OFFERYNNAU STATUDOL CYMRU

2020 Rhif 574 (Cy. 132)

IECHYD Y CYHOEDD, CYMRU

Rheoliadau Diogelu Iechyd (Coronafeirws, Teithio Rhyngwladol) (Cymru) 2020

NODYN ESBONIADOL

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

Gwneir y Rheoliadau hyn mewn ymateb i'r bygythiad difrifol i iechyd y cyhoedd o ganlyniad i fynychder a lledaeniad coronafeirws syndrom anadlu acíwt difrifol 2 (SARSCoV-2) yng Nghymru. Yn unol ag adran 45B Deddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984 gall Gweinidogion Cymru, drwy reoliadau, wneud darpariaethau at ddibenion (ymysg pethau eraill) atal perygl i iechyd y cyhoedd a ddaw o longau, awyrennau, trenau neu gludiant yn cyrraedd unrhyw fan.

Mae'r Rheoliadau'n gosod gofynion ar gategorïau penodol o bobl sy'n cyrraedd Cymru o fan y tu allan i'r ardan deithio gyffredin—

- i ddarparu gwybodaeth am ble y byddant yn preswylio yng Nghymru a materion perthnasol eraill, ac
- i ynysu am gyfnod o 14 o ddiwrnodau.

Mae rheoliad 4 yn gorfodi personau sy'n cyrraedd Cymru ar long neu awyren i ddarparu gwybodaeth ar ffurf electronig i'r Ysgrifennydd Gwladol. Yn ymarferol gwneir hyn drwy gwblhau'r ffurflen ar-lein ar wefan www.gov.uk at y diben hwn. Pan fo person yn cyrraedd yng nghwmni plentyn y bydd y maent yn gyfrifol amdano, mae'n ofynnol iddynt ddarparu gwybodaeth am y plentyn yn ogystal.

Mae rheoliad 5 yn darparu ei bod yn ofynnol i berson hysbysu'r Ysgrifennydd Gwladol o unrhyw newid i'r wybodaeth a ddarparwyd cyn gynted ag y bo'n rhesymol ymarferol. Gwneir hyn hefyd drwy ddefnyddio'r un cyfleuster ar lein.

WELSH STATUTORY INSTRUMENTS

2020 No. 574 (W. 132)

PUBLIC HEALTH, WALES

The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in response to the danger to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales. Section 45B of the Public Health (Control of Disease) Act 1984 enables the Welsh Ministers, by regulations, to make provision for the purpose of (amongst other things) preventing danger to public health from "vessels, aircraft, trains or other conveyances arriving at any place".

The Regulations place a requirement on certain categories of people arriving in Wales from outside the common travel area—

- to provide information about where they will reside in Wales and other related matters, and
- to isolate for a period of 14 days.

Regulation 4 requires persons arriving in Wales by ship or aircraft to provide information electronically to the Secretary of State. In practice this will be done by completing an online form on www.gov.uk for this purpose. Where a person is accompanied by a child for whom they are responsible, they must also provide the child's information.

Regulation 5 provides that a person must notify the Secretary of State of any changes to the information provided as soon as reasonably practicable. This will also be done using the same online facility.

Mae Atodlen 1 yn pennu'r mathau o wybodaeth sy’n ofynnol i’w darparu o dan reoliad 4 neu 5. Dyma fydd y wybodaeth y bydd y ofynnol i’w gynnwys wrth gwblhau’r ffurflen ar lein. Mewn ambell achos bydd y wybodaeth sydd yn ofynnol gan Atodlen 1 yn dibynnu ar yr amgylchiadau (er enghraifft, o dan baragraff 1(d) mae’n ofynnol i berson ddarparu manylion pasport neu fanylion dogfen deithio arall os nad oes gan y person basport). Nid yw’n ofynnol i bersonau sydd yn dod o fewn un o’r categorïau a nodir yn Rhan 1 o Atodlen 2 ddarparu gwybodaeth o dan reoliad 4 a 5. Os nad yw’r wybodaeth ym meddiant y person nid yw’n ofynnol iddynt ei ddarparu (rheoliad 6).

Mae Rheoliadau 7 ac 8 yn ei gwneud yn ofynnol bod y categorïau isod o bersonau yn ynysu am gyfnod o 14 o ddiwrnodau wedi cyrraedd Cymru—

(a) person sy’n cyrraedd Cymru ar long neu awyren o fan y tu allan i’r ardal deithio gyffredin, neu

(b) person sy’n cyrraedd Cymru o Weriniaeth Iwerddon, Ynysoedd y Sianel, neu Ynys Manaw, ac sydd wedi cyrraedd o’r ardal deithio gyffredin o fewn y cyfnod o 14 o ddiwrnodau sy’n gorffen ar y diwrnod y mae’r person yn cyrraedd Cymru, neu

(c) person sy’n cyrraedd Cymru o fan arall yn y Deyrnas Unedig sydd, wedi cyrraedd o fan y tu allan i’r ardal deithio gyffredin yn yr 14 diwrnod blaenorol.

Ni ddylai’r personau hynny adael y fangre neu fod y tu allan i’r fangre lle y byddant yn ynysu cyn diwedd diwrnod olaf yr ynysiad (ac eithrio am resymau nodir yn rheoliad 10).

Mae rheoliad 8 yn darparu hefyd ei bod yn ofynnol i berson sy’n cyrraedd Cymru o ran arall o’r Deyrnas Unedig sydd wedi cyrraedd o fan y tu allan i’r ardal deithio gyffredin yn y 14 diwrnod blaenorol hysbysu’r Ysgrifennydd Gwladol am gyfeiriad y man lle y byddant yn preswylio a bod yn rhaid iddynt wneud hynny cyn cyrraedd Cymru, neu cyn gynted ag y bo’n ymarferol ar ôl cyrraedd Cymru (eto drwy ddefnyddio’r ffurflen ar lein).

Mae Atodlen 2 (a gyflwynir gan reoliad 9) yn nodi’r categorïau o bobl sydd wedi’u eithrio rhag y gofyniad i ynysu. Mae rheoliad 10 yn darparu bod y gofyniad i ynysu’n peidio â bod yn gymwys os yw’r person yn teithio er mwyn gadael Cymru (paragraff (3)), yn nodi’r amgylchiadau cyfyngedig y caniateir i berson fod y tu allan i’r man ymaent yn ynysu pan fo hynny dros dro (paragraff (4)), mae’n caniatau i berson newid y man lle maent yn ynysu, os oes angen iddynt wneud hynny am resymau cyfreithiol, neu os yw hi’n amhosib iddynt a ros yn y man gwreiddiol (paragraff (5)) fel arall ac yn darparu nad ydyw’r gofyniad

Schedule 1 sets out the types of information required to be provided under regulation 4 or 5. This will be the information that must be included when filling in the online form. In some cases the information required in Schedule 1 will depend on the circumstances (for example, under paragraph 1(d) the person must provide passport details or details of the other travel document that permits the person to travel if they do not possess a passport). Persons who fall into one of the categories set out in Part 1 of Schedule 2 are not required to provide information under regulations 4 and 5. If the person does not hold the information they do not have to provide it (regulation 6).

Regulations 7 and 8 require the following categories of persons to isolate for a period of 14 days upon their arrival in Wales—

(a) a person arriving in Wales by ship or aircraft from outside the common travel area,

(b) a person arriving in Wales from the Republic of Ireland, the Channel Islands or the Isle of Man who has, within a period of 14 days ending with the person’s arrival in Wales, arrived in the common travel area from a place outside that area, or

(c) a person who arrives in Wales from elsewhere in the United Kingdom who has in the previous 14 days arrived from a place outside the common travel area.

These persons must not leave or be outside of the premises where they are isolating before the end of the last day of isolation (other than for reasons set out in regulation 10).

Regulation 8 further provides that where a person arrives in Wales from another part of the United Kingdom who has in the previous 14 days arrived from a place outside the common travel area, they must notify the Secretary of State prior to, or as soon as practicable after arriving in Wales, of the address at which they will reside (again using the online form).

Schedule 2 (introduced by regulation 9) sets out the categories of person who are exempt from the requirement to isolate. Regulation 10 provides that the requirement to isolate ceases to apply if the person travels to leave Wales (paragraph (3)), sets out the limited circumstances in which a person may be permitted to be temporarily outside the place at which they are isolating (paragraph (4)), permits a person to change the place where they are isolating if they have to do so for legal reasons or are otherwise unable to stay at the original place (paragraph (5)) and provides that the requirement to isolate does not apply to a

ynysu'n gymwys i berson sy'n ddarostyngedig i ofynion penodol o dan y Ddeddf Coronafeirws 2020 neu ddeddfwriaeth mewnfudo.

Mae rheoliad 13 yn rhoi'r pŵer i swyddogion yr heddlu orchymyn neu symud person i fan lle maent yn ynysu os ydynt yn rhesymol gredu fod y person yn torri'r gofyniad i ynysu.

Mae rheoliad 14 yn darparu fod torri gofyniad a geir yn y Rheoliadau yma ac atal person rhag arfer swyddogaethau o dan y rheoliadau yma'n drosedd. Gall person sydd yn cael ei ganfod yn euog o drosedd o dan y Rheoliadau dderbyn dirwy, ac nid oes uchafswm ar y ddirwy a ellid ei rhoi.

Mae rheoliad 16 yn darparu y gellid rhoi cosb benodedig i berson sydd o dan amheuaeth o gyflawni troseddo dan y Rheoliadau yma yn hytrach na'i erlyn. Pan fo'r drosedd honedig yn deillio o dorri'r ddyletswydd ynysu bydd y gosb yn £1000, mewn achosion eraill bydd y gosb yn £60 (£30 os y'i telir o fewn 14 diwrnod) gan godi bob tro y rhoddir cosb benodedig debyg, hyd at uchafswm o £1920.

Mae rheoliad 17 yn nodi'r amgylchiadau y caiff gwybodaeth a ddarperir o dan y Rheoliadau (a Rheoliadau cyfatebol a wnaed mewn perthynas â Lloegr, yr Alban a Gogledd Iwerddon) ei datgelu neu ei defnyddio. Mae rheoliad 18 yn atal gwybodaeth a ddarperir o dan y Rheoliadau yma rhag cael ei defnyddio i argyhuddo person mewn achos am unrhyw drosedd ac eithrio achos o dan y Rheoliadau yma, am drosedd o wneud datganiad anwir ac eithrio yn dilyn tyngu llw.

Bydd yn ofynnol adolygu rheidrwydd a chymesuroldeb y Rheoliadau yma bob 21 diwrnod (rheoliad 19).

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

person subject to certain requirements imposed under the Coronavirus Act 2020 or immigration legislation.

Regulation 13 provides police officers with powers to direct or remove persons to a place where they are isolating if they reasonably suspect that the person is in breach of a requirement to isolate.

Regulation 14 provides that contravention of a requirement imposed by these Regulations is an offence, as is the obstruction of a person exercising functions under these Regulations. A person found guilty of an offence under these Regulations may be fined and there is no limit on the fine that may be imposed.

Regulation 16 provides that fixed penalties may be imposed on persons who are suspected of committing an offence under these Regulations as an alternative to prosecution. Where the alleged offence relates to a breach of a requirement to isolate the penalty is £1000, in other cases the penalty is £60 (£30 if paid within 14 days) rising each time a similar fixed penalty notice is issued up to a maximum of £1920.

Regulation 17 sets out the circumstances in which information provided under these Regulations (and equivalent Regulations made as respects England, Scotland or Northern Ireland) may be disclosed or used. Regulation 18 prevents information provided under these Regulations from being used to incriminate a person in proceedings for any offence other than one under these Regulations of the offence of making a false statement other than under oath.

The necessity and proportionality of these Regulations must be reviewed every 21 days (regulation 19).

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.

OFFERYNNAU STATUDOL CYMRU

2020 Rhif 574 (Cy. 132)

IECHYD Y CYHOEDD, CYMRU

Rheoliadau Diogelu Iechyd (Coronafeirws, Teithio Rhyngwladol) (Cymru) 2020

Gwnaed	*5 Mehefin 2020*
Yn dod i rym	*am 12.01 a.m. ar 8 Mehefin 2020*
Gosodwyd gerbron Senedd Cymru	*am 11.00 a.m. ar 8 Mehefin 2020*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adrannau 45B, 45F(2) a 45P(2) o Ddeddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984(**1**), yn gwneud y Rheoliadau a ganlyn.

RHAN 1

Cyffredinol

Enwi a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Diogelu Iechyd (Coronafeirws, Teithio Rhyngwladol) (Cymru) 2020.

(2) Daw'r Rheoliadau hyn i rym am 12.01 a.m. ar 8 Mehefin 2020.

Dehongli cyffredinol

2.—(1) Yn y Rheoliadau hyn—

ystyr "coronafeirws" ("*coronavirus*") yw coronafeirws syndrom anadlol acíwt difrifol 2 (SARS-Cov-2);

(**1**) 1984 p. 22. Mewnosodwyd Rhan 2A gan adran 129 o Ddeddf Iechyd a Gofal Cymdeithasol 2008 (p. 14).

WELSH STATUTORY INSTRUMENTS

2020 No. 574 (W. 132)

PUBLIC HEALTH, WALES

The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020

Made	*5 June 2020*
Coming into force	*at 12.01 a.m. on 8 June 2020*
Laid before Senedd Cymru	*at 11.00 a.m. on 8 June 2020*

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

PART 1

General

Title and coming into force

1.—(1) The title of these Regulations is the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020.

(2) These Regulations come into force at 12.01 a.m. on 8 June 2020.

General interpretation

2.—(1) In these Regulations –

"child" ("*plentyn*") means a person under 18 years of age and any reference to an "adult" ("*oedolyn*") is to be interpreted accordingly;

(**1**) 1984 c. 22. Part 2A was inserted by section 129 of the Health and Social Care Act 2008 (c. 14).

mae i “y Deddfau Mewnfudo” yr ystyr a roddir i “the Immigration Acts” yn adran 61 o Ddeddf Ffiniau’r DU 2007(**1**);

mae i “gwybodaeth am deithiwr” (“*passenger information”)* yr ystyr a roddir gan reoliad 4(1);

mae “mangre” (“*premises*”) yn cynnwys unrhyw ardd, iard, tramwyfa, gris, garej, tŷ allan, neu unrhyw atodyn i fangre o’r fath;

ystyr “plentyn” (“*child*”) yw person o dan 18 oed ac mae unrhyw gyfeiriad at “oedolyn” i’w ddehongli yn unol â hynny;

ystyr “swyddog mewnfudo” (“*immigration officer*”) yw person sydd wedi ei benodi yn swyddog mewnfudo gan yr Ysgrifennydd Gwladol o dan baragraff 1 o Atodlen 2 i Ddeddf Mewnfudo 1971(**2**).

(2) At ddibenion y Rheoliadau hyn, mae gan berson gyfrifoldeb am blentyn os oes gan y person—

(a) gwarchodaeth neu ofal am y plentyn, neu

(b) cyfrifoldeb rhiant am y plentyn (o fewn ystyr Deddf Plant 1989)(**3**).

(3) Yn y Rheoliadau hyn, mae i—

“yr ardal deithio gyffredin”(**4**);

“awyren”(**5**);

“llong”(**6**);

“porthladd”(**7**),

yr un ystyr ag a roddir i “the common travel area”, “aircraft”, “ship” a “port” yn Neddf Mewnfudo 1971.

“coronavirus” (“*coronafeirws*”) means severe acute respiratory syndrome coronavirus 2 (SARS-Cov-2);

“Immigration Acts” (“*y Deddfau Mewnfudo*”) has the meaning given by section 61 of the UK Borders Act 2007(**1**);

“immigration officer” (“*swyddog mewnfudo*”) means a person appointed by the Secretary of State as an immigration officer under paragraph 1 of Schedule 2 to the Immigration Act 1971(**2**);

“passenger information” (“*gwybodaeth am deithiwr*”) means the information specified in Schedule 1;

“premises” (“*mangre*”) includes any garden, yard, passage, stair, garage, outhouse, or other appurtenance of such premises.

(2) For the purpose of these Regulations, a person has responsibility for a child if—

(a) the person has custody or charge of the child, or

(b) the person has parental responsibility for the child (within the meaning of the Children Act 1989)(**3**).

(3) In these Regulations—

“aircraft” (“*awyren*”)(**4**);

“the common travel area” (“*yr ardal deithio gyffredin*”)(**5**);

“port” (“*porthladd*”)(**6**);

“ship” (“*llong*”)(**7**),

have the same meaning as they have in the Immigration Act 1971.

RHAN 2

Gofyniad i ddarparu gwybodaeth

Personau sy’n cyrraedd o’r tu allan i’r ardal deithio gyffredin

3.—(1) Yn y Rhan hon mae cyfeiriadau at “P” yn gyfeiriadau at—

PART 2

Requirement to provide information

Persons arriving from outside the common travel area

3.—(1) In this Part, references to “P” are to—

(**1**) 2007 p. 30. Diwygiwyd adran 61 gan adran 73(5) o Ddeddf Mewnfudo 2014 (p. 22) ac adran 92(5) o Ddeddf Mewnfudo 2016 (p. 19).
(**2**) 1971 p. 77. Diwygiwyd paragraff 1 gan baragraff 3 o Atodlen 3 i Ddeddf yr Asiantaeth Diogelu Iechyd 2004 (p. 17), a chan O.S. 1993/1813.
(**3**) 1989 p. 41.
(**4**) Gweler adran 1(3). Mae’n darparu y cyfeirir at y Deyrnas Unedig, Ynysoedd y Sianel, Ynys Manaw a Gweriniaeth Iwerddon gyda’i gilydd yn Neddf Mewnfudo 1971 fel “the common travel area”.
(**5**) Gweler adran 33(1).
(**6**) Gweler adran 33(1).
(**7**) Gweler adran 33(1).

(**1**) 2007 c. 30. Section 61 was amended by section 73(5) of the Immigration Act 2014 (c. 22) and section 92(5) of the Immigration Act 2016 (c. 19).
(**2**) 1971 c. 77. Paragraph 1 was amended by paragraph 3 of Schedule 3 to the Health Protection Agency Act 2004 (c. 17), and by S.I. 1993/1813.
(**3**) 1989 c. 41.
(**4**) See section 33(1).
(**5**) See section 1(3). It provides that the United Kingdom, the Channel Islands, the Isle of Man, and the Republic of Ireland are collectively referred to in that Act as “the common travel area”.
(**6**) See section 33(1).
(**7**) See section 33(1).

(a) person sy'n cyrraedd Cymru ar long neu awyren o fan y tu allan i'r ardal deithio gyffredin, neu

(b) person—

(i) sy'n cyrraedd Cymru ar long neu awyren o Weriniaeth Iwerddon, Ynysoedd y Sianel, neu Ynys Manaw, ac

(ii) sydd wedi bod mewn man y tu allan i'r ardal deithio gyffredin o fewn y cyfnod o 14 o ddiwrnodau sy'n dod i ben ar y diwrnod pan fo'r person yn cyrraedd.

(2) Ond nid yw cyfeiriadau at P yn cynnwys person a ddisgrifir yn Rhan 1 o Atodlen 2.

Gofyniad i ddarparu gwybodaeth am deithiwr

4.—(1) Rhaid i P gyflwyno'r wybodaeth ganlynol i'r Ysgrifennydd Gwladol yn electronig cyn gynted â bo'n rhesymol ymarferol ar ôl cyrraedd Cymru, gan ddefnyddio cyfleuster a ddarperir gan yr Ysgrifennydd Gwladol at y diben hwn—

(a) gwybodaeth am deithiwr ar gyfer P, a

(b) pan fo P yn cyrraedd Cymru yng nghwmni plentyn y mae gan P gyfrifoldeb amdano, gwybodaeth am deithiwr ar gyfer y plentyn,

(2) Pan fo P yn cyrraedd Cymru drwy borthladd--

(a) rhaid i P gydymffurfio â pharagraff (1) cyn gadael y porthladd, a

(b) rhaid i swyddog mewnfudo yn y porthladd ddarparu P unrhyw gynhorthwy y mae'r swyddog yn ei ystyried yn angenrheidiol i alluogi P i gydymffurfio â pharagraff (1).

