

## HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 12 Ionawr 2016  
Tabled on 12 January 2016

### Bil Iechyd y Cyhoedd (Cymru) Public Health (Wales) Bill

Mae'r gwelliannau â \* ar eu pwys yn rhai newydd neu'n rhai sydd wedi'u haddasu  
Amendments marked \* are new or have been altered

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**Darren Millar**

**133**

Section 1, page 1, after line 15, insert –

'() makes provision restricting smoking in children's play areas and the grounds of hospitals and schools;'

Adran 1, tudalen 1, ar ôl llinell 15, mewnosoder –

'() gwneud darpariaeth sy'n cyfyngu ar ysmegu mewn mannau chwarae plant ac ar dir ysbytai ac ysgolion;'

**Darren Millar**

**134**

Section 4, page 3, after line 23, insert –

'() But subsection (2)(a) does not apply to areas and grounds listed in section ([*section to be inserted by amendment 137*])(2).'

Adran 4, tudalen 3, ar ôl llinell 25, mewnosoder –

'() Ond nid yw is-adran (2)(a) yn gymwys i'r mannau a'r tiroedd a restrir yn adran ([*yr adran sy'n cael ei mewnosod gan welliant 137*])(2).'



**Darren Millar**

**135**

Section 5, page 4, line 4, leave out 'or 7 (premises that are open to the public)' and insert ', section 7 (premises that are open to the public) or section ([*section to be inserted by amendment 137*]) (children's play areas, hospital grounds and school grounds: restriction on smoking only)'.

Adran 5, tudalen 4, llinell 4, hepgorer 'neu 7 (mangreoedd sydd ar agor i'r cyhoedd)' a mewnosoder ', adran 7 (mangreoedd sydd ar agor i'r cyhoedd) neu adran ([*yr adran sy'n cael ei mewnosod gan welliant 137*]) (mannau chwarae plant, tir ysbytai a thir ysgolion: cyfyngiad ar ysmegu yn unig)'.

**Darren Millar**

**136**

Section 5, page 4, after line 7, insert –

'( ) But subsection 1(b) does not apply to areas and grounds listed in section ([*section to be inserted by amendment 137*])(2).'

Adran 5, tudalen 4, ar ôl llinell 8, mewnosoder –

'( ) Ond nid yw is-adran (1)(b) yn gymwys i'r manau a'r tiroedd a restrir yn adran ([*yr adran sy'n cael ei mewnosod gan welliant 137*])(2).'

**Darren Millar**

**137**

Page 5, after line 21, insert a new section –

**[ ] Children's play areas, hospital grounds and school grounds: restriction on smoking only**

- (1) So far as they are not smoke-free by virtue of section 6 (workplaces) or section 7 (premises that are open to the public), the areas and grounds listed in subsection (2) are smoke free in relation to smoking only.
- (2) The areas and grounds are –
  - (a) children's play areas,
  - (b) hospital grounds, and
  - (c) school grounds,in Wales.
- (3) The areas and grounds are smoke-free in relation to smoking all the time.
- (4) In this section –
  - (a) "children's play areas" means areas where play facilities are made available for children and which are open to the public;
  - (b) "hospital grounds" means the grounds of a hospital (and "hospital" includes a hospital within the meaning of section 206(1) of the National Health Service (Wales) Act 2006 (c.42) and an independent hospital within the meaning of section 2 of the Care Standards Act 2000 (c.14));



- (c) "school grounds" means the grounds of a school (and "school" includes any relevant place within the meaning of sections 1(4)(a) to (i) of the Learner Travel (Wales) Measure 2008 (nawm 2)).
- (5) For the purposes of subsection (4)(a), a children's play area is open to the public if the public or a section of the public has access to it, whether by invitation or not, and whether on payment or not.
- (6) See section 10 for exemptions.'

Tudalen 5, ar ôl llinell 22, mewnosoder adran newydd –

**[ ] Mannau chwarae plant, tir ysbytai a thir ysgolion: cyfyngiad ar ysmegu yn unig**

- (1) I'r graddau nad ydynt yn ddi-fwg yn rhinwedd adran 6 (gweithleoedd) neu adran 7 (mangreoedd sydd ar agor i'r cyhoedd), mae'r manau a'r tiroedd a restrir yn is-adran (2) yn ddi-fwg mewn perthynas ag ysmegu yn unig.
- (2) Y manau a'r tiroedd yw –
  - (a) manau chwarae plant,
  - (b) tir ysbytai, ac
  - (c) tir ysgolion,yng Nghymru.
- (3) Mae'r manau a'r tiroedd yn ddi-fwg mewn perthynas ag ysmegu drwy'r amser.
- (4) Yn yr adran hon –
  - (a) ystyr "manau chwarae plant" yw manau ble mae cyfleusterau chwarae ar gael i plant ac sydd ar agor i'r cyhoedd;
  - (b) ystyr "tir ysbytai" yw tir ysbyty (ac mae "ysbyty" yn cynnwys ysbyty o fewn ystyr adran 206(1) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (p.42) ac ysbyty annibynnol o fewn ystyr adran 2 o Ddeddf Safonau Gofal 2000 (p.14));
  - (c) ystyr "tir ysgolion" yw tir ysgol (ac mae "ysgol" yn cynnwys unrhyw fan perthnasol o fewn ystyr adrannau 1(4)(a) hyd at (i) o Fesur Teithio gan Ddysgwyr (Cymru) 2008 (mccc 2)).
- (5) At ddibenion is-adran (4)(a), mae man chwarae plant yn agored i'r cyhoedd os oes gan y cyhoedd neu garfan o'r cyhoedd fynediad iddo, pa un ai drwy wahoddiad ai peidio, a pha un a delir am fynediad ai peidio.
- (6) Gweler adran 10 am esemptiadau.'

**Darren Millar**

**138**

Section 8, page 5, line 24, leave out 'or 7 (premises that are open to the public)' and insert ', section 7 (premises that are open to the public) or section ([section to be inserted by amendment 137]) (children's play areas, hospital grounds and school grounds: restriction on smoking only)'.



Adran 8, tudalen 5, llinell 25, hepgorer 'neu 7 (mangreoedd sydd ar agor i'r cyhoedd)' a mewnosoder ', adran 7 (mangreoedd sydd ar agor i'r cyhoedd) neu adran (*[yr adran sy'n cael ei mewnosod gan welliant 137]*) (mannau chwarae plant, tir ysbytai a thir ysgolion: cyfyngiad ar ysmegu yn unig)'.

**Darren Millar**

**139**

Section 10, page 6, line 33, leave out 'or 7 (premises that are open to the public)' and insert ', section 7 (premises that are open to the public) or section (*[section to be inserted by amendment 137]*) (children's play areas, hospital grounds and school grounds: restriction on smoking only)'.

Adran 10, tudalen 6, llinell 32, hepgorer 'neu 7 (mangreoedd sydd ar agor i'r cyhoedd)' a mewnosoder ', adran 7 (mangreoedd sydd ar agor i'r cyhoedd) neu adran (*[yr adran sy'n cael ei mewnosod gan welliant 137]*) (mannau chwarae plant, tir ysbytai a thir ysgolion: cyfyngiad ar ysmegu yn unig)'.

