



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2011 Rhif 706 (Cy.109)

2011 No. 706 (W.109)

ADDYSG, CYMRU

EDUCATION, WALES

Rheoliadau Addysg (Peidio â
Chodi Tâl sy'n Ymwneud â
Theithiau Preswyl) (Cymru)
(Diwygio) 2011

The Education (Remission of
Charges Relating to Residential
Trips) (Wales) (Amendment)
Regulations 2011

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Addysg (Peidio â Chodi Tâl sy'n Ymwneud â Theithiau Preswyl) (Cymru) 2003 er mwyn ychwanegu budd-dal neu lwfans ychwanegol sy'n rhoi'r hawl i blentyn hawlydd gael prydau bwyd a llefy am ddim ar daith breswyl.

These Regulations amend the Education (Remission of Charges Relating to Residential Trips) (Wales) Regulations 2003 to add an additional benefit or allowance which entitles the child of a claimant to free board and lodging on a residential trip.

Mae Credyd Pensiwn y Wladwriaeth wedi ei ragnodi at ddibenion adran 457 o Ddeddf Addysg 1996 cyhyd â bod yr hawlydd yn derbyn y rhan credyd gwarant o Gredyd Pensiwn y Wladwriaeth.

State Pension Credit is prescribed for the purposes of section 457 of the Education Act 1996 so long as the claimant is receiving the guarantee credit part of the State Pension Credit.

Mae'r Rheoliadau hyn hefyd yn rhagnodi, at ddibenion adran 457(4)(b)(iii) o Ddeddf Addysg 1996, pan fo gan riant C hawl i Gredyd Treth i Blant ond nid i Gredyd Treth i Bobl sy'n Gweithio ac mae'n cael Credyd Treth i Blant yn seiliedig ar incwm blynyddol nad yw'n uwch na £16,190, bydd hawl gan C i gael ciniawau ysgol am ddim.

These Regulations also prescribe, for the purpose of section 457(4)(b)(iii) 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.

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**Rheoliadau Addysg (Peidio â
Chodi Tâl sy'n Ymwneud â
Theithiau Preswyl) (Cymru)
(Diwygio) 2011**

Gwnaed 9 Mawrth 2011

*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 10 Mawrth 2011

Yn dod i rym 6 Ebrill 2011

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 457(4)(b)(iii) a 569 o Ddeddf Addysg 1996(1) ac a freiniwyd bellach ynddynt hwy yn gwneud y Rheoliadau a ganlyn(2):

Enwi, cychwyn a chymhwysu

1.–(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Peidio â Chodi Tâl sy'n Ymwneud â Theithiau Preswyl) (Cymru) (Diwygio) 2011 a deuant i rym ar 6 Ebrill 2011.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

Dehongli

2. Yn y Rheoliadau hyn—

mae i "Credyd Treth i Blant" a "Credyd Treth i Bobl sy'n Gweithio" yr ystyr a roddir i "*Child Tax Credit*" a "*Working Tax Credit*" yn Neddf Credydau Treth 2002(3);

(1) 1996 p.56. Disodlwyd adran 457(4)(b) gan adran 200 o Ddeddf Addysg 2002 (p.32).

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan yr adrannau hynny i Weinidogion Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac adran 211(1) a (2) o Ddeddf Addysg 2002 a'u trosglwyddo wedyn i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).

(3) 2002 p.16.

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Made 9 March 2011

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

Coming into force 6 April 2011

The Welsh Ministers in exercise of the powers conferred on the Secretary of State by sections 457(4)(b)(iii) and 569 of the Education Act 1996(1) and now vested in them make the following Regulations(2):

Title, commencement and application

1.–(1) The title of these Regulations is the Education (Remission of Charges Relating to Residential Trips) (Wales) (Amendment) Regulations 2011 and they come into force on 6 April 2011.

(2) These Regulations apply in relation to Wales.

Interpretation

2. In these Regulations—

"the 2003 Regulations" ("*Rheoliadau 2003*") means the Education (Remission of Charges Relating to Residential Trips) (Wales) Regulations 2003(3);

(1) 1996 c.56. Section 457(4)(b) was substituted by section 200 of the Education Act 2002 (c.32).

(2) The functions of the Secretary of State under those sections were transferred to the Welsh Ministers by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and section 211(1) and (2) of the Education Act 2002 and were then transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

(3) S.I. 2003/860 (W.107).

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(1); ac

ystyr "Rheoliadau 2003" ("*the 2003 Regulations*") yw Rheoliadau Addysg (Peidio â chodi Tâl sy'n Ymwneud â Theithiau Preswyl) (Cymru) 2003(2).

Diwygio

3.–(1) Yn lle rheoliad 4 o Reoliadau 2003 rhodder–

"Credydau Treth Rhagnodedig

4. Rhagnodir Credyd Treth i Blant at ddibenion adran 457(4)(b)(iii) o Deddf 1996–

- (a) pan fo gan riant C hawl i Credyd Treth i Blant ond nid i Credyd Treth i Bobl sy'n Gweithio; a
- (b) pan fo rhiant C yn cael Treth Credyd i Blant yn rhinwedd dyfarniad sydd wedi ei seilio ar incwm blynyddol nad yw'n uwch na'r swm o £16,190."

(2) Ar ôl rheoliad 4 o Reoliadau 2003 mewnosoder–

"Credyd Pensiwn y Wladwriaeth

5. Mae Credyd Pensiwn y Wladwriaeth sy'n daladwy o dan adran 1 o Ddeddf Credyd Pensiwn y Wladwriaeth 2002(3) wedi ei ragnodi at ddibenion adran 457(4)(b)(iii) o Ddeddf 1996 mewn amgylchiadau pan yw'r rhiant yn derbyn y credyd gwarant."

"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); and

"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) For regulation 4 of the 2003 Regulations, substitute–

"Prescribed tax credits

4. Child tax credit is prescribed for the purposes of section 457(4)(b)(iii) of the 1996 Act 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."

(2) After regulation 4 of the 2003 Regulations insert–

"State Pension Credit

5. State Pension Credit payable under section 1 of the State Pension Credit Act 2002(3) is prescribed for the purposes of section 457(4)(b)(iii) of the 1996 Act in circumstances where the parent is receiving the guarantee credit."

Leighton Andrews

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

9 Mawrth 2011

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

9 March 2011

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(1) 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.

(2) O.S. 2003/860 (Cy.107).

(3) 2002 p.16.

(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.

(3) 2002 c.16.

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