(3) Nid yw'n ofynnol i P gydymffurfio â pharagraff (1) os yw'r wybodaeth am deithiwr wedi ei darparu'n electronig i'r Ysgrifennydd Gwladol gan ddefnyddio cyfleuster a ddarparwyd gan yr Ysgrifennydd Gwladol at y diben hwnnw, cyn i P gyrraedd Cymru.

(4) Ond pan fo paragraff (3) yn gymwys, rhaid i P ddarparu tystiolaeth i swyddog mewnfudo bod y wybodaeth am deithiwr wedi ei ddarparu, os gofynnir iddo wneud hynny gan y swyddog.

(5) Pan fo P yn blentyn y mae gwybodaeth am deithiwr mewn cysylltiad ag ef wedi ei darparu gan berson sydd â chyfrifoldeb am P, yn unol â pharagraff (1)(b), nid yw paragraff (1)(a) yn ei gwneud hi'n ofynnol i P ddarparu gwybodaeth am deithiwr ar gyfer P.

Gofyniad i hysbysu ynghylch newidiadau i wybodaeth am deithiwr

5.—(1) Mae paragraff (2) yn gymwys—

(a) a person who arrives in Wales by ship or aircraft from a place outside the common travel area, or

(b) a person who—

(i) arrives in Wales by ship or aircraft from the Republic of Ireland, the Channel Islands or the Isle of Man, and

(ii) has, within the period of 14 days ending with the person's arrival, been in a place outside the common travel area.

(2) But references to P do not include a person described in Part 1 of Schedule 2.

Requirement to provide passenger information

4.—(1) P must submit the following information to the Secretary of State electronically as soon as reasonably practicable upon arriving in Wales, using a facility provided by the Secretary of State for this purpose—

(a) P's passenger information, and

(b) where P arrives in Wales accompanied by a child for whom P has responsibility, the child's passenger information.

(2) Where P arrives in Wales at a port—

(a) P must comply with paragraph (1) before leaving the port, and

(b) an immigration officer at the port must provide P with any assistance the officer considers necessary to enable P to comply with paragraph (1).

(3) P is not required to comply with paragraph (1) if the passenger information has, before P's arrival in Wales, been provided electronically to the Secretary of State using a facility provided by the Secretary of State for this purpose.

(4) But where paragraph (3) applies P must, if requested by an immigration officer to do so, provide the officer with evidence that the passenger information has been provided.

(5) Where P is a child in respect of whom passenger information has been provided by a person with responsibility for P in accordance with paragraph (1)(b), P is not required by paragraph (1)(a) to provide P's passenger information.

Requirement to notify changes to passenger information

5.—(1) Paragraph (2) applies where—

(a) pan fo'n ofynnol gan reoliad 7 neu 8 i P breswylio mewn mangre (ac i beidio â gadael y fangre na bod y tu allan iddi) tan ddiwedd diwrnod olaf ynysiad P (o fewn yr ystyr a roddir gan reoliad 12), a

(b) pan fo gwybodaeth am deithiwr ar gyfer P yn newid cyn diwedd y diwrnod hwnnw.

(2) Pan fo'r paragraff hwn yn gymwys, rhaid i P ddarparu i'r Ysgrifennydd Gwladol yn electronig wybodaeth am deithiwr sydd wedi ei diweddaru cyn gynted ag y bo'n resymol ymarferol, gan ddefnyddio'r cyfleuster a ddarperir gan yr Ysgrifennydd Gwladol at y diben hwnnw.

(3) Pan fo P yn blentyn y mae gan berson arall gyfrifoldeb amdano—

(a) nid yw'n ofynnol i P ddarparu gwybodaeth am deithiwr sydd wedi ei diweddaru o dan baragraff (2), a

(b) mae'n ofynnol i'r person arall, ar ran P, ddarparu'r wybodaeth am deithiwr sydd wedi ei ddiweddaru ar ran P.

Gwybodaeth am deithiwr nad yw ym meddiant neu o dan reolaeth person

6. Nid oes dim yn rheoliad 4 neu 5 sy'n ei gwneud yn ofynnol i berson ddarparu gwybodaeth am deithiwr nad yw ym meddiant y person neu o dan ei reolaeth.

RHAN 3

Gofyniad i ynysu etc.

Gofyniad i ynysu: cyrraedd o fan y tu allan i'r Deyrnas Unedig

7.—(1) Mae'r rheoliad hwn yn gymwys i berson ("P")—

(a) sy'n cyrraedd Cymru ar long neu awyren o fan y tu allan i'r ardal deithio gyffredin, neu

(b) sydd —

(i) yn cyrraedd Cymru ar long neu awyren o Weriniaeth Iwerddon, Ynysoedd y Sianel neu Ynys Manaw, a

(ii) sydd, wedi cyrraedd yr ardal deithio gyffredin o fan y tu allan i'r ardal honno o fewn y cyfnod o 14 o ddiwrnodau sy'n dod i ben ar y diwrnod y mae P yn cyrraedd Cymru.

(2) Rhaid i P—

(a) teithio'n uniongyrchol i fangre benodol yng Nghymru sy'n addas i P breswylio ynddi tan ddiwedd diwrnod olaf ynysiad P, neu

(a) P is required by regulation 7 or 8 to reside in (and not leave or be outside of) premises until the end of the last day of P's isolation (within the meaning given by regulation 12), and

(b) before the end of that day, P's passenger information changes.

(2) Where this paragraph applies, P must provide updated passenger information to the Secretary of State electronically as soon as is reasonably practicable, using a facility provided by the Secretary of State for this purpose.

(3) Where P is a child for whom another person has responsibility—

(a) P is not required to provide updated passenger information under paragraph (2), and

(b) the other person is required to provide the updated passenger information on behalf of P.

Passenger information not in a person's possession or control

6. Nothing in regulation 4 or 5 requires a person to provide passenger information if the information is not within the person's possession or under the person's control.

PART 3

Requirement to isolate etc.

Requirement to isolate: arrivals from outside the United Kingdom

7.—(1) This regulation applies to a person ("P")—

(a) who arrives in Wales by ship or aircraft from a place outside the common travel area, or

(b) who—

(i) arrives in Wales by ship or aircraft from the Republic of Ireland, the Channel Islands or the Isle of Man, and

(ii) has, within the period of 14 days ending with the day of P's arrival in Wales, arrived in the common travel area from a place outside that area.

(2) P must—

(a) travel directly to specified premises in Wales suitable for P to reside in until the end of the last day of P's isolation, or

(b) teithio'n uniongyrchol i ran o'r Deyrnas Unedig heblaw Cymru.

(3) Pan fo P yn teithio i fangre benodol yng Nghymru i breswylio ynddi, fel sy'n ofynnol gan baragraff (2)(a), ni chaniateir i P adael na bod y tu allan i'r fangre cyn diwedd diwrnod olaf ynysiad P—

(a) onid yw wedi ei awdurdodi i wneud hynny gan reoliad 10(4) (gadael y fangre dros dro), neu

(b) onid yw'r paragraff hwn yn peidio â bod yn gymwys mewn perthynas â P yn rhinwedd rheoliad 10(3) (gadael Cymru).

(4) At ddibenion paragraffau (2) a (3), y fangre benodol yw—

(a) y fangre a bennir yng ngwybodaeth am deithiwr P fel y fangre y mae P yn bwriadu preswylio ynddi at ddibenion y rheoliad hwn (oni bai fo is-baragraff (d) yn gymwys i P);

(b) pan fo P yn berson a ddisgrifir—

(i) ym mharagraff 1(1)(a) i (k) o Atodlen 2 nad yw wedi bodloni'r amodau ym mharagraff 1(2) o'r Atodlen honno, neu

(ii) paragraff 1(1)(l) o'r Atodlen honno,

mangre y mae P yn bwriadu preswylio ynddi at ddibenion y rheoliad hwn;

(c) pan na fo gwybodaeth am deithiwr P yn pennu'r fangre y mae P yn bwriadu preswylio ynddi at ddibenion y rheoliad hwn, y fangre a drefnwyd gan P o dan baragraff (5);

(d) pan fo P yn ddarostyngedig i ofyniad a osodir o dan neu yn rhinwedd y Deddfau Mewnfudo i breswylio mewn mangre arbennig yng Nghymru, y fangre honno.

(5) Pan na fo gwybodaeth am deithiwr P yn pennu'r fangre y mae P yn bwriadu preswylio ynddi at ddibenion y rheoliad hwn, rhaid i P—

(a) wneud trefniadau cyn gynted a bo'n rhesymol ymarferol i breswylio mewn mangre yng Nghymru tan ddiwedd diwrnod olaf ynysiad P, a

(b) hysbysu'r Ysgrifennydd Gwladol yn electronig cyn gynted ag y bo'n rhesymol ymarferol o gyfeiriad y fangre honno gan ddefnyddio cyfleuster a ddarparwyd gan yr Ysgrifennydd Gwladol at y diben hwnnw.

(6) Ond pan fo P wedi cyrraedd Cymru drwy borthladd, rhaid i P gydymffurfio ậ gofynion paragraff (5) cyn i P adael y porthladd.

(b) travel directly to a part of the United Kingdom other than Wales.

(3) Where P travels to specified premises in Wales to reside in, as required by paragraph (2)(a), P may not leave or be outside the premises before the end of the last day of P's isolation unless—

(a) authorised by regulation 10(4) (temporary departure from premises) to do so, or

(b) this paragraph ceases to apply in relation to P by virtue of regulation 10(3) (leaving Wales).

(4) For the purposes of paragraphs (2) and (3), the specified premises are—

(a) the premises specified in P's passenger information as the premises at which P intends to reside for the purposes of this regulation (unless sub-paragraph (d) applies to P);

(b) if P is a person described in—

(i) paragraph 1(1)(a) to (k) of Schedule 2 who has not satisfied the conditions in paragraph 1(2) of that Schedule, or

(ii) paragraph 1(1)(l) of that Schedule,

premises at which P intends to reside for the purposes of this regulation;

(c) if P's passenger information does not specify premises at which P intends to reside for the purposes of this regulation, the premises arranged by P under paragraph (5);

(d) if P is subject to a requirement imposed under or by virtue of the Immigration Acts to reside at particular premises in Wales, those premises.

(5) Where P's passenger information does not specify premises at which P intends to reside for the purposes of this regulation, P must, as soon as is reasonably practicable—

(a) make arrangements to reside at premises in Wales suitable for P to reside in until the end of the last day of P's isolation, and

(b) notify the Secretary of State of the address of those premises electronically using a facility provided by the Secretary of State for this purpose.

(6) But where P arrived in Wales at a port, P must comply with the requirements of paragraph (5) before leaving the port.

(7) Pan fo paragraff (5) yn gymwys, rhaid i Weinidogion Cymru ddarparu'r cynorthwy, neu drefnu darpariaeth o'r cynhorthwy, y maent yn ystyried yn angenrheidiol (os o gwbl) i sicrhau y gall P wneud y trefniadau a grybwyllir ym mharagraff (5)(a).

Gofyniad i ynysu: cyrraedd o ran arall o'r Deyrnas Unedig

8.—(1) Mae'r rheoliad hwn yn gymwys i berson ("P")—

(a) sy'n cyrraedd Cymru o rywle arall yn y Deyrnas Unedig, a

(b) sydd o fewn y cyfnod o 14 o diwrnod sy'n dod i ben ar y diwrnod y mae P yn cyrraedd Cymru wedi cyrraedd yr ardal deithio gyffredin o fan y tu allan i'r ardal honno;

(2) Ond nid yw cyfeiriadau at P yn cynnwys—

(a) person—

(i) sy'n cyrraedd Cymru at ddiben dychwelyd i'r fangre yng Nghymru y mae'r person yn preswylio ynddi at ddibenion rheoliad 7(3));

(ii) person a adawodd Cymru dros dro, am un neu ragor o'r resymau a awdurdodir yn rheoliad 10(4);

(b) person—

(i) y mae'n ofynnol iddo breswylio mewn mangre yn rhywle arall yn y Deyrnas Unedig o dan ddarpariaeth mewn Rheoliadau a wneir mewn perthynas â Lloegr, yr Alban neu Ogledd Iwerddon (yn ôl y digwydd) sy'n cyfateb i'r Rheoliadau hyn,

(ii) y caniateir iddo adael y rhan arall honno o'r Deyrnas Unedig dros dro yn rhinwedd y Rheoliadau hynny, a

(iii) sy'n aros yng Nghymru am ddim hwy nag sy'n angenrheidiol.

(3) O ran P—

(a) rhaid iddo deithio'n uniongyrchol i fangre yng Nghymru sy'n addas i P breswylio ynddi tan ddiwedd diwrnod olaf ynysiad P, a

(b) ni chaiff adael y fangre na bod y tu allan iddi cyn diwedd diwrnod olaf ynysiad P—

(i) onid yw wedi ei awdurdodi gan reoliad 10(4) (bod y tu allan i fangre am gyhyd ag y bo'n angenrheidiol) i wneud hynny, neu

(ii) onid yw'r paragraff hwn yn peidio â bod yn gymwys mewn perthynas â P yn rhinwedd rheoliad 10(3) (gadael Cymru).

(7) Where paragraph (5) applies, the Welsh Ministers must provide or secure the provision of such assistance as they consider necessary (if any) to ensure P is able to make the arrangements mentioned in paragraph (5)(a).

Requirement to isolate: arrivals from another part of the United Kingdom

8.—(1) This regulation applies to a person ("P") —

(a) who arrives in Wales from elsewhere in the United Kingdom, and

(b) has within the period of 14 days ending with the day of P's arrival in Wales, arrived in the common travel area from a place outside that area.

(2) But references to P do not include—

(a) a person—

(i) who arrives in Wales for the purpose of returning to the premises in Wales at which the person is residing for the purposes of regulation 7(3), and

(ii) who left Wales temporarily, for one or more of the reasons authorised by regulation 10(4);

(b) a person—

(i) who is required to reside at premises elsewhere in the United Kingdom by provision in Regulations made as respects England, Scotland or Northern Ireland (as the case may be) that are equivalent to these Regulations,

(ii) who is permitted to leave that other part of the United Kingdom temporarily by virtue of those Regulations, and

(iii) who remains in Wales for no longer than is necessary.

(3) P must—

(a) travel directly to premises in Wales that are suitable for P to reside in until the end of the last day of P's isolation, and

(b) may not leave or be outside the premises before the end of the last day of P's isolation unless—

(i) authorised by regulation 10(4) (temporary departure from premises) to do so, or

(ii) this paragraph ceases to apply in relation to P by virtue of regulation 10(3) (leaving Wales).

(4) Rhaid i P hefyd—

(a) cyn cyrraedd Cymru, neu

(b) cyn gynted ag y bo'n ymarferol ar ôl cyrraedd Cymru,

hysbysu'r Ysgrifennydd Gwladol yn electronig am gyfeiriad y fangre y mae P yn bwriadu preswylio ynddi at ddibenion paragraff (3) gan ddefnyddio cyfleuster a ddarperir gan yr Ysgrifennydd Gwladol at y diben hwnnw.

(4) P must also—

(a) before arriving in Wales, or

(b) as soon as practicable after arriving,

notify the Secretary of State of the address of the premises at which P intends to reside for the purposes of paragraph (3) electronically using a facility provided by the Secretary of State for this purpose.

Gofynion ynysu: esemptiadau

9. Nid yw rheoliad 7 ac 8 yn gymwys i berson a ddisgrifir—

(a) ym mharagraff 1(1)(a) i (k) o Atodlen 2 sy'n bodloni'r amodau ym mharagraff 2 o'r Atodlen honno;

(b) ym mharagraffau 2 i 36 o Atodlen 2.

Isolation requirements: exemptions

9. Regulations 7 and 8 do not apply to a person described in —

(a) paragraph 1(1)(a) to (k) of Schedule 2 who satisfies the conditions in paragraph 2 of that Schedule;

(b) paragraphs 2 to 36 of Schedule 2.

Gofynion ynysu: eithriadau

10.—(1) Mae'r rheoliad hwn yn gymwys pan fo gofyniad i ynysu yn ei gwneud yn ofynnol i berson ("P") breswylio mewn mangre (a pheidio â gadael y fangre na bod y tu allan iddi) yng Nghymru.

(2) Ystyr "gofyniad i ynysu" mewn perthynas â P yw gofyniad a osodir gan—

(a) rheoliad 7(3);

(b) rheoliad 8(3)(b).

(3) Mae gofyniad i ynysu yn peidio â bod yn gymwys mewn perthynas â P os yw P yn gadael Cymru, onid yw P y tu allan i'r Deyrnas Unedig dros dro at ddiben a awdurdodir gan baragraff (4)(b) i (j).

(4) Caniateir i P adael y fangre a bod y tu allan iddi am gyhyd ag y bo'n angenrheidiol—

(a) i deithio at ddibenion gadael Cymru yn y modd a ddisgrifir gan baragraff (3);

(b) i gael angenrheidiau sylfaenol (gan gynnwys ar gyfer personau eraill yn y fangre neu unrhyw anifeiliaid anwes yn y fangre), pan na fo'n bosibl neu'n ymarferol—

(i) i berson arall yn y fangre eu cael ar ran P, neu

(ii) eu cael drwy ddanfoniad i'r fangre gan drydydd parti;

(c) i geisio cynhorthwy meddygol, pan fo angen y cynhorthwy hwnnw ar frys neu yn unol â chyngor ymarferydd meddygol cofrestredig;

Isolation requirements: exceptions

10.—(1) This regulation applies where a person ("P") is required to reside in (and not leave or be outside of) premises in Wales by an isolation requirement.

(2) "Isolation requirement" in relation to P means a requirement imposed by—

(a) regulation 7(3);

(b) regulation 8(3)(b).

(3) An isolation requirement ceases to apply in relation to P if P leaves Wales, unless P is temporarily outside Wales for a purpose authorised by paragraph (4)(b) to (j).

(4) P may leave and be outside of the premises for as long as is necessary—

(a) to travel for the purpose of leaving Wales in the manner described by paragraph (3);

(b) to obtain basic necessities (including for other persons at the premises or any pets at the premises), where it is not possible or practicable—

(i) for another person at the premises to obtain them on P's behalf, or

(ii) to obtain them by delivery to the premises from a third party;

(c) to seek medical assistance, where this is required urgently or on the advice of a registered medical practitioner;

(d) i gael gwasanaeth iechyd a ddarperir gan ymarferydd meddygol cofrestredig, pan fo trefniadau wedi eu gwneud i ddarparu'r gwasanaeth cyn i P gyrraedd y Deyrnas Unedig;

(e) i gynorthwyo person sy'n derbyn gwasanaeth iechyd a ddisgrifir ym mharagraff (d), neu i fod gyda'r person hwnnw os yw P yn blentyn y mae gan y person hwnnw gyfrifoldeb amdano;

(f) i gael gafael ar wasanaethau milfeddygol—

(i) pan fo angen y gwasanaethau hynny ar fyrder ar gyfer anifail anwes yn y fangre, a

(ii) pan na fo'n bosibl i berson arall yn y fangre gael mynediad i'r gwasanaethau hynny;

(g) i wneud gweithgareddau penodedig mewn perthynas â garddwriaeth fwytadwy, ond dim ond os yw P yn preswylio yn y fangre mewn cysylltiad â'r gweithgareddau hynny;

(h) i osgoi salwch neu anaf neu i ddianc rhag risg o niwed;

(i) i fodloni rhwymedigaeth gyfreithiol, gan gynnwys mynd i'r llys neu fodloni amodau mechnïaeth, neu i gymryd rhan mewn achos cyfreithiol;

(j) i gael gafael ar wasanaethau cyhoeddus (gan gynnwys gwasanaethau cymdeithasol neu wasanaethau i ddioddefwyr)—

(i) pan fo cael gafael ar y gwasanaeth yn hanfodol i lesiant P, a

(ii) pan na ellir darparu'r gwasanaeth os yw P yn aros yn y fangre;

(k) am resymau tosturiol, gan gynnwys i fynd i angladd—

(i) aelod o deulu P;

(ii) ffrind agos.

