
STATUTORY INSTRUMENTS

2006 No. 3370

**The Financial Assistance Scheme
(Miscellaneous Amendments) Regulations 2006**

PART 3

Amendment of the FAS Internal Review Regulations

Amendment of the FAS Internal Review Regulations

8.—(1) The FAS Internal Review Regulations are amended in accordance with this regulation.

(2) In regulation 1(3) (interpretation), after “potential beneficiary” insert “, except where the context otherwise requires,”.

(3) In regulation 2(1) (reviewable determinations)—

(a) at the end of sub-paragraph (c) omit “or”; and

(b) at the end of sub-paragraph (d) insert—

“; or

(e) whether or not the scheme manager is satisfied that a qualifying member of a qualifying pension scheme is terminally ill for the purposes of regulations 17(3) (annual payments: terminally ill qualifying member) and 18(1)(a)(ii)(bb) (initial payments: terminally ill qualifying member) of the FAS Regulations (“terminal illness eligibility”).

(4) In—

(a) regulation 2(2), for “and member assessment” substitute “, member assessment and terminal illness eligibility”;

(b) regulations 3(1)(b), 5(1)(c)(ii), 11(2) and 16(1)(b) and (2)(b), for “or member assessment” substitute “, member assessment or terminal illness eligibility”; and

(c) regulation 6(1)(b), for “member assessment or member eligibility” substitute “member eligibility, member assessment or terminal illness eligibility”.

(5) In regulation 3 (notice of a reviewable determination)—

(a) in paragraph (1)(b), after “the scheme manager must” insert “, subject to paragraph (1A),”;

(b) after paragraph (1) insert—

“(1A) Where a reviewable determination referred to in paragraph (1) relates to a member eligibility decision, the notice referred to in paragraph (1)(b) may be—

(a) issued on the Financial Assistance Scheme website⁽¹⁾; and

(b) addressed to the members, or to a class of members, of a named scheme as a group, rather than to an individual or individuals,

(1) The Financial Assistance Scheme website address is: www.dwp.gov.uk/lifeevent/penret/penreform/fas/.

if in the opinion of the scheme manager it is reasonable to do so.”; and

- (c) in paragraph (2), for “paragraph (1)(a)(i) or (b)” substitute “paragraph (1)(a)(i) or (b) or (1A)”.
- (6) In regulation 6(1) (applications for a review of a reviewable determination)—
- (a) in sub-paragraph (a)(i)(aa) and (ii), after “any person who is a” insert “beneficiary or”; and
 - (b) in sub-paragraph (b), after “a potential beneficiary”, omit “of the financial assistance scheme”.