

SCHEDULE 8 FUNERAL EXPENSE ASSISTANCE REGULATIONS

PART 1

ELIGIBILITY

CHAPTER 1

ELIGIBILITY IS TO DEPEND ON BEING RESPONSIBLE FOR FUNERAL EXPENSES

- 1 (1) The regulations must be framed so that an individual's eligibility for funeral expense assistance depends on the individual having met, or being responsible for meeting, the expenses of a funeral.
- (2) The regulations are to define "funeral" for the purpose of determining entitlement to funeral expense assistance.

CHAPTER 2

FURTHER CRITERIA

Location of the funeral

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

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.

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.

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.

Financial circumstances

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

Status: This is the original version (as it was originally enacted).

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.

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.