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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2019 No.**

**The Funeral Expense Assistance (Scotland) Regulations 2019**

**PART 4**

**Eligibility**

**Multiple applications**

**8.—**(1) Where two or more persons accept responsibility for the expenses of the funeral, and each applies for funeral expense assistance, the Scottish Ministers must consider which of the persons is the nearer (or nearest) relative of the deceased person, applying the approach described in regulation 7(2)(a).

(2) The Scottish Ministers must determine the application by the nearer relative before they determine any other application for assistance.

(3) Where, in applying paragraph (1), two or more applicants for assistance rank equally as the nearer relative and are not in agreement as to which application is to be progressed, the Scottish Ministers must decide which application is to be progressed first.

(4) Where a determination is made to give a person funeral expense assistance in respect of a funeral, only that person is eligible for such assistance in respect of the expenses of a funeral of the deceased person.

(5) Where the Secretary of State decides to make a funeral payment within the meaning of the Social Fund Maternity and Funeral Expenses (General) Regulations 2005(1) or the Social Fund Maternity and Funeral Expenses (General) Regulations (Northern Ireland) 2005(2), no person is eligible for funeral expense assistance to meet, or help meet, expenses of a funeral in respect of the deceased person.

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(1) [S.I. 2005/3061](#). There are amendments that are not relevant to this regulation.

(2) [S.I. 2005/506](#). There are amendments that are not relevant to this regulation.