
STATUTORY INSTRUMENTS

1994 No. 506

SOCIAL SECURITY

**The Social Fund Maternity and Funeral Expenses
(General) Amendment Regulations 1994**

<i>Made</i>	- - - -	<i>2nd March 1994</i>
<i>Laid before Parliament</i>		<i>9th March 1994</i>
<i>Coming into force</i>	- -	<i>1st April 1994</i>

The Secretary of State for Social Security in exercise of the powers conferred on him by sections 138(1)(a) and (4) and 175(1) to (4) of the Social Security Contributions and Benefits Act 1992⁽¹⁾ and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it⁽²⁾, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Fund Maternity and Funeral Expenses (General) Amendment Regulations 1994 and shall come into force on 1st April 1994.

(2) In these Regulations “the principal Regulations” means the Social Fund Maternity and Funeral Expenses (General) Regulations 1987⁽³⁾.

Amendment of regulation 3 of the principal Regulations

2. In regulation 3 of the principal Regulations (definitions)

(a) after the definition of “claimant” the following definition shall be inserted—

““close relative” means a parent, parent-in-law, son, son-in-law, daughter, daughter-in-law, step-parent, step-son, step-daughter, brother, sister or partner of any of the preceding persons;”;

(b) for the definition of “responsible member” the following definition shall be substituted—

““responsible person” is to be construed in accordance with regulation 7(1)(b);”.

(1) 1992 c. 4; section 138(4) is an interpretation provision and is cited because of the meaning ascribed to the word “prescribed”.
(2) See section 173(1)(b) of the Social Security Administration Act 1992 (c. 5).
(3) S.I.1987/481; relevant amending instruments are S.I. 1988/36, 1989/379, 1990/580, 1992/2149 and 1993/479.

Amendment of regulation 7 of the principal Regulations

3. In regulation 7 of the principal Regulations (entitlement to funeral expenses) —
- (a) for sub-paragraph (1)(b) there shall be substituted the following sub-paragraph—
- “ (b) the claimant (in this Part of these Regulations referred to as “the responsible person”) accepts responsibility for the costs of a funeral and —
- (i) the responsible person was the partner of the deceased; or
- (ii) where the responsible person or that person’s partner was a close relative of the deceased, it is reasonable for the responsible person to accept responsibility for those costs and there is no other person who was equally or more closely related to the deceased whom, on comparing that other person’s income and capital with that of the responsible person and taking account of the nature and extent of that other person’s contact with the deceased, it is reasonable to expect to meet those costs; or
- (iii) where neither head (i) nor (ii) applies, it is reasonable in view of the extent of the responsible person’s or partner’s acquaintanceship with the deceased for that person to accept responsibility for those costs; and”;
- (b) in paragraph (2) for the words “responsible member” each time they appear there shall be substituted the words “responsible person”.

Amendment of regulation 8 of the principal Regulations

4. In regulation 8 of the principal Regulations (deductions from an award of a funeral payment) for the words “responsible member” each time they appear there shall be substituted the words “responsible person”.

Signed by authority of the Secretary of State for Social Security 2nd March 1994

Department of Social Security

Nicholas Scott
Minister of State,

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulations 3, 7 and 8 of the Social Fund Maternity and Funeral Expenses (General) Regulations 1987 by amending the conditions which a person must satisfy to be entitled to a funeral payment from the Social Fund.

These Regulations do not impose a charge on businesses.