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WELSH STATUTORY INSTRUMENTS

2025 Rhif 1215 (Cy. 198)

2025 No. 1215 (W. 198)

IECHYD Y CYHOEDD, CYMRU

PUBLIC HEALTH, WALES

Rheoliadau Asesiadau o'r Effaith ar Iechyd (Cymru) 2025

The Health Impact Assessment (Wales) Regulations 2025

NODYN ESBONIADOL

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

Mae Rhan 6 o Ddeddf Iechyd y Cyhoedd (Cymru) 2017 ("y Ddeddf") yn gwneud darpariaeth ynghylch cynnal asesiadau o'r effaith ar iechyd (AEIau) gan gyrff cyhoeddus a restrir yn adran 110(1) o'r Ddeddf. Mae'r Rheoliadau hyn wedi eu gwneud gan ddefnyddio pwerau o dan adrannau 108, 109 a 110 o'r Ddeddf.

Mae AEI yn asesiad o effaith debygol, yn y tymor byr a'r tymor hir, gam neu benderfyniad arfaethedig ar iechyd corfforol ac iechyd meddwl holl bobl Cymru neu rai ohonynt.

Mae'r Rheoliadau hyn yn gwneud amryw o ddarpariaethau ynghylch cynnal AEIau gan gyrff cyhoeddus. Mae'r Rheoliadau hefyd yn ychwanegu personau ychwanegol at y rhestr o gyrff cyhoeddus yn adran 110(1) o'r Ddeddf.

Mae rheoliad 3 yn darparu bod rhaid i AEI gael ei gynnal gan gorff cyhoeddus pan fydd yn bwriadu gwneud penderfyniad o natur strategol ynghylch sut i arfer ei swyddogaethau.

Mae rheoliad 4 yn nodi'r materion y mae rhaid i gorff cyhoeddus eu nodi a'u hasesu wrth gynnal AEI, a ffactorau y mae rhaid i'r corff cyhoeddus roi sylw iddynt wrth wneud hynny.

Mae rheoliad 5 yn darparu bod rhaid i Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Iechyd Cyhoeddus Cymru lunio canllawiau i gynorthwyo cyrff cyhoeddus i gynnal AEI.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 6 of the Public Health (Wales) Act 2017 ("the Act") makes provision about the carrying out of health impact assessments (HIAs) by public bodies listed in section 110(1) of the Act. These Regulations are made using powers under sections 108, 109 and 110 of the Act.

A HIA is an assessment of the likely effect, both in the short and long term, of a proposed action or decision on the physical and mental health of all or some of the people of Wales.

These Regulations make various provisions about the carrying out of HIAs by public bodies. The Regulations also add additional persons to the list of public bodies in section 110(1) of the Act.

Regulation 3 provides that a HIA must be carried out by a public body when it proposes to make a decision of a strategic nature about how to exercise its functions.

Regulation 4 sets out the matters that must be identified and assessed by a public body in the course of carrying out an HIA, and factors to which the public body must have regard in doing so.

Regulation 5 provides that the Public Health Wales National Health Service Trust must produce guidance to assist public bodies with carrying out a HIA.

Mae rheoliad 6 yn gwneud darpariaeth ynghylch cyhoeddi AEIau.

Mae rheoliad 7 yn ychwanegu cyrff cyhoeddus ychwanegol at y rhestr yn adran 110(1) o'r Ddeddf.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ ac mae wedi ei gyhoeddi ar www.llyw.cymru.

Regulation 6 makes provision about the publication of HIAs.

Regulation 7 adds additional public bodies to the list in section 110(1) of the Act.

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 been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Welsh Government, Cathays Park, Cardiff, CF10 3NQ and is published on www.gov.wales.

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IECHYD Y CYHOEDD, CYMRU

Rheoliadau Asesiadau o'r Effaith ar Iechyd (Cymru) 2025

Gwnaed *19 Tachwedd 2025*

Yn dod i rym *6 Ebrill 2027*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adrannau 108(1), (3), (4) a (5), 109(4) a 110(2) o Ddeddf Iechyd y Cyhoedd (Cymru) 2017(**1**), yn gwneud y Rheoliadau a ganlyn(**2**).

