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STATUTORY INSTRUMENTS

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**2005 No. 885**

**EDUCATION**

**The Education (Free School Lunches)  
(State Pension Credit) Order 2005**

<i>Made</i>	- - - -	<i>23rd March 2005</i>
<i>Laid before Parliament</i>		<i>6th April 2005</i>
<i>Coming into force</i>	- -	<i>30th April 2005</i>

The Secretary of State for Education and Skills, in exercise of the powers conferred upon her by sections 512ZB(4)(a)(iv) and 568 of the Education Act 1996 (1) hereby makes the following Order:

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Education (Free School Lunches) (State Pension Credit) Order 2005 and shall come into force on 30<sup>th</sup> April 2005.

(2) This Order applies only in relation to England.

**Prescribed benefit**

2. State Pension Credit payable under section 1 of the State Pension Credit Act 2002(2) is prescribed for the purposes of section 512ZB(4)(a)(iv) of the 1996 Act in circumstances where the parent is receiving guarantee credit under section 1.

23rd March 2005

*Derek Twigg*  
Parliamentary Under Secretary of State  
Department for Education and Skills

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(1) 1996 c. 56. Section 512ZB was inserted by s.201 of the Education Act 2002. By virtue of s.211 of that Act the powers conferred by s.512ZB of the 1996 Act are exercised only in relation to England.  
(2) 2002 c. 16.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## **EXPLANATORY NOTE**

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

This Order prescribes, for the purposes of section 512ZB of the Education Act 1996, that where a parent is in receipt of the guarantee credit part of State Pension Credit their child is entitled to free school lunches.

A previous Order (The Education (Free School Lunches) (Prescribed Tax Credits) Order 2003 ([SI 2003/383](#))) prescribed Child Tax Credit for the purposes of section 512ZB.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.