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WELSH STATUTORY
INSTRUMENTS

2021 Rhif 1477 (Cy. 379)

2021 No. 1477 (W. 379)

**IECHYD Y CYHOEDD,
CYMRU**

PUBLIC HEALTH, WALES

**Rheoliadau Diogelu Iechyd
(Cyfyngiadau Coronafeirws) (Rhif
5) (Cymru) (Diwygio) (Rhif 24)
2021**

**The Health Protection (Coronavirus
Restrictions) (No. 5) (Wales)
(Amendment) (No. 24) Regulations
2021**

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.

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 hyn yn diwygio Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) 2020 (O.S. 2020/1609 (Cy. 335)) ("y prif Reoliadau").

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

Cyn iddynt gael eu diwygio gan y Rheoliadau hyn, mae rheoliadau 8 a 9A o'r prif Reoliadau yn ei gwneud yn ofynnol i holl gysylltiadau agos person y mae'r coronafeirws arno sy'n amrywiolyn Omicron, neu a all fod yn amrywiolyn Omicron, hunanynysu am gyfnod o 10 niwrnod. Nid yw'r esemptiadau sydd fel arfer yn gymwys i gysylltiadau agos sy'n bodloni amodau penodol (er enghraifft, cysylltiadau agos sydd wedi eu brechu) yn cael effaith.

Before their amendment by these Regulations, regulations 8 and 9A of the principal Regulations require all close contacts of a person who has coronavirus which is or may be the Omicron variant to self-isolate for a 10-day period. The exemptions that ordinarily apply to close contacts that satisfy particular conditions (for example, close contacts that are vaccinated) do not have effect.

Mae'r Rheoliadau hyn yn diwygio'r prif Reoliadau er mwyn dileu'r gwahaniaeth rhwng cysylltiadau agos achosion y gwyddys neu yr amheuir eu bod yn Omicron, a chysylltiadau agos pob achos positif arall. Mae hyn yn golygu ni fydd rhaid i unrhyw gysylltiad agos, ni waeth pa amrywiolyn o'r coronafeirws sydd o dan sylw, hunanynysu—

- os yw'n blentyn,

- os yw wedi cwblhau cwrs o ddosau o frechlyn awdurdodedig o leiaf 14 o ddiwrnodau cyn y cysylltiad agos,

- os yw'n cymryd rhan mewn treial clinigol yn y Deyrnas Unedig, neu

- os yw'n cymryd rhan mewn cynllun profi.

Mae'r Rheoliadau hefyd yn darparu, pan fo person yn dod o fewn y categorïau hyn ond ei fod o dan ofyniad i ynysu, o ganlyniad i gael cysylltiad agos ag achos y gwyddys neu yr amheuir ei fod yn Omicron, yn union cyn dechrau'r diwrnod ar 22 Rhagfyr 2021, fod y gofyniad i ynysu'n dod i ben ar ddechrau'r diwrnod ar y dyddiad hwnnw.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. Yn unol â'r Cod, ni chynhaliwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn, oherwydd bod angen eu rhoi yn eu lle ar frys i ymdrin â bygythiad difrifol ac uniongyrchol i iechyd y cyhoedd.

These Regulations amend the principal Regulations to remove the distinction between close contacts of known or suspected Omicron cases and close contacts of all other positive cases. This means that all close contacts, regardless of the variant of coronavirus concerned, will not be required to self-isolate if they—

- are children,

- have completed a course of doses of an authorised vaccine at least 14 days before the close contact takes place,

- are participating in a clinical trial in the United Kingdom, or

- are participating in a testing scheme.

The Regulations also provide that where a person comes within these categories but was under a requirement to isolate, as a result of having close contact with a known or suspected Omicron case, immediately before the start of the day on 22 December 2021, the isolation requirement ends at the start of the day on that date.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. In accordance with the Code, a regulatory impact assessment as to the likely cost and benefit of complying with these Regulations has not been carried out, due to the need to put them in place urgently to deal with a serious and imminent threat to public health.

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PUBLIC HEALTH, WALES

**Rheoliadau Diogelu Iechyd
(Cyfyngiadau Coronafeirws) (Rhif
5) (Cymru) (Diwygio) (Rhif 24)
2021**

**The Health Protection (Coronavirus
Restrictions) (No. 5) (Wales)
(Amendment) (No. 24) Regulations
2021**

Gwnaed 21 Rhagfyr 2021
Yn dod i rym am 12.00 a.m. ar 22 Rhagfyr 2021

Made 21 December 2021
*Coming into force at 12.00 a.m. on
22 December 2021*

*Gosodwyd gerbron Senedd
Cymru am 11.00 a.m. ar 22 Rhagfyr 2021*

*Laid before Senedd
Cymru at 11.00 a.m. on 22 December 2021*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir gan adrannau 45C(1) a (3)(c) 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) 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 45Q(3) o'r Ddeddf honno mae Gweinidogion Cymru o'r farn nad yw'r offeryn yn cynnwys unrhyw ddarpariaeth a wneir yn rhinwedd adran 45C(3)(c) o'r Ddeddf sy'n gosod neu'n galluogi gosod cyfyngiad neu ofyniad arbennig, neu unrhyw

In accordance with section 45Q(3) of that Act the Welsh Ministers are of the opinion that the instrument does not contain any provision made by virtue of section 45C(3)(c) of the Act which imposes or enables the imposition of a special restriction or requirement,

(1) 1984 p. 22. Mewnosodwyd adrannau 45C 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 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.

gyfyngiad neu ofyniad arall sy'n cael neu a fyddai'n cael effaith sylweddol ar hawliau person.