Yn unol ag adran 108(7) o'r Ddeddf honno, mae Gweinidogion Cymru wedi—

(a) ystyried a oes personau yr ymddengys eu bod yn cynrychioli buddiannau'r rheini y mae'r Rheoliadau hyn yn debygol o effeithio arnynt ("personau cynrychiadol"), a

(b) cynnal ymgynghoriad â'r personau cynrychiadol yr oedd Gweinidogion Cymru yn ystyried ei bod yn briodol ymgynghori â hwy.

Yn unol ag adran 123(2)(c) o'r Ddeddf honno, gosodwyd drafft o'r Rheoliadau hyn gerbron Senedd Cymru(**3**) ac fe'i cymeradwywyd ganddi drwy benderfyniad.

(**1**) 2017 dccc 2. *Gweler* adran 110(1) o'r Ddeddf honno am y diffiniad o "corff cyhoeddus" ac adran 108(2) o'r Ddeddf honno am y diffiniad o "asesiad o'r effaith ar iechyd".

(**2**) *Gweler* adran 124(1) o Ddeddf Iechyd y Cyhoedd (Cymru) 2017 am y diffiniad o "rheoliadau".

(**3**) Mae'r cyfeiriad yn adran 123 o Ddeddf Iechyd y Cyhoedd (Cymru) 2017 at Gynulliad Cenedlaethol Cymru bellach yn cael effaith fel cyfeiriad at Senedd Cymru yn rhinwedd adran 150A(2) o Ddeddf Llywodraeth Cymru 2006 (p. 32). *Gweler* hefyd adran 40 o Ddeddf Deddfwriaeth (Cymru) 2019 (dccc 4) am ddarpariaeth ynghylch y weithdrefn sy'n gymwys i'r offeryn hwn.

2025 No. 1215 (W. 198)

PUBLIC HEALTH, WALES

The Health Impact Assessment (Wales) Regulations 2025

Made *19 November 2025*

Coming into force *6 April 2027*

The Welsh Ministers, in exercise of the powers conferred by sections 108(1), (3), (4) and (5), 109(4) and 110(2) of the Public Health (Wales) Act 2017(**1**), make the following Regulations(**2**).

In accordance with section 108(7) of that Act, the Welsh Ministers have—

(a) considered whether there are persons who appear to be representative of the interests of those likely to be affected by these Regulations ("representative persons"), and

(b) carried out consultation with the representative persons whom the Welsh Ministers considered it appropriate to consult.

In accordance with section 123(2)(c) of that Act, a draft of these Regulations was laid before, and approved by a resolution of, Senedd Cymru(**3**).

(**1**) 2017 anaw 2. *See* section 110(1) of that Act for the definition of "public body" and section 108(2) of that Act for the definition of "health impact assessment".

(**2**) *See* section 124(1) of the Public Health (Wales) Act 2017 for the definition of "regulations".

(**3**) The reference in section 123 of the Public Health (Wales) Act 2017 to the National Assembly for Wales now has effect as a reference to Senedd Cymru by virtue of section 150A(2) of the Government of Wales Act 2006 (c. 32). *See* also section 40 of the Legislation (Wales) Act 2019 (anaw 4) for provision about the procedure that applies to this instrument.

Enwi a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Asesiadau o'r Effaith ar Iechyd (Cymru) 2025.

(2) Daw'r Rheoliadau hyn i rym ar 6 Ebrill 2027.

Dehongli

2. Yn y Rheoliadau hyn—

ystyr "AEI" ("*HIA*") yw asesiad o'r effaith ar iechyd;

ystyr "asesiad o'r effaith ar iechyd" ("*health impact assessment*") yw asesiad o effaith debygol, yn y tymor byr ac yn y tymor hir, gam neu benderfyniad arfaethedig ar iechyd corfforol ac iechyd meddwl pobl Cymru neu ar iechyd corfforol ac iechyd meddwl rhai o bobl Cymru;

ystyr "corff cyhoeddus" ("*public body*") yw person sydd wedi ei restru yn adran 110(1) o Ddeddf Iechyd y Cyhoedd (Cymru) 2017.

Yr amgylchiadau y mae AEI yn ofynnol odanynt

3. Rhaid i gorff cyhoeddus gynnal AEI pan fydd yn bwriadu gwneud penderfyniad o natur strategol ynghylch sut i arfer ei swyddogaethau.

