

**1997 No. 2538**

**SOCIAL SECURITY**

**The Social Fund Maternity and Funeral Expenses  
(General) Amendment Regulations 1997**

<i>Made</i> - - - -	<i>23rd October 1997</i>
<i>Laid before Parliament</i>	<i>27th October 1997</i>
<i>Coming into force</i>	<i>17th November 1997</i>

The Secretary of State for Social Security, in exercise of the powers conferred on her by sections 138(1)(a) and (4) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(a) and of all other powers enabling her in that behalf, after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(b), 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 1997 and shall come into force on 17th November 1997.

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

**Application of the Regulations**

2. Regulations 3 to 6 of these Regulations shall apply only in respect of claims for a social fund payment to meet funeral expenses which are made, or are treated as made, on or after 17th November 1997.

[Regulation 3 amends regulation 3 of S.I. 1987/481.]

[Regulation 4 amends regulation 4 of S.I. 1987/481.]

[Regulation 5 amends regulation 7 of S.I. 1987/481.]

[Regulation 6 amends regulation 7A of S.I. 1987/481.]

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

*John Y. Denham*  
Parliamentary Under-Secretary of State,  
Department of Social Security

23rd October 1997

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(a) 1992 c. 4; section 138(4) is an interpretation provision and is cited because of the meaning ascribed to the word “prescribed”.  
(b) See section 173(1)(b) of the Social Security Administration Act 1992 (c. 5).  
(c) S.I. 1987/481.

**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) (“the General Regulations”).

In particular, these Regulations amend the General Regulations by -

- substituting a new definition of “absent parent” which applies only to the parents of children and not to the parents of still-born children (regulation 3);
- allowing a further funeral payment to be awarded in certain circumstances, notwithstanding the fact that a funeral payment has already been awarded in respect of the death of the same person (regulation 4);
- providing that funeral payments may be awarded to certain persons where the funeral takes place either in the United Kingdom or elsewhere within the European Economic Area (regulation 5(2) and (4));
- clarifying the position as to when funeral payments may be awarded in respect of children and still-born children and where the responsible person is an immediate family member of the deceased (regulation 5(3) and (5));
- ensuring that a funeral payment may only be awarded to the extent that the total cost of burial in an existing plot together with transportation costs does not exceed the amount which would have been awarded in respect of a burial in a new plot (regulation 6(2) and (4));
- providing that funeral payments in respect of expenses of journeys for arranging or attending a funeral shall only be awarded in so far as such expenses are necessary (regulation 6(2) and (4));
- clarifying the references in regulation 7A of the General Regulations to a distance of 50 miles in the context of ascertaining which costs are allowable when awarding a funeral payment (regulation 6(3)).

Regulation 2 provides that these Regulations shall apply only to claims for funeral payments made, or treated as made, on or after 17th November 1997.

These Regulations do not impose a charge on business.