a chynulladau yn ystod cyfnod yr argyfwng

8.—(1) Yn ystod cyfnod yr argyfwng, ni chaiff unrhyw berson adael y man lle y mae'n byw heb esgus rhesymol.

(2) At ddibenion paragraff (1), mae esgus rhesymol yn cynnwys yr angen—

- (a) i gael, oddi wrth unrhyw fusnesau a restrir yn Rhan 4 o Atodlen 1—
 - (i) angenrheidiau sylfaenol, gan gynnwys bwyd a chyflenwadau meddygol i'r rheini yn yr un aelwyd (gan gynnwys anifeiliaid yr aelwyd) neu ar gyfer personau hygllwyf;
 - (ii) cyflenwadau (gan gynnwys arian) ar gyfer cynnal, cynnal a chadw a gweithrediad yr aelwyd, neu aelwyd y person hygllwyf, neu i gael arian;
- (b) i wneud ymarfer corff, ddim mwy nag unwaith y dydd, naill ai ar ei ben ei hun neu gydag aelodau eraill o'i aelwyd;
- (c) i geisio cymorth meddygol, gan gynnwys cael gafael ar unrhyw un neu ragor o'r gwasanaethau y cyfeirir atynt ym mharagraff 42 o Atodlen 1 neu i gael mynediad at wasanaethau milfeddygol;
- (d) i ddarparu gofal neu gymorth, gan gynnwys gofal personol perthnasol o fewn ystyr "relevant personal care" ym mharagraff 7(3B) o Atodlen 4 i Ddeddf Diogelu Grwpiau Hygllwyf 2006(1), i berson hygllwyf, neu i ddarparu cymorth brys;

- (a) it is used to provide essential voluntary services or, upon the request of the Welsh Ministers or a local authority, urgent public services (including the provision of food banks or other support for the homeless or vulnerable persons, blood donation sessions or support in an emergency), and
- (b) all reasonable measures are taken to ensure that a distance of 2 metres is maintained between every person on the premises while those services are provided.

Restrictions on movement and gatherings during the emergency period

8.—(1) During the emergency period, no person may leave the place where they are living without reasonable excuse.

(2) For the purposes of paragraph (1), a reasonable excuse includes the need—

- (a) to obtain from any business listed in Part 4 of Schedule 1 —
 - (i) basic necessities, including food and medical supplies for those in the same household (including animals in the household) or for vulnerable persons;
 - (ii) supplies (including money) for the essential upkeep, maintenance and functioning of the household, or the household of a vulnerable person;
- (b) to take exercise, no more than once a day, either alone or with other members of the household;
- (c) to seek medical assistance, including accessing any of the services referred to in paragraph 42 of Schedule 1 or accessing veterinary services;
- (d) to provide care or assistance, including relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006(1), to a vulnerable person, or to provide emergency assistance;

(1) 2006 p. 47. Rhoddwyd is-baragraff (3B), ar y cyd ag is-baragraffau (1), (3) a (3A) i (3E), yn lle is-baragraffau (1) i (3) gan adran 66(2) o Ddeddf Diogelu Rhyddidau 2012 (p. 9).

(1) 2006 c. 47. Sub-paragraph (3B) was substituted, with sub-paragraphs (1), (3) and (3A) to (3E) for sub-paragraphs (1) to (3) by s. 66(2) of the Protection of Freedoms Act 2012 (c. 9).

- (e) i roi gwaed;
- (f) i deithio at ddibenion gwaith neu i ddarparu gwasanaethau gwirfoddol neu elusennol, pan na fo'n rhesymol ymarferol i'r person hwnnw weithio, neu ddarparu'r gwasanaethau hynny, o'r man lle y mae'n byw;
- (g) i fynd i angladd—
 - (i) aelod o aelwyd y person,
 - (ii) aelod agos o'r teulu (gan gynnwys partner, plentyn, llysblentyn neu blentyn maeth, neu riant),
 - (iii) ffrind, os nad yw unrhyw aelod o aelwyd yr ymadawedig neu unrhyw aelod o deulu agos yr ymadawedig yn mynd, neu
 - (iv) fel gofawr person sy'n mynd fel person a grybwyllir yn is-baragraff (i), (ii) neu (iii);
- (h) i fodloni rhwymedigaeth gyfreithiol, gan gynnwys mynd i'r llys neu fodloni amodau mechnaeth, neu i gymryd rhan mewn achos cyfreithiol;
- (i) i gael gafael ar wasanaethau cyhoeddus hanfodol, gan gynnwys—
 - (i) gofal plant neu gyfleusterau addysgol (pan fo'r rhain yn dal i fod ar gael i blentyn y person);
 - (ii) gwasanaethau cymdeithasol;
 - (iii) gwasanaethau a ddarperir gan yr Adran Gwaith a Phensiynau;
 - (iv) gwasanaethau a ddarperir i ddioddefwyr (megis dioddefwyr trosedd neu drais domestig);
- (j) mewn perthynas â phlant nad ydynt yn byw yn yr un aelwyd â'u rhieni, neu un o'u rhieni, i barhau 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;
- (k) yn achos gweinidog yr efengyl neu arweinydd addoli, i fynd i'w fan addoli;
- (l) i symud tŷ pan fo'n angenrheidiol;
- (m) i osgoi anaf neu salwch neu i ddianc rhag risg o newid.

