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Newfoundland and Labrador Regulation 2024

NEWFOUNDLAND AND LABRADOR REGULATION 49/24

Income and Employment Support Regulations (Amendment)
under the
Income and Employment Support Act
(O.C. 2024-131)

(Filed July 29, 2024)

Under the authority of section 52 of the *Income and Employment Support Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, July 29, 2024.

Krista Quinlan
Clerk of the Executive Council

REGULATIONS

Analysis

1. S.27 R&S
Where death is involved

NLR 144/04
as amended

1. Section 27 of the *Income and Employment Support Regulations* is repealed and the following substituted:

Where death is involved

27. (1) An officer may grant to the relative of a deceased person or the representative of a deceased person an amount up to \$5,000 for one or more of the following expenses related to the deceased person:

- (a) cremation;
- (b) aquamation;
- (c) funeral; and
- (d) burial.

(2) Notwithstanding subsection (1), an officer may also grant to a person referred to in subsection (1)

- (a) an amount of \$1.25 a kilometre for each kilometre in excess of 8 kilometres, up to a maximum of \$850, where the remains of a deceased person are being transported;
- (b) an additional amount not exceeding \$1,500 for other related expenses that the officer considers reasonable; and
- (c) an additional amount for extraordinary and out-of-pocket expenses due to special circumstances where approved by an officer designated for that purpose by the minister.

(3) An officer, when determining the amount for the expenses referred to in subsections (1) and (2), shall deduct

- (a) any income to which the deceased person was entitled in the month of the deceased person's death;
- (b) any monies held in trust for the deceased person's expenses referred to in subsections (1) and (2);
- (c) any money held in a bank account, credit union or other financial institution by the deceased at the time of death; and
- (d) a death benefit from any source to which the estate of the deceased person is entitled.

(4) In determining an amount under subsection (3), an officer shall consider the income and assets of the deceased person's spouse or cohabiting partner.

(5) Notwithstanding subsection (3), when determining the amount for expenses referred to in subsections (1) and (2) with respect to a deceased person who was a recipient of income support at the time of death, an officer shall deduct only

- (a) any monies held in trust for the deceased person's expenses referred to in subsections (1) and (2); and
- (b) a death benefit from any source to which the estate of the deceased person is entitled.