OFFERYNNAU STATUDOL CYMRU

2007 Rhif 1900 (Cy.161)

IECHYD Y CYHOEDD, CYMRU

Rheoliadau Iechyd Cyhoeddus (Awyrennau) (Diwygio) (Cymru) 2007

Wedi'u gwneud - -	*2 Gorffenhaf 2007*
Wedi'u gosod gerbron Cynulliad Cenedlaethol Cymru	*4 Gorffenhaf 2007*
Yn dod i rym - -	*1 Awst 2007*

Mae Gweinidogion Cymru, gyda chydsyniad Comisiynwyr Cyllid a Thollau ei Mawrhydi(**1**) yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd gan adran 13 o Ddeddf Iechyd Cyhoeddus (Rheoli Clefydau) 1984(**2**):

Enwi, cychwyn, cymhwyso a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Iechyd Cyhoeddus (Awyrennau) (Diwygio) (Cymru) 2007 a deuant i rym ar 1 Awst 2007.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(3) Yn y Rheoliadau hyn ystyr "y Prif Reoliadau" yw Rheoliadau Iechyd Cyhoeddus (Awyrennau) 1979(**3**).

Diwygio rheoliad 2 o'r prif Reoliadau

2.—(1) Yn rheoliad 2(1) o'r prif Reoliadau (dehongli)—

(a) yn y diffiniad o "additional measures", yn lle "the diseases subject to the International Health Regulations" rhodder—

"plague, cholera, yellow fever or smallpox";

(**1**) Mae adran 13(4) o Deddf Iechyd Cyhoeddus (Rheoli Clefydau) 1984 (p. 22) yn darparu bod rheoliadau yn ei gwneud yn ofynnol i gael cydsyniad y Comisiynwyr Tollau Tramor a Chartref i'r graddau y maent yn ymwneud â gorfodi a gweithredu gan swyddogion cyllid a thollau. Trosglwyddwyd swyddogaethau'r Comisiynwyr Tollau Tramor a Chartref i Gomisiynwyr Cyllid a Thollau ei Mawrhydi gan adran 5(2) o Ddeddf Comisiynwyr Cyllid a Thollau ei Mawrhydi 2005 (p. 11). Yn ôl adran 50(1) o'r Ddeddf honno, mae cyfeiriad mewn deddfiad at y Comisiynwyr Tollau Tramor a Chartref i'w drin fel cyfeiriad at Gomisiynwyr Cyllid a Thollau ei Mawrhydi.

(**2**) 1984 p. 22. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672, erthygl 2 ac Atodlen 1. Trosglwyddwyd y swyddogaethau hynny i Weinidogion Cymru gan adran 162 o Ddeddf Llywodraeth Cymru 2006 a pharagraff 30 o Atodlen 11 iddi.

(**3**) O.S. 1979/1434.

(b) yn lle'r diffiniad o "aerodrome" rhodder—

""aerodrome" means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the landing and departure of aircraft and includes any area or space, whether on the ground, on the roof of a building or elsewhere, which is designed, equipped or set apart for affording facilities for the landing and departure of aircraft capable of descending or climbing vertically, but shall not include any area the use of which for affording facilities for the landing and departure of aircraft has been abandoned and has not been resumed;";

(c) yn y diffiniad o "authorised officer" hepgorer—
"as described by paragraph 13 of Schedule 14 of the Local Government Act 1972,";

(ch) yn lle'r diffiniad o "customs officer" rhodder-

""customs officer" means an officer of Revenue and Customs;";

(d) yn y diffiniad o "infected aircraft", yn lle is-baragraff (a) rhodder—

"(a) an aircraft which has on board on arrival a case of plague, cholera, yellow fever, smallpox, rabies or viral haemorrhagic fever; or";

(dd) yn lle'r diffiniad o "infected person", rhodder-

""infected person" means a person who is suffering from plague, cholera, yellow fever or smallpox or who is considered by the medical officer to be infected with one of the diseases or with some other infectious or contagious disease other than venereal disease or tuberculosis;";

(e) yn lle'r diffiniad o "infectious disease" rhodder—

""infectious disease" means any infectious or contagious disease other than venereal disease or tuberculosis;";

(f) yn lle'r diffiniad o "Secretary of State" rhodder—

""Secretary of State" means Welsh Ministers;";