(3) At ddibenion paragraff (1), mae'r man lle y mae person yn byw yn cynnwys y fangre lle y mae'n byw ynghyd ag unrhyw ardd, iard, tramwyfa, gris, garej, tŷ allan neu unrhyw atodyn i fangre o'r fath.

(4) Nid yw paragraff (1) yn gymwys i unrhyw berson sy'n ddigartref.

- (e) to donate blood;
- (f) to travel for the purposes of work or to provide voluntary or charitable services, where it is not reasonably practicable for that person to work, or to provide those services, from the place where they are living;
- (g) to attend a funeral—
 - (i) of a member of the person's household,
 - (ii) of a close family member (including a partner, child, step-child or foster child, or parent),
 - (iii) of a friend, if no member of the deceased's household or close family member of the deceased is attending, or
 - (iv) as the carer of a person who is attending as a person mentioned in sub-paragraph (i), (ii) or (iii);
- (h) to meet a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (i) to access critical public services, including—
 - (i) childcare or educational facilities (where these are still available to the person's child);
 - (ii) social services;
 - (iii) services provided by the Department of Work and Pensions;
 - (iv) services provided to victims (such as victims of crime or domestic violence);
- (j) in relation to children who do not live in the same household as their parents, or one of their parents, to 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;
- (k) in the case of a minister of religion or worship leader, to go to their place of worship;
- (l) to move house where necessary;
- (m) to avoid injury or illness or to escape a risk of harm.

(3) For the purposes of paragraph (1), the place where a person lives includes the premises where they live together with any garden, yard, passage, stair, garage, outhouse or other appurtenance of such premises.

(4) Paragraph (1) does not apply to any person who is homeless.

(5) Yn ystod cyfnod yr argyfwng, ni chaiff unrhyw berson gymryd rhan mewn cynulliad mewn man cyhoeddus o fwy na dau berson ac eithrio—

- (a) pan fo'r holl bersonau yn y cynulliad yn aelodau o'r un aelwyd,
- (b) pan fo'r cynulliad yn hanfodol at ddibenion gwaith,
- (c) i fynd i angladd, neu
- (d) pan fo'n angenrheidiol—
 - (i) i hwyluso symud tŷ,
 - (ii) i ddarparu gofal neu gynhorthwy i berson hyglwyf, yn cynnwys gofal personol perthnasol o fewn ystyr "relevant personal care" ym mharagraff 7(3B) o Atodlen 4 i Ddeddf Diogelu Grwpiau Hyglwyf 2006,
 - (iii) i ddarparu cynhorthwy brys, neu
 - (iv) i gymryd rhan mewn achos cyfreithiol, neu gyflawni rhwymedigaeth gyfreithiol.

Gofyniad i gau llwybrau cyhoeddus a thir penodol a pheidio â mynd iddynt yn ystod cyfnod yr argyfwng

9.—(1) Pan fo paragraff (2) yn gymwys i lwybr cyhoeddus neu dir mynediad yn ardal awdurdod perthnasol, rhaid i'r awdurdod perthnasol, yn ystod cyfnod yr argyfwng—

- (a) cau'r llwybr cyhoeddus neu'r tir mynediad, a
- (b) ei gadw ar gau tan y cynharaf o'r canlynol—
 - (i) diwedd cyfnod yr argyfwng, neu
 - (ii) yr adeg pan yw'r awdurdod yn ystyried nad yw'r cau yn angenrheidiol i atal, i ddiogelu rhag, i reoli neu i ddarparu ymateb iechyd y cyhoedd i fynychder neu ledaeniad haint yn ei ardal â'r coronafeirws.

(2) Mae'r paragraff hwn yn gymwys i'r llwybrau cyhoeddus a'r tir mynediad yn ardal awdurdod perthnasol y mae'n ystyried —

- (a) eu bod yn debygol o ddenu niferoedd mawr o bobl yn ymgynnull neu'n dod yn agos i'w gilydd, neu
- (b) bod eu defnydd fel arall yn peri risg uchel i fynychder a lledaeniad haint yn ei ardal â'r coronafeirws.

(5) During the emergency period, no person may participate in a gathering in a public place of more than two people except—

- (a) where all the persons in the gathering are members of the same household,
- (b) where the gathering is essential for work purposes,
- (c) to attend a funeral, or
- (d) where necessary—
 - (i) to facilitate a house move,
 - (ii) to provide care or assistance to a vulnerable person, including relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006,
 - (iii) to provide emergency assistance, or
 - (iv) to participate in legal proceedings, or fulfil a legal obligation.