Enwi a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) (Diwygio) (Rhif 24) 2021.

(2) Daw'r Rheoliadau hyn i rym am 12.00 a.m. ar 22 Rhagfyr 2021.

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

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

(2) Yn rheoliad 5, hepgorer paragraff (1A).

(3) Hepgorer rheoliad 9A.

(4) Yn rheoliad 10—

(a) ym mharagraff (1), yn lle “, 8(2) neu 9A(2)” rhodder “neu 8(2)”;

(b) ym mharagraff (3), yn lle “, 8(2) a 9A(2)” rhodder “ac 8(2)”;

(c) hepgorer paragraff (6ZA).

(5) O flaen rheoliad 11 mewnosoder—

“Darpariaeth drosiannol: gofynion ynysu

10B.—(1) Pan—

(a) bo'n ofynnol i oedolyn beidio ag ymadael â'r man lle y mae'r oedolyn yn byw, neu fod y tu allan iddo, yn unol â rheoliad 8(2) (y “gofyniad i ynysu”) yn union cyn 22 Rhagfyr 2021,

(b) bo'r gofyniad i ynysu yn gymwys i'r oedolyn oherwydd cymhwysiad rheoliad 10(6ZA) neu reoliad 11(1A), ac

or any other restriction or requirement which has or would have a significant effect on a person's rights.

Title and coming into force

1.—(1) The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 24) Regulations 2021.

(2) These Regulations come into force at 12.00 a.m. on 22 December 2021.

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

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

(2) In regulation 5, omit paragraph (1A).

(3) Omit regulation 9A.

(4) In regulation 10—

(a) in paragraph (1), for “, 8(2) or 9A(2)” substitute “or 8(2)”;

(b) in paragraph (3), for “, 8(2) and 9A(2)” substitute “and 8(2)”;

(c) omit paragraph (6ZA).

(5) Before regulation 11 insert—

“Transitional provision: isolation requirements

10B.—(1) Where—

(a) an adult is required to not leave or be outside of the place where the adult is living in accordance with regulation 8(2) (“the isolation requirement”) immediately before 22 December 2021,

(b) the isolation requirement applies to the adult because of the application of regulation 10(6ZA) or regulation 11(1A), and

(1) O.S. 2020/1609 (Cy. 335) fel y'i diwygiwyd gan O.S. 2020/1610 (Cy. 336), O.S. 2020/1623 (Cy. 340), O.S. 2020/1645 (Cy. 345), O.S. 2021/20 (Cy. 7), O.S. 2021/46 (Cy. 10), O.S. 2021/57 (Cy. 13), O.S. 2021/66 (Cy. 15), O.S. 2021/95 (Cy. 26), O.S. 2021/103 (Cy. 28), O.S. 2021/172 (Cy. 40), O.S. 2021/210 (Cy. 52), O.S. 2021/307 (Cy. 79), O.S. 2021/413 (Cy. 133), O.S. 2021/502 (Cy. 150), O.S. 2021/542 (Cy. 154), O.S. 2021/583 (Cy. 160), O.S. 2021/668 (Cy. 169), O.S. 2021/686 (Cy. 172), O.S. 2021/722 (Cy. 183), O.S. 2021/862 (Cy. 201), O.S. 2021/925 (Cy. 210), O.S. 2021/970 (Cy. 228), O.S. 2021/1119 (Cy. 271), O.S. 2021/1131 (Cy. 274), O.S. 2021/1212 (Cy. 303), O.S. 2021/1304 (Cy. 334), O.S. 2021/1363 (Cy. 358), O.S. 2021/1407 (Cy. 366) ac O.S. 2021/1468 (Cy. 376).

(1) S.I. 2020/1609 (W. 335) as amended by S.I. 2020/1610 (W. 336), S.I. 2020/1623 (W. 340), S.I. 2020/1645 (W. 345), S.I. 2021/20 (W. 7), S.I. 2021/46 (W. 10), S.I. 2021/57 (W. 13), S.I. 2021/66 (W. 15), S.I. 2021/95 (W. 26), S.I. 2021/103 (W. 28), S.I. 2021/172 (W. 40), S.I. 2021/210 (W. 52), S.I. 2021/307 (W. 79), S.I. 2021/413 (W. 133), S.I. 2021/502 (W. 150), S.I. 2021/542 (W. 154), S.I. 2021/583 (W. 160), S.I. 2021/668 (W. 169), S.I. 2021/686 (W. 172), S.I. 2021/722 (W. 183), S.I. 2021/862 (W. 201), S.I. 2021/925 (W. 210), S.I. 2021/970 (W. 228), S.I. 2021/1119 (W. 271), S.I. 2021/1131 (W. 274), S.I. 2021/1212 (W. 303), S.I. 2021/1304 (W. 334), S.I. 2021/1363 (W. 358), S.I. 2021/1407 (W. 366) and S.I. 2021/1468 (W. 376).

