



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2003 Rhif 860 (Cy.107)

2003 No. 860 (W.107)

ADDYSG, CYMRU

EDUCATION, WALES

**Rheoliadau Addysg (Peidio â
Chodi Tâl sy'n Ymwneud â
Theithiau Preswyl) (Cymru) 2003**

**The Education (Remission of
Charges Relating to Residential
Trips) (Wales) Regulations 2003**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae adran 457 o Ddeddf Addysg 1996 yn gofyn bod gan ysgolion bolisi ar waith, ar gyfer peidio â chodi unrhyw dâl sydd fel arall yn daladwy mewn perthynas â bwyd a llety i ddisgyblion penodol ar deithiau preswyl. Mae'n rhaid bod y polisi peidio â chodi unrhyw dâl yn gymwys i ddisgybl y mae ei riant yn derbyn budd-dâl neu lwfans penodol, neu y mae ei riant â hawl i gredydau treth penodol, sydd wedi eu rhagnodi ar gyfer dibenion yr adran.

Section 457 of the Education Act 1996 requires schools to have in place a policy for the complete remission of any charges otherwise payable in respect of board and lodging provided for certain pupils on residential trips. The remissions policy must apply to a pupil whose parent is in receipt of certain benefits or allowances, or whose parent is entitled to certain tax credits, prescribed for the purposes of the section.

Mae'r Rheoliadau hyn yn rhagnodi at ddibenion adran 457 cymorth a ddarperir o dan Ran 6 o Ddeddf Llochesu a Mewnfudo 1999. Maent hefyd yn rhagnodi Credyd Treth i Blant, ar y yr amod nad yw'r rhiant yn derbyn Credyd Treth i Bobl sy'n Gweithio, a bod y dyfarniad o credyd Treth i Blant wedi ei selio ar incwm blyneddol heb fod yn fwy n'ar swm a bennwyd at ddibenion adran 7(1)(a) o Ddeddf Credydau Treth 2002 (sef 13,320 ar hyn o bryd).

These Regulations prescribe for the purposes of section 457 support provided under Part 6 of the Immigration and Asylum Act 1999. They also prescribe Child Tax Credit, provided that the parent is not in receipt of Working Tax Credit, and that the award of Child Tax Credit is based on an annual income not exceeding the amount determined for the purposes of section 7(1)(a) of the Tax Credits Act 2002 (currently £13,230).

2003 Rhif 860 (Cy.107)**2003 No. 860 (W.107)****ADDYSG, CYMRU****EDUCATION, WALES****Rheoliadau Addysg (Peidio â Chodi Tâl sy'n Ymwneud â Theithiau Preswyl) (Cymru) 2003****The Education (Remission of Charges Relating to Residential Trips) (Wales) Regulations 2003**

Wedi'u gwneud 25 Mawrth 2003
Yn dod i rym 6 Ebrill 2003

Made 25th March 2003
Coming into force 6th April 2003

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 457(4)(b)(iii) a 569 o Ddeddf Addysg 1996(a), ac a freiniwyd bellach yng Nghynulliad Cenedlaethol Cymru(b).

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on the Secretary of State by section 457(4)(b)(iii) and 569 of the Education Act 1996(a) and now vested in the National Assembly for Wales(b).

Enw, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Peidio â Chodi Tâl sy'n Ymwneud â Theithiau Preswyl) (Cymru) 2003 a deuant i rym ar 6 Ebrill 2003.

(2) Mae'r Rheoliadau hyn yn gymwys mewn perthynas â Chymru.

Name, commencement and application

1. -(1) These Regulations are to be called the Education (Remission of Charges Relating to Residential Trips) (Wales) Regulations 2003 and shall come into force on 6th April 2003.

(2) These Regulations apply in relation to Wales.

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(c).

ystyr "Deddf 1996" ("*the 1996 Act*") yw Deddf Addysg 1996; ac

ystyr "incwm blynyddol" ("*annual income*") yw yr incwm am y flwyddyn dreth sydd yn cael ei gyfrifo yn unol â Rheoliadau Credydau Treth (Diffinio a Chyfrifo Incwm) 2002(ch).