Requirement to close and not enter certain public paths and land during the emergency period

9.—(1) Where paragraph (2) applies to a public path or access land in the area of a relevant authority, the relevant authority must, during the emergency period—

- (a) close the public path or access land, and
- (b) keep it closed until the earlier of—
 - (i) the end of the emergency period, or
 - (ii) the time when the authority considers that closure is no longer necessary to prevent, protect against, control or provide a public health response to the incidence or spread of infection in its area with the coronavirus.

(2) This paragraph applies to the public paths and access land in its area a relevant authority considers—

- (a) to be liable to large numbers of people congregating or being in close proximity to each other, or
- (b) the use of which otherwise poses a high risk to the incidence or spread of infection in its area with the coronavirus.

(3) Pan fo llwybr cyhoeddus wedi ei gau o dan reoliad 4 o Reoliadau Diogelu Iechyd (Coronafeirws: Cau Busnesau Hamdden, Llwybrau Troed a Thir Mynediad)(Cymru) 2020(1), mae'r llwybr i'w drin fel pe bai wedi ei gau o dan baragraff (1) o'r rheoliad hwn.

(4) Ni chaiff unrhyw un ddefnyddio llwybr troed neu dir mynediad sydd ar gau yn rhinwedd paragraff (1) oni bai ei fod wedi ei awdurdodi gan yr awdurdod perthnasol.

(5) Rhaid i'r awdurdod perthnasol—

- (a) cyhoeddi rhestr o lwybrau cyhoeddus neu dir mynediad sydd ar gau yn ei ardal ar wefan;
- (b) codi a chynnal hysbysiadau mewn mannau amlwg sy'n rhoi gwybod i'r cyhoedd bod llwybr cyhoeddus neu dir mynediad ar gau.

(6) At ddibenion y rheoliad hwn, mae cyfeiriadau at lwybr cyhoeddus neu dir mynediad yn cynnwys rhannau o lwybr cyhoeddus neu dir mynediad.

(7) Yn y rheoliad hwn—

- (a) ystyr “awdurdod perthnasol” yw—
 - (i) awdurdod lleol,
 - (ii) awdurdod Parc Cenedlaethol yng Nghymru,
 - (iii) Cyfoeth Naturiol Cymru, neu
 - (iv) yr Ymddiriedolaeth Genedlaethol;
- (b) ystyr “llwybr cyhoeddus” yw llwybr troed, llwybr ceffylau, cilffordd, cilffordd gyfyngedig neu lwybr beiciau ac
 - (i) mae i “llwybr troed”, “llwybr ceffylau” a “llwybr beiciau” yr un ystyr â “footpath”, “bridleway” a “cycle track” yn adran 329(1) o Ddeddf Priffyrdd 1980(2);
 - (ii) ystyr “cilffordd” yw cilffordd sydd ar agor i bob traffig o fewn yr ystyr a roddir i “bridleway open to all traffic” gan adran 66(1) o Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981(3);
 - (iii) mae i “cilffordd gyfyngedig” yr ystyr a roddir i “restricted byway” gan adran 48(4) o Ddeddf Cefn Gwlad a Hawliau Tramwy 2000(4);

(3) Where a public path has been closed under regulation 4 of the Health Protection (Coronavirus: Closure of Leisure Businesses, Footpaths and Access Land) (Wales) Regulations 2020(1), the path is to be treated as if it were closed under paragraph (1) of this regulation.

(4) No person may use a public path or access land closed by virtue of paragraph (1) unless authorised by the relevant authority.

(5) The relevant authority must—

- (a) publish a list of public paths or access land closed in its area on a website;
- (b) erect and maintain notices in prominent places informing the public of the closure of a public path or access land.

(6) For the purposes of this regulation references to a public path or access land include parts of a public path or access land.

(7) In this regulation—

- (a) the “relevant authority” means—
 - (i) a local authority,
 - (ii) a National Park authority in Wales,
 - (iii) Natural Resources Wales, or
 - (iv) the National Trust;
- (b) “public path” means a footpath, bridleway, byway, restricted byway or cycle track and—
 - (i) “footpath”, “bridleway” and “cycle track” have the same meaning as in section 329(1) of the Highways Act 1980(2);
 - (ii) “byway” means a byway open to all traffic within the meaning given by section 66(1) of the Wildlife and Countryside Act 1981(3);
 - (iii) “restricted byway” has the meaning given by section 48(4) of the Countryside and Rights of Way Act 2000(4);

(1) O.S. 2020/334 (Cy. 76).

(2) 1980 p. 66. Diwygiwyd adran 329 gan adran 1 o Ddeddf Llwybrau Beicio 1984 (p. 38) a pharagraff 21 o Atodlen 3 i Ddeddf Traffig Ffyrdd (Darpariaethau Canlyniadol) 1988 (p. 54).

