



---

OFFERYNNAU STATUDOL  
CYMRU

---

---

WELSH STATUTORY  
INSTRUMENTS

---

**2011 Rhif 710 (Cy.111)**

**2011 No. 710 (W.111)**

**ADDYSG, CYMRU**

**EDUCATION, WALES**

Gorchymyn Addysg (Ciniawau  
Ysgol am Ddim) (Credydau Treth  
Rhagnodedig) (Cymru) (Diwygio)  
2011

The Education (Free School  
Lunches) (Prescribed Tax Credits)  
(Wales) (Amendment) Order 2011

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

*(This note is not part of the Order)*

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Addysg (Ciniawau Ysgol Rhad ac am Ddim) (Credydau Treth Rhagnodedig) (Cymru) 2003.

This Order amends the Education (Free School Lunches) (Prescribed Tax Credits) (Wales) Order 2003.

Mae'r Gorchymyn hwn yn rhagnodi, at ddibenion adran 512ZB(4)(aa)(ii) o Ddeddf Addysg 1996, pan fo gan riant P hawl i gael Credyd Treth Plant ond dim hawl i gael Credyd Treth Gwaith a'i fod yn cael Credyd Treth Plant ar sail incwm blynyddol nad yw'n uwch na £16,190, bod gan P hawl i gael ciniawau ysgol am ddim.

It prescribes, for the purpose of section 512ZB(4)(aa)(ii) of the Education Act 1996, that where C's parent is entitled to Child Tax Credit but not to Working Tax Credit and is receiving Child Tax Credit based on an annual income not exceeding £16,190, C is entitled to free school lunches.

**2011 Rhif 710 (Cy.111)**

**2011 No. 710 (W.111)**

**ADDYSG, CYMRU**

**EDUCATION, WALES**

**Gorchymyn Addysg (Ciniawau  
Ysgol am Ddim) (Credydau Treth  
Rhagnodedig) (Cymru) (Diwygio)  
2011**

**The Education (Free School  
Lunches) (Prescribed Tax Credits)  
(Wales) (Amendment) Order 2011**

*Gwnaed* 7 Mawrth 2011

*Made* 7 March 2011

*Gosodwyd gerbron Cynulliad  
Cenedlaethol Cymru* 10 Mawrth 2011

*Laid before the National  
Assembly for Wales* 10 March 2011

*Yn dod i rym* 6 Ebrill 2011

*Coming into force* 6 April 2011

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 512ZB(4)(aa)(ii) a 568 o Ddeddf Addysg 1996(1), ac a freiniwyd bellach ynddynt hwy(2), yn gwneud y Gorchymyn a ganlyn:

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 512ZB(4)(aa)(ii) and 568 of the Education Act 1996(1), and now vested in them(2), make the following Order:

**Enwi, cychwyn a chymhwysu**

**Title, commencement and application**

1.–(1) Enw'r Gorchymyn hwn yw Gorchymyn Addysg (Ciniawau Ysgol am Ddim) (Credydau Treth Rhagnodedig) (Cymru) (Diwygio) 2011 ac mae'n dod i rym ar 6 Ebrill 2011.

1.–(1) This Order may be cited as the Education (Free School Lunches) (Prescribed Tax Credits) (Wales) (Amendment) Order 2011 and it comes into force on 6 April 2011.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

(2) This Order applies in relation to Wales.

**Dehongli**

**Interpretation**

2. Yn y Gorchymyn hwn –

2. In this Order–

mae i "Credyd Treth Plant" a "Credyd Treth Gwaith" yr ystyr a roddir i ("*Child Tax Credit*") a ("*Working Tax Credit*") yn Neddf Credydau Treth 2002(3);

"the 2003 Order" ("*Gorchymyn 2003*") means the Education (Free School Lunches) (Prescribed Tax Credits) (Wales) Order 2003(3);

---

(1) 1996 p.56. Rhoddwyd adran 512ZB, ynghyd ag adran 512, fel y'i deddfwyd yn wreiddiol, a 512ZA yn lle adran 512 gan adran 201(1) o Ddeddf Addysg 2002 (p.32) ac mewnosodwyd is-adran (4)(aa) ac (c) o adran 512ZB gan adran 26(1)(c) ac (e), yn eu trefn, o Ddeddf Tlodi Plant 2010 (p.9). Am ystyr "prescribed" gweler adran 512(6).

