
STATUTORY INSTRUMENTS

2010 No. 1149

**The Financial Assistance Scheme
(Miscellaneous Amendments) Regulations 2010**

PART 4

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

Amendment of the FAS Appeals Regulations

- 21.**—(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—
- ““early retiree assessment 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 a person is entitled to a payment in accordance with regulation 17H of the FAS Regulations (payments to qualifying members receiving a pension from the qualifying pension scheme before entitlement to an annual payment or ill health payment)”;
- (b) in the definition of “ill health payment assessment decision”, for “Schedule 2A” substitute “Schedule 2A, 5 or 6”;
- (c) after the definition of “ill health payment assessment decision” insert—
- ““indexation 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 any annual increase to an annual payment or ill health payment determined in accordance with Schedules 2 to 6 to the FAS Regulations or as to the amount of any annual increases to a payment determined in accordance with Schedule 7 to the FAS Regulations;”;
- (d) after the definition of “interested person” insert—
- ““lump sum assessment 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 regulation 17D of the FAS Regulations (lump sum payments) applies in respect of a qualifying member and the amount of any lump sum determined in accordance with regulation 17D of the FAS Regulations;”;
- (e) in the definition of “member assessment decision”, for “Schedule 2” substitute “Schedule 2, 3 or 4”;
- (f) after the definition of “review decision” insert—
- ““scheme beneficiaries decision” means a review decision made by the scheme manager under the FAS Internal Review Regulations which relates to a determination as to eligibility for and the amount of any payment in accordance

with regulation 17G of the FAS Regulations (payments to beneficiaries other than qualifying members, survivors and surviving dependants);”;

(g) after the definition of “scheme notification decision” insert—

““section 134 or Article 118 directions decision” means a review decision made by the scheme manager under the FAS Internal Review Regulations which relates to the giving of a direction under section 134 of the Act or Article 118 of the Pensions (Northern Ireland) Order 2005;”;

(h) after the definition of “terminal illness eligibility decision” insert—

““valuation approval decision” means a review decision made by the scheme manager under the FAS Internal Review Regulations which relates to the approval of a valuation in respect of the qualifying scheme under regulation 25 of the FAS Regulations (approval of valuation);”;

(3) In regulation 6(2) (notice of appeal)—

(a) in sub-paragraph (b), after “a severe ill health eligibility decision” insert “, an early retiree assessment decision, a lump sum assessment decision, an indexation assessment decision, a scheme beneficiaries decision”; and

(b) in sub-paragraph (c), after “a scheme notification decision” insert “, a section 134 or Article 118 directions decision, a valuation approval decision”.

(4) In regulation 17(4)(a) (time and place of oral hearings), after “a survivor eligibility decision” insert “, a section 134 or Article 118 directions decision, a valuation approval decision, an early retiree assessment decision, a lump sum assessment decision, an indexation assessment decision, a scheme beneficiaries decision”.