(ff) mewnosoder y diffiniadau canlynol yn ôl trefn yr wyddor—

""competent authority" means a competent authority identified in accordance with Article 19 of the IHR (general obligations) and with a role as described at Article 22 of the IHR (role of competent authorities);";

"Health Part of the General Aircraft Declaration" means a declaration containing the information specified in Schedule 1, being a part of the Aircraft General Declaration reproduced at Annex 9 to the IHR to be completed and delivered in accordance with Article 38 of the IHR;";

"IHR" means the International Health Regulations (2005) of the WHO adopted by the fifty-eighth World Health Assembly on 23rd May 2005;";

"National IHR Focal Point" means the body designated by the United Kingdom for communications with WHO IHR Contact Point under the IHR;";

"postal parcel" means an addressed article or package carried internationally by postal or courier services;

"WHO IHR Contact Point" means the unit within WHO accessible for communications with the National IHR Focal Point;";

"World Health Assembly" has the meaning set out in the Constitution of the World Health Organization adopted by the International Health Conference held in New York from 19th June to 22nd July 1946 and signed on 22nd July 1946;";

"WHO" means the World Health Organization, a specialized agency within the terms of Article 57 of the Charter of the United Nations, established by the Constitution of the World Health Organization."; and

(g) hepgorer y diffiniadau o "Aircraft Declaration of Health", "diseases subject to the International Health Regulations", "epidemic", "excepted airport", "infected area", "International Health Regulations", "national airport", "sanitary airport" and "valid International Vaccination Certificate".

(2) Hepgorer rheoliad 2(2).

Diwygio rheoliad 4 o'r prif Reoliadau

3.—(1) Hepgorer rheoliad 4(1)(a) a (3) o'r prif Reoliadau (gorfodi a gweithredu rheoliadau).

(2) Ym mharagraff (4) o reoliad 4, pan ddigwydd y gair y tro cyntaf, hepgorer—

"other".

Diwygio rheoliad 5 o'r prif Reoliadau

4. Yn rheoliad 5(f) o'r prif Reoliadau (penodiadau a dyletswyddau swyddogion awdurdodedig a darparu gwasanaethau gan awdurdodau cyfrifol), yn lle "a sanitary airport" rhodder "a customs airport where such facilities are likely to be needed".

Diwygio rheoliad 6 o'r prif Reoliadau

5. Hepgorer rheoliad 6 o'r prif Reoliadau (rhestr o'r ardaloedd heintiedig).

Diwygio rheoliad 7 o'r prif Reoliadau

6. Yn lle rheoliad 7(4) o'r prif Reoliadau (arolygu awyrennau), rhodder—

"(4) The inspection of an aircraft under paragraph (1) or (2) may include taking from the aircraft samples of food or water for analysis or examination.

(5) The analysis or examination under paragraph (4) must be—

(a) with a view to the treatment of persons affected with any epidemic, endemic or infectious disease and for preventing the spread of such diseases; or

(b) for preventing other danger to public health.".

Diwygio rheoliad 8 o'r prif Reoliadau

7.—(1) Yn rheoliad 8(2) o'r prif Reoliadau (archwilio, etc., personau ar awyrennau), mewnosoder "or other danger to public health" ar ôl "infection" —

(a) yn is-baragraff (c); a

(b) yn is-baragraff (d), yn y ddau fan lle yr ymddengys.

(2) Hepgorer paragraffau (3) i (5) o reoliad 8 o'r prif Reoliadau.

Diwygio rheoliad 11 o'r prif Reoliadau

8. Yn lle rheoliad 11(1)(b) o'r prif Reoliadau (darparu gwybodaeth, etc., gan gomanderiaid), rhodder—

"(b) in addition to any message sent under regulation 12—

(i) notify immediately on arrival to an authorised officer any death on the aircraft during its voyage caused by—

(aa) any case of infectious disease or tuberculosis on the aircraft; or

(bb) any circumstances on board which are likely to cause the spread of infectious disease or tuberculosis, or other danger to public health;

(ii) include in that officer's notification under sub-paragraph (i) particulars as to the presence or suspected presence on board of any animals or captive birds of any species;".

Diwygio rheoliad 12 o'r prif Reoliadau

9.—(1) Diwygier rheoliad 12 o'r prif Reoliadau (hysbysu clefyd heintus, etc., ar y fwrdd awyren) yn unol â'r rheoliad hwn.