(3) 1981 p. 69.

(4) 2000 p. 37.

(1) S.I. 2020/334 (W. 76).

(2) 1980 c.66. Section 329 was amended by s1 of the Cycle Tracks Act 1984 (c.38) and paragraph 21 of Schedule 3 to the Road Traffic (Consequential Provisions) Act 1988 (c.54).

(3) 1981 c.69.

(4) 2000 c.37.

- (c) mae “tir mynediad” yn cynnwys tir y mae gan y cyhoedd fynediad iddo yn rhinwedd ei berchnogaeth gan yr Ymddiriedolaeth Genedlaethol, ond fel arall mae iddo yr un ystyr ag “access land” yn adran 1(1) o Ddeddf Cefn Gwlad a Hawliau Tramwy 2000(1).

Gorfodi

10.—(1) Caiff person perthnasol roi hysbysiad gwahardd i berson os yw'r person perthnasol yn credu'n rhesymol—

- (a) bod y person yn torri gofyniad yn rheoliad 4, 6 neu 7, a
- (b) ei bod yn angenrheidiol ac yn gymesur rhoi'r hysbysiad gwahardd at ddiben atal y person hwnnw rhag parhau i dorri'r gofyniad.

(2) Pan fo person perthnasol yn ystyried bod person (“P”) yn torri'r gofyniad yn rheoliad 8(1), caiff y person perthnasol—

- (a) cyfarwyddo P i ddychwelyd i'r man lle y mae'n byw;
- (b) mynd â P i'r man hwnnw.

(3) Caiff person perthnasol sy'n arfer y pŵer ym mharagraff (2)—

- (a) cyfarwyddo P i ddilyn unrhyw gyfarwyddiadau y mae'r person perthnasol yn ystyried eu bod yn angenrheidiol;
- (b) defnyddio grym rhesymol wrth arfer y pŵer hwnnw.

(4) Pan fo P yn blentyn yng nghwmni unigolyn (“U”) a chanddo gyfrifoldeb dros y plentyn—

- (a) caiff y person perthnasol 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 person perthnasol i P.

(5) At ddiben paragraff (4), mae gan U gyfrifoldeb am blentyn os oes gan U—

- (a) gwarchodaeth neu ofal am y plentyn am y tro, neu
- (b) cyfrifoldeb rhiant am y plentyn (o fewn ystyr Deddf Plant 1989).

(6) Ni chaiff person ond arfer y pŵer ym mharagraff (2) neu (4) os yw'r person perthnasol yn ystyried ei fod yn ddull angenrheidiol a chymesur o sicrhau cydymffurfedd â'r gofyniad.

- (c) “access land” includes land to which the public has access by virtue of its ownership by the National Trust, but otherwise has the same meaning as in section 1(1) of the Countryside and Rights of Way Act 2000(1).

Enforcement

10.—(1) A relevant person may give a prohibition notice to a person if the relevant person reasonably believes that—

- (a) the person is contravening a requirement in regulation 4, 6 or 7, and
- (b) it is necessary and proportionate to give the prohibition notice for the purpose of preventing that person from continuing to contravene the requirement.

(2) Where a relevant person considers that a person (“P”) is contravening the requirement in regulation 8(1), the relevant person may—

- (a) direct P to return to the place where P is living;
- (b) remove P to that place.

(3) A relevant person exercising the power in paragraph (2) may—

- (a) direct P to follow such instructions as the relevant person considers necessary;
- (b) use reasonable force in the exercise of the power.

(4) Where P is a child accompanied by an individual (“I”) who has responsibility for the child—

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

(5) For the purpose of paragraph (4), 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 (within the meaning of the Children Act 1989).

(6) A relevant person may only exercise the power in paragraph (2) or (4) if the relevant person considers that it is a necessary and proportionate means of ensuring compliance with the requirement.

(1) 2000 p. 37. Diwygiwyd adran 1(1) gan adran 302(2)(a) o Ddeddf y Môr a Mynediad i'r Arfordir 2009 (p. 23)

(1) 2000 c.37. Section 1(1) was amended by s302(2)(a) of the Marine and Coastal Access Act 2009 (c.23).

(7) Pan fo person perthnasol yn ystyried bod tri neu ragor o bobl yn ymgynnull yn groes i reoliad 8(5), caiff y person perthnasol—

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

(8) Mae paragraffau (3) i (6) o'r rheoliad hwn yn gymwys i arfer y pŵer ym mharagraff (7), fel y maent yn gymwys i arfer pŵer ym mharagraff (2).

(9) Caiff person perthnasol symud unigolyn o lwybr cyhoeddus neu dir mynediad (o fewn yr ystyr a roddir gan reoliad 9(7)) sydd ar gau (neu sy'n cael ei gau) yn rhinwedd rheoliad 9(1), a chaiff defnyddio grym rhesymol i wneud hynny.

