WELSH STATUTORY INSTRUMENTS

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.

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(**3**).

(**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.

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