(5) O ran P—

(a) pan fo rhwymedigaeth gyfreithiol yn ei gwneud yn ofynnol i P newid y fangre y mae'n preswylio ynddi at ddiben gofyniad i ynysu, neu

(b) pan na fo P fel arall yn gallu aros yn y fangre y mae P yn preswylio ynddi at ddiben gofyniad i ynysu,

caiff P deithio'n uniongyrchol i fangre arall yng Nghymru sy'n addas i P breswylio ynddi tan ddiwedd diwrnod olaf ynysiad P; ac mae cyfeiriadau yn y Rhan hon at fangre, mewn perthynas â gofyniad i ynysu, i'w darllen yn unol â hynny.

(d) to receive a health service provided by a registered medical practitioner, where the provision of the service was arranged before P's arrival in the United Kingdom;

(e) to assist a person receiving a health service described in paragraph (d), or to accompany that person if P is a child for whom the person has responsibility;

(f) to access veterinary services where—

(i) they are required urgently for a pet at the premises, and

(ii) it is not possible for another person at the premises to access those services;

(g) to carry out specified activities in relation to edible horticulture, but only if P is residing at the premises in connection with those activities;

(h) to avoid illness or injury or to escape a risk of harm;

(i) to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;

(j) to access public services (including social services or victims' services) where—

(i) access to the service is critical to P's well-being, and

(ii) the service cannot be provided if P remains at the premises;

(k) for compassionate reasons, including to attend the funeral of—

(i) a member of P's family;

(ii) a close friend.

(5) Where—

(a) a legal obligation requires P to change the premises at which P resides for the purpose of an isolation requirement, or

(b) P is otherwise unable to remain at the premises at which P is residing for the purpose of an isolation requirement,

P may travel directly to alternative premises in Wales that are suitable for P to reside in until the end of the last day of P's isolation; and references in this Part to premises, in relation to an isolation requirement, are to be read accordingly.

(6) Pan fo paragraff (5) yn gymwys, rhaid i P hysbysu'r Ysgrifennydd Gwladol yn electronig am gyfeiriad y fangre arall cyn gynted ag y bo'n rhesymol ymarferol gan ddefnyddio cyfleuster a ddarparwyd gan yr Ysgrifennydd Gwladol at y diben hwnnw.

(7) Nid yw gofyniad i ynysu yn gymwys mewn perthynas ag unrhyw gyfnod pan fo P—

(a) wedi ei symud ymaith i le, wedi ei gyfarwyddo i fynd i le neu wedi ei gyfarwyddo i aros mewn lle gan swyddog mewnfudo, cwnstabl neu swyddog iechyd y cyhoedd o dan Atodlen 21 i Ddeddf y Coronafeirws 2020(**1**);

(b) wedi ei gadw mewn lle yn rhinwedd gofyniad a osodir o dan y Deddfau Mewnfudo.

(8) At ddibenion y rheoliad hwn—

ystyr "garddwriaeth fwytadwy" ("*edible horticulture*") yw tyfu—

(i) llysiau wedi eu diogelu a dyfir mewn systemau tai gwydr,

(ii) llysiau maes a dyfir yn yr awyr agored, gan gynnwys llysiau, perlysiau, salad deiliog a thatws,

(iii) ffrwythau meddal a dyfir yn yr awyr agored neu o dan orchudd,

(iv) coed sy'n dwyn ffrwyth,

(v) gwinwydd a choesynnau, neu

(vi) madarch;

ystyr "gwasanaeth iechyd" ("*health service*") yw gwasanaeth a ddarperir ar gyfer y canlynol neu mewn cysylltiad â'r canlynol—

(i) atal salwch, gwneud diagnosis o salwch neu ei drin, neu

(ii) hybu neu warchod iechyd y cyhoedd;

ystyr "ymarferydd meddygol cofrestredig" ("*registered medical practitioner*") yw person sydd wedi ei gofrestri'n llawn o fewn yr ystyr a roddir i "fully registered" yn Neddf Meddygol 1983(**2**) sydd yn dal trwydded i ymarfer o dan y Ddeddf honno;

ystyr "gweithgareddau penodedig" ("*specified activities*"), mewn perthynas â garddwriaeth fwytadwy, yw—

(i) cynnal a chadw cnydau,

(ii) cynaeafu cnydau,

(iii) codi twneli a'u datgymalu,

(**1**) 2020 p. 7.

(**2**) 1983 p.54. Gweler adran 55(1). Diwgiwyd y diffiniad o "fully registered person" gan O.S. 2006/1914, O.S. 2007/3101 a O.S. 2008/1774

(6) Where paragraph (5) applies, P must notify the Secretary of State of the address of the alternative premises electronically as soon as is reasonably practicable using a facility provided by the Secretary of State for this purpose.

(7) An isolation requirement does not apply in relation to any period during which P is—

(a) removed to, directed to go to or directed to remain at a place by an immigration officer, constable or public health officer under Schedule 21 to the Coronavirus Act 2020(**1**);

(b) detained at a place by virtue of a requirement imposed under the Immigration Acts.

(8) For the purposes of this regulation—

(a) "edible horticulture" ("*garddwriaeth fwytadwy*") means growing—

(i) protected vegetables grown in glasshouse systems,

(ii) field vegetables grown outdoors, including vegetables, herbs, leafy salads and potatoes,

(iii) soft fruit grown outdoors or under cover,

(iv) trees that bear fruit,

(v) vines and bines, or

(vi) mushrooms;

"health service" ("*gwasanaeth iechyd*") means a service provided for or in connection with—

(i) the prevention, diagnosis or treatment of illness, or

(ii) the promotion or protection of public health;

"registered medical practitioner" ("*ymarferydd meddygol cofrestredig*") means a fully registered person within the meaning of the Medical Act 1983(**2**) who holds a licence to practise under that Act;

"specified activities" ("*gweithgareddau penodedig*"), in relation to edible horticulture, means—

(i) crop maintenance,

(ii) crop harvesting,

(iii) tunnel construction and dismantling,

(**1**) 2020 c. 7.

(**2**) 1983 c. 54. see section 55(1). The definition of "fully registered person" was amended by S.I. 2006/1914, S.I. 2007/3101 and S.I. 2008/1774

(iv) gosod dulliau dyfrhau a'u cynnal,

(v) hwsmonaeth cnydau,

(vi) pacio a phrosesu cnydau ar fangreoedd cyflogwyr,

(vii) paratoi mannau a chyfryngau tyfu a'u datgymalu,

(viii) gwaith cynhyrchu sylfaenol cyffredinol mewn garddwriaeth fwytadwy,

(ix) gweithgareddau sy'n ymwneud â goruchwylio timau o weithwyr garddwriaeth.

Gofyniad ar bersonau sydd â chyfrifoldeb am blentyn

11. Pan osodir gofyniad ar blentyn o dan reoliad 7, 8 neu 10, rhaid i berson sydd â chyfrifoldeb am y plentyn gymryd pob mesur rhesymol i sicrhau bod y plentyn yn cydymffurfio â'r gofyniad.

Diwrnod olaf yr ynysu

12. At ddibenion rheoliadau 7, 8 a 10, diwrnod olaf ynysiad P yw diwrnod olaf y cyfnod o 14 o ddiwrnodau sy'n dechrau ar y diwrnod y cyrhaeddodd P yn yr ardal deithio cyffredin o fan y tu allan i'r ardal honno.

Rhan 4

Gorfodi a Throseddau

Gorfodi gofyniad i ynysu

13.—(1) Pan fo gan gwnstabl sail resymol dros amau bod person ("P") yn torri rheoliad 7(3) neu 8(3)(b), caiff y cwnstabl—

(a) cyfarwyddo P i ddychwelyd i'r fangre y mae P yn preswylio ynddi,

(b) symud P ymaith i'r fangre, neu

(c) pan na fo'n ymarferol neu'n briodol cymryd y cam yn is-baragraff (a) neu (b) o dan yr amgylchiadau, symud P ymaith i fangre wedi'i threfnu gan Weinidogion Cymru sy'n addas i P breswylio ynddi at ddibenion rheoliad 7(3) neu 8(3)(b).

(2) Caiff cwnstabl sy'n arfer y pŵer ym mharagraff (1)(b) neu (c) ddefnyddio grym rhesymol, os yw hynny'n angenrheidiol, wrth arfer y pŵer.

(iv) irrigation installation and maintaining,

(v) crop husbandry,

(vi) packing and processing of crops on employers premises,

(vii) preparing and dismantling growing areas and media,

(viii) general primary production work in edible horticulture,

(ix) activities relating to supervising teams of horticulture workers.

Requirement on persons with responsibility for children

11. Where a requirement is imposed under regulation 7, 8 or 10 on a child, a person with responsibility for the child must take all reasonable measures to ensure that the child complies with the requirement.

Last day of isolation

12. For the purposes of regulations 7, 8 and 10, the last day of P's isolation is the last day of the period of 14 days beginning with the day on which P arrived in the common travel area from a place outside that area.

PART 4

Enforcement and offences

Enforcement of requirement to isolate

13.—(1) Where a constable has reasonable grounds for suspecting that a person ("P") is contravening regulation 7(3) or 8(3)(b), the constable may—

(a) direct P to return to the premises where P is residing,

(b) remove P to the premises, or

(c) where it is not practicable or appropriate in the circumstances to take the action in sub-paragraph (a) or (b), remove P to premises secured by the Welsh Ministers which are suitable for P to reside in for the purposes of regulation 7(3) or 8(3)(b).

(2) A constable exercising the power in paragraph (1)(b) or (c) may use reasonable force, if necessary, in the exercise of the power.

(3) Pan fo P yn blentyn yng nghwmni person sydd â chyfrifoldeb am y plentyn—

(a) caiff y cwnstabl gyfarwyddo'r person â'r cyfrifoldeb hwnnw i fynd â'r plentyn i'r fangre y mae'r plentyn yn preswylio ynddi, a

(b) rhaid i'r person, i'r graddau y bo'n rhesymol ymarferol, sicrhau bod y plentyn yn cydymffurfio ag unrhyw gyfarwyddyd neu gyfarwyddiad a roddir gan y cwnstabl i'r plentyn.

(4) Caiff cwnstabl gymryd unrhyw gamau eraill y mae'r cwnstabl yn ystyried eu bod yn angenrheidiol ac yn gymesur i hwyluso arfer pŵer a roddir i'r cwnstabl gan y rheoliad hwn.

(5) Ni chaiff cwnstabl arfer pŵer a roddir i'r cwnstabl gan y rheoliad hwn oni fo'r cwnstabl yn ystyried ei bod yn angenrheidiol ac yn gymesur gwneud hynny.

Troseddau

14.—(1) Mae oedolyn sy'n torri gofyniad yn rheoliad —

(a) 4(1) neu (4),

(b) 5(2),

(c) 7(2), (3) neu (5),

(d) 8(3) neu (4),

(e) 10(6), neu

(f) 11

yn cyflawni trosedd.

(2) Mae'n drosedd i oedolyn ddarparu gwybodaeth anwir neu gamarweiniol i'r Ysgrifennydd Gwladol at ddibenion rheoliad 4, 5, 7(5), 8(4) neu 10(6)—

(a) pan fo'r person yn gwybod bod yr wybodaeth yn anwir neu'n gamarweiniol, neu

(b) pan fo'r person yn ddi-hid ynghylch pa un a yw'n anwir neu'n gamarweiniol.

(3) Mae oedolyn sy'n methu cydymffurfio â chyfarwyddyd a roddir gan gwnstabl o dan reoliad 13 yn cyflawni trosedd.

(4) Mae oedolyn sy'n rhwystro yn fwriadol unrhyw berson sy'n arfer swyddogaethau o dan y rrheoliadau yma yn cyflawni trosedd.

(5) Mae'n amddiffyniad i gyhuddiad o gyflawni trosedd o dan baragraff (1) neu (3) i ddangos bod gan y person esgus rhesymol dros dorri'r gofyniad neu fethu â chydymffurfio â'r gofyniad o dan sylw.

(6) Mae person sy'n cyflawni trosedd o dan y rheoliad hwn yn agored ar euogfarn ddiannod i ddirwy.

(3) Where P is a child accompanied by a person who has responsibility for the child—

(a) the constable may direct the person with that responsibility to take the child to the premises where the child is residing, and

(b) the person must, so far as reasonably practicable, ensure that the child complies with any direction or instruction given by the constable to the child.

(4) A constable may take such other action as the constable considers necessary and proportionate to facilitate the exercise of a power conferred on the constable by this regulation.

(5) A constable may not exercise a power conferred on the constable by this regulation unless the constable considers that it is necessary and proportionate to do so.

Offences

14.—(1) An adult who contravenes a requirement in regulation—

(a) 4(1) or (4),

(b) 5(2),

(c) 7(2), (3) or (5),

(d) 8(3) or (4),

(e) 10(6), or

(f) 11,

commits an offence.

(2) It is an offence for an adult to provide false or misleading information to the Secretary of State for the purposes of regulation 4, 5, 7(5), 8(4) or 10(6) where—

(a) the person knows the information is false or misleading, or

(b) the person is reckless as to whether the information is false or misleading.

(3) An adult who fails to comply with a direction given by a constable under regulation 13 commits an offence.

(4) An adult who intentionally obstructs any person exercising functions under these Regulations commits an offence.

(5) It is a defence to a charge of committing an offence under paragraph (1) or (3) to show that the person had a reasonable excuse for the contravention, or failure to comply, in question.

(6) A person who commits an offence under this regulation is liable on summary conviction to a fine.

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

(a) cynnal iechyd y cyhoedd;

(b) cynnal trefn gyhoeddus.

Erlyn

15. 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.

Hysbysiadau cosb benodedig

16.—(1) Caiff swyddog mewnfudo ddyroddi hysbysiad cosb benodedig i unrhyw oedolyn y mae'r swyddog yn credu'n rhesymol ei fod wedi cyflawni trosedd—

(a) o dan reoliad 14(1) neu (2)—

(i) mewn perthynas â gofyniad yn rheoliad 4(1) neu (4), 5(2), neu 7(5), neu

(ii) mewn perthynas â thorri gofyniad yn rheoliad 11 sy'n ymwneud â'r gofyniad yn rheoliad 7(5), neu

(b) o dan reoliad 14(4) lle credir bod y person yn fwriadol wedi rhwystro person oedd yn arfer swyddogaeth mewn perthynas ag un o'r gofynion hynny.

(2) Caiff cwnstabl ddyroddi hysbysiad cosb benodedig i unrhyw oedolyn y mae'r cwnstabl yn credu'n rhesymol ei fod wedi cyflawni trosedd o dan y Reoliadau hyn.

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

(a) Gweinidogion Cymru, neu

(b) person a ddynodir gan Weinidogion Cymru at ddibenion cael taliad o dan y rheoliad hwn.

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

(a) ni chaniateir dwyn unrhyw achos am y drosedd cyn diwedd y cyfnod o 28 o ddiwrnodau sy'n dechrau ar y dyddiad y dyroddir yr hysbysiad;

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

(7) 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) of that section included—

(a) to maintain public health;

(b) to maintain public order.

Prosecutions

15. 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.

Fixed penalty notices

16.—(1) An immigration officer may issue a fixed penalty notice to any adult the officer reasonably believes has committed an offence—

(a) under regulation 14(1) or (2)—

(i) in relation to a requirement in regulation 4(1) or (4), 5(2) or 7(5), or

(ii) in relation to a contravention of the requirement in regulation 11 which relates to the requirement in regulation 7(5), or

(b) under regulation 14(4) where the person is believed to have intentionally obstructed a person carrying out a function in relation to one of those requirements.

(2) A constable may issue a fixed penalty notice to any adult the constable reasonably believes has committed an offence under these Regulations.

(3) 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) the Welsh Ministers, or

(b) a person designated by the Welsh Ministers for the purposes of receiving payment under this regulation.

(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 beginning with the date the notice is issued;

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

(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) disgrifio'r amgylchiadau yr honnir eu bod yn ffurfio'r drosedd,

(b) datgan y cyfnod pan (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, ac

(e) pennu dulliau o dalu a ganiateir.

(6) Pan ddyroddir yr hysbysiad cosb benodedig mewn cysylltiad â throsedd—

(a) o dorri gofyniad a osodir gan reoliad 7(2), neu (3), 8(3) neu 11,

(b) o dan reoliad 14(3), neu

(c) o dan reoliad 14(4) lle credir bod y person yn fwriadol wedi rhwystro person oedd yn arfer swyddogaeth mewn perthynas â rheoliad 7(2) neu (3), 8(3) neu 11,

rhaid i'r swm a bennir o dan baragraff (5)(c) fod yn £1000.

(7) Pan ddyroddir yr hysbysiad cosb benodedig mewn cysylltiad â throsedd ("trosedd gwybodaeth neu hysbysu") —

(a) o dorri gofyniad a osodir gan reoliad 4(1) neu (4), 5(2), 7(5), 8(4) neu 10(6), neu

(b) o dan reoliad 14(4) lle credir bod y person yn fwriadol wedi rhwystro person oedd yn arfer swyddogaethau mewn perthynas ag un o'r gofynion hynny,

rhaid i'r swm a bennir o dan baragraff (5)(c) fod yn £60 (yn ddarostyngedig i baragraffau (8) a (9)).

(8) Caiff hysbysiad cosb benodedig a ddyroddir mewn cysylltiad â throsedd gwybodaeth neu hysbysu bennu, os telir £30 cyn diwedd y cyfnod o 14 o ddiwrnodau sy'n dechrau â'r diwrnod ar ôl dyddiad y dyroddir yr hysbysiad, mai dyna yw swm y gosb benodedig.

(9) Ond os yw'r person y dyroddir iddo hysbysiad cosb benodedig mewn cysylltiad â throsedd gwybodaeth neu hysbysu eisoes wedi cael hysbysiad cosb benodedig mewn cysylltiad â'r drosedd honno—

(a) nid yw paragraff (8) yn gymwys, a

(b) y swm a bennir fel y gosb benodedig fydd—

(i) yn achos yr ail hysbysiad cosb benodedig a geir, £120;

(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) describe 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, and

(e) specify permissible methods of payment.

(6) Where the fixed penalty notice is issued in respect of an offence—

(a) of contravening a requirement imposed by regulation 7(2) or (3), 8(3) or 11,

(b) under regulation 14(3), or

(c) under regulation 14(4) where the person is believed to have intentionally obstructed a person carrying out a function in relation to regulation 7(2) or (3), 8(3) or 11,

the amount specified under paragraph (5)(c) must be £1000.

(7) Where the fixed penalty notice is issued in respect of an offence (an "information or notification offence")—

(a) of contravening a requirement imposed by regulation 4(1) or (4), 5(2), 7(5), 8(4) or 10(6), or

(b) under regulation 14(4) where the person is believed to have intentionally obstructed a person carrying out a function in relation to one of those requirements,

the amount specified under paragraph (5)(c) must be £60 (subject to paragraphs (8) and (9)).

(8) A fixed penalty notice issued in respect of an information or notification offence may specify that if £30 is paid before the end of the period of 14 days beginning with the day after the date the notice is issued, that is the amount of the fixed penalty.