Sut i gynnal AEI

4.—(1) Wrth gynnal AEI a bennir yn rheoliad 3, rhaid i gorff cyhoeddus—

(a) nodi'r penderfyniad y mae'r AEI yn ymwneud ag ef;

(b) nodi unrhyw grwpiau o'r boblogaeth y mae'r corff cyhoeddus yn ystyried yn rhesymol y gall y penderfyniad effeithio ar eu hiechyd corfforol neu eu hiechyd meddwl;

(c) nodi ac asesu—

(i) unrhyw effeithiau a fwriedir gan y penderfyniad, ac unrhyw effeithiau nas bwriedir gan y penderfyniad y mae'r corff cyhoeddus yn ystyried yn rhesymol eu bod yn debygol, ar iechyd corfforol ac iechyd meddwl unrhyw grwpiau o'r boblogaeth a nodir o dan is-baragraff (b),

(ii) mewn perthynas ag unrhyw effeithiau a nodir o dan baragraff (i), unrhyw fesurau y mae'r corff cyhoeddus yn ystyried yn rhesymol y gallant atal, lleihau neu liniaru unrhyw effeithiau negyddol neu gynyddu unrhyw effeithiau cadarnhaol, a

Title and coming into force

1.—(1) The title of these Regulations is the Health Impact Assessment (Wales) Regulations 2025.

(2) These Regulations come into force on 6 April 2027.

Interpretation

2. In these Regulations—

"health impact assessment" ("*asesiad o'r effaith ar iechyd*") means an assessment of the likely effect, both in the short term and in the long term, of a proposed action or decision on the physical and mental health of the people of Wales or of some of the people of Wales;

"HIA" ("*AEI*") means a health impact assessment;

"public body" ("*corff cyhoeddus*") means a person listed in section 110(1) of the Public Health (Wales) Act 2017.

Circumstances in which a HIA is required

3. A public body must carry out a HIA when it proposes to make a decision of a strategic nature about how to exercise its functions.

How to carry out a HIA

4.—(1) In carrying out a HIA specified in regulation 3, a public body must—

(a) identify the decision to which the HIA relates;

(b) identify any groups of the population whose physical or mental health the public body reasonably considers may be affected by the decision;

(c) identify and assess—

(i) any intended effects of the decision, and any unintended effects of the decision that the public body reasonably considers are likely, on the physical and mental health of any groups of the population identified under sub-paragraph (b),

(ii) in relation to any effects identified under paragraph (i), any measures that the public body reasonably considers may prevent, reduce or mitigate any negative effects or increase any positive effects, and

(iii) unrhyw beth arall y mae'r corff cyhoeddus yn ystyried ei fod yn berthnasol i gynnal yr AEI.

(2) Wrth nodi ac asesu unrhyw effeithiau at ddibenion paragraff (1)(c)(i), rhaid i gorff cyhoeddus roi sylw i'r penderfynyddion iechyd ehangach ac unrhyw ffactorau annhegwch iechyd.

(3) Yn y rheoliad hwn—

(a) ystyr "ffactorau annhegwch iechyd" yw unrhyw wahaniaethau o ran canlyniadau iechyd a chyfleoedd iechyd y gellir eu hesbonio'n rhesymol, neu y gallant fod wedi eu hachosi'n rhesymol, gan unrhyw sail, gan gynnwys—

(i) statws economaidd-gymdeithasol,

(ii) lleoliad daearyddol, a

(iii) presenoldeb nodwedd warchodedig o fewn ystyr "protected characteristic" ym Mhennod 1 o Ran 2 o Ddeddf Cydraddoldeb 2010(**1**);

(b) ystyr "cyfleoedd iechyd" yw mynediad at gyfleoedd sydd ar gael i'r cyhoedd y mae'r corff cyhoeddus sy'n cynnal yr AEI yn ystyried yn rhesymol eu bod yn hybu neu'n gwella iechyd corfforol neu iechyd meddwl, neu y bwriedir iddynt wneud hynny;

(c) ystyr "penderfynyddion iechyd ehangach" yw'r ffactorau cymdeithasol, economaidd, diwylliannol ac amgylcheddol a all effeithio ar iechyd pobl.

Cymorth gan Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Iechyd Cyhoeddus Cymru

5. Rhaid i Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Iechyd Cyhoeddus Cymru gyhoeddi canllawiau i gynorthwyo cyrff cyhoeddus sy'n cynnal AEI.

