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OFFERYNNAU STATUDOL  
CYMRU

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**2009 Rhif 1673 (Cy.158)**

**ADDYSG, CYMRU**

Gorchymyn Addysg (Ciniawau  
Ysgol am Ddim) (Credyd Treth  
Gwaith) (Cymru) 2009

**NODYN ESBONIADOL**

*(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)*

Mae'r Gorchymyn hwn yn rhagnodi, at ddibenion adran 512ZB o Ddeddf Addysg 1996, Gredyd Treth Gwaith pan fo gan riant hawl i gael y Credyd hwnnw o dan yr amgylchiadau a ddiffinnir yn rheoliad 7D o Reoliadau Credyd Treth Gwaith (Yr Hawl i'w Gael a'r Gyfradd Uchaf) 2002.

Effaith y Gorchymyn, pan fo gan riant hawl i gael Credyd Treth Gwaith yn ystod y cyfnod o bedair wythnos yn union ar ôl i'w waith cyflogedig beidio, neu ar ôl i'r rhiant ddechrau gweithio am lai na 16 o oriau yr wythnos, yw bod gan ei blentyn hawl i gael ciniawau ysgol am ddim.

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**2009 No. 1673 (W.158)**

**EDUCATION, WALES**

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

**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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**ADDYSG, CYMRU**

**Gorchymyn Addysg (Ciniawau  
Ysgol am Ddim) (Credyd Treth  
Gwaith) (Cymru) 2009**

*Gwnaed* 1 Gorffennaf 2009

*Gosodwyd gerbron Cynulliad  
Cenedlaethol Cymru* 3 Gorffennaf 2009

*Yn dod i rym* 3 Awst 2009

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 512ZB(4)(a)(iv) a 568 o Ddeddf Addysg 1996(1) ac a freiniwyd bellach ynddynt hwy, yn gwneud y Gorchymyn a ganlyn:

**Enwi, cychwyn a chymhwys**

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Addysg (Ciniawau Ysgol am Ddim) (Credyd Treth Gwaith) (Cymru) 2009. Daw i rym ar 3 Awst 2009 ac mae'n gymwys o ran Cymru.

(2) Yn y Gorchymyn hwn—

mae i "Credyd Treth Gwaith" yr un ystyr â "Working Tax Credit" yn Neddf 2002; ac

ystyr "Deddf 2002" ("*the 2002 Act*") yw Deddf Credydau Treth 2002(2).

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(1) 1996 p.56. Mewnosodwyd adran 512ZB gan adran 201 o Ddeddf Addysg 2002. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 512ZB (*gweler* y diffiniad o "prescribed" yn adran 512 o Ddeddf 1996) ac adran 568 i Gynulliad Cenedlaethol Cymru gan adran 211 o Ddeddf Addysg 2002 a Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) yn ôl eu trefn. Trosglwyddwyd y swyddogaethau wedyn i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).

(2) 2002 p.21.

**2009 No. 1673 (W.158)**

**EDUCATION, WALES**

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

*Made* 1 July 2009

*Laid before the National  
Assembly for Wales* 3 July 2009

*Coming into force* 3 August 2009

The Welsh Ministers in exercise of the powers conferred on the Secretary of State by sections 512ZB(4)(a)(iv) and 568 of the Education Act 1996(1) and now vested in them, make the following Order:

**Title, commencement and application**

1.—(1) The title of this Order is the Education (Free School Lunches) (Working Tax Credit) (Wales) Order 2009. It comes into force on 3 August 2009 and applies in relation to Wales.

(2) In this Order—

"the 2002 Act" ("*Deddf 2002*") means the Tax Credits Act 2002(2); and

"Working Tax Credit" ("*Credyd Treth Gwaith*") has the same meaning as in the 2002 Act.

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(1) 1996 c.56. Section 512ZB was inserted by section 201 of the Education Act 2002. The functions of the Secretary of State under section 512ZB (*see* the definition of "prescribed" in section 512 of the 1996 Act) and section 568 were transferred to the National Assembly for Wales by section 211 of the Education Act 2002 and by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) respectively. The functions were then transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

(2) 2002 c.21.

## Credyd treth rhagnodedig

2. Mae Credyd Treth Gwaith wedi'i ragnodi at ddibenion adran 512ZB(4)(a)(iv) o Ddeddf Addysg 1996 o dan amgylchiadau pan fo rhiant sydd â hawl i'w gael yn cael ei drin fel un sy'n gwneud gwaith cymwys sy'n talu (o fewn ystyr Deddf 2002) yn rhinwedd rheoliad 7D o Reoliadau Credyd Treth Gwaith (Yr Hawl i'w Gael a'r Gyfradd Uchaf) 2002(1).

## 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(1).

*Jane Hutt*

Y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau, un o Weinidogion Cymru

Minister for Children, Education, Lifelong Learning and Skills, one of the Welsh Ministers

1 Gorffennaf 2009

1 July 2009

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(1) O.S. 2002/2005 fel y'i diwygiwyd gan Reoliadau Credyd Treth Gwaith (Yr Hawl i'w Gael a'r Gyfradd Uchaf) (Diwygio) 2007/968.

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(1) S.I. 2002/2005 as amended by the Working Tax Credit (Entitlement and Maximum Rate) (Amendment) Regulations 2007/968.

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