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STATUTORY INSTRUMENTS

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**2009 No. 1851**

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

**PART 2**

**Amendment of the FAS Regulations**

**Amendment of regulation 17B**

**14.** In regulation 17B (interim ill health payments)—

- (a) in paragraph (1)—
  - (i) omit “a qualifying pension scheme is winding up and”;
  - (ii) in sub-paragraph (a) for “that scheme” substitute “a qualifying pension scheme”; and
  - (iii) in sub-paragraph (b)(i) after “a survivor” insert “or a surviving dependant”;
- (b) in paragraph (2)(b) after “a survivor” insert “and any surviving dependants”;
- (c) in paragraph (5)—
  - (i) after “the qualifying member” insert “, any surviving dependants”; and
  - (ii) after “deem that member” insert “, any such surviving dependant”;
- (d) in paragraph (7)—
  - (i) at the end of sub-paragraph (a) omit “and”; and
  - (ii) after sub-paragraph (b) add—
    - “and
    - (c) in respect of a qualifying member who has died, to a surviving dependant of that qualifying member from the day after the day on which that qualifying member died until the day on which the surviving dependant—
      - (i) would have been paid, or is paid, the first instalment of an ill health payment in accordance with regulation 19, if an ill health payment were payable, or is payable, to that surviving dependant under this Part; or
      - (ii) dies or otherwise ceases to be entitled to an ill health payment in accordance with regulation 17A,whichever is the earlier.”;
- (e) for paragraph (8) substitute—
  - “(8) Where a beneficiary dies or otherwise ceases to be entitled to an ill health payment—

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (a) subject to sub-paragraph (b), any further instalments of an interim ill health payment that would have been payable to that beneficiary, in respect of that year, cease to be payable;
  - (b) any instalment of an interim ill health payment which is payable in respect of a period which includes the day on which the beneficiary has died or otherwise ceased to be entitled to an ill health payment shall be payable.”; and
- (f) in paragraph (11)—
- (i) after “that qualifying member” in the first place it occurs insert “, that qualifying member’s surviving dependants”; and
  - (ii) after “that qualifying member” in the second place it occurs insert “, any surviving dependant”.