Cyhoeddi AEI

6. Cyn gynted ag y bo'n rhesymol ymarferol ar ôl cynnal AEI, rhaid i gorff cyhoeddus gyhoeddi'r AEI mewn unrhyw fodd y mae'r corff cyhoeddus yn ystyried ei fod yn briodol.

(**1**) 2010 p. 15, y mae diwygiadau i Bennod 1 ohoni nad ydynt yn berthnasol i'r Rheoliadau hyn.

(iii) anything else the public body considers to be relevant to the carrying out of the HIA.

(2) In identifying and assessing any effects for the purposes of paragraph (1)(c)(i), a public body must have regard to the wider determinants of health and any health inequity factors.

(3) In this regulation—

(a) "health inequity factors" means any differences in health outcomes and health opportunities that may reasonably be explained, or may reasonably be caused, by any ground including—

(i) socio-economic status,

(ii) geographic location, and

(iii) the presence of a protected characteristic within the meaning of Chapter 1 of Part 2 of the Equality Act 2010(**1**);

(b) "health opportunities" means access to publicly available opportunities that the public body carrying out the HIA reasonably considers promote or improve physical or mental health or are intended to do so;

(c) "wider determinants of health" means the social, economic, cultural and environmental factors that may affect people's health.

Assistance by the Public Health Wales National Health Service Trust

5. The Public Health Wales National Health Service Trust must publish guidance to assist public bodies carrying out a HIA.

Publishing a HIA

6. As soon as is reasonably practicable after carrying out a HIA, a public body must publish the HIA in such manner as the public body considers appropriate.

(**1**) 2010 c. 15, to which there are amendments to Chapter 1 not relevant to these Regulations.

Diwygio adran 110(1) o Ddeddf Iechyd y Cyhoedd (Cymru) 2017

7.—(1) Mae adran 110(1) (ystyr "corff cyhoeddus") o Ddeddf Iechyd y Cyhoedd (Cymru) 2017 wedi ei diwygio fel a ganlyn.

(2) Ar ôl paragraff (b) mewnosoder—

"(ba) cyd-bwyllgor corfforedig a sefydlir gan reoliadau a wneir o dan Ran 5 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (dsc 1);".

(3) Ar ôl paragraff (d)(ii) mewnosoder—

"(iii) Ymddiriedolaeth Brifysgol Gwasanaeth Iechyd Gwladol Gwasanaethau Ambiwlans Cymru; ".

(4) Ar ôl paragraff (d) mewnosoder—

"(da) yr awdurdodau iechyd arbennig a ganlyn a sefydlwyd o dan adran 22 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (p. 42)—

(i) Iechyd a Gofal Digidol Cymru;

(ii) Addysg a Gwella Iechyd Cymru;".

(5) Ar ôl paragraff (l) mewnosoder—

"(m)Gofal Cymdeithasol Cymru;

(n) Awdurdod Cyllid Cymru;

(o) Trafnidiaeth Cymru (sef Transport for Wales (rhif y cwmni 09476013));

(p) Canolfan Gwasanaethau Cyhoeddus Digidol (sef Centre for Digital Public Services Limited (rhif y cwmni 09341679));

(q) Cymwysterau Cymru."

Amendment of section 110(1) of the Public Health (Wales) Act 2017

7.—(1) Section 110(1) (meaning of "public body") of the Public Health (Wales) Act 2017 is amended as follows.

(2) After paragraph (b) insert—

"(ba) a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021 (asc 1);".

(3) After paragraph (d)(ii) insert—

"(iii) Welsh Ambulance Services University National Health Service Trust;".

(4) After paragraph (d) insert—

"(da) the following special health authorities established under section 22 of the National Health Service (Wales) Act 2006 (c. 42)—

(i) Digital Health and Care Wales;

(ii) Health Education and Improvement Wales;".

(5) After paragraph (l) insert—

"(m)Social Care Wales;

(n) Welsh Revenue Authority;

(o) Transport for Wales (company number 09476013);

(p) Centre for Digital Public Services Limited (company number 09341679);

(q) Qualifications Wales."

Jeremy Miles

Ysgrifennydd y Cabinet dros Iechyd a Gofal Cymdeithasol, un o Weinidogion Cymru
19 Tachwedd 2025

Cabinet Secretary for Health and Social Care, one of the Welsh Ministers
19 November 2025

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Saul Nassé, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

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