

SCHEDULE 1

Article 2(1)

MEANING OF “SUBSTANTIAL AND EXCLUSIVE RELATIONSHIP”

PART 1

SUBSTANTIAL RELATIONSHIP

1. In deciding whether a relationship of a deceased member (“the deceased”) and the claimant is a substantial relationship, the Secretary of State is to have regard to—
  - (a) any evidence which the claimant considers demonstrates that the relationship is substantial; and
  - (b) must in particular have regard to the examples of the evidence specified in paragraph 2 which could, either alone or together, indicate that the relationship is substantial.
2. The evidence referred to in paragraph 1(b) is—
  - (a) evidence of regular financial support of the claimant by the deceased;
  - (b) evidence of a valid will or life insurance policy, valid at the time of the deceased’s death, in which—
    - (i) the deceased nominates the claimant as principal beneficiary or co-beneficiary with children; or
    - (ii) the claimant nominates the deceased as the principal beneficiary;
  - (c) evidence indicating that the deceased and the claimant were purchasing accommodation as joint owners or evidence of joint ownership of other valuable property, such as a car or land;
  - (d) evidence of a joint savings plan or joint investments of a substantial nature;
  - (e) evidence that the deceased and the claimant operated a joint account for which they were co-signatories;
  - (f) evidence of joint financial arrangements such as joint repayment of a loan or payment of each other’s debts;
  - (g) evidence that the deceased or the claimant had given the other a power of attorney;
  - (h) evidence that the names of both the deceased and the claimant appeared on a lease or rental agreement, if they lived in rented accommodation;
  - (i) evidence that the deceased and the claimant shared responsibility for children;
  - (j) evidence of the length of the relationship.

PART 2

EXCLUSIVE RELATIONSHIP

3. A relationship is not an exclusive relationship if—
  - (a) one or both of the parties to the relationship is married to, or is the civil partner of, someone other than the other party to the relationship; or
  - (b) one or both of the parties is a party to another relationship which is, or could be considered to be, a substantial and exclusive relationship having regard to the provisions of this Schedule.