(10) Caiff person perthnasol gymryd unrhyw gamau gweithredu eraill y mae'n ystyried eu bod yn angenrheidiol ac yn gymesur i hwyluso arfer pŵer a roddir ar y person gan y rheoliad hwn neu reoliad 11.

(11) At ddibenion y rheoliad hwn a rheoliadau 11, 12 ac 13, ystyr "person perthnasol" yw—

- (a) cwnstabl,
- (b) swyddog cymorth cymunedol yr heddlu,
- (c) person sydd wedi ei ddynodi gan—
 - (i) Weinidogion Cymru,
 - (ii) awdurdod lleol
 - (iii) awdurdod Parc Cenedlaethol yng Nghymru, neu
 - (iv) Cyfoeth Naturiol Cymru,

at ddibenion y rheoliad hwn a rheoliadau 11, 12 ac 13 (ond gweler paragraffau (12) ac (13)).

(12) Ni chaiff person a ddynodir gan awdurdod lleol arfer swyddogaethau person perthnasol ond mewn perthynas â thoriad (neu doriad honedig) gofyniad yn rheoliad 4, 6, 7 neu 9(4) yn unig.

(13) Ni chaiff person a ddynodir gan awdurdod Parc Cenedlaethol neu Cyfoeth Naturiol Cymru arfer swyddogaethau person perthnasol ond mewn perthynas â thorri'r gofyniad yn rheoliad 9(4) (neu doriad honedig ohono).

(14) Yn y rheoliad hwn a rheoliadau 11 a 12, mae cyfeiriadau at ofyniad yn cynnwys cyfeiriadau at gyfyngiad.

(7) Where a relevant person considers that three or more people are gathered together in contravention of regulation 8(5), the relevant person may—

- (a) direct the gathering to disperse;
- (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.

(8) Paragraphs (3) to (6) of this regulation apply to the exercise of the power in paragraph (7), as they apply to the exercise of a power in paragraph (2).

(9) A relevant person may remove an individual from a public path or access land (within the meaning given by regulation 9(7)) which is closed (or is being closed) by virtue of regulation 9(1), and may use reasonable force to do so.

(10) A relevant person may take such other action as the relevant person considers necessary and proportionate to facilitate the exercise of a power conferred on the person by this regulation or regulation 11.

(11) For the purposes of this regulation and regulations 11, 12 and 13, a "relevant person" means—

- (a) a constable,
- (b) a police community support officer, or
- (c) a person designated by—
 - (i) the Welsh Ministers,
 - (ii) a local authority,
 - (iii) a National Park authority in Wales, or
 - (iv) Natural Resources Wales,

for the purposes of this regulation and regulations 11, 12 and 13 (but see paragraphs (12) and (13)).

(12) A person designated by a local authority may exercise a relevant person's functions only in relation to a contravention (or alleged contravention) of a requirement in regulation 4, 6, 7 or 9(4).

(13) A person designated by a National Park authority or Natural Resources Wales may exercise a relevant person's functions only in relation to a contravention (or alleged contravention) of the requirement in regulation 9(4).

(14) In this regulation and regulations 11 and 12, references to a requirement include references to a restriction.

Pŵer mynd i mewn

11.—(1) Caiff person perthnasol fynd i fangre—

- (a) os oes gan y person perthnasol 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'n 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 person perthnasol sy'n mynd i fangre yn unol â pharagraff (1)—

- (a) defnyddio grym rhesymol i fynd i'r fangre os yw'n angenrheidiol;
- (b) cymryd unrhyw bersonau eraill, cyfarpar a deunyddiau i'r fangre y mae'r person perthnasol yn ystyried eu bod yn briodol.

(3) Rhaid i berson perthnasol sy'n mynd i fangre yn unol â pharagraff (1)—

- (a) os gofynnir iddo gan berson yn y fangre, ddangos tystiolaeth o bwy yw'r person perthnasol ac amlinellu y 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 person perthnasol iddi.

Troseddau a chosbau

12.—(1) Mae person sydd—

- (a) heb esgus rhesymol, yn torri gofyniad yn rheoliad 4, 6, 7, 8(5) neu 9(4), neu
- (b) yn torri'r gofyniad yn rheoliad 8(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, heb esgus rhesymol, yn torri cyfarwyddyd, neu'n methu â chydymffurfio â chyfarwyddiad neu hysbysiad gwahardd, a roddir gan berson perthnasol o dan reoliad 10 yn cyflawni trosedd.

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

Power of entry

11.—(1) A relevant person may enter premises, if the relevant person—

- (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) A relevant person entering premises in accordance with paragraph (1) may—

- (a) use reasonable force to enter the premises if necessary;
- (b) take such other persons, equipment and materials onto the premises as appears to the relevant person to be appropriate.