- (c) bo diwrnod olaf ynysiad yr oedolyn (fel y'i pennir yn unol â rheoliad 8(4) neu (5)) ar 22 Rhagfyr 2021 neu'n ddiweddarach,

mae'r gofyniad i ynysu yn peidio â bod yn gymwys i'r oedolyn ar ddechrau 22 Rhagfyr 2021.

(2) Pan—

- (a) bo'n ofynnol i blentyn beidio ag ymadael â'r man lle y mae'r plentyn yn byw, neu fod y tu allan iddo, yn unol â rheoliad 9A(2) (y "gofyniad i ynysu") yn union cyn 22 Rhagfyr 2021, a

- (b) bo diwrnod olaf ynysiad y plentyn (fel y'i pennir yn unol â rheoliad 9A(4) neu (5)) ar 22 Rhagfyr 2021 neu'n ddiweddarach,

mae'r gofyniad i ynysu yn peidio â bod yn gymwys i'r plentyn ar ddechrau 22 Rhagfyr 2021.

(3) Yn y rheoliad hwn, mae cyfeiriadau at reoliadau 9A, 10(6ZA) ac 11(1A) yn gyfeiriadau at y darpariaethau hynny fel yr oeddent mewn grym yn union cyn 22 Rhagfyr 2021."

(6) Yn rheoliad 11, hepgorer paragraff (1A).

(7) Yn rheoliad 12, hepgorer "neu 9A(2)".

(8) Yn rheoliad 13(1)(a), yn lle ", 8(1) neu 9A(1)" rhodder "neu 8(1)".

(9) Hepgorer rheoliad 13A.

(10) Yn rheoliad 14(2)(a)—

- (a) yn y geiriau o flaen paragraff (i), yn lle ", 8(2) neu 9A(2)" rhodder "neu 8(2)";
- (b) ym mharagraff (ii), yn lle ", 8(1) neu 9A(1)" rhodder "neu 8(1)";
- (c) ym mharagraff (iii), yn lle ", 8 neu 9A" rhodder "neu 8".

(11) Yn rheoliad 30, yn y geiriau o flaen is-baragraff (a), yn lle ", 8(2) neu 9A(2)" rhodder "neu 8(2)".

(12) Yn rheoliad 40—

- (a) ym mharagraff (1)—
- (i) yn is-baragraff (a), hepgorer ", 9A(2)";
- (ii) yn is-baragraff (b), yn lle ", 8(3) neu 9A(3)" rhodder "neu 8(3)";
- (b) ym mharagraff (2)(a), yn lle ", 8(3) neu 9A(3)" rhodder "neu 8(3)".

- (c) the last day of the adult's isolation (as determined in accordance with regulation 8(4) or (5)) is 22 December 2021 or later,

the isolation requirement ceases to apply to the adult at the beginning of 22 December 2021.

(2) Where—

- (a) a child is required to not leave or be outside of the place where the child is living in accordance with regulation 9A(2) ("the isolation requirement") immediately before 22 December 2021, and

- (b) the last day of the child's isolation (as determined in accordance with regulation 9A(4) or (5)) is 22 December 2021 or later,

the isolation requirement ceases to apply to the child at the beginning of 22 December 2021.

(3) In this regulation, references to regulations 9A, 10(6ZA) and 11(1A) are references to those provisions as they were in force immediately before 22 December 2021."

(6) In regulation 11, omit paragraph (1A).

(7) In regulation 12, omit "or 9A(2)".

(8) In regulation 13(1)(a), for ", 8(1) or 9A(1)" substitute "or 8(1)".

(9) Omit regulation 13A.

(10) In regulation 14(2)(a)—

- (a) in the words before paragraph (i), for ", 8(2) or 9A(2)" substitute "or 8(2)";
- (b) in paragraph (ii), for ", 8(1) or 9A(1)" substitute "or 8(1)";
- (c) in paragraph (iii), for ", 8 or 9A" substitute "or 8".

(11) In regulation 30, in the words before sub-paragraph (a), for ", 8(2) or 9A(2)" substitute "or 8(2)".

(12) In regulation 40—

- (a) in paragraph (1)—
- (i) in sub-paragraph (a), omit ", 9A(2)";
- (ii) in sub-paragraph (b), for ", 8(3) or 9A(3)" substitute "or 8(3)";
- (b) in paragraph (2)(a), for ", 8(3) or 9A(3)" substitute "or 8(3)".

Mark Drakeford

Y Prif Weinidog, un o Weinidogion Cymru
21 Rhagfyr 2021

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First Minister, one of the Welsh Ministers
21 December 2021

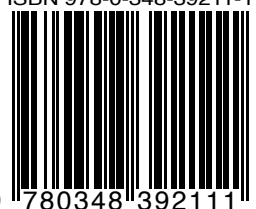
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