

2009 No. 830

EDUCATION, ENGLAND

**The Education (Free School Lunches) (Working Tax Credit)
(England) Order 2009**

<i>Made</i>	- - - -	<i>31st March 2009</i>
<i>Laid before Parliament</i>		<i>8th April 2009</i>
<i>Coming into force</i>	- -	<i>1st May 2009</i>

The Secretary of State for Children, Schools and Families makes the following Order in exercise of the powers conferred by sections 512ZB(4)(a)(iv) and 568(5) of the Education Act 1996(a):

Citation, commencement, interpretation and application

- 1.—(1) This Order may be cited as the Education (Free School Lunches) (Working Tax Credit) (England) Order 2009 and shall come into force on 1st May 2009.
- (2) This Order applies in relation to England.
- (3) In this Order—
- “the 2002 Act” means the Tax Credits Act 2002(b); and
- “Working Tax Credit” has the same meaning as in the 2002 Act.

Prescribed tax credit

2. Working Tax Credit is prescribed for the purposes of section 512ZB(4)(a)(iv) of the Education Act 1996 in circumstances where the parent entitled to it is treated as being engaged in qualifying remunerative work (within the meaning of the 2002 Act) by virtue of regulation 7D of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002(c).

31st March 2009

Delyth Morgan
Parliamentary Under Secretary of State
Department for Children, Schools and Families

(a) 1996 c.56. Section 512ZB was inserted by s.201 of the Education Act 2002. By virtue of s.211 of that Act the powers conferred by section 512ZB of the 1996 Act are exercised only in relation to England. See section 512ZB(5) for the meaning of “prescribed” .

(b) 2002 c.21.

(c) S.I. 2002/2005.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prescribes, for the purposes of section 512ZB of the Education Act 1996, Working Tax Credit where the parent is entitled to that Credit in the circumstances defined in regulation 7D of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002.

The effect of the Order is that where a parent is entitled to Working Tax Credit during the four-week period immediately after their employment ceases, or after they start to work less than 16 hours per week, their child is entitled to free school lunches.

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