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Social Security Committee Comataidh Tèarainteachd Sòisealta

Subordinate legislation considered by the Social Security Committee on 19 March 2020



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Social Security Committee

To consider and report on matters relating to social security (including the delivery and payment of benefits that help address poverty) falling within the responsibility of the Cabinet Secretary for Social Security and Older People.



<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/social-security-committee.aspx>



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Committee Membership



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Pauline McNeill
Scottish Labour



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Scottish Conservative
and Unionist Party



Keith Brown
Scottish National Party



Mark Griffin
Scottish Labour



Alison Johnstone
Scottish Green Party



Shona Robison
Scottish National Party



Graham Simpson
Scottish Conservative
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Carer's Allowance Up-rating (Scotland) Order 2020 [draft]

1. The Carer's Allowance Up-rating (Scotland) Order 2020 [draft] was laid before the Parliament on 19 February 2020 and referred to the Social Security Committee.
2. The Order is subject to the affirmative procedure (Rule 10.6) and it is for the Social Security Committee to recommend to Parliament whether the Instrument should be approved.
3. This Order will uprate Carer's Allowance by 1.7% (Consumer Price Index, September 2019). This is to ensure that Carer's Allowance keeps pace with price inflation and will increase the weekly rate of Carer's Allowance from £66.15 to £67.25.
4. The Delegated Powers and Law Reform Committee considered the order at its meeting on 25 February 2020 and did not raise any issues.
5. Following the evidence session, Shirley-Anne Somerville moved motion S5M-21020

That the Social Security Committee recommends that the Carer's Allowance Up-rating (Scotland) Order 2020 [draft] be approved.

The motion was agreed to without division.

6. The evidence taken can be found in the Official Report for [19 March 2020](#).

The Social Security Committee recommends to the Parliament that the Carer's Allowance Up-rating (Scotland) Order 2020 [draft] be approved.

Funeral Expense Assistance and Young Carer Grants (Up-rating) (Miscellaneous Amendments) (Scotland) Regulations 2020 [draft]

7. The Funeral Expense Assistance and Young Carer Grants (Up-rating) (Miscellaneous Amendments) (Scotland) Regulations 2020 [draft] was laid before the Parliament on 19 February 2020 and referred to the Social Security Committee.
8. The Regulations are subject to the affirmative procedure (Rule 10.6) and it is for the Social Security Committee to recommend to Parliament whether the Instrument should be approved.
9. This instrument amends the Funeral Expense Assistance (Scotland) Regulations 2019 and the Carer's Assistance (Young Carer Grants) (Scotland) Regulations 2019.

Funeral Expense Assistance

10. The Instrument uprates by price inflation two of three amounts payable under the Funeral Expense Assistance (Scotland) Regulations 2019. These are the amount of assistance which are payable towards:
 - funeral costs if the deceased has left in place a pre-paid funeral plan
 - a fee for removing an active implantable medical device from the deceased.
11. The standard amount of assistance that is available towards other funeral costs is increased by more than inflation from £700 to £1,000.
12. This instrument also makes several amendments to:
 - provide clarity on entitlement to a payment in circumstances where a pre-paid funeral plan is in place.
 - clarify that entitlement to a lump sum under a funeral plan is to be regarded as an asset of the deceased for the purpose of determining whether the assets of the deceased are sufficient and available to meet the costs of a funeral.

Young Carer Grant

13. The Regulations increase the amount of the Young Carer Grant so that it is in line with price inflation.
14. The Young Carer Grants Regulations are amended to remove the exclusion from entitlement to the grant to young people subject to immigration control.

Committee consideration

Social Security Committee

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15. The Delegated Powers and Law Reform Committee considered the regulations at its meeting on 25 February 2020 and did not raise any issues.
16. Following the evidence session, Shirley-Anne Somerville moved motion S5M-21019

That the Social Security Committee recommends that the Funeral Expense Assistance and Young Carer Grants (Up-rating) (Miscellaneous Amendments) (Scotland) Regulations 2020 [draft] be approved.

The motion was agreed to without division.

17. The evidence taken can be found in the Official Report for [19 March 2020](#).

The Social Security Committee recommends to the Parliament that the Funeral Expense Assistance and Young Carer Grants (Up-rating) (Miscellaneous Amendments) (Scotland) Regulations 2020 [draft] be approved.

