
DRAFT STATUTORY INSTRUMENTS

2009 No.

**The Financial Assistance Scheme
(Miscellaneous Provisions) Regulations 2009**

PART 2

Amendment of the FAS Regulations

Amendment of paragraph 10 of Schedule 2

29. In paragraph 10 of Schedule 2 (initial payments)—

(a) in sub-paragraph (a)—

(i) after “survivor”, in both places it occurs, insert “or surviving dependant”;

(ii) in the substituted paragraph 2(2)(a)(ii) after “commutation” insert “, after the day on which the qualifying pension scheme began to be wound up,”; and

(iii) in the substituted paragraph 2(2)(b) after “commutation of benefits” insert “after the day on which the scheme began to be wound up”; and

(b) in sub-paragraph (e), for paragraph (ii) substitute—

“(ii) for sub-paragraph (4) substitute—

“(4) In sub-paragraph (3), “expected pension” shall, subject to sub-paragraph (5), be the sum of—

(a) the amount determined—

(i) where the qualifying member was entitled to a present payment of a pension under the scheme rules on the day before the day on which the qualifying pension scheme began to be wound up, in accordance with paragraph 3(3); or

(ii) where the qualifying member was an active member or a deferred member of a qualifying pension scheme on the day before the day on which the qualifying pension scheme began to be wound up, in accordance with paragraph 4(3); and

(b) the product of the aggregate of any annual increases determined in accordance with paragraph 9 to which the qualifying member was entitled on the day before the day on which the qualifying member died divided by 0.9.”.