(3) A relevant person entering premises in accordance with paragraph (1)—

- (a) if asked by a person on the premises, must show evidence of the relevant person'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 relevant person found them.

Offences and penalties

12.—(1) A person who—

- (a) without reasonable excuse, contravenes a requirement in regulation 4, 6, 7, 8(5) or 9(4), or
- (b) contravenes the requirement in regulation 8(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, without reasonable excuse, contravenes a direction, or fails to comply with an instruction or a prohibition notice, given by a relevant person under regulation 10 commits an offence.

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

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

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

(6) Os profir bod trosedd o dan baragraff (1) wedi ei chyflawni gan gorff corfforedig—

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

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.

(7) Ym mharagraff (6), ystyr "swyddog", mewn perthynas â chorff corfforedig, yw cyfarwyddwr, rheolwr, ysgrifennydd neu swyddog tebyg arall i'r corff corfforedig.

(8) 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.

(9) 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 dwyn yn enw'r corff yn hytrach nag yn enw unrhyw un neu ragor o'i aelodau ac, at ddibenion unrhyw achos o'r fath, mae unrhyw reolau llys sy'n ymwneud â chyflwyno dogfennau yn cael effaith fel pe bai'r corff hwnnw yn gorff corfforedig.

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

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

(12) 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.

(5) 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.

(6) If an offence under paragraph (1) 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.

(7) In paragraph (6), "officer", in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

(8) 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.

(9) 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.

(10) Section 33 of the Criminal Justice Act 1925(2) and Schedule 3 to the Magistrates' Courts Act 1980(3) 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.

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

(12) 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.

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

(2) 1925 p. 86.

(3) 1980 p. 43.

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

(2) 1925 c. 86.

(3) 1980 c. 43.

Hysbysiadau cosb benodedig

13.—(1) Caiff person perthnasol ddyroddi hysbysiad cosb benodedig i unrhyw un y mae'r person perthnasol yn credu'n rhesymol—

- (a) ei fod wedi cyflawni trosedd o dan y Rheoliadau hyn, 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 awdurdod lleol a bennir yn yr hysbysiad.

(3) Rhaid i'r awdurdod lleol a bennir yn yr hysbysiad fod yr awdurdod (neu yn ôl y digwydd, unrhyw un o'r awdurdodau) yn yr ardal yr honnir bod y drosedd wedi ei chyflawni ynddi.

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

- (a) ni chaniateir dwyn achos am y drosedd cyn diwedd y cyfnod o 28 o ddiwrnodau ar ôl dyddiad 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.

(5) Rhaid i hysbysiad cosb benodedig—

- (a) rhoi manylion rhesymol fanwl am yr amgylchiadau yr honnir eu bod yn creu'r drosedd;
- (b) datgan y cyfnod pryd (oherwydd paragraff (4)(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.

(6) Rhaid i'r swm a bennir o dan baragraff 5(c) fod yn £60 (yn ddarostyngedig i baragraffau (7) ac (8)).

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

(8) Os yw'r person y dyroddir hysbysiad cosb benodedig iddo eisoes wedi derbyn hysbysiad cosb benodedig o dan y Rheoliadau hyn, swm y gosb benodedig yw £120.

(9) Beth bynnag y bo unrhyw ddull arall a bennir o dan baragraff (5)(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 (5)(d) i'r cyfeiriad a nodir.

Fixed penalty notices

13.—(1) A relevant person may issue a fixed penalty notice to anyone that the relevant person reasonably believes—

- (a) has committed an offence under these Regulations, 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 local authority specified in the notice.

(3) The local authority specified in the notice 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.

(4) 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 of the notice;
- (b) the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.

(5) 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 (4)(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.

(6) The amount specified under paragraph (5)(c) must be £60 (subject to paragraphs (7) and (8)).

(7) 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.

(8) If the person to whom a fixed penalty notice is given has already received a fixed penalty notice under these Regulations, the amount of the fixed penalty is £120.

(9) Whatever other method may be specified under paragraph (5)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated under paragraph (5)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).

(10) Pan fo llythyr yn cael ei anfon fel a grybwyllir ym mharagraff (9), ystyrir bod taliad wedi ei wneud ar yr adeg y byddai'r llythyr hwnnw wedi cael ei ddanfon yn nhrefn arferol y post.

(11) Mewn unrhyw achos, mae tystysgrif—

- (a) sy'n honni ei bod wedi ei llofnodi gan neu ar ran y person sydd â chyfrifoldeb am faterion ariannol yr awdurdod lleol, a
- (b) sy'n datgan bod y taliad am y 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 ddatgenir.

(12) Pan ddyroddir cosb benodedig mewn perthynas â'r drosedd honedig o dorri'r gofyniad yn rheoliad 9(4), mae cyfeiriadau yn y rheoliad hwn at "awdurdod lleol" i'w darllen fel pe baent yn cynnwys cyfeiriadau at awdurdod Parc Cenedlaethol yng Nghymru.