Interpretation**2. In these Regulations:**

"the 1996 Act" ("*Deddf 1996*") means the Education Act 1996;

"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(c);

"Child Tax Credit" ("*Credyd Treth i Blant*") and "Working Tax Credit" ("*Credyd Treth i Bobl sy'n Gweithio*") have the same meaning as in the Tax Credits Act 2002(d);

(a) 1996 p.56. (Diwygir adran 457 (4)(b) yn rhagolygol gan adran 200 o Ddeddf Addysg 2002 (p.32) ac mae i ddod i rym ar 31 Mawrth 2003 yn rhinwedd Gorchymyn Deddf Addysg 2002 (Cychwyn Rhif 1) (Cymru) 2002 (O.S. 2002/3185) (Cy.301) (C.107)). I gael ystyr 'prescribed' a 'regulations' gweler adran 579(1).

(b) *Gweler* Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac adran 211(1) a (2) o Ddeddf Addysg 2002.

(c) 2002 p.21.

(ch) O.S. 2002/2006. Mae incwm blynyddol person sydd yn cael ei gyfrifo yn unol â'r rheoliadau hynny yn cynnwys incwm partner y person hwnnw os oes cais ar y cyd i dderbyn Credyd Treth i Blant.

(a) 1996 c.56. (Section 457(4)(b) is prospectively substituted by section 200 of the Education Act 2002 (c.32) and is to come into force on 31st March 2003 by virtue of the Education Act 2002 (Commencement No.1) (Wales) Order 2002 (S.I. 2002/3185 (W.301)(C.107)). For the meaning of "prescribed" and "regulations", see section 579(1).

(b) *See* 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.

(c) S.I. 2002/2006. Annual income of a person calculated in accordance with those regulations includes income of the partner of that person in the case of a joint claim for Child Tax Credit.

(d) 2002. c.21.

Budd-dâl neu Lwfans Rhagnodedig

3. Mae cymorth a ddarperir i riant o dan Ran 6 o Ddeddf Llochesu a Mewnfudo 1999(a) yn cael ei ragnodi ar gyfer dibenion adran 457(4)(b)(iii) o Ddeddf 1996.

Credydau Treth Rhagnodedig

4. Rhagnodir Credyd Treth i Blant at ddibenion adran 457(4)(b)(iii) o Ddeddf 1996 o dan yr amgylchiadau canlynol:

- (a) pan fydd gan riant hawl i Credyd Treth i Blant ond nid i Credyd Treth i Bobl sy'n Gweithio, a
- (b) pan fod y rhiant yn derbyn Credyd Treth i Blant drwy rinwedd dyfarniad sydd wedi ei selio ar incwm blynyddol heb fod yn fwy na'r swm a bennwyd at ddibenion adran 7(1)(a) o Ddeddf Credydau Treth 2002 fel trothwy incwm ar gyfer Credyd Treth i Blant(b).

Prescribed Benefits or Allowances

3. Support provided to the parent under Part 6 of the Immigration and Asylum Act(a) is prescribed for the purposes of section 457(4)(b)(iii) of the 1996 Act.

Prescribed Tax Credits

4. Child Tax Credit is prescribed for the purposes of section 457(4)(b)(iii) of the 1996 Act in the following circumstances:

- (a) where the parent is entitled to Child Tax Credit but not to Working Tax Credit, and
- (b) where the parent is receiving Child Tax Credit by virtue of an award based on annual income not exceeding the amount determined for the purposes of section 7(1)(a) of the Tax Credits Act 2002 as the income threshold for Child Tax Credit(b).

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(c).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(c).

25 Mawrth 2003

25th March 2003

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) 1999 p.33.

(b) £13,230 yw'r swm a bennwyd mewn perthynas a Credyd Treth i Blant o 6 Ebrill 2003 ymlaen, yn sgil rheoliad 3(3) o Reoliadau Credydau Treth (Trothwyau Incwm a Phennu Cyfraddau) 2002 (O.S. 2002/2008).

(c) 1998 p.38.

(a) 1999 c.33.

(b) The amount determined in relation to Child Tax Credit is £13,230 as from 6th April 2003, by virtue of regulation 3(3) of the Tax Credits (Income Thresholds and Determination of Rates) Regulations 2002 (S.I. 2002/2008).

(c) 1998 c.38.

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