

Changes to legislation: Social Security (Scotland) Act 2018, CHAPTER 2 is up to date with all changes known to be in force on or before 02 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 8 FUNERAL EXPENSE ASSISTANCE REGULATIONS

PART 1

ELIGIBILITY

CHAPTER 2

FURTHER CRITERIA

Location of the funeral

- 2 The regulations may make an individual's eligibility depend on where the funeral takes place.

Commencement Information

- I1** Sch. 8 para. 2 in force at 11.9.2019 by [S.S.I. 2019/269](#), **reg. 2(c)**

Relationship with the deceased

- 3 The regulations may make an individual's eligibility depend on the individual—
- (a) being related to the deceased person, or
 - (b) having a relationship of a kind described in the regulations with the deceased person immediately before the death.

Commencement Information

- I2** Sch. 8 para. 3 in force at 11.9.2019 by [S.S.I. 2019/269](#), **reg. 2(c)**

Value of deceased's estate

- 4 The regulations may make an individual's eligibility depend on the value of the deceased person's estate being below a level specified in the regulations.

Commencement Information

- I3** Sch. 8 para. 4 in force at 11.9.2019 by [S.S.I. 2019/269](#), **reg. 2(c)**

Residence and presence

- 5 The regulations may make an individual's eligibility depend on either or both—
- (a) the individual being resident and present in a particular place,
 - (b) the deceased person having been resident and present in a particular place at the date of death.

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Commencement Information

I4 Sch. 8 para. 5 in force at 11.9.2019 by [S.S.I. 2019/269](#), **reg. 2(c)**

Financial circumstances

- 6 The regulations may make an individual's eligibility depend on the individual's financial circumstances.

Commencement Information

I5 Sch. 8 para. 6 in force at 11.9.2019 by [S.S.I. 2019/269](#), **reg. 2(c)**

Receipt of, or eligibility for, other types of State assistance

- 7 The regulations may make an individual's eligibility depend on either or both the individual and, immediately before dying, the deceased person—
- (a) being, or not being, in receipt of another type of assistance (whether under this Act or another enactment),
 - (b) being, or not being, eligible or entitled to receive such assistance.

Commencement Information

I6 Sch. 8 para. 7 in force at 11.9.2019 by [S.S.I. 2019/269](#), **reg. 2(c)**

Application within specified period

- 8 The regulations may provide that an individual ceases to be eligible in respect of a funeral unless, by a deadline specified in the regulations—
- (a) the individual has applied for funeral expense assistance in respect of the funeral, or
 - (b) the Scottish Ministers have become required to make a determination of the individual's entitlement to funeral expense assistance in respect of the funeral by regulations under section 52.

Commencement Information

I7 Sch. 8 para. 8 in force at 11.9.2019 by [S.S.I. 2019/269](#), **reg. 2(c)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 81(4C) inserted by [2021 asp 20 s. 2\(a\)](#)
- s. 85D inserted by [2020 asp 18 s. 2\(6\)](#)