Erllyn

14. Ni chaniateir dwyn achos am drosedd o dan y Rheoliadau hyn ond gan y Cyfarwyddwr Erlyniadau Cyhoeddus neu unrhyw berson sydd wedi ei ddynodi gan Weinidogion Cymru.

Dod i ben

15.—(1) Daw'r Rheoliadau hyn i ben ar ddiwedd y cyfnod o chwe mis sy'n dechrau â'r diwrnod y deuant i rym.

(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.

(10) Where a letter is sent as mentioned in paragraph (9), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.

(11) 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 the local authority concerned, and
- (b) 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.

(12) Where a fixed penalty is issued in respect of the alleged offence of contravening the requirement in regulation 9(4), references in this regulation to a "local authority" are to be read as including references to a National Park authority in Wales.

Prosecutions

14. No proceedings for an offence under these Regulations may be brought other than by the Director of Public Prosecutions or any person designated by the Welsh Ministers.

Expiry

15.—(1) These Regulations expire at the end of the period of six months beginning with the day on which they come into force.

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

Mark Drakeford

Y Prif Weinidog, un o Weinidogion Cymru
Am 2.45 p.m. ar 26 Mawrth 2020

The First Minister, one of the Welsh Ministers
At 2.45 p.m. on 26 March 2020

ATODLEN 1

Rheoliadau 4 a 6

Busnesau sy'n ddarostyngedig i gyfyngiadau neu gau

RHAN 1

1. Bwytaï, gan gynnwys bwytaï ac ystafelloedd bwyta mewn gwestai neu glybiau aelodau.

2.—(1) Caffis, gan gynnwys ffreuturau yn y gweithle (yn ddarostyngedig i is-baragraff (2)), ond heb gynnwys—

- (a) caffis neu ffreuturau mewn ysbyty, cartref gofal neu ysgol;
- (b) ffreuturau mewn carchar neu sefydliad y bwriedir ei ddefnyddio at ddibenion y llynges, y fyddin neu'r awyrlu neu at ddibenion Adran yr Ysgrifennydd Gwladol sy'n gyfrifol am amddiffyn;
- (c) gwasanaethau sy'n darparu bwyd neu ddiod i'r digartref.

(2) Caiff ffreuturau yn y gweithle aros ar agor—

- (a) pan na fo dewis arall ymarferol i staff yn y gweithle hwnnw i gael bwyd; a
- (b) pan y cymrir pob cam rhesymol i sicrhau bod pellter o 2 fetr yn cael ei gynnal rhwng unrhyw berson sy'n defnyddio'r ffreutur.

3. Bariau, gan gynnwys bariau mewn gwestai neu glybiau aelodau.

4. Tafarndai.

RHAN 2

5. Sinemâu.

6. Theatrau.

7. Clybiau nos.

8. Neuaddau bingo.

9. Neuaddau cyngerdd.

10. Amgueddfeydd, orielau, llyfrgelloedd a gwasanaethau archifau.

11. Casinos.

12. Siopau betio.

SCHEDULE 1

Regulations 4 and 6

Businesses subject to restrictions or closure

PART 1

1. Restaurants, including restaurants and dining rooms in hotels or members' clubs.

2.—(1) Cafés, including workplace canteens (subject to sub-paragraph (2)), but not including—

- (a) cafés or canteens at a hospital, care home or school;
- (b) 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;
- (c) services providing food or drink to the homeless.

(2) Workplace canteens may remain open where—

- (a) there is no practical alternative for staff at that workplace to obtain food; and
- (b) all reasonable measures are taken to ensure that a distance of 2 metres is maintained between any person using the canteen.

3. Bars, including bars in hotels or members' clubs.

4. Public houses.

PART 2

5. Cinemas.

6. Theatres.

7. Nightclubs.

8. Bingo halls.

9. Concert halls.

10. Museums, galleries, libraries and archive services.

11. Casinos.

12. Betting shops.

13. Salonau ewinedd, harddwch, gwallt a barbwyr.
14. Parlyrau tylino.
15. Sefydliadau sy'n darparu gwasanaethau lliw haul, tyllu'r corff, tatwio, electrolysis neu aciwbigo.
16. Canolfannau sglefrio.
17. Pyllau nofio.
18. Stiwdios ffitrwydd dan do, campfeydd, sbaon, neu ganolfannau neu gyfleusterau hamdden dan do eraill.
19. Alïau bowlio, arcedau diddanu a mannau chwarae dan do.
20. Ffeiriau pleser (boed yn yr awyr agored neu dan do).
21. Meysydd chwarae, cyrtiau chwaraeon a champfeydd awyr agored.
22. Marchnadoedd awyr agored (ac eithrio stondinau sy'n gwerthu bwyd).
23. Ystafelloedd arddangos ceir.
24. Tai arwerthiant.