(9) But if the person to whom a fixed penalty notice in respect of an information or notification offence is issued has already received a fixed penalty notice in respect of such of such an offence—

(a) paragraph (8) does not apply, and

(b) the amount specified as the fixed penalty is to be—

(i) in the case of the second fixed penalty notice received, £120;

(ii) yn achos y trydydd hysbysiad cosb benodedig a geir, £240;

(iii) yn achos y pedwerydd hysbysiad cosb benodedig a geir, £480;

(iv) yn achos y pumed hysbysiad cosb benodedig a geir, £960;

(v) yn achos y chweched hysbysiad cosb benodedig a geir, ac unrhyw hysbysiad cosb benodedig a geir wedi hynny, £1920.

(10) Pa bynnag ddull arall a bennir o dan baragraff (5)(e), caniateir talu cosb benodedig drwy ragdalu 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.

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

(12) Mewn unrhyw achos, mae tystysgrif—

(a) sy'n honni ei bod wedi ei llofnodi gan neu ar ran—

(i) Gweinidogion Cymru, neu

(ii) person sydd wedi ei ddynodi gan Weinidogion Cymru o dan baragraff (3)(b), 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.

RHAN 5

Rhannu gwybodaeth

Defnyddio a datgelu gwybodaeth

17.—(1) Yn y rheoliad hwn ac yn rheoliad 18, ystyr "gwybodaeth berthnasol" yw—

(a) gwybodaeth am deithiwr o Gymru;

(b) gwybodaeth am deithiwr o weddill y Deyrnas Unedig.

(2) At ddibenion y rheoliad hwn—

(a) ystyr "gwybodaeth am deithiwr o Gymru" yw—

(i) gwybodaeth am deithiwr a roddir i'r Ysgrifennydd Gwladol at ddiben rheoliad 4 neu 5;

(ii) in the case of the third fixed penalty notice received, £240;

(iii) in the case of the fourth fixed penalty notice received, £480;

(iv) in the case of the fifth fixed penalty notice received, £960;

(v) in the case of the sixth and any subsequent fixed penalty notice received, £1920.

(10) 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).

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

(12) In any proceedings, a certificate that—

(a) purports to be signed by or on behalf of—

(i) the Welsh Ministers, or

(ii) a person designated by the Welsh Ministers under paragraph (3)(b), 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.

PART 5

Information sharing

Use and disclosure of information

17.—(1) In this regulation and regulation 18, "relevant information" means—

(a) Welsh passenger information;

(b) other UK passenger information.

(2) For the purposes of this regulation—

(a) "Welsh passenger information" means—

(i) passenger information provided to the Secretary of State for the purpose of regulation 4 or 5;

(ii) gwybodaeth a ddarparwyd i'r Ysgrifennydd Gwladol mewn hysbysiad a wnaed o dan reoliad 7(5)(b), 8(4) neu 10(6);

(b) ystyr "gwybodaeth am deithiwr o weddill y Deyrnas Unedig" yw gwybodaeth a roddir i berson o dan ddarpariaeth mewn Rheoliadau a wnaed mewn perthynas â Lloegr, yr Alban neu Ogledd Iwerddon (yn ôl y digwydd) sy'n cyfateb i ddarpariaeth a grybwyllir yn is-baragraff (a).

(3) Yn y rheoliad hwn, mae unrhyw gyfeiriad at ddeiliad gwybodaeth yn gyfeiriad at—

(a) yr Ysgrifennydd Gwladol;

(b) person y datgelwyd yr wybodaeth iddo o dan baragraff (4) neu (5).

(4) Caiff deiliad gwybodaeth am deithiwr o Gymru ddatgelu'r wybodaeth i berson arall (y "derbynnydd") o dan amgylchiadau pan fo'n angenrheidiol i'r derbynnydd gael yr wybodaeth—

(a) at ddiben arfer swyddogaeth y derbynnydd o dan —

(i) y Rheoliadau hyn, neu

(ii) Rheoliadau a wnaed mewn perthynas â Lloegr, yr Alban neu Ogledd Iwerddon (yn ôl y digwydd) sy'n cyfateb â'r Rheoliadau yma;

(b) at ddiben—

(i) atal perygl i iechyd y cyhoedd o ganlyniad i ledaeniad haint neu halogiad y coronafeirws,

(ii) monitro lledaeniad haint neu halogiad y coronafeirws, neu

(iii) rhoi effaith i unrhyw drefniant neu gytundeb rhyngwladol sy'n ymwneud â lledaeniad haint neu halogiad y coronafeirws;

(c) at ddiben sy'n gysylltiedig â'r diben a ddisgrifir yn is-baragraff (a) neu (b), neu sydd fel arall yn gysylltiedig â'r diben hwnnw

(5) Caiff deiliad gwybodaeth am deithiwr o weddill y Deyrnas Unedig ei ddatgelu i berson arall ("y derbynnydd") mewn amgylchiadau lle ei bod hi'n angenrheidiol i'r derbynnydd gael y wybodaeth—

(a) at ddiben arfer swyddogaeth y derbynnydd o dan y Rheoliadau yma;

(b) at ddiben—

(i) atal perygl i iechyd y cyhoedd yng Nghymru o ganlyniad i ledaeniad haint neu halogiad y coronafeirws,

(ii) information provided to the Secretary of State in a notification given under regulation 7(5)(b), 8(4) or 10(6);

(b) "other UK passenger information" means information provided to a person under provision in Regulations made as respects England, Scotland or Northern Ireland (as the case may be) that is equivalent to provision mentioned in sub-paragraph (a).

(3) In this regulation, any reference to the holder of information is a reference to—

(a) the Secretary of State;

(b) a person to whom the information was disclosed under paragraph (4) or (5).

(4) The holder of Welsh passenger information may disclose it to another person (the "recipient") in circumstances where it is necessary for the recipient to have the information—

(a) for the purpose of carrying out a function of the recipient under—

(i) these Regulations, or

(ii) Regulations made as respects England, Scotland or Northern Ireland (as the case may be) that are equivalent to these Regulations;

(b) for the purpose of—

(i) preventing danger to public health as a result of the spread of infection or contamination with coronavirus,

(ii) monitoring the spread of infection or contamination with coronavirus, or

(iii) giving effect to any international agreement or arrangement relating to the spread of infection or contamination with coronavirus;

(c) for a purpose connected with, or otherwise incidental to, a purpose described in sub-paragraph (a) or (b).

(5) The holder of other UK passenger information may disclose it to another person (the "recipient") in circumstances where it is necessary for the recipient to have the information—

(a) for the purpose of carrying out a function of the recipient under these Regulations;

(b) for the purpose of—

(i) preventing danger to public health in Wales as a result of the spread of infection or contamination with coronavirus,

(ii) monitro lledaeniad haint neu halogiad y coronafeirws yng Nghymru, neu

(iii) rhoi effaith yng Nghymru i unrhyw drefniant neu gytundeb rhyngwladol sy'n ymwneud â lledaeniad haint neu halogiad y coronafeirws;

(c) at ddiben sy'n gysylltiedig â diben a ddisgrifir yn is-baragraff (a) neu (b) neu ddiben sydd fel arall yn gysylltiedig â'r diben hwnnw.

(6) Ni all deiliad gwybodaeth berthnasol ddefnyddio'r wybodaeth ac eithrio—

(a) at ddiben arfer swyddogaeth y deiliad o dan y Rheoliadau hyn;

(b) yn achos gwybodaeth am deithiwr o Gymru, at ddiben a ddisgrifir ym mharagraff (4)(b);

(c) yn achos gwybodaeth am deithiwr o weddill y Deyrnas Unedig, at ddiben a ddisgrifir ym mharagraff (5)(b);

(d) at ddiben sy'n gysylltiedig â diben a ddisgrifir yn is-baragraff (a), (b) neu (c), neu ddiben sydd fel arall yn gysylltiedig â'r diben hwnnw.

(7) Er gwaethaf paragraffau (4), (5) a (6), nid yw'r rheoliad hwn yn cyfyngu'r amgylchiadau lle y gellir fel arall ddatgelu'r wybodaeth yn gyfreithiol, neu lle y gellir defnyddio'r wybodaeth o dan unrhyw ddeddfiad arall neu reol gyfreithiol arall.

(8) Nid yw datgeliad a awdurdodir gan y rheoliad hwn yn torri—

(a) rhwymedigaeth o safbwynt cyfrinachedd sy'n ddyledus gan y person sy'n gwneud y datgeliad, neu

(b) unrhyw gyfyngiad arall ar ddatgelu gwybodaeth (ym mha fodd bynnag y'i gorfodir).

(9) Nid oes unrhyw beth yn y rheoliad hwn yn awdurdodi datgelu data personol pan fo gwneud hynny yn torri'r ddeddfwriaeth diogelu data.

(10) Ym mharagraff (8), mae i "deddfwriaeth diogelu data" yr ystyr a roddir i "data protection legislation" ac mae i "data personol" yr ystyr a roddir i "personal data" yn adran 3 o Ddeddf Diogelu Data 2018(**1**).

Hunanargyhuddo

18.—(1) Caniateir i wybodaeth berthnasol gael ei defnyddio fel tystiolaeth yn erbyn y person y mae'r wybodaeth yn ymwneud ag ef mewn achos troseddol.

(**1**) 2018 p. 12.

(ii) monitoring the spread of infection or contamination with coronavirus in Wales, or

(iii) giving effect in Wales to any international agreement or arrangement relating to the spread of infection or contamination with coronavirus;

(c) for a purpose connected with, or otherwise incidental to, a purpose described in sub-paragraph (a) or (b).

(6) A holder of relevant information may not use the information otherwise than—

(a) for the purpose of carrying out a function of the holder under these Regulations;

(b) in the case of Welsh passenger information, for a purpose described in paragraph (4)(b);

(c) in the case of other UK passenger information, for a purpose described in paragraph (5)(b);

(d) for a purpose connected with, or otherwise incidental to, a purpose described in sub-paragraph (a), (b) or (c).

(7) Despite paragraphs (4), (5) and (6), this regulation does not limit the circumstances in which information may otherwise lawfully be disclosed or used under any other enactment or rule of law.

(8) Disclosure which is authorised by this regulation does not breach—

(a) an obligation of confidence owed by the person making the disclosure, or

(b) any other restriction on the disclosure of information (however imposed).

(9) Nothing in this regulation authorises the disclosure of personal data where doing so contravenes the data protection legislation.

(10) In paragraph (8), "data protection legislation" and "personal data" have the same meanings as in section 3 of the Data Protection Act 2018(**1**).

Self-incrimination

18.—(1) Relevant information may be used in evidence against the person to whom the information relates in criminal proceedings.

(**1**) 2018 c. 12.

(2) Pan ddefnyddir yr wybodaeth mewn achos ac eithrio ar gyfer trosedd o dan y Rheoliadau hyn neu adran 5 o Ddeddf Anudon 1911(**1**) (datganiadau anwir a wneir ac eithrio ar lw)—

(a) ni chaniateir i unrhyw dystiolaeth sy'n ymwneud â'r wybodaeth gael ei rhoi gan yr erlyniad nac ar ei ran, a

(b) ni chaniateir i unrhyw gwestiwn sy'n ymwneud â'r wybodaeth gael ei ofyn gan yr erlyniad nac ar ei ran.

(3) Nid yw paragraff (2) yn gymwys—

(a) os rhoddir tystiolaeth sy'n ymwneud â'r wybodaeth gan y person a'i darparodd, neu ar ei ran, yn ystod yr achos, neu

(b) os gofynnir cwestiwn sy'n ymwneud â'r wybodaeth gan y person hwnnw, neu ar ei ran, yn ystod yr achos.

RHAN 6

Adolygu a dod i ben

Adolygu'r gofynion

19. Rhaid i Weinidogion Cymru adolygu'r angen am y gofynion a osodir gan y Rheoliadau hyn, ac a yw'r gofynion hynny'n gymesur â'r hyn y mae Gweinidogion Cymru yn ceisio ei gyflawni drwyddynt—

(a) erbyn 29 Mehefin 2020,

(b) o leiaf unwaith yn y cyfnod o 21 o ddiwrnodau sy'n dechrau â'r diwrnod ar ôl y dyddiad hwnnw, ac

(c) o leiaf unwaith ym mhob cyfnod dilynol o 21 o ddiwrnodau.

Y Rheoliadau'n dod i ben

20.—(1) Daw'r Rheoliadau hyn i ben ar ddiwedd y cyfnod o 12 mis sy'n dechrau â'r diwrnod y deuant i rym.

(2) Nid yw'r ffaith bod y Rheoliadau hyn wedi dod i ben yn effeithio ar ddilysrwydd unrhyw beth a wneir yn unol â'r Rheoliadau hyn cyn iddynt ddod i ben.

(2) Where the information is used in proceedings other than for an offence under these Regulations or section 5 of the Perjury Act 1911(**1**) (false statements made otherwise than on oath)—

(a) no evidence relating to the information may be adduced by or on behalf of the prosecution, and

(b) no question relating to the information may be asked by or on behalf of the prosecution.

(3) Paragraph (2) does not apply if, in the proceedings—

(a) evidence relating to the information is adduced by or on behalf of the person who provided it, or

(b) a question relating to the information is asked by or on behalf of that person.

PART 6

Review and expiry

Review of requirements

19. The Welsh Ministers must review the need for the requirements imposed by these Regulations, and whether those requirements are proportionate to what the Welsh Ministers seek to achieve by them—

(a) by 29th June 2020,

(b) at least once in the period of 21 days beginning with the day after that date, and

(c) at least once in every subsequent period of 21 days.

Expiry of Regulations

20.—(1) These Regulations expire at the end of the period of 12 months beginning with the day on which they come into force.

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

Mark Drakeford

Y Prif Weinidog, un o Weinidogion Cymru
5 Mehefin 2020

The First Minister, one of the Welsh Ministers
5 June 2020

(**1**) 1911 p. 6. Diwygiwyd adran 5 gan adran 1(2) o Ddeddf Cyfiawnder Troseddol 1948 (p. 58).

(**1**) 1911 c. 6. Section 5 was amended by section 1(2) of the Criminal Justice Act 1948 (c. 58).

ATODLEN 1 Rheoliad 2(1)

Gwybodaeth am Deithiwr

1. Manylion personol—

(a) enw llawn,

(b) rhyw,

(c) dyddiad geni,

(d) rhif pasport, neu gyfeirnod ei ddogfen deithio (fel y bo'n briodol), y dyddiad dyroddi a'r dyddiad y daw'r pasport neu'r ddogfen i ben a'r awdurdod dyroddi,

(e) rhif ffôn,

(f) cyfeiriad cartref,

(g) cyfeiriad e-bost.

2. Manylion y daith—

(a) os yn gymwys, cyfeiriad mangre addas yng Nghymru y mae'r person yn bwriadu preswylio ynddi fel sy'n ofynnol gan reoliad 7(3),

(b) os yn gymwys, cyfeiriad mangre addas yn y Deyrnas Unedig y mae P yn bwriadu preswylio ynddi fel sy'n ofynnol gan ddarpariaeth gyfatebol mewn Rheoliadau a wnaed mewn perthynas â Lloegr, yr Alban neu Ogledd Iwerddon,

(c) dyddiad y bydd y person yn cyrraedd y cyfeiriad a bennir yn is-baragraff (a) neu (b), neu'r dyddiad y mae'n bwriadu cyrraedd, fel y bo'n briodol,

(d) y gweithredwr y mae'r person yn teithio gydag ef, neu wedi teithio gydag ef, neu'r gweithredwr a ddefnyddiodd y person i archebu'r daith,

(e) cyfeirnod yr archeb deithio,

(f) rhif yr hediad, rhif y trên, neu rif y tocyn (fel y bo'n briodol),,

(g) enw unrhyw grŵp teithio trefnedig y mae'r person yn teithio neu wedi teithio gydag ef,

(h) y lleoliad yn y Deyrnas Unedig y bydd y person yn ei gyrraedd, neu'r lleoliad yn y Deyrnas Unedig y mae wedi ei gyrraedd,

(i) y wlad y mae'r person yn teithio drwyddi, neu wedi ymadael ohoni,

(j) y dyddiad a'r amser y bydd y person yn cyrraedd y Deyrnas Unedig neu y mae'n bwriadu ei chyrraedd, fel y bo'n briodol,

SCHEDULE 1 Regulation 2(1)

Passenger information

1. Personal details—

(a) full name,

(b) sex,

(c) date of birth,

(d) passport number, or travel document reference number (as appropriate), issue and expiry dates and issuing authority,

(e) telephone number,

(f) home address,

(g) email address.

2. Journey details—

(a) if applicable, the address of suitable premises in Wales at which P intends to reside as required by regulation 7(3),

(b) if applicable, the address of suitable premises in the United Kingdom at which P intends to reside as required by equivalent provision in Regulations made as respects England, Scotland or Northern Ireland,

(c) the date, or planned date, as appropriate of arrival at an address specified in sub-paragraph (a) or (b),

(d) the operator P is travelling, or travelled, with or through which P's booking was made,

(e) travel booking reference,

(f) flight number, train number, or ticket number (as appropriate),

(g) the name of any organised travel group with whom P is travelling, or travelled,

(h) the location at which P will arrive, or has arrived, in the United Kingdom,

(i) the country P is travelling, or travelled, from,

(j) the date and time, or planned date and time, as appropriate, of P's arrival in the United Kingdom,

(k) a yw'r person yn teithio drwy'r Deyrnas Unedig fel rhan o siwrnai gysylltu i gyrchfan y tu allan i'r Deyrnas Unedig ac, os felly—

(i) lleoliad y man y bydd y person yn ymadael â'r Deyrnas Unedig,

(ii) y wlad sy'n gyrchfan terfynol y person,

(iii) enw'r gweithredwr y mae'r person yn teithio gydag ef ar y daith sy'n dilyn, neu'r gweithredwr a ddefnyddiodd y person i archebu'r daith sy'n dilyn,

(iv) cyfeirnod archeb deithio'r daith sy'n dilyn,

(v) rhif yr hediad, rhif y trên, neu rif y tocyn (fel y bo'n briodol) ar gyfer y daith sy'n dilyn.

3. A yw'r person sy'n darparu gwybodaeth am deithiwr yn gwneud hynny ar ran person arall.

4. Pan fo'r person yn teithio gyda phlentyn y mae ganddo gyfrifoldeb amdano—

(a) enw llawn a dyddiad geni'r plentyn hwnnw,

(b) perthynas y teithiwr â'r plentyn hwnnw.

5. Enw llawn a rhif ffôn cyswllt brys.

(k) whether P is connecting through the United Kingdom to a destination outside the United Kingdom and, if so—

(i) the location at which P will depart from in the United Kingdom,

(ii) P's final destination country,

(iii) the operator P is travelling with or through which the booking was made for the onward journey,

(iv) the travel booking reference for the onward journey,

(v) the flight number, train number, or ticket number (as appropriate) of the onward journey.

3. Whether the person providing passenger information is doing so on behalf of another person.

4. Where P is travelling with a child for whom they have responsibility—

(a) the full name and date of birth of that child,

(b) the relationship of the passenger to that child.

