
STATUTORY INSTRUMENTS

1993 No. 479

SOCIAL SECURITY

**The Social Fund Maternity and Funeral Expenses
(General) Amendment Regulations 1993**

<i>Made</i>	- - - -	<i>4th March 1993</i>
<i>Laid before Parliament</i>		<i>11th March 1993</i>
<i>Coming into force</i>	- -	<i>1st April 1993</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 (3) 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 to make 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 1993 and shall come into force on 1st April 1993.

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

Amendment of regulation 7 of the principal Regulations

2. In regulation 7 of the principal Regulations (entitlement to funeral payment)—

(a) for sub-paragraph (a) of paragraph (1) there shall be substituted the following subparagraph—

“(a) the claimant or the claimant’s partner in respect of the date of the claim for a funeral payment—

(i) has been awarded income support, family credit, disability working allowance, housing benefit or council tax benefit where, in the case of council tax benefit, that benefit is awarded by virtue only of the claimant or his partner having fulfilled the conditions of entitlement specified in

(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 and 1991/2742.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- section 131(3) to (5) of the Social Security Contributions and Benefits Act 1992 (entitlement to the appropriate maximum council tax benefit)~~((4))~~; or
- (ii) is a person to whom, by virtue of sub-section (7) of section 131 of that Act, sub-section (6) of that section applies where, on a claim for council tax benefit, the conditions of entitlement specified in section 131(3) and (6) for an award of the alternative maximum council tax benefit are fulfilled; and⁴;
- (b) in paragraph (2)(b) at the end there shall be added the words “and, in the case of cremation, the cost of an ordinary urn”.

Signed by authority of the Secretary of State for Social Security.

4th March 1993

Nicholas Scott
Minister of State,
Department of Social Security

(4) “Council tax benefit” was added to the income-related benefits in Part VII of the Social Security Contributions and Benefits Act 1992 by Schedule 9 to the Local Government Finance Act 1992 (c. 14) and paragraph 4 of that Schedule substituted a new section 131 with respect to council tax benefit in the Social Security Contributions and Benefits Act 1992.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 7 of the Social Fund Maternity and Funeral Expenses (General) Regulations 1987 so that a person may be entitled to a payment in respect of funeral expenses where he or his partner

- (a) has been awarded the appropriate maximum council tax benefit but not the alternative maximum council tax benefit, or
- (b) is a person in respect of whom the alternative maximum council tax benefit may be awarded.

They also in the case of a cremation add the cost of an ordinary urn to the expense for which a funeral payment may be made.