RHAN 3

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

RHAN 4

29. 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 yn y fangre (gan gynnwys sefydliadau a restrir yn Rhan 1 sydd, yn rhinwedd rheoliad 4(1), wedi peidio â gwerthu bwyd a diod i'w fwyta a'i hyfed yn y fangre).
30. Siopau sydd â thrwydded i werthu alcohol i'w yfed oddi ar eu mangreoedd a siopau sydd â thrwydded i werthu alcohol (yn cynnwys bragdai).
31. Fferyllfeydd (yn cynnwys fferyllfeydd nad ydynt yn darparu cyffuriau ar bresgripsiwn) a siopau cemist.
32. Siopau papurau newydd.

13. Nail, beauty, hair salons and barbers.
14. Massage parlours.
15. Establishments providing tanning services, body piercings, tattooing, electrolysis or acupuncture.
16. Skating rinks.
17. Swimming pools.
18. Indoor fitness studios, gyms, spas or other indoor leisure centres or facilities.
19. Bowling alleys, amusement arcades and indoor play areas.
20. Funfairs (whether outdoors or indoors).
21. Playgrounds, sports courts and outdoor gyms.
22. Outdoor markets (except for stalls selling food).
23. Car showrooms.
24. Auction houses.

PART 3

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

PART 4

29. Food retailers, including food markets, supermarkets, convenience stores, corner shops and establishments selling food or drink for consumption on the premises (including establishments listed in Part 1 which, by virtue of regulation 4(1), have ceased selling food and drink for consumption on the premises).
30. Off licenses and licensed shops selling alcohol (including breweries).
31. Pharmacies (including non-dispensing pharmacies) and chemists.
32. Newsagents.

33. Siopau nwyddau i'r cartref, cyflenwadau adeiladu ac offer.

34. Gorsafoedd petrol.

35. Gwasanaethau trwsio ceir ac MOT.

36. Siopau beiciau.

37. Busnesau tacsï neu logi cerbydau.

38. Banciau, cymdeithasau adeiladu, undebau credyd, darparwyr benthyciadau tymor byr a pheiriannau.

39. Swyddfeydd post.

40. Trefnwyr angladdau.

41. Golchdai a siopau glanhau dillad.

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

43. Milfeddygon a siopau anifeiliaid anwes.

44. Siopau cyflenwadau amaethyddol.

45. Cyfleusterau storio a dosbarthu, gan gynnwys manau gollwng danfoniadau.

46. Meysydd parcio.

47. Toiledau cyhoeddus.

33. Homeware, building supplies and hardware stores.

34. Petrol stations.

35. Car repair and MOT services.

36. Bicycle shops.

37. Taxi or vehicle hire businesses.

38. Banks, building societies, credit unions, short term loan providers and cash points

39. Post offices.

40. Funeral directors.

41. Laundrettes and dry cleaners.

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

43. Veterinary surgeons and pet shops.

44. Agricultural supplies shops.

45. Storage and distribution facilities, including delivery drop off points.

46. Car parks.

47. Public toilets.

ATODLEN 2

Rheoliad 1

Cyflyrau Iechyd Isorweddol

1. Clefydau anadlu cronig (hirdymor), megis asthma, clefyd rhwystrol cronig yr ysgyfaint, emffysema neu froncitis.

2. Clefyd cronig y galon, megis methiant y galon.

3. Clefyd cronig yr arenau.

4. Clefyd cronig yr afu/iau, megis hepatitis.

5. Cyflyrau niwrolegol cronig, megis clefyd Parkinson, clefyd niwronau motor, sglerosis ymledol (MS), anabledd dysgu neu barlys yr ymennydd.

6. Diabetes.

7. Problemau â'r dduwg, megis clefyd y crymangelloedd neu os yw'r dduwg wedi ei thynnu.

SCHEDULE 2

Regulation 1

Underlying Health Conditions

1. Chronic (long-term) respiratory diseases, such as asthma, chronic obstructive pulmonary disease, emphysema or bronchitis.

2. Chronic heart disease, such as heart failure.

3. Chronic kidney disease.

4. Chronic liver disease, such as hepatitis.

5. Chronic neurological conditions, such as Parkinson's disease, motor neurone disease, multiple sclerosis (MS), a learning disability or cerebral palsy.

6. Diabetes.

7. Problems with the spleen, such as sickle cell disease or if the spleen has been removed.

8. System imiwneidd wan, gan gynnwys o ganlyniad i gyflyrau megis HIV ac AIDS, neu feddyginiaethau megis tabledau steroidau neu gemotherapi.

9. Bod dros bwysau yn ddifrifol, gyda mynegai màs y corff o 40 neu uwch.

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8. A weakened immune system, including as the result of conditions such as HIV and AIDS, or medicines such as steroid tablets or chemotherapy.

9. Being seriously overweight, with a body mass index of 40 or above.

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