5. The full name and telephone number of an emergency contact.

ATODLEN 2

Rheoliadau 3(2), 7(4)(b) a 9

Personau nad yw'n ofynnol iddynt gydymffurfio â rheoliadau 3 neu 4

RHAN 1

Personau nad yw'n ofynnol iddynt gydymffurfio â rheoliad 3 a rheoliad 4

1.—(1) Person—

(a) sy'n aelod o genhadaeth ddiplomyddol yn y Deyrnas Unedig;

(b) sy'n aelod o swyddfa gonsylaidd yn y Deyrnas Unedig;

(c) sy'n swyddog neu'n was i sefydliad rhyngwladol;

(d) a gyflogir gan sefydliad rhyngwladol fel arbenigydd neu ar genhadaeth;

(e) sy'n gynrychiolydd i sefydliad rhyngwladol;

(f) sy'n gynrychiolydd mewn cynhadledd ryngwladol neu gynhadledd y Deyrnas Unedig y rhoddir breintiau a breinryddidau iddo yn y Deyrnas Unedig;

(g) sy'n aelod o staff swyddogol cynrychiolydd i sefydliad rhyngwladol, neu berson sy'n dod o fewn paragraff (f);

(h) a ddisgrifir ym mharagraff (a) neu (b) sy'n pasio drwy'r Deyrnas Unedig i gychwyn neu barhau â'i swyddogaethau ar genhadaeth ddiplomyddol neu mewn swydd gonsylaidd mewn gwlad neu diriogaeth arall, neu i ddychwelyd i wlad ei genedligrwydd;

(i) sy'n gynrychiolydd i wlad dramor neu diriogaeth dramor sy'n teithio i'r Deyrnas Unedig i gynnal busnes swyddogol gyda'r Deyrnas Unedig;

(j) sy'n gynrychiolydd llywodraeth i diriogaeth dramor Brydeinig;

(k) sy'n gludwr diplomyddol neu'n gludwr consylaidd;

(l) sy'n aelod o'r teulu sy'n ffurfio rhan o aelwyd person sy'n dod o fewn unrhyw un neu ragor o baragraffau (a) i (k).

SCHEDULE 2

Regulations 3(2), 7(4)(b) and 9

Persons not required to comply with regulation 3 or 4

PART 1

Persons not required to comply with regulation 3 or regulation 4

1.—(1) A person ("P") who is—

(a) a member of a diplomatic mission in the United Kingdom;

(b) a member of a consular post in the United Kingdom;

(c) an officer or servant of an international organisation;

(d) employed by an international organisation as an expert or on a mission;

(e) a representative to an international organisation;

(f) a representative at an international or United Kingdom conference who is granted privileges and immunities in the United Kingdom;

(g) a member of the official staff of a representative to an international organisation, or of a person falling within paragraph (f);

(h) described in paragraph (a) or (b) who is passing through the United Kingdom commence or continue their functions at a diplomatic mission or consular post in another country or territory, or to return to the country of their nationality;

(i) a representative of a foreign country or territory travelling to the United Kingdom to conduct official business with the United Kingdom;

(j) a representative of the government of a British overseas territory;

(k) a diplomatic courier or a consular courier;

(l) a member of the family forming part of the household of a person falling within any of paragraphs (a) to (k).

(2) Yr amodau y cyfeirir atynt yn rheoliad 9(a) (personau nad yw'n ofynnol iddynt gydymffurfio â rheoliad 7 a 8) yw —

(a) bod pennaeth perthnasol y genhadaeth, y swyddfa gonsylaidd, y sefydliad rhyngwladol, neu'r gynhadledd, y swyddfa sy'n cynrychioli tiriogaeth dramor yn y Deyrnas Unedig neu Lywodraethwr tiriogaeth dramor Brydeinig (yn ôl y digwydd), neu berson sy'n gweithredu ar eu awdurdod, yn cadarnhau mewn ysgrifen'i'r Swyddfa Dramor a Chymanwlad—

(i) ei bod yn ofynnol i'r person ymgymryd â gwaith sy'n hanfodol i weithrediad y genhadaeth, y swydd gonsylaidd, y sefydliad rhyngwladol neu'r gynhadledd, neu'r swyddfa, neu i ymgymryd â gwaith sy'n hanfodol i'r wlad dramor a gynrychiolir gan y genhadaeth neu'r swyddfa gonsylaidd, y diriogaeth dramor a gynrychiolir gan y swyddfa neu'r diriogaeth dramor Brydeinig a

(ii) na ellir ymgymryd â'r gwaith hwnnw tra bo'r person yn cydymffurfio â rheoliad 7 neu 8, a

(b) cyn i'r person gyrraedd y Deyrnas Unedig, bod y Swyddfa Dramor a Chymanwlad—

(i) wedi rhoi cadarnhad mewn ysgrifen i'r person sy'n rhoi'r cadarnhad y cyfeirir ato ym mharagraff (a) ei fod wedi cael y cadarnhad hwnnw, a

(ii) os yw'r person yn gynrychiolydd i wlad neu diriogaeth dramor, bod y Swyddfa wedi rhoi cadarnhad wedyn mewn ysgrifen i'r person sy'n rhoi'r cadarnhad y cyfeirir ato ym mharagraff (a) bod y person yn teithio i'r Deyrnas Unedig i gynnal busnes swyddogol gyda'r Deyrnas Unedig ac nad yw'n ofynnol iddo gydymffurfio â rheoliad 7 neu 8.

(3) At ddibenion y paragraff hwn—

(a) ystyr "cludydd consylaidd" yw person sydd wedi cael dogfen swyddogol gan y Wladwriaeth y mae'n gweithredu ar ei rhan sy'n cadarnhau ei statws fel cludydd consylaidd yn unol ag Erthygl 35(5) o Gonfensiwn Fienna ar Gysylltiadau Consylaidd 1963,

(b) ystyr "swyddfa gonsylaidd" yw unrhyw gonsyliaeth gyffredinol, consyliaeth, is-gonsyliaeth neu asiantaeth gonsylaidd,

(2) The conditions referred to in regulation 9(a) (persons exempt from regulation 7 or 8) are that—

(a) the relevant head of the mission, consular post, international organisation, or conference, office representing a foreign territory in the United Kingdom or a Governor of a British overseas territory (as the case may be), or a person acting on their authority, confirms in writing to the Foreign and Commonwealth Office that—

(i) P is required to undertake work which is essential to the functioning of the mission, consular post, international organisation, conference, or office, or to undertake work which is essential to the foreign country represented by the mission or consular post, the foreign territory represented by the office or the British overseas territory and

(ii) that work cannot be undertaken whilst P is complying with regulation 7 or 8, and

(b) prior to P's arrival in the United Kingdom the Foreign and Commonwealth Office—

(i) has confirmed in writing to the person giving the confirmation referred to in paragraph (a) that it has received that confirmation, and

(ii) where P is a representative of a foreign country or territory, has then confirmed in writing to the person giving the confirmation referred to in paragraph (a) that P is travelling to the United Kingdom to conduct official business with the United Kingdom and is not required to comply with regulation 7 or 8.

(3) For the purposes of this paragraph—

(a) "consular courier" means a person who has been provided by the State on behalf of which they are acting with an official document confirming their status as a consular courier in accordance with Article 35(5) of the Vienna Convention on Consular Relations of 1963,

(b) "consular post" means any consulate-general, consulate, vice-consulate or consular agency,

(c) ystyr “cludydd diplomyddol” yw person sydd wedi cael dogfen swyddogol gan y Wladwriaeth y mae’n gweithio ar ei rhan sy’n cadarnhau ei statws fel cludydd diplomyddol yn unol ag Erthygl 27(5) o Gonfensiwn Fienna ar Gysylltiadau Consylaidd 1961,

(d) ystyr “sefydliad rhyngwladol” yw sefydliad rhyngwladol y rhoddwyd breintiau a breinryddidau iddo yn y Deyrnas Unedig,

(e) ystyr “aelod o swyddfa gonsylaidd” yw swyddog consylaidd, gweithiwr consylaidd ac aelod o staff y gwasanaeth yn unol â’r diffiniadau o “consular officer”, “consular employee” a “member of the service staff” yn Atodlen 1 i Ddeddf Cysylltiadau Consylaidd 1968(**1**), ac mae i “pennaeth swyddfa gonsylaidd” yr ystyr a roddir i “head of consular post” yn yr Atodlen honno,

(f) ystyr “aelod o genhadaeth ddiplomyddol” yw pennaeth y genhadaeth, aelodau o’r staff diplomyddol, aelodau o’r staff gweinyddol a thechnegol ac aelodau o staff y gwasanaeth yn unol â’r diffiniadau o “head of the mission”, “members of the diplomatic staff”, “members of the administrative and technical staff” a “members of the service staff” yn Atodlen 1 i Ddeddf Breintiau Diplomyddol 1964(**2**).

(4) Nid yw’r paragraff hwn yn rhagfarnu unrhyw freinryddid rhag awdurdodaeth neu anhydoredd a roddir i unrhyw berson a ddisgrifir yn is-baragraff (1) o dan gyfraith Cymru a Lloegr ar wahân i’r Rheoliadau hyn.

2.—(1) Gwas i’r Goron neu gontractwr llywodraeth—

(a) y mae’n ofynnol iddo ymgymryd â gwaith llywodraeth hanfodol sy’n gysylltiedig â ffin y Deyrnas Unedig y tu allan i’r Deyrnas Unedig o fewn 14 diwrnod o gyrraedd y Deyrnas Unedig, neu ,

(b) sy’n ymgymryd â gwaith llywodraeth hanfodol sy’n gysylltiedig â ffin y Deyrnas Unedig y tu allan i’r Deyrnas Unedig ond—

(i) ei bod yn ofynnol iddo ddychwelyd i’r Deyrnas Unedig dros dro, a

(ii) y bydd wedyn yn ymadael er mwyn ymgymryd â gwaith llywodraeth hanfodol sy’n gysylltiedig â ffin y Deyrnas Unedig y tu allan i’r Deyrnas Unedig.

(**1**) 1968 p.18. Ceir diwygiadau ond nid yw’r un yn berthnasol.
(**2**) 1964 p. 81. Ceir diwygiadau ond nid yw’r un yn berthnasol.

(c) “diplomatic courier” means a person who has been provided by the State on behalf of which they are acting with an official document confirming their status as a diplomatic courier in accordance with Article 27(5) of the Vienna Convention on Diplomatic Relations of 1961,

(d) “international organisation” means an international organisation accorded privileges and immunities in the United Kingdom,

(e) “member of a consular post” means a “consular officer”, “consular employee” and “member of the service staff” as defined in Schedule 1 to the Consular Relations Act 1968(**1**), and head of consular post” has the meaning given in that Schedule,

(f) “member of a diplomatic mission” means the “head of the mission”, “members of the diplomatic staff”, “members of the administrative and technical staff” and “members of the service staff” as defined in Schedule 1 to the Diplomatic Privileges Act 1964(**2**).

(4) This paragraph is without prejudice to any immunity from jurisdiction or inviolability which is accorded to any person described in sub-paragraph (1) under the law of England and Wales apart from these Regulations.

2.—(1) A Crown servant or government contractor—

(a) who is required to undertake essential government work related to the United Kingdom border in the United Kingdom within 14 days of arriving in the United Kingdom, or

(b) who is undertaking essential government work related to the United Kingdom border outside the United Kingdom but—

(i) is required to return to the United Kingdom temporarily, and

(ii) will subsequently depart to undertake essential government work related to the United Kingdom border outside the United Kingdom.

(**1**) 1968 c. 18. There are amendments but none is relevant.
(**2**) 1964 c. 81. There are amendments but none is relevant.

(2) At ddibenion is-baragraff (1) a pharagraff 3—

(a) mae i “gwas i’r Goron” yr ystyr a roddir i “Crown servant” yn adran 12(1)(a) i (e) o Ddeddf Cyfrinachau Swyddogol 1989(**1**),

(b) ystyr “gwaith llywodraeth hanfodol” yw gwaith sydd wedi ei ddynodi felly gan yr Adran berthnasol neu’r cyflogwr perthnasol,

(c) mae i “contractwr llywodraeth” yr ystyr a roddir i “government contractor” yn adran 12(2) o’r Ddeddf honno.

3.—(1) Person sy’n was i’r Goron, yn gontractwr llywodraeth neu’n aelod o lu ar ymweliad—

(a) y mae’n ofynnol iddo ymgymryd â gwaith sy’n angenrheidiol er mwyn i weithgareddau amddiffyn hanfodol gael eu cyflawni, neu

(b) sydd wedi ymgymryd â chyfnod di-dor o 14 o ddiwrnodau o leiaf yn union cyn iddo gyrraedd ar lestr a weithredir gan Wasanaeth Llyngesol ei Mawrhydi ac nad yw’r llestr hwnnw wedi codi unrhyw bersonau nac wedi glanio mewn unrhyw borthladd y tu allan i’r ardal deithio gyffredin am gyfnod o 14 o ddiwrnodau o leiaf cyn iddo gyrraedd y Deyrnas Unedig.

(2) At ddibenion is-baragraff (1)—

(a) mae i “amddiffyn” yr ystyr a roddir i “defence” yn adran 2(4) o Ddeddf Cyfrinachau Swyddogol 1989(**2**),

(b) ystyr “llu ar ymweliad” yw llu ar ymweliad o fewn yr ystyr a roddir i “visiting force” yn adran 12(1) o Ddeddf Lluoedd ar Ymweliad 1952(**3**), pan fo’r llu hwnnw’n dod o wlad a restrir o dan adran 1(1)(a) neu a ddynodir o dan adran 1(1)(b) neu 1(2) o Ddeddf Lluoedd

(**1**) 1989 p. 6. Diwygiwyd adran 12 gan baragraff 22 o Atodlen 10 i Ddeddf Lluoedd wrth Gefn 1996 (p. 14), gan baragraff 30 o Atodlen 12 i Ddeddf Llywodraeth Cymru 1998 (p. 38), gan baragraff 26 o Atodlen 8 i Ddeddf yr Alban 1998 (p. 46), gan baragraff 9(3) o Atodlen 13 i Ddeddf Gogledd Iwerddon 1998 (p. 47), gan baragraff 9 o Atodlen 6 i Ddeddf yr Heddlu (Gogledd Iwerddon) 2000 (p. 32), gan baragraff 6 o Atodlen 14 i Ddeddf Ynni 2004 (p. 20), gan baragraff 58 o Atodlen 4 i Ddeddf Troseddu Cyfundrefnol Difrifol a’r Heddlu 2005, gan baragraff 34 o Atodlen 10, i Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 1 o Atodlen 12 iddi, a chan baragraff 36 o Atodlen 8 i Ddeddf Troseddu a’r Llysoedd 2013 (p. 22).

(**2**) 1989 p. 6.

(**3**) 1952 p. 67. Diwygiwyd y diffiniad o “visiting force” yn adran 12(1) gan baragraff 14(1) o Atodlen 15 i Ddeddf Cyfiawnder Troseddol 1988 (c. 33).

(2) For the purposes of sub-paragraph (1) and paragraph 3—

(a) “Crown servant” has the meaning given in section 12(1)(a) to (e) of the Official Secrets Act 1989(**1**);

(b) “essential government work” means work which has been designated as such by the relevant Department or employer;

(c) “government contractor” has the meaning given in section 12(2) of that Act.

3.—(1) A person who is a Crown servant, a government contractor, or a member of a visiting force, who—

(a) is required to undertake work necessary to the delivery of essential defence activities, or

(b) has, immediately before the person’s arrival, been aboard a vessel operated by or in support of Her Majesty’s Naval Service for a continuous period of at least 14 days and that vessel has not taken on any persons or docked in any port outside the common travel during that period.

(2) For the purposes of sub-paragraph (1)—

(a) “defence” has the meaning given in section 2(4) of the Official Secrets Act 1989(**2**),

(b) “visiting force” means a visiting force within the meaning given in section 12(1) of the Visiting Forces Act 1952(**3**), where that force is from a country which is listed under section 1(1)(a) or designated under section 1(1)(b) or

(**1**) 1989 c. 6. Section 12 was amended by paragraph 22 of Schedule 10 to the Reserve Forces Act 1996 (c. 14), by paragraph 30 of Schedule 12 to the Government of Wales Act 1998 (c. 38), by paragraph 26 of Schedule 8 to the Scotland Act 1998 (c. 46), by paragraph 9(3) of Schedule 13 to the Northern Ireland Act 1998 (c. 47), by paragraph 9 of Schedule 6 to the Police (Northern Ireland) Act 2000 (c. 32), by paragraph 6 of Schedule 14 to the Energy Act 2004 (c. 20), by paragraph 58 of Schedule 4 to the Serious Organised Crime and Police Act 2005, by paragraph 34 of Schedule 10, and paragraph 1 of Schedule 12, to the Government of Wales Act 2006 (c. 32) and by paragraph 36 of Schedule 8 to the Crime and Courts Act 2013 (c. 22).

(**2**) 1989 c. 6.

(**3**) 1952 c. 67. The definition of “visiting force” in section 12(1) was amended by paragraph 14(1) of Schedule 15 to the Criminal Justice Act 1988 (c. 33).

ar Ymweliad 1952(**1**), neu sy'n aelod-wlad o Sefydliad Cytuniad Gogledd Iwerydd.

4. Swyddog i Lywodraeth dramor y mae'n ofynnol iddo deithio i'r Deyrnas Unedig i ymgymryd â dyletswyddau diogelwch ffin hanfodol, neu gontractwr sy'n cefnogi'r dyletswyddau diogelwch ffin hanfodol hyn yn uniongyrchol—

(a) pan fo'r swyddog neu'r contractwr yn meddu ar hysbysiad ysgrifenedig a lofnodwyd gan aelod uwch o'r Llywodraeth dramor sy'n cadarnhau ei bod yn ofynnol iddo ymgymryd â dyletswyddau diogelwch ffin hanfodol yn y Deyrnas Unedig o fewn 14 diwrnod ar ôl iddynt gyrraedd ac na ellir ymgymryd â'r gwaith hwnnw tra bo'r person yn cydymffurfio â rheoliad 7 neu 8, neu

(b) pan fo lleoliad y swyddog neu'r contractwr yn unol â chytundeb dwyochrog neu amlochrog sefydlog gyda Llywodraeth Ei Mawrhydi ar weithredu rheolaethau ffin yn y Deyrnas Unedig.

RHAN 2

Personau nad yw'n ofynnol iddynt gydymffurfio â rheoliad 4

5. Person sydd, ar ôl cyrraedd y Deyrnas Unedig, yn pasio trwodd i wlad neu diriogaeth arall heb ddod i mewn i'r Deyrnas Unedig.

6.—(1) Gweithiwr cludiant ffyrdd neu weithiwr cludiant teithwyr ffyrdd.

(2) At ddibenion y paragraff hwn—

(a) mae "gyrrwr" yn cynnwys person sy'n teithio mewn cerbyd fel gyrrwr wrth gefn,

(b) mae i "cerbyd nwyddau" yr ystyr a roddir i "goods vehicle" yn adran 192 o Ddeddf Traffig Ffyrdd 1988(**2**),

(**1**) Mae adran 1(a) wedi ei diwygio nifer o weithiau. Dyma'r gwledydd a restrir: Canada, Awstralia, Seland Newydd, De Affrica, India, Pakistan, Ceylon, Ghana, Malaysia, Gweriniaeth Cyprus, Nigeria, Sierra Leone, Tanganyika, Jamaica, Trinidad a Tobago, Uganda, Kenya, Zanzibar, Malawi, Zambia, Malta, Y Gambia, Guyana, Botswana, Lesotho, Singapore, Barbados, Mauritius, Swaziland, Tonga, Fiji, y Bahamas, Bangladesh, Ynysoedd Solomon, Tuvalu, Dominica, St. Lucia, Kiribati, St. Vincent a'r Grenadines, Papua Guinea Newydd, Gorllewin Samoa a Nauru, Zimbabwe, yr Hebrides Newydd, Belize, Antigua a Barbuda, Saint Christopher a Nevis, Brunei, Maldives, Namibia, Cameroon a Mozambique.

(**2**) 1988 p. 52. Ceir diwygiadau i adran 192 ond nid yw'r un yn berthnasol.

1(2) of the Visiting Forces Act 1952(**1**), or which is a country member of the North Atlantic Treaty Organisation.

4. An official of a foreign Government required to travel to the United Kingdom to undertake essential border security duties, or a contractor directly supporting these essential border security duties where—

(a) the official or contractor is in possession of a written notice signed by a senior member of the foreign Government confirming that they are required to undertake essential border security duties in the United Kingdom within 14 days of arrival and that that work cannot be undertaken whilst the person is complying with regulation 7 or 8, or

(b) the official's or contractor's deployment is pursuant to a standing bilateral or multilateral agreement with Her Majesty's Government on the operation of border controls within the United Kingdom.

