

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Social Fund Maternity and Funeral Expenses (General) Regulations 1987 (S.I.1987/481 as amended) by:

- providing that income-based jobseeker's allowance is to be a qualifying benefit for the purpose of obtaining a maternity payment or a funeral payment and making consequential amendments (regulations 2(2) and (4)(b), 3, 4, 5(2) and 7);
- treating claimants or partners of claimants who are receiving long term care in residential care or nursing homes as members of the household (regulation 2(3) and (4));
- excluding children and young persons from consideration when determining whether the responsible person is entitled to a funeral payment (regulation 5(3) and (4));
- providing that funeral payments should not be made in respect of items covered by a pre-paid funeral plan (regulation 5(5) and (7)) and that sums received under such a plan should be deducted from funeral payments (regulation 6(b));
- clarifying the allowable costs in respect of a burial and in respect of fees and donations paid to Ministers or for the use of churches and other places of worship (regulation 5(6)) and also clarifying the scope of the references to mileage in the regulations (regulation 5(7));
- including a reference to confirmations of estates obtained in Scotland (regulation 6(a)).

Regulation 8 provides a transitional provision relating to certain provisions in respect of claims for funeral payments made before 7th October 1996.

These Regulations do not impose a charge on business.