
STATUTORY INSTRUMENTS

2008 No. 1903

**The Financial Assistance Scheme
(Miscellaneous Amendments) Regulations 2008**

PART 4

**Amendment of the FAS Internal Review
Regulations and the FAS Appeals Regulations**

Amendment of the FAS Internal Review Regulations

- 19.**—(1) The FAS Internal Review Regulations are amended in accordance with this regulation.
- (2) In regulation 2(1) (reviewable determinations)—
- (a) at the end of sub-paragraph (d) omit “or”;
 - (b) after sub-paragraph (e) insert—
 - “(f) the amount of an ill health payment payable to a qualifying member of a qualifying pension scheme or to a survivor of that qualifying member in accordance with regulation 17A (ill health payments) of, and Schedule 2A (determination of ill health and interim ill health payments) to, the FAS Regulations (“ill health payment assessment”); and
 - (g) whether or not the scheme manager is satisfied that a qualifying member of a qualifying pension scheme is unable to work due to ill health and is likely to continue to be so unable to work until normal retirement age for the purposes of regulations 17A(1) (ill health payments) and 17B(1) (interim ill health payments) of the FAS Regulations (“ill health eligibility”).”.
- (3) In each place it occurs (except in regulations 2(1)(d) and 5(1)(b)(ii)), after “member assessment” insert “, ill health payment assessment, ill health eligibility”.

Amendment of the FAS Appeals Regulations

- 20.**—(1) The FAS Appeals Regulations are amended in accordance with this regulation.
- (2) In regulation 2 (interpretation)—
- (a) after the definition of “Deputy PPF Ombudsman” insert—
 - ““ill health eligibility decision” means a review decision made by the scheme manager under the FAS Internal Review Regulations which relates to a determination as to whether or not the scheme manager is satisfied that a qualifying member is unable to work due to ill health and is likely to continue to be so unable to work until normal retirement age for the purposes of regulations 17A(1) (ill health payments) and 17B(1) (interim ill health payments) of the FAS Regulations;
 - “ill health payment assessment decision” means a review decision made by the scheme manager under the FAS Internal Review Regulations which relates to a determination as to the amount of an ill health payment payable to a beneficiary in

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accordance with regulation 17A of, and Schedule 2A (determination of ill health and interim ill health payments) to, the FAS Regulations;” and

(b) in the definition of “member assessment decision”, after “payable to a qualifying member” insert “or a survivor of that qualifying member”.

(3) In regulations 6(2)(b) (notice of appeal) and 17(4)(a) (time and place of oral hearings), after “member assessment decision” insert “, an ill health payment assessment decision, an ill health eligibility decision”.