PART 2

Persons not required to comply with regulation 4

5. A person who, on arrival in the United Kingdom, passes through to another country or territory without entering the United Kingdom.

6.—(1) A road haulage worker or a road passenger transport worker.

(2) For the purposes of this paragraph—

(a) "driver" includes a person who is travelling in a vehicle as a relief driver,

(b) "goods vehicle" has the meaning given in section 192 of the Road Traffic Act 1988(**2**),

(**1**) Section 1(a) has been amended numerous times. The countries listed are: Canada, Australia, New Zealand, South Africa, India, Pakistan, Ceylon, Ghana, Malaysia, the Republic of Cyprus, Nigeria, Sierra Leone, Tanganyika, Jamaica, Trinidad and Tobago, Uganda, Kenya, Zanzibar, Malawi, Zambia, Malta, The Gambia, Guyana, Botswana, Lesotho, Singapore, Barbados, Mauritius, Swaziland, Tonga, Fiji, the Bahamas, Bangladesh, Solomon Islands, Tuvalu, Dominica, St. Lucia, Kiribati, St Vincent and the Grenadines, Papua New Guinea, Western Samoa and Nauru, Zimbabwe, the New Hebrides, Belize, Antigua and Barbuda, Saint Christopher and Nevis, Brunei, Maldives, Namibia, Cameroon and Mozambique.

(**2**) 1988 c. 52. There are amendments to section 192 but none is relevant.

(c) mae i "cerbyd gwasanaeth cyhoeddus" yr ystyr a roddir i "public service vehicle" yn adran 1 o Ddeddf Cerbydau Cyhoeddus i Deithwyr 1981(**1**),ystyr "gweithiwr cludiant ffyrdd" yw—

(i) gyrrwr cerbyd nwyddau sy'n cael ei ddefnyddio mewn cysylltiad â chludo nwyddau, ac eithrio nwyddau at ddiben personol anfasnachol y gyrrwr, neu

(ii) person a gyflogir gan ddeiliad trwydded Gymunedol a ddyroddwyd o dan Erthygl 4 o Reoliad (EC) Rhif 1072/2009 Senedd Ewrop a'r Cyngor (**2**), ac sy'n gweithredu yng nghwrs ei gyflogaeth,

(d) ystyr "gweithiwr cludiant teithwyr ffyrdd" yw—

(i) gyrrwr cerbyd gwasanaeth cyhoeddus, neu

(ii) person a gyflogir gan ddeiliad trwydded Gymunedol a ddyroddwyd o dan Erthygl 4 o Reoliad (EC) Rhif 1073/2009 Senedd Ewrop a'r Cyngor(**3**), ac sy'n gweithredu yng nghwrs ei gyflogaeth.

7.—(1) Meistri a morwyr, fel y'u diffinnir yn adran 313(1) o Ddeddf Llongau Masnach 1995(**4**), pan fônt wedi teithio i'r Deyrnas Unedig yng nghwrs eu gwaith neu wedi eu dychwelyd i'r Deyrnas Unedig yn unol â Chonfensiwn Llafur Morwrol 2006 neu Gonfensiwn Gwaith mewn Pysgota 2007.

(2) At ddibenion y paragraff hwn a pharagraff 8—

(a) ystyr "Confensiwn Llafur Morol 2006" yw'r Confensiwn a fabwysiadwyd ar 23 Chwefror 2006 gan Gynhadledd Gyffredinol y Sefydliad Llafur Rhyngwladol(**5**),

(b) ystyr "Confensiwn Gwaith mewn Pysgota 2007" yw'r Confensiwn a fabwysiadwyd yng Ngenefa ar 14 Mehefin 2007 gan y Sefydliad Llafur Rhyngwladol(**6**).

8. Peilot, fel y'i diffinnir ym mharagraff 22(1) o Atodlen 3A i Ddeddf Llongau Masnach 1995(**7**), pan fo'r peilot wedi teithio i'r Deyrnas Unedig yng nghwrs ei waith neu wedi ei ddychwelyd i'r Deyrnas Unedig

(**1**) 1981 p. 14. Diwygiwyd adran 1 gan adran 139(3) o Ddeddf Trafnidiaeth 1985 (p. 67).
(**2**) OJ Rhif L300, 14.11.2009, t. 72.
(**3**) OJ Rhif L 300, 14.11.2009, t. 88-105
(**4**) 1995 p. 21. Ceir diwygiadau i adran 313(1) ond nid yw'r un yn berthnasol.
(**5**) Gorch. 7049. ISBN 978 010 1889 766.
(**6**) Gorch. 7375.
(**7**) Mewnosodwyd Atodlen 3A gan Atodlen 1 i Ddeddf Diogelwch Morol 2003 (p. 16).

(c) "public service vehicle" has the meaning given in section 1 of the Public Passenger Vehicles Act 1981(**1**),

(d) "road haulage worker" means—

(i) the driver of a goods vehicle that is being used in connection with the carriage of goods, other than goods for non-commercial personal use by the driver, or

(ii) a person who is employed by the holder of a Community licence issued under Article 4 of Regulation (EC) No 1072/2009 of the European Parliament and of the Council(**2**), and who is acting in the course of their employment,

(e) "road passenger transport worker" means—

(i) the driver of a public service vehicle, or

(ii) a person who is employed by the holder of a Community licence issued under Article 4 of Regulation (EC) No 1073/2009 of the European Parliament and of the Council(**3**), and who is acting in the course of their employment.

7.—(1) Masters and seamen, as defined in section 313(1) of the Merchant Shipping Act 1995(**4**), where they have travelled to the United Kingdom in the course of their work or have been repatriated to the United Kingdom in accordance with the Maritime Labour Convention 2006 or the Work in Fishing Convention 2007.

(2) For the purposes of sub-paragraph (1) and paragraph 8—

(a) "the Maritime Labour Convention 2006" means the Convention adopted on 23 February 2006 by the General Conference of the International Labour Organisation(**5**),

(b) "the Work in Fishing Convention 2007" means the Convention adopted at Geneva on 14 June 2007 by the International Labour Organisation(**6**).

8. A pilot, as defined in paragraph 22(1) of Schedule 3A to the Merchant Shipping Act 1995(**7**), where the pilot has travelled to the United Kingdom in the course of the pilot's work or has been repatriated to the

(**1**) 1981 c. 14. Section 1 was amended by section 139(3) of the Transport Act 1985 (c. 67).
(**2**) OJ No. L 300, 14.11.2009, p. 72.
(**3**) OJ No. L 300, 14.11.2009, p. 88.
(**4**) 1995 c. 21. There are amendments to section 313(1) but none is relevant.
(**5**) Cm. 7049. ISBN 978 010 1889 766.
(**6**) Cm 7375.
(**7**) Schedule 3A was inserted by Schedule 1 to the Marine Safety Act 2003 (c. 16).

yn unol â Chonfensiwn Llafur Morwrol 2006 neu Gonfensiwn Gwaith mewn Pysgota 2007.

United Kingdom in accordance with the Maritime Labour Convention 2006 or the Work in Fishing Convention 2007.

9. Arolygydd neu syrfëwr llongau a benodwyd o dan adran 256 o Ddeddf Llongau Masnach 1995(**1**), pan fo wedi teithio i'r Deyrnas Unedig yng nghwrs ei waith.

9. An inspector or a surveyor of ships appointed under section 256 of the Merchant Shipping Act 1995(**1**), where they have travelled to the United Kingdom in the course of their work.

10. Person o fewn y diffinad o "crew" ym mharagraff 1 o Atodlen 1 i Orchymyn Llywio Awyr 2016(**2**), pan fo'r person wedi teithio i'r Deyrnas Unedig yng nghwrs ei waith.

10. A person falling within the definition of crew, in paragraph 1 of Schedule 1 to the Air Navigation Order 2016(**2**), where the person has travelled to the United Kingdom in the course of their work.

11. Arolygwr hedfan sifil, fel y'u diffinnir yn Atodlen 9 i'r Confensiwn ar Hedfan Sifil Rhyngwladol a lofnodwyd yn Chicago ar 7 Rhagfyr 1944(**3**), pan fo'r arolygwr wedi teithio i'r Deyrnas Unedig wrth ymgymryd â dyletswyddau arolygu.

11. A civil aviation inspector as defined in Annex 9 to the Convention on International Civil Aviation signed at Chicago on 7 December 1944(**3**), where the inspector has travelled to the United Kingdom when engaged on inspection duties.

12.—(1) Unrhyw un o'r personau a ganlyn sydd wedi teithio i'r Deyrnas Unedig yng nghwrs eu gwaith—

(a) gyrwyr a chriwiau ar wasanaethau gwennol ac ar wasanaethau ar gyfer cludo teithwyr neu nwyddau drwy gyfrwng system y twnnel,

(b) gweithwyr gweithredol, gweithwyr cynnal a chadw rheilffyrdd, a gweithwyr diogelwch a diogeledd sy'n gweithio ar system y twnnel,

(c) gweithwyr eraill sy'n cyflawni rolau hanfodol ar gyfer rhedeg, mewn modd diogel neu effeithlon, system y twnnel, gwasanaethau gwennol neu wasanaethau ar gyfer cludo teithwyr neu nwyddau drwy gyfrwng system y twnnel, neu sy'n ymwneud â diogelwch system y twnnel neu unrhyw wasanaethau o'r fath.

(2) At ddibenion is-baragraff (1)—

(a) mae i "gwasanaeth gwennol" yr ystyr a roddir i "shuttle service" yn adran 1(9) o Ddeddf Twnnel y Sianel 1987(**4**),

(b) mae i "system y twnnel" yr ystyr a roddir i "tunnel system" yn adran 1(7) o'r Ddeddf honno.

12.—(1) Any of the following persons who have travelled to the United Kingdom in the course of their work—

(a) drivers and crews on shuttle services and on services for the carriage of passengers or goods by way of the tunnel system,

(b) operational, rail maintenance, safety and security workers working on the tunnel system,

(c) other workers carrying out essential roles for the safe or efficient operation of the tunnel system, shuttle services or services for the carriage of passengers or goods by way of the tunnel system, or relating to the security of the tunnel system or any such services.

(2) For the purposes of sub-paragraph (1)—

(a) "shuttle service" has the meaning given in section 1(9) of Channel Tunnel Act 1987(**4**),

(b) "tunnel system" has the meaning given in section 1(7) of that Act.

13.—(1) Gwas i'r goron neu gontractwr llywodraeth—

(a) y mae yn ofynnol iddo ymgymryd â gwaith plismona hanfodol neu waith llywodraeth hanfodol yn y Deyrnas Unedig o fewn 14 diwrnod o gyrraedd y Deyrnas Unedig, neu

13.—(1) A Crown servant or government contractor—

(a) who is required to undertake essential policing or essential government work in the United Kingdom within 14 days of arriving, or

(**1**) Ceir diwygiadau i adran 256 ond nid yw'r un yn berthnasol.
(**2**) O.S. 2016/765. Ceir diwygiadau i Atodlen 1 ond nid yw'r un yn berthnasol.
(**3**) Argraffiad diweddaraf Atodlen 9, a gyhoeddir gan y Sefydliad Hedfan Sifil Rhyngwladol, yw'r 15ed argraffiad, sy'n gymwys ers 23 Chwefror 2018 (ISBN 978-92-9258-301-9).
(**4**) 1987 p. 53.

(**1**) There are amendments to section 256 but none is relevant.
(**2**) S.I. 2016/765. There are amendments to Schedule 1 but none is relevant.
(**3**) The latest edition of Annex 9, which is published by the International Civil Aviation Organization, is the 15th edition, which applied from 23 February 2018 (ISBN 978-92-9258-301-9).
(**4**) 1987 c. 53.

(b) sy'n ymgymryd â gwaith plismona neu waith llywodraeth hanfodol y tu allan i'r Deyrnas Unedig ond—

(i) y mae'n ofynnol iddo ddychwelyd i'r Deyrnas Unedig dros dro,

(ii) a fydd wedyn yn ymadael i ymgymryd â gwaith plismona neu waith llywodraeth hanfodol y tu allan i'r Deyrnas Unedig, neu

(c) sy'n cynnal trafodaethau dwyochrog ac amlochrog gyda gwladwriaeth arall neu sefydliad rhyngwladol.

(2) At ddibenion is-baragraff (1)—

(a) mae i "gwas i'r Goron" yr ystyr a roddir i "Crown servant" yn adran 12(1)(a) i (e) o Ddeddf Cyfrinachau Swyddogol 1989,

(b) ystyr "gwaith llywodraeth hanfodol" yw gwaith sydd wedi ei ddynodi felly gan Weinidogion Cymru neu'r Adran berthnasol, neu'r cyflogwr, ac mae'n cynnwys, yn benodol, gwaith sy'n gysylltiedig â diogelwch gwladol, gwaith yr Asiantaeth Troseddu Cenedlaethol yn unol â'i swyddogaethau statudol, mewnfudo, y coronafeirws ac unrhyw ymateb argyfwng arall, ond nid yw'n cynnwys gwaith o'r math a bennir ym mharagraff 2(1) o Ran 1 o'r Atodlen hon,

(c) ystyr "plismona hanfodol" yw plismona sydd wedi ei ddynodi felly gan y prif swyddog neu'r prif gwnstabl perthnasol,

(d) mae i "contractwr llywodraeth" yr ystyr a roddir i "government contractor" yn adran 12(2) o Ddeddf Cyfrinachau Swyddogol 1989.

14. Person a ddynodir gan y Gweinidog perthnasol o dan adran 5(3) o Ddeddf Dychwelyd Carcharorion i'w Gwlad eu Hunain 1984(**1**).

15. Person sy'n gyfrifol am hebrwng person a geisir i'w estraddodi yn unol â gwarant a ddyroddwyd o dan Ran 3 o Ddeddf Estraddodi 2003(**2**), neu berson a geisir i'w estraddodi yn unol ag unrhyw drefniadau estraddodi eraill.

16. Cynrychiolydd i unrhyw diriogaeth sy'n teithio i'r Deyrnas Unedig er mwyn cymryd i'r ddalfa berson y gorchmynnwyd ei ildio yn unol ag unrhyw ddarpariaeth yn Neddf Estraddodi 2003.

(**1**) 1984 p. 47.
(**2**) 2003 p. 41.

(b) who is undertaking essential policing or essential government work outside the United Kingdom but—

(i) is required to return to the United Kingdom temporarily,

(ii) will subsequently depart to undertake essential policing or essential government work outside the United Kingdom, or

(c) who is conducting bi-lateral or multilateral discussions with another state or international organisation.

(2) For the purposes of sub-paragraph (1)—

(a) "Crown servant" has the meaning given in section 12(1)(a) to (e) of the Official Secrets Act 1989,

(b) "essential government work" means work that has been designated as such by the Welsh Ministers or the relevant Department or employer, and includes, in particular, work related to national security, the work of the National Crime Agency in pursuance of its statutory functions, immigration, coronavirus and any other crisis response, but does not include work of the kind specified in paragraph 2(1) of Part 1 of this Schedule,

(c) "essential policing" means policing that has been designated as such by the relevant chief officer or chief constable,

(d) "government contractor" has the meaning given in section 12(2) of the Official Secrets Act 1989.

14. A person designated by the relevant Minister under section 5(3) of the Repatriation of Prisoners Act 1984(**1**).

15. A person responsible for escorting a person sought for extradition pursuant to a warrant issued under Part 3 of the Extradition Act 2003(**2**) or sought for extradition pursuant to any other extradition arrangements.

16. A representative of any territory travelling to the United Kingdom in order to take into custody a person whose surrender has been ordered pursuant to any provision of the Extradition Act 2003.

(**1**) 1984 c. 47.
(**2**) 2003 c. 41.

17.—(1) Gweithiwr sy'n ymwneud â gwaith hanfodol neu waith brys—

(a) sy'n gysylltiedig â chyflenwadau dŵr a gwasanaethau carthffosiaeth, a

(b) a gyflawnir gan ymgymerwr dŵr, ymgymerwr carthffosiaeth, trwyddedai cyflenwi dŵr, trwyddedai carthffosiaeth neu awdurdod lleol, i'r rhain neu ar ran y rhain,

pan fo'r gweithiwr wedi teithio i'r Deyrnas Unedig yng nghwrs ei waith.

(2) At ddibenion is-baragraff (1)—

(a) mae "gwaith hanfodol neu waith brys" yn cynnwys—

(i) archwilio, cynnal a chadw, atgyweirio, a gweithgareddau amnewid asedau,

(ii) monitro, samplu a dadansoddi cyflenwadau dŵr o dan Reoliadau Cyflenwadau Dŵr Preifat (Cymru) 2017(**1**), Rheoliadau Cyflenwad Dŵr (Ansawdd Dŵr) 2018(**2**), Rheoliadau Cyflenwadau Dŵr Preifat (Lloegr) 2016(**3**) neu Reoliadau Cyflenwad Dŵr (Ansawdd Dŵr) 2016(**4**),

(b) mae i "trwyddedai carthffosiaeth" yr ystyr a roddir i "sewerage licensee" yn adran 17BA(6) a 219(1) o Ddeddf y Diwydiant Dŵr 1991(**5**),

(c) mae i "gwasanaethau carthffosiaeth" yr ystyr a roddir i "sewerage services" yn adran 219(1) o Ddeddf y Diwydiant Dŵr 1991(**6**),

(d) ystyr "ymgymerwr carffosiaeth" yw cwmni a benodwyd yn ymgymerwr carffosiaeth o dan adran 6 o Ddeddf y Diwydiant Dŵr 1991(**7**),

(e) mae i "trwyddedai cyflenwi dŵr" yr ystyr a roddir i "water supply licensee" yn adrannau 17A(7) a 219(1) o Ddeddf y Diwydiant Dŵr 1991(**8**),

(**1**) O.S. 2017/1041 (Cy. 270); a ddiwygiwyd gan O.S. 2018/647 (Cy. 121), O.S. 2019/460 (Cy. 110) ac O.S. 2019/463 (Cy. 111).

(**2**) O.S. 2018/647 (Cy. 121); a ddiwygiwyd gan O.S. 2019/463 (Cy. 111).

(**3**) O.S. 2016/618; offerynnau diwygio perthnasol yw O.S. 2017/506, O.S. 2018/707 ac O.S. 2019/558.

(**4**) O.S. 2016/614; offerynnau diwygio perthnasol yw O.S. 2017/506, O.S. 2018/706, O.S. 2018/378, O.S. 2019/526 ac O.S. 2019/558.

(**5**) 1991 p. 56. Mewnosodwyd adran 17BA(6) gan adran 4(1) o Ddeddf Dŵr 2014 (p. 21). Mewnosodwyd y cyfeiriad at "sewerage licensee" yn adran 219(1) gan baragraff 120(2)(f) o Atodlen 7 i Ddeddf Dŵr 2014.

(**6**) Diwygiwyd y diffiniad o "sewerage services" gan baragraff 120 o Atodlen 7 i Ddeddf Dŵr 2014.

(**7**) Diwygiwyd adran 6 gan adran 36(2) o Ddeddf Dŵr 2003 (p.37) ac Atodlen 8 i'r Ddeddf honno, Atodlen 23 i Ddeddf Dadreoleiddio 2015 (p. 20), ac Atodlen 7 i Deddf Dŵr 2014.

(**8**) Mewnosodwyd adran 17A gan adran 1 o Ddeddf Dŵr 2014.

17.—(1) A worker engaged in essential or emergency works—

(a) related to water supplies and sewerage services, and

(b) carried out by, for, or on behalf of a water undertaker, sewerage undertaker, water supply licensee, sewerage licensee or local authority,

where the worker has travelled to the United Kingdom in the course of the work.