---

(1) 1996 c.56. Section 512ZB, together with section 512 and 512ZA were substituted for section 512, as originally enacted, by section 201(1) of the Education Act 2002 (c.32) and subsection (4)(aa) and (c) of section 512ZB were inserted by section 26(1)(c) and (e), respectively, of the Child Poverty Act 2010 (c. 9). For the meaning of "prescribed" see section 512(6).

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac yna i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).

(2) The functions of the Secretary of State were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and then to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

(3) 2002. p. 21.

(3) S.I. 2003/879 (W. 110).

ystyr "Gorchymyn 2003" ("*the 2003 Order*") yw Gorchymyn Addysg (Ciniawau Ysgol Rhad ac am Ddim) (Credydau Treth Rhagnodedig) (Cymru) 2003(1);

ystyr "incwm blynyddol" ("*annual income*") yw'r incwm am y flwyddyn dreth wedi ei gyfrifo yn unol â Rheoliadau Credydau Treth (Diffinio a Chyfrifo Incwm) 2002(2).

## Diwygio

3.–(1) Mae'r Gorchymyn hwn yn diwygio Gorchymyn 2003.

(2) Yn lle erthygl 3 o Orchymyn 2003, rhodder–

### "Credydau treth rhagnodedig

3. Rhagnodir Credyd Treth Plant at ddibenion adran 512ZB(4)(aa)(ii) o Ddeddf Addysg 1996 –

- (a) pan fo hawl gan riant P i gael Credyd Treth Plant ond dim hawl i gael Credyd Treth Gwaith; a
- (b) pan fo rhiant P yn cael Credyd Treth Plant yn rhinwedd dyfarniad ar sail incwm blynyddol nad yw'n uwch na'r swm o £16,190."

"annual income" ("*incwm blynyddol*") means the income for the tax year calculated in accordance with the Tax Credits (Definition and Calculation of Income) Regulations 2002(1);

"Child Tax Credit" ("*Credyd Treth i Blant*") and "Working Tax Credit" ("*Credyd Treth i Bobl sy'n Gweithio*") have the meaning given in the Tax Credits Act 2002(2).

## Amendment

3.–(1) This Order amends the 2003 Order.

(2) For article 3 of the 2003 Order, substitute–

### "Prescribed tax credits

3. Child Tax Credit is prescribed for the purposes of section 512ZB(4)(aa)(ii) of the Education Act 1996 where C's parent–

- (a) is entitled to Child Tax Credit but not to Working Tax Credit; and
- (b) is receiving Child Tax Credit by virtue of an award which is based on an annual income not exceeding the sum of £16,190."

*Leighton Andrews*

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

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

7 Mawrth 2011

7 March 2011

©© Hawlfraint y Goron 2011

© Crown copyright 2011

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

(1) O.S. 2003/879 (Cy. 110).

(2) O.S. 2002/2006, fel y'i diwygiwyd gan O.S. 2003/732, 2003/2815, 2004/2663, 2006/745, 2006/766, 2007/824, 2007/1305 a 2008/2169

(1) S.I. 2002/2006, as amended by S.I. 2003/732, 2003/2815, 2004/2663, 2006/745, 2006/766, 2007/824, 2007/1305 and 2008/2169.

(2) 2002. c. 21.

---

OFFERYNNAU STATUDOL  
CYMRU

---

**2011 Rhif 710 (Cy.111)**

**ADDYSG, CYMRU**

Gorchymyn Addysg (Ciniawau  
Ysgol am Ddim) (Credydau Treth  
Rhagnodedig) (Cymru) (Diwygio)  
2011

---

WELSH STATUTORY  
INSTRUMENTS

---

**2011 No. 710 (W.111)**

**EDUCATION, WALES**

The Education (Free School  
Lunches) (Prescribed Tax Credits)  
(Wales) (Amendment) Order 2011