STATUTORY RULES OF NORTHERN IRELAND

2013 No. 58

SOCIAL SECURITY

The Social Fund Maternity and Funeral Expenses (General) (Amendment) Regulations (Northern Ireland) 2013

Made - - - -	*8th March 2013*
Coming into operation	*1st April 2013*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 134(1)(a) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**), and now vested in it(**2**).

Citation and commencement

1. These Regulations may be cited as the Social Fund Maternity and Funeral Expenses (General) (Amendment) Regulations (Northern Ireland) 2013 and shall come into operation on 1st April 2013.

Amendment of the Social Fund Maternity and Funeral Expenses (General) Regulations

2.—(1) The Social Fund Maternity and Funeral Expenses (General) Regulations (Northern Ireland) 2005(**3**) are amended as follows.

(2) In regulation 2(1)(interpretation) after the definition of "the Act" insert—

""the Order" means the Jobseekers (Northern Ireland) Order 1995(**4**);

"the 2007 Act" means the Welfare Reform Act (Northern Ireland) 2007(**5**)

(3) In regulation 10 (deductions from an award of a funeral payment)—

(a) in paragraph (1)(a), at the beginning insert "subject to paragraph (1A)",

(b) after paragraph (1) insert—

"(1A) For the purposes of regulation 10(1)(a), arrears of the following benefits payable to the deceased as at the date of death are excluded from the assets of the deceased—

(**1**) 1992 c. 7; section 134(1) was substituted by Article 66(1) of the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10)) and section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)
(**2**) See Article 8(b) of S.R. 1999 No. 481
(**3**) S.R. 2005 No. 506, to which there are amendments not relevant to these Regulations
(**4**) S.I. 1995/2705 (N.I. 15)
(**5**) 2007 c. 2 (N.I.)

(a) attendance allowance under Part 3 of the Act;

(b) bereavement allowance under Part 2 of the Act;

(c) carer's allowance under Part 3 of the Act;

(d) child benefit under Part 9 of the Act;

(e) child tax credit under section 8 of the Tax Credits Act 2002(**6**);

(f) disability living allowance under Part 3 of the Act;

(g) employment and support allowance under Part 1 of the 2007 Act;

(h) exceptionally severe disablement allowance under Part 5 of the Act;

(i) guardian's allowance under Part 3 of the Act;

(j) housing benefit under Part 7 of the Act;

(k) incapacity benefit under Part 2 of the Act;

(l) income support under Part 7 of the Act;

(m) industrial death benefit under Part 5 of the Act;

(n) industrial injuries disablement benefit under Part 5 of the Act;

(o) jobseeker's allowance under the 1995 Order;

(p) maternity allowance under Part 2 of the Act;

(q) reduced earnings allowance under Part 5 of the Act;

(r) severe disablement allowance under Part 3 of the Act;

(s) state pension credit under section 1 of the State Pension Credit Act (Northern Ireland) 2002(**7**);

(t) state retirement pension under Parts 2 or 3 of the Act;

(u) war disablement pension under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003(**8**) in respect of the death or disablement of any person;

(v) war widow's pension under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;

(w) war widower's pension under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;

(x) widowed mother's allowance under Part 2 of the Act;

(y) widowed parent's allowance under Part 2 of the Act;

(z) widow's pension under Part 2 of the Act;

(aa) winter fuel payment under Part 8 of the Act;

(bb) working tax credit under section 10 of the Tax Credits Act 2002.".

(**6**) 2002 c.21
(**7**) 2002 c. 14 (N.I.)
(**8**) 2003 c. 1; section 639(2) was inserted by section 19(4) of the Finance Act 2005 (c. 7)