(2) For the purposes of sub-paragraph (1)—

(a) "essential or emergency works" includes—

(i) inspections, maintenance, repairs, and asset replacement activities,

(ii) monitoring, sampling and analysis of water supplies under the Private Water Supplies (Wales) Regulations 2017(**1**), the Water Supply (Water Quality) Regulations 2018(**2**), the Private Water Supplies (England) Regulations 2016(**3**) or the Water Supply (Water Quality) Regulations 2016(**4**),

(b) "sewerage licensee" has the meaning given in section 17BA(6) and 219(1) of the Water Industry Act 1991(**5**),

(c) "sewerage services" has the meaning given in section 219(1) of the Water Industry Act 1991(**6**),

(d) "sewerage undertaker" means a company appointed as a sewerage undertaker under section 6 of the Water Industry Act 1991(**7**),

(e) "water supply licensee" has the meaning given in sections 17A(7) and 219(1) of the Water Industry Act 1991(**8**),

(**1**) S.I. 2017/1041 (W. 270); amended by S.I. 2018/647 (W. 121), S.I. 2019/460 (W. 110) and S.I. 2019/463 (W. 111).

(**2**) S.I. 2018/647 (W. 121); amended by S.I. 2019/463 (W. 111).

(**3**) S.I. 2016/618; relevant amending instruments are S.I. 2017/506, S.I. 2018/707 and S.I. 2019/558.

(**4**) S.I. 2016/614; relevant amending instruments are S.I. 2017/506, S.I. 2018/706, S.I. 2018/378, S.I. 2019/526 and S.I. 2019/558.

(**5**) 1991 c. 56. Section 17BA(6) was inserted by section 4(1) of the Water Act 2014 (c. 21). The reference to "sewerage licensee" was inserted in section 219(1) by paragraph 120(2)(f) of Schedule 7 to the Water Act 2014.

(**6**) The definition of "sewerage services" was amended by paragraph 120 of Schedule 7 to the Water Act 2014.

(**7**) Section 6 was amended by section 36(2) of and Schedule 8 to the Water Act 2003 (c. 37), Schedule 23 to the Deregulation Act 2015 (c. 20), and Schedule 7 to the Water Act 2014.

(**8**) Section 17A was inserted by section 1 of the Water Act 2014.

(f) ystyr "ymgymerwr dŵr" yw cwmni a benodwyd yn ymgymerwr dŵr o dan adran 6 o Ddeddf y Diwydiant Dŵr 1991.

18.—(1) Gweithiwr sy'n ymwneud â gwaith hanfodol neu waith brys—

(a) sy'n gysylltiedig—

(i) â gorsaf gynhyrchu,

(ii) â chydgysylltydd trydan,

(iii) â rhwydwaith gwres ardal fel y'i diffinnir yn rheoliad 2 o Reoliadau Rhwydweithiau Gwres (Mesuryddion a Bilio) 2014(**1**),

(iv) â gwresogi cymunedol fel y'i diffinnir yn rheoliad 2 o Reoliadau Rhwydweithiau Gwres (Mesuryddion a Bilio) 2014,

(v) â systemau glanhau awtomataidd ar falast a systemau ailosod traciau ar rwydwaith, neu

(vi) â chomisiynu, cynnal a chadw a thrwsio peiriannau diwydiannol i'w defnyddio ar rwydwaith, neu

(b) a gyflawnir gan, ar gyfer, neu ar ran—

(i) gweithredwr y system genedlaethol,

(ii) person sydd â thrwydded drawsyrru,

(iii) person sydd â thrwydded ddosbarthu,

(iv) person sydd â thrwydded o dan adran 7 a 7ZA o Ddeddf Nwy 1986(**2**),

(v) cyfleuster mewnforio neu allforio LNG fel y'i diffinnir yn adran 48 o Ddeddf Nwy 1986(**3**), neu

(vi) person sydd â thrwydded rwydwaith o dan adran 8 o Ddeddf Rheilffyrdd 1993,

pan fo'r gweithiwr wedi teithio i'r Deyrnas Unedig at ddibenion ei waith.

(2) At ddibenion is-baragraff (1)—

(a) ystyr "trwydded ddosbarthu" yw trwydded a roddwyd o dan adran 6(1)(c) o Ddeddf Trydan 1989(**4**),

(b) mae "gwaith hanfodol neu waith brys" yn cynnwys comisiynu, archwilio, cynnal a chadw, atgyweirio, a gweithgareddau amnewid asedau,

(**1**) O.S. 2014/3120. Nid oes offerynnau diwygio perthnasol.

(**2**) 1986 p. 44. Mewnosodwyd adran 7ZA gan adran 149(6) o Ddeddf Ynni 2004.

(**3**) Mewnosodwyd y diffiniad gan O.S. 2011/2704.

(**4**) 1989 p. 29.

(f) "water undertaker" means a company appointed as a water undertaker under section 6 of the Water Industry Act 1991.

18.—(1) A worker engaged in essential or emergency works—

(a) related to—

(i) a generating station,

(ii) an electricity interconnector,

(iii) a district heat network as defined in regulation 2 of the Heat Network (Metering and Billing) Regulations 2014(**1**),

(iv) communal heating as defined in regulation 2 of the Heat Network (Metering and Billing) Regulations 2014,

(v) automated ballast cleaning and track re-laying systems on a network, or

(vi) the commissioning, maintenance and repair of industrial machinery for use on a network, or

(b) carried out by, for, or on behalf of—

(i) the national system operator,

(ii) a person holding a transmission licence,

(iii) a person holding a distribution licence,

(iv) a person holding a licence under section 7 and 7ZA of the Gas Act 1986(**2**),

(v) a LNG import or export facility as defined in section 48 of the Gas Act 1986(**3**), or

(vi) a person holding a network licence under section 8 of the Railways Act 1993,

where the worker has travelled to the United Kingdom for the purposes of the work.

(2) For the purposes of sub-paragraph (1)—

(a) "distribution licence" means a licence granted under section 6(1)(c) of the Electricity Act 1989(**4**),

(b) "essential or emergency works" includes commissioning, inspections, maintenance, repairs, and asset replacement activities,

(**1**) S.I. 2014/3120. There are no relevant amending instruments.

(**2**) 1986 c. 44. Section 7ZA was inserted by section 149(6) of the Energy Act 2004.

(**3**) The definition was inserted by S.I. 2011/2704.

(**4**) 1989 c. 29.

(c) ystyr “gweithredwr y system genedlaethol” yw’r person sy’n gweithredu system drawsyrru genedlaethol Prydain Fawr,

(d) mae i “rhwydwaith”, , yr ystyr a roddir i “network” yn adran 83(1) o Ddeddf Rheilffyrdd 1993(**1**),

(e) ystyr “trwydded drawsyrru” yw trwydded a roddwyd o dan adran 6(1)(b) o Ddeddf Trydan 1989,

(f) mae i “cydgysylltydd trydan”, “gorsaf gynhyrchu” a “system drawsyrru” yr ystyron a roddir i “electricity interconnector”, “generating station” a “transmission system” yn adran 64(1) o Ddeddf Trydan 1989(**2**).

19.—(1) Person sydd—

(a) yn bersonél niwclear, ac sy’n hanfodol i weithrediad saff a diogel safle y rhoddwyd trwydded safle niwclear mewn perthynas ag ef,

(b) yn ymatebydd argyfwng niwclear,

(c) yn arolygydd asiantaeth, neu

(d) yn arolygydd Euratom, ar yr amod ei fod yn cyrraedd y Deyrnas Unedig cyn diwrnod cwblhau’r cyfnod gweithredu,

pan fo’r person wedi teithio i’r Deyrnas Unedig yng nghwrs ei waith.

(2) At ddibenion is-baragraff (1)—

(a) mae i “arolygydd asiantaeth” yr ystyr a roddir i “agency inspector” yn adran 1(1) o Ddeddf Diogelwch Niwclear 2000(**3**),

(b) ystyr “ymatebydd argyfwng niwclear” yw person sy’n rhoi cymorth i’r Deyrnas Unedig yn unol â’r Confensiwn ar Gymorth yn Achos Damwain Niwclear neu Argyfwng Radiolegol a wnaed yn Fienna ar 26 Medi 1986, sydd wedi ei hysbysu’n briodol i’r Deyrnas Unedig ac wedi ei dderbyn ganddi, pan fo’r Deyrnas Unedig wedi gofyn am gymorth o dan y Confensiwn hwnnw,

(c) ystyr “arolygydd Euratom” yw arolygydd a anfonwyd i’r Deyrnas Unedig gan Gomisiwn yr Undeb Ewropeaidd yn unol ag Erthyglau 81 a 82 o Gytuniad Euratom,

(**1**) 1993 p. 43. Ceir diwygiadau i adran 83(1) ond nid yw’r un yn berthnasol.

(**2**) Mewnosodwyd y diffiniad o “electricity interconnector” gan adran 147(7) o Ddeddf Ynni 2004. Amnewidiwyd y diffiniad o “transmission system” gan baragraff 15 o Atodlen 19 i Ddeddf 2004.

(**3**) 2000 p. 5

(c) “national system operator” means the person operating the national transmission system for Great Britain,

(d) “network” has the meaning given in section 83(1) of the Railways Act 1993(**1**),

(e) “transmission licence” means a licence granted under section 6(1)(b) of the Electricity Act 1989,

(f) “electricity interconnector”, “generating station” and “transmission system” have the meanings given in section 64(1) of the Electricity Act 1989(**2**).

19.—(1) A person who is—

(a) nuclear personnel, and who is essential to the safe and secure operation of a site in respect of which a nuclear site licence has been granted,

(b) a nuclear emergency responder,

(c) an agency inspector, or

(d) a Euratom inspector, provided that the inspector arrives in the United Kingdom before implementation period completion day,

where the person travelled to the United Kingdom in the course of the person’s work.

(2) For the purposes of sub-paragraph (1)—

(a) “agency inspector” has the meaning given in section 1(1) of the Nuclear Safeguards Act 2000(**3**),

(b) “nuclear emergency responder” means a person providing assistance to the United Kingdom in accordance with the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency done at Vienna on 26 September 1986, who has been duly notified to and accepted by the United Kingdom, where the United Kingdom has requested assistance under that Convention,

(c) “Euratom inspector” means an inspector sent to the United Kingdom by the Commission of the European Union in accordance with Articles 81 and 82 of the Euratom Treaty,

(**1**) 1993 c. 43. There are amendments to section 83(1) but none is relevant.

(**2**) The definition of “electricity interconnector” was inserted by section 147(7) of the Energy Act 2004. The definition of “transmission system” was substituted by paragraph 15 of Schedule 19 to the 2004 Act.

(**3**) 2000 c. 5

(d) ystyr "personél niwclear" yw—

(i) gweithiwr a gyflogir i gyflawni gwaith ar safle neu mewn perthynas â safle y rhoddwyd trwydded safle niwclear mewn perthynas ag ef, neu

(ii) cyflogai i'r Awdurdod Datgomisiynu Niwclear(**1**),

(e) mae i "trwydded safle niwclear" yr ystyr a roddir i "nuclear site licence" yn adran 1 o Ddeddf Safleoedd Niwclear 1965(**2**).

20. Arolygydd o'r Sefydliad Gwahardd Arfau Cemegol o fewn yr ystyr a roddir i "inspector" yn adran 24(e) o Deddf Arfau Cemegol 1996(**3**) sydd wedi teithio i'r Deyrnas Unedig at ddibenion arolygiad.

21.—(1) Person sydd—

(a) yn cyflawni swyddogaeth gritigol ar safle gofod,

(b) yn rheolwr llongau gofod sy'n gyfrifol am lywio a rheoli cerbyd lansio neu long ofod ar gyfer gweithrediadau enwol, osgoi gwrthdrawiadau neu anomaleddau, neu

(c) a gyflogir gan berson sy'n gweithredu neu'n cynnal galluoedd ymwybyddiaeth o sefyllfa'r gofod, neu sydd o dan gontract i ddarparu gwasanaethau i'r person hwnnw,

pan fo'r person wedi teithio i'r Deyrnas Unedig yng nghwrs ei waith.

(2) At ddibenion is-baragraff (1)—

(a) mae i "safle gofod" yr ystyr a roddir i "space site" ym mharagraff 5(3) o Atodlen 4 i Ddeddf y Diwydiant Gofod 2018(**4**),

(b) ystyr "galluoedd ymwybyddiaeth o sefyllfa'r gofod" yw'r synwyryddion, y systemau a'r gwasanaethau dadansoddi y mae eu hangen i roi rhybuddion sy'n sensitif o ran amser ynglŷn â digwyddiadau tywydd yn y gofod, gwrthdrawiadau orbitol, drylliadau orbitol neu ailfynediad gwrthrychau a wnaed gan bobl o'u horbit,

(c) mae i "llong ofod" yr ystyr a roddir i "spacecraft" yn adran 2(6) o Ddeddf y Diwydiant Gofod 2018,

(d) "nuclear personnel" means—

(i) a worker who is employed to carry out work on or in relation to a site in respect of which a nuclear site licence has been granted, or

(ii) an employee of the Nuclear Decommissioning Authority(**1**),

(e) "nuclear site licence" has the meaning given in section 1 of the Nuclear Installations Act 1965(**2**).

20. An inspector from the Organisation for the Prohibition of Chemical Weapons, within the meaning given to "inspector" by section 24(e) of the Chemical Weapons Act 1996(**3**), who has travelled to the United Kingdom for the purposes of an inspection.

21.—(1) A person —

(a) carrying out a critical function at a space site,

(b) is a spacecraft controller who is responsible for command and control of a launch vehicle or spacecraft for nominal operations, collision avoidance or anomalies, or

(c) employed by, or contracted to provide services to, a person who operates or maintains space situational awareness capabilities,

where the person has travelled to the United Kingdom in the course of the work.

(2) For the purposes of sub-paragraph (1)—

(a) "space site" has the meaning given in paragraph 5(3) of Schedule 4 to the Space Industry Act 2018(**4**),

(b) "space situational awareness capabilities" means the sensors, systems and analytical services needed to provide time-sensitive warnings of space weather events, orbital collisions, orbital fragmentations or the re-entry of man-made objects from orbit,

(c) "spacecraft" has the meaning given in section 2(6) of the Space Industry Act 2018,

(**1**) Sefydlwyd yr Awdurdod Datgomisiynu Niwclear gan adran 1 o Ddeddf Ynni 2004 p. 20.
(**2**) 1965 p. 57. Amnewidiwyd adran 1 gan baragraff 17 o Atodlen 2 i Ddeddf Ynni 2013 (p. 32); yn rhinwedd adran 1(2), cyfeirir at drwydded a ddisgrifir yn adran 1(1) fel "nuclear site licence".
(**3**) 1996 p. 6.
(**4**) 2018 p. 5.

(**1**) The Nuclear Decommissioning Authority was established by section 1 of the Energy Act 2004.
(**2**) 1965 c. 57. Section 1 was substituted by paragraph 17 of Schedule 2 to the Energy Act 2013 (c. 32); by virtue of section 1(2), a licence described in section 1(1) is referred to as a "nuclear site licence".
(**3**) 1996 c. 6.
(**4**) 2018 c. 5.

(d) ystyr "rheolwr llong ofod" yw person sy'n gymwys, sydd wedi ei awdurdodi ac sy'n gyfrifol am gynnal gweithrediad saff a diogel llong ofod drwy fonitro statws llong ofod, rhoi gorchmynion llywio neu reoli agweddau eraill ar y llong ofod sy'n dylanwadu ar ei hymddygiad gan gynnwys ei symudiadau yn y gofod.

22.—(1) Peiriannydd awyrofod arbenigol, neu weithiwr awyrofod arbenigol, pan fo'r peiriannydd neu'r gweithiwr wedi teithio i'r Deyrnas Unedig yng nghwrs ei waith.

(2) At ddibenion is-baragraff (1)—

(a) ystyr "peiriannydd awyrofod arbenigol" yw person sydd wedi ei gyflogi neu wedi ei gymryd ymlaen fel arall i ddarparu gwasanaethau peirianyddol er mwyn sicrhau bod gweithgareddau hedfan yn parhau i weithredu (gan gynnwys, ond heb ei gyfyngu i, ddarparu gwasanaethau cynnal a chadw ac atgyweirio ar gyfer llinellau cynhyrchu, cydrannau hedfan, awyrennau ar y ddaear ac awyrennau newydd),

(b) ystyr "gweithiwr awyrofod arbenigol" yw person sydd wedi ei gyflogi neu wedi ei gymryd ymlaen fel arall i ddarparu gwasanaethau at ddiben sicrhau bod diogelwch yn cael ei reoli a bod ansawdd yn cael ei sicrhau yn unol â gofynion y safonau, y canllawiau a'r cyhoeddiadau perthnasol ar ddiogelwch hedfan a gynhyrchir gan yr Awdurdod Hedfan Sifil neu Asiantaeth Diogelwch Hedfan yr Undeb Ewropeaidd(**1**).

23.—(1) Person sy'n ymwneud â gweithgareddau gweithredu, cynnal a chadw neu ddiogelwch cyfleuster yn y sector olew is sydd â chapasiti o fwy nag 20,000 o dunelli—

(a) pan fo'r cyfleuster yn y sector olew is yn ymwneud â gweithgaredd penodedig a gyflawnir yn y Deyrnas Unedig yng nghwrs

(**1**) Sefydlwyd yr Awdurdod Hedfan Sifil o dan adran 1(1) o Ddeddf Hedfan Sifil 1971 (p. 75). Disodlwyd y Ddeddf honno gan statud cydgrynhoi, Deddf Hedfan Sifil 1982 (p.16), y mae adran 2(1) o'r Ddeddf honno'n darparu ar gyfer parhad yr Awdurdod Hedfan Sifil. Ceir diwygiadau i adran 2 ond nid yw'r un ohonynt yn berthnasol. Sefydlwyd Asiantaeth Diogelwch Hedfan yr Undeb Ewropeaidd gan Reoliad (EU) 2018/1139 Senedd Ewrop a'r Cyngor ar 4 Gorffennaf 2018 ar reolau cyffredin ym maes hedfan sifil ac yn sefydlu Asiantaeth Diogelwch Hedfan yr Undeb Ewropeaidd, ac yn diwygio Rheoliadau (EC) Rhif 2111/2005, (EC) Rhif 1008/2008, (EU) Rhif 996/2010, (EU) Rhif 376/2014 a Chyfarwyddebau 2014/30/EU a 2014/53/EU Senedd Ewrop a'r Cyngor, ac yn diddymu Rheoliadau (EC) Rhif 552/2004 ac (EC) Rhif 216/2008 Senedd Ewrop a'r Cyngor a Rheoliad y Cyngor (EEC) Rhif 3922/91.

(d) "spacecraft controller" means a person competent, authorised and responsible for maintaining the safe and secure operation of spacecraft through monitoring the status of a spacecraft, issuing manoeuvre commands or controlling other aspects of the spacecraft that influence its behaviour including its motion in space.

22.—(1) A specialist aerospace engineer, or a specialist aerospace worker, where the engineer or worker has travelled to the United Kingdom in the course of their work.

(2) For the purposes of sub-paragraph (1)—

(a) "specialist aerospace engineer" means a person who is employed or otherwise engaged to provide engineering services for the purpose of ensuring the continued operation of aviation activities (including but not limited to the provision of maintenance and repair services for production lines, aviation components, grounded aircraft and new aircraft),

(b) "specialist aerospace worker" means a person who is employed or otherwise engaged to provide services for the purpose of ensuring safety management and quality assurance as required by relevant standards, guidance and publications on aviation safety produced by the Civil Aviation Authority or the European Union Aviation Safety Agency(**1**).