(3) Yn lle paragraff (1), rhodder—

"(1) Where a member of the crew of an aircraft becomes aware of an event described in paragraph (1A), that person shall report it to the commander of the aircraft.

(1A) The event referred to in paragraph (1) is that there is on board the aircraft during a flight a person who—

(a) is suffering from an infectious disease or tuberculosis; or

(b) has symptoms which may indicate the presence of an infectious disease, tuberculosis or other danger to public health.

(1B) Immediately following a report under paragraph (1) the commander of the aircraft shall send a radio message or other communication about the event to one of the persons identified in paragraph (1C) at the first customs airport at which the aircraft is due to land.

(1C) The persons referred to at paragraph (1B) are—

(a) the authorised officer;

(b) the manager of the airport; or

(c) the owner of the airport.".

(2) Ar ôl y geiriau "radio message" ym mharagraffau (2) a (3), mewnosoder—

"or other communication".

(4) Hepgorer is-baragraff (4)(a).

(5) Yn lle paragraff (6), rhodder—

"(6) The medical officer may require the commander of an aircraft to complete the Health Part of the Aircraft General Declaration in the form set out in Schedule 1.".

(6) Ym mharagraff (7), yn lle "Aircraft Declaration of Health" rhodder—

"Health Part of the Aircraft General Declaration".

Diwygio rheoliad 13 o'r prif Reoliadau

10.—(1) Diwygier rheoliad 13 o'r prif Reoliadau (difa llygod mawr ar awyrennau a diheintio awyrennau) yn unol â'r rheoliad hwn.

(2) Ym mharagraff (1), hepgorer "in such manner as he may determine".

(3) Ym mharagraff (2), hepgorer "in such manner as the officer may determine".

(4) Ar ôl paragraff (3), mewnosoder—

"(3A) An authorised officer must ensure that a measure he or she requires under paragraph (1) or (2) consists of methods or materials advised by WHO, unless the authorised officer determines that other measures are as safe and reliable.

(3B) An authorised officer under paragraph (1) or (2) may require additional health measures to be applied for preventing danger to public health or the spread of infection in accordance with Article 43 of the IHR (additional health measures), including isolation of the aircraft.

(3C) The responsible authority must report the application of any such additional health measures to the National IHR Focal Point.".

Diwygio rheoliad 14 o'r prif Reoliadau

11. Yn rheoliad 14(1) o'r prif Reoliadau (dal gafael mewn awyren), yn lle "a disease subject to the International Health Regulations" rhodder "plague, cholera, yellow fever or smallpox".

Diwygio rheoliad 16 o'r prif Reoliadau

12. Yn lle rheoliad 16(b) o'r prif Reoliadau (dal gafael mewn awyren) rhodder—

"(b) the aircraft has been in an area infected with plague, cholera, yellow fever or smallpox; or".

Diwygio rheoliad 17 o'r prif Reoliadau

13. Yn rheoliad 17 o'r prif Reoliadau (dal gafael mewn awyren), yn lle'r amod rhodder—

"Provided that nothing in this regulation shall affect the power of the authorised officer to isolate an aircraft under regulation 13 or of the medical officer to continue the detention of an aircraft under regulation 18.".

Diwygio rheoliad 20 o'r prif Reoliadau

14. Yn lle rheoliad 20(a) o'r prif Reoliadau (personau o ardaloedd heintiedig), rhodder—

"(a) any person disembarking from the aircraft who has come from an area infected with cholera, smallpox or viral haemorrhagic fever; and.".

Amnewid rheoliad 21 o'r prif Reoliadau

15. Yn lle rheoliad 21 (symud personau heintiedig oddi ar awyren pan fo'n ofynnol gan gomander), rhodder—

"**Removal of infected persons from aircraft when required by commander**

21.—(1) A commander of an aircraft on arrival at a customs airport may require the medical officer to cause to be removed from the aircraft—

(a) any infected person, or

(b) any person suffering from tuberculosis.

(2) The medical officer shall carry out any requirement of a commander under paragraph (1).".

Amnewid rheoliad 22 o'r prif Reoliadau

16. Yn lle rheoliad 22 o'r prif Reoliadau (symud i faes awyr glanweithiol), rhodder—