23.—(1) A person engaged in operational, maintenance or safety activities of a downstream oil facility that has a capacity in excess of 20,000 tonnes, where—

(a) the downstream oil facility is engaged in a specified activity carried on in the United Kingdom in the course of a business, and

(**1**) The Civil Aviation Authority was established under section 1(1) of the Civil Aviation Act 1971 (c.75). That Act was replaced by a consolidating statute, the Civil Aviation Act 1982 (c.16), section 2(1) of which provides for the continued existence of the Civil Aviation Authority. There are amendments to section 2 but none is relevant. The European Union Aviation Safety Agency was established by Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91.

busnes, ac yn cyfrannu (yn uniongyrchol neu'n anuniongyrchol) at gyflenwi tanwyddau sy'n seiliedig ar olew crai i ddefnyddwyr yn y Deyrnas Unedig neu bersonau sy'n rhedeg busnes yn y Deyrnas Unedig, a

(b) pan fo angen y gweithgareddau er mwyn sicrhau bod y cyfleuster yn parhau i weithredu'n ddiogel,

pan fo'r person wedi teithio i'r Deyrnas Unedig yng nghwrs ei waith.

(2) At ddibenion is-baragraff (1)—

(a) mae gan gyfleuster gapasiti o fwy nag 20,000 o dunelli unrhyw bryd os cafodd ei ddefnyddio yn y flwyddyn galendr flaenorol at ddibenion gweithgareddau'r sector olew is mewn perthynas â mwy na'r nifer hwnnw o dunelli o olew,

(b) "gweithgareddau penodedig" yw—

(i) storio olew,

(ii) trafod olew,

(iii) cludo olew ar y môr neu ddŵr mewndirol,

(iv) cludo olew drwy bibellau,

(v) puro olew neu ei brosesu fel arall.

24.—(1) Gweithiwr sy'n ymgymryd â'r canlynol, neu y mae'n ofynnol iddo gychwyn y canlynol—

(a) gweithgareddau ar osodiadau alltraeth neu mewn perthynas â hwy,

(b) gweithgareddau ar seilwaith y sector petrolewm uwch neu mewn perthynas ag ef,

(c) gwaith diogelwch critigol ar osodiadau alltraeth a ffynhonnau sy'n cael eu datgomisiynu neu sy'n cael eu cadw hyd nes y cânt eu dymchwel neu eu hailddefnyddio, neu

(d) gweithgareddau i ddarparu gweithwyr, nwyddau, deunyddiau neu gyfarpar neu wasanaethau hanfodol eraill y mae eu hangen i gefnogi gweithrediad diogel y gweithgareddau y cyfeirir atynt ym mharagraffau (a) i (c).

(2) At ddibenion is-baragraff (1)—

(a) mae i "gosodiadau alltraeth" yr ystyr a roddir i "offshore installations" yn adran 44 o Ddeddf Petrolewm 1998(**1**),

contributes (directly or indirectly) to the supply of crude oil based fuels to consumers in the United Kingdom or persons carrying on business in the United Kingdom, and

(b) the activities are required to ensure continued safe operation of the facility,

where the person has travelled to the United Kingdom in the course of the person's work.

(2) For the purposes of sub-paragraph (1)—

(a) a facility has a capacity in excess of 20,000 tonnes at any time if it was used in the previous calendar year for the purposes of downstream oil sector activities in relation to more than that number of tonnes of oil,

(b) "specified activities" are—

(i) storing oil,

(ii) handling oil,

(iii) the carriage of oil by sea or inland water,

(iv) conveying oil by pipes,

(v) refining or otherwise processing oil.

24.—(1) A worker undertaking, or required to commence—

(a) activities on or in relation to offshore installations,

(b) activities on or in relation to upstream petroleum infrastructure,

(c) critical safety work on offshore installations and wells that are being decommissioned or which are being preserved pending demolition or reuse, or

(d) activities for the provision of workers, goods, materials or equipment or other essential services required to support the safe operation of the activities referred to in paragraphs (a) to (c).

(2) For the purposes of sub-paragraph (1)—

(a) "offshore installations" has the meaning given in section 44 of the Petroleum Act 1998(**1**),

(**1**) 1998 p. 17. Diwygiwyd adran 44 gan baragraff 11 o Atodlen 1 i Ddeddf Ynni 2008 (p. 32).

(**1**) 1998 c. 17. Section 44 was amended by paragraph 11 of Schedule 1 to the Energy Act 2008 (c. 32).

(b) mae i "seilwaith y sector petrolewm uwch" yr ystyr a roddir i "upstream petroleum infrastructure" yn adran 9H o Ddeddf Petrolewm 1998(**1**),

(c) mae i "ffynhonnau" yr ystyr a roddir i "wells" yn adran 45A(10) o Ddeddf Petrolewm 1998(**2**).

25. Gweithredydd post, yn unol â'r diffiniad o "postal operator" yn adran 27(3) o Ddeddf Gwasanaethau Post 2011(**3**), pan fo'r gweithredydd wedi teithio i'r Deyrnas Unedig yng nghwrs ei waith.

26. Gweithiwr sydd â sgiliau technegol arbenigol, pan fo angen y sgiliau technegol arbenigol hynny ar gyfer gwaith neu wasanaethau hanfodol neu frys (gan gynnwys comisiynu, cynnal a chadw ac atgyweirio a gwiriadau diogelwch) i sicrhau y parheir i gynhyrchu, cyflenwi, symud, gweithgynhyrchu, storio neu gadw nwyddau, pan fo'r gweithiwr wedi teithio i'r Deyrnas Unedig yng nghwrs ei waith neu fel arall i ddechrau neu ailddechrau gweithio.

27. Gweithiwr sydd â sgiliau technegol arbenigol, pan fo angen y sgiliau technegol arbenigol hynny ar gyfer gwaith hanfodol neu frys (gan gynnwys comisiynu, cynnal a chadw, atgyweirio a gwiriadau diogelwch) neu i gyflawni rhwymedigaethau contract neu fanylebau gwarantiad mewn cyfleusterau rheoli gwastraff a ddefnyddir ar gyfer rheoli, didoli, trin, adfer, neu waredu gwastraff (gan gynnwys ynni o wastraff), neu mewn cysylltiad â hynny, pan fo'r gweithiwr wedi teithio i'r Deyrnas Unedig yng nghwrs ei waith.

28.—(1) Person sydd wedi teithio i'r Deyrnas Unedig er mwyn cludo, i ddarparwr gwasanaethau iechyd (o fewn ystyr rheoliad 10(8)) yn y Deyrnas Unedig, ddeunydd a ffurfir o gelloedd neu waed dynol, neu sy'n cynnwys celloedd neu waed dynol, ac sydd i'w ddefnyddio er mwyn darparu gwasanaethau iechyd.

(2) At ddibenion is-baragraff (1) mae "gwaed" yn cynnwys cydrannau gwaed.

29. Person sydd wedi teithio i'r Deyrnas Unedig—

(a) y mae'n ofynnol iddo ymgymryd â gwaith fel gweithiwr iechyd proffesiynol, neu weithiwr gofal proffesiynol yn y Deyrnas Unedig o fewn 14 diwrnod ar ôl cyrraedd, a

(b) "upstream petroleum infrastructure" has the meaning given in section 9H of the Petroleum Act 1998 (**1**),

(c) "wells" has the meaning given in section 45A(10) of the Petroleum Act 1998 (**2**).

25. A postal operator, as defined in section 27(3) of the Postal Services Act 2011(**3**), where the operator has travelled to the United Kingdom in the course of their work.

26. A worker with specialist technical skills, where those specialist technical skills are required for essential or emergency works or services (including commissioning, maintenance and repairs and safety checks) to ensure the continued production, supply, movement, manufacture, storage or preservation of goods, where the worker has travelled to the United Kingdom in the course of their work or otherwise to commence or resume their work.

27. A worker with specialist technical skills, where those specialist technical skills are required for essential or emergency works (including commissioning, maintenance, repairs and safety checks) or to fulfil contractual obligations or warranty specifications in, or in connection with, waste management facilities used for the management, sorting, treatment, recovery, or disposal of waste (including energy from waste), where the worker has travelled to the United Kingdom in the course of their work.

28.—(1) A person who has travelled to the United Kingdom for the purpose of transporting, to a provider of health services (within the meaning of regulation 10(8)) in the United Kingdom, material which consists of, or includes, human cells or blood which are to be used for the purpose of providing health services.

(2) For the purposes of sub-paragraph (1), "blood" includes blood components.—

29. A person who has travelled to the United Kingdom who is—

(a) required to undertake work as a health or care professional in the United Kingdom within 14 days of their arrival, and

(**1**) Amnewidiwyd adran 9H gan adran 74(2) o Ddeddf Ynni 2016 (p. 20).
(**2**) Mewnosodwyd adran 45A gan adran 75(1) o Ddeddf Ynni 2008. Ceir diwygiadau i adran 45A(10) ond nid yw'r un yn berthnasol.
(**3**) 2011 p. 5.

(**1**) Section 9H was substituted by section 74(2) of the Energy Act 2016 (c. 20).
(**2**) Section 45A was inserted by section 75(1) of the Energy Act 2008. There are amendments to section 45A(10) but none is relevant.
(**3**) 2011 c. 5.

(b) sy'n gymwys i ymarfer proffesiwn a reoleiddir gan unrhyw un neu ragor o'r cyrff a grybwyllir yn adran 25(3) o Ddeddf Diwygio'r Gwasanaeth Iechyd Gwladol a Phroffesiynau Gofal Iechyd 2002(**1**).

30. Person sy'n arolygydd yn yr ystyr a roddir i "inspector" yn rheoliad 8(1) o Reoliadau Meddyginiaethau Dynol 2012(**2**) sydd wedi teithio i'r Deyrnas Unedig i ymgymryd â gweithgareddau mewn perthynas â'i rôl fel person o'r fath.

31.—(1) Person sydd—

(a) wedi teithio i'r Deyrnas Unedig—

(i) i gynnal treial clinigol o fewn ystyr "conducting a clinical trial" yn rheoliad 2(1) o Reoliadau Meddyginiaethau i'w Defnyddio gan Bobl (Treialon Clinigol) 2004(**3**),

(ii) i ymgymryd ag unrhyw weithgareddau sy'n angenrheidiol neu'n hwylus i baratoi at gynnal treial clinigol, neu

(iii) i gyflawni unrhyw weithgarwch cydymffurfio angenrheidiol mewn perthynas â threial clinigol na ellir ei gynnal o bell,

(b) yn berson cymwys yn yr ystyr a roddir i "qualified person" yn rheoliad 43 o'r Rheoliadau hynny, pan fo wedi teithio i'r Deyrnas Unedig er mwyn ymgymryd â gweithgareddau mewn perthynas â'i rôl fel person o'r fath, neu

(c) yn noddwr yn yr ystyr a roddir i "sponsor" yn rheoliad 2(1) o'r Rheoliadau hynny, neu'n cyflawni swyddogaethau neu ddyletswyddau noddwr, treial clinigol ac wedi teithio i'r Deyrnas Unedig i ymgymryd â gweithgareddau mewn perthynas â'r treial clinigol.

(2) At ddibenion is-baragraff (1), mae i "treial clinigol" yr ystyr a roddir i "clinical trial" yn rheoliad 2(1) o Reoliadau Meddyginiaethau i'w Defnyddio gan Bobl (Treialon Clinigol) 2004.

32. Person sydd wedi teithio i'r Deyrnas Unedig i gynnal ymchwiliad clinigol yn yr ystyr a roddir i "clinical investigation" yn Rheoliadau Dyfeisiau

(b) eligible to practise a profession regulated by any of the bodies mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002(**1**).

30. A person who is an "inspector" within the meaning given in regulation 8(1) of the Human Medicines Regulations 2012(**2**) who has travelled to the United Kingdom to undertake activities in relation to their role as such a person.

31.—(1) A person who—

(a) has travelled to the United Kingdom to—

(i) conduct a clinical trial within the meaning of "conducting a clinical trial" in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004(**3**),

(ii) undertake such activities as are necessary or expedient to prepare for the conduct of a clinical trial, or

(iii) carry out any necessary compliance activity in relation to a clinical trial that cannot be conducted remotely,

(b) is a "qualified person" within the meaning of regulation 43 of those Regulations, where they have travelled to the United Kingdom in order to undertake activities in relation to their role as such a person, or

(c) is a "sponsor" within the meaning given in regulation 2(1) of those Regulations of a clinical trial, or carries out the functions or duties of such a sponsor, and has travelled to the United Kingdom to undertake activities in relation to the clinical trial.

(2) For the purposes of sub-paragraph (1), "clinical trial" has the meaning given in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004.

32. A person who has travelled to the United Kingdom to conduct a "clinical investigation" within the meaning of the Medical Devices Regulations

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(**1**) 2002 p. 17. Diwygiwyd adran 25(3) gan baragraff 17(2) a (3) o Atodlen 10 i Ddeddf Iechyd a Gofal Cymdeithasol 2008, gan baragraff 56(b) o Atodlen 15 i Ddeddf Iechyd a Gofal Cymdeithasol 2012, gan baragraff 2(2) o Atodlen 4 i Ddeddf Plant a Gwaith Cymdeithasol 2017 (p. 16) a chan O.S. 2010/231.

(**2**) O.S. 2012/1916.

(**3**) O.S. 2004/1031, y ceir diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**1**) 2002 c. 17. Section 25(3) was amended by paragraph 17(2) and (3) of Schedule 10 to the Health and Social Care Act 2008, by paragraph 56(b) of Schedule 15 to the Health and Social Care Act 2012, by paragraph 2(2) of Schedule 4 to the Children and Social Work Act 2017 (c. 16) and by S.I. 2010/231.

(**2**) S.I. 2012/1916.

(**3**) S.I. 2004/1031, to which there are amendments not relevant to these Regulations.

Meddygol 2002(**1**), neu i ymgymryd â gweithgareddau sy'n angenrheidiol neu'n hwylus i baratoi at gynnal ymchwiliad clinigol neu i gyflawni unrhyw weithgarwch cydymffurfio angenrheidiol arall mewn perthynas ag ymchwiliad clinigol na ellir ei gynnal o bell.

33.—(1) Person sydd—

(a) yn berson cymwys yn yr ystyr a roddir i "qualified person" yn rheoliad 41(2) o Reoliadau Meddyginiaethau Dynol 2012(**2**),

(b) yn berson cyfrifol yn yr ystyr a roddir i "responsible person" yn rheoliad 45(1) o'r Rheoliadau hynny, neu

(c) yn berson â chymwysterau priodol sy'n gyfrifol am wyliadwriaeth ffarmacolegol yn yr ystyr a roddir i "an appropriately qualified person responsible for pharmacovigilance" yn rheoliad 182(2)(a) o'r Rheoliadau hynny,

pan fo'r person wedi teithio i'r Deyrnas Unedig er mwyn ymgymryd â gweithgareddau mewn perthynas â'i rôl fel person o'r fath.

34.—(1) Person sydd wedi teithio i'r Deyrnas Unedig at ddibenion ei waith mewn diwydiannau seilwaith hanfodol gan gynnwys—

(a) person sy'n ymwneud â gwaith cynnal a chadw ac atgyweirio hanfodol ar seilwaith data y mae ei angen i leihau a datrys diffoddiadau, neu â darparu nwyddau a gwasanaethau i gefnogi'r gweithgareddau hyn, a

(b) gweithiwr proffesiynol technoleg gwybodaeth neu delathrebu (gan gynnwys ymgynghorydd technoleg gwybodaeth, dadansoddwr ansawdd, profwr meddalwedd, profwr systemau, a chynllunydd telathrebu), y mae angen ei arbenigedd er mwyn—

(i) darparu ymateb hanfodol neu frys i fygythiadau a digwyddiadau sy'n ymwneud â diogelwch unrhyw system rhwydwaith a gwybodaeth, a

(ii) sicrhau bod unrhyw system rhwydwaith a gwybodaeth yn parhau i weithredu.

(2) At ddibenion is-baragraff (1), mae i "system rhwydwaith a gwybodaeth" yr ystyr a roddir i "network and information system" yn rheoliad 1(2) o Reoliadau Systemau Rhwydwaith a Gwybodaeth 2018(**3**).

(**1**) O.S. 2002/618.
(**2**) O.S. 2012/1916.
(**3**) O.S. 2018/506.

2002(**1**), or to undertake such activities as are necessary or expedient to prepare for the conduct of a clinical investigation or carry out any other necessary compliance activity in relation to a clinical investigation that cannot be conducted remotely.

33.—(1) A person who is—

(a) a "qualified person" within the meaning of regulation 41(2) of the Human Medicines Regulations 2012(**2**),

(b) a "responsible person" within the meaning of regulation 45(1) of those Regulations, or

(c) "an appropriately qualified person responsible for pharmacovigilance" within the meaning of regulation 182(2)(a) of those Regulations,

where the person has travelled to the United Kingdom in order to undertake activities in relation to their role as such a person.

34.—(1) A person who has travelled to the United Kingdom for the purposes of their work in essential infrastructure industries including—

(a) a person involved in essential maintenance and repair of data infrastructure required to reduce and resolve outages, or in the provision of goods and services to support these activities, and

(b) an information technology or telecommunications professional (including information technology consultant, quality analyst, software tester, systems tester, and telecommunications planner), whose expertise is required to—

(i) provide an essential or emergency response to threats and incidents relating to the security of any network and information system, and

(ii) ensure the continued operation of any network and information system.

(2) For the purposes of sub-paragraph (1), "network and information" system has the meaning in regulation 1(2) of the Network and Information Systems Regulations 2018(**3**).

(**1**) S.I. 2002/618.
(**2**) S.I. 2012/1916.
(**3**) S.I. 2018/506.

35. Person sy'n ymwneud â gwaith brys neu waith hanfodol—

(a) sy'n angenrheidiol er mwyn parhau i weithredu—

(i) rhwydweithiau a gwasanaethau cyfathrebu electronig fel y'u diffinnir yn adran 32 o Ddeddf Cyfathrebiadau 2003(**1**), gan gynnwys gwaith sy'n ymwneud â chynnal a chadw ac atgyweirio ceblau tanfor sy'n cysylltu'r Deyrnas Unedig â gwledydd eraill, neu

(ii) rhwydwaith a gwasanaethau trawsyrru darllediadau'r BBC,

(b) mewn cwmnïau yn y gadwyn gyflenwi sy'n cynnal cyfrinachedd, cyflawnder ac argaeledd y rhwydweithiau a'r gwasanaethau cyfathrebu electronig a rhwydwaith a gwasanaethau trawsyrru'r BBC,

pan fo'r person wedi teithio i'r Deyrnas Unedig yng nghwrs ei waith.

36. Person—

(a) sy'n dilyn gweithgaredd fel person cyflogedig neu hunangyflogedig yn y Deyrnas Unedig ac sy'n preswylio mewn gwlad arall y mae fel arfer yn dychwelyd iddi o leiaf unwaith yr wythnos, neu

(b) sy'n preswylio yn y Deyrnas Unedig ac sy'n dilyn gweithgaredd fel person cyflogedig neu hunangyflogedig mewn gwlad arall y mae fel arfer yn mynd iddi o leiaf unwaith yr wythnos.

35. A person who is engaged in urgent or essential work—

(a) that is necessary for the continued operation of—

(i) electronic communications networks and services as defined in section 32 of the Communications Act 2003(**1**), including work relating to maintenance and repair of submarine cables connecting the United Kingdom with other countries, or

(ii) the BBC's broadcasting transmission network and services,

(b) in supply chain companies that maintain the confidentiality, integrity, and availability of the electronic communications networks and services and the BBC transmission network and services,

where the person has travelled to the United Kingdom in the course of their work.

36. A person—

(a) pursuing an activity as an employed or self-employed person in the United Kingdom and who resides in another country to which they usually return at least once a week, or

(b) residing in the United Kingdom and who pursues an activity as an employed or self-employed person in another country to which they usually go at least once a week.

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(**1**) 2003 p. 21. Diwygiwyd y diffiniad o "electronic communications network" gan O.S. 2011/1210.

(**1**) 2003 c. 21. The definition of "electronic communications network" was amended by S.I. 2011/1210.

W202006051022 06/2020