



Financial Assistance Scheme
Provision
for survivors

The Financial Assistance Scheme is administered
by the Pension Protection Fund

This booklet explains what will happen in the event of the death of a FAS qualifying member including:

- when assistance will be paid to spouses, civil partners, partners, and eligible children,
- how any assistance payments will be calculated, and
- how long any assistance will be paid for.

This booklet does not apply to those members who are treated as qualifying members of a FAS qualifying scheme because they are receiving a survivor's or dependant's pension from that scheme. The survivors of these members are not entitled to assistance.

For more information on the Financial Assistance Scheme, contact:

Helpline:

0845 604 4585

Minicom:

0845 604 4139

Email: members@fasonline.org.uk

Or write to us at:

For general enquiries
FAS Operational Unit
Financial Assistance Scheme
PO Box 702
York YO32 9XR
T: 0845 601 9941

For payment enquiries
Operations Team
Financial Assistance Scheme
PO Box 234
Mowden Hall
Darlington DL1 9GL

Or see the Financial Assistance Scheme section of the Pension Protection Fund website at www.pensionprotectionfund.org.uk

Will my spouse, civil partner or partner receive assistance after my death?

This will depend on your circumstances. Since the introduction of FAS, a spouse or civil partner of a qualifying member has been entitled to FAS survivor assistance irrespective of whether the member's scheme rules provided for survivors. The new Regulations will extend the survivor provision to also include a surviving partner¹ who meets certain conditions and who in certain instances will receive assistance instead of a spouse or civil partner.

A surviving partner is entitled to survivor assistance only if there was provision within the member's scheme rules (including discretionary provision) to pay a survivor's pension to a partner and if the partner also meets the following criteria:

- was living with the qualifying member immediately before that member's death, and
- had been nominated by the member either to the trustees or managers of the scheme or to the FAS Scheme Manager.

1 A 'partner' means a person of either sex who is/was not married to, or in a civil partnership with, the qualifying member and who is/was living with the member as if that person and the member were husband and wife, or in the case of two adults of the same sex, as if they were civil partners.

Will my spouse, civil partner or partner receive assistance after my death? continued

It may also be possible for a partner to receive survivor assistance without a valid nomination, but only where the member did not also have a spouse or civil partner and where, in addition to living together immediately before the member's death, the partner can demonstrate financial dependency on, or interdependency with, the member.

The table below illustrates what provision is required under the scheme rules for assistance to be payable to spouse, civil partner or partner.

	Qualifying pension scheme rules		
	No provision for survivor's pension	Provision to pay survivor's pension to a spouse, civil partner only	Provision to pay survivor's pension to a spouse, civil partner or partner
Entitlement under FAS rules			
Spouse	●	●	●
Civil partner	●	●	●
Partner	○	○	●

○ no entitlement ● entitlement

How much assistance will my spouse, civil partner or partner receive?

If your survivor is eligible as described earlier, assistance will be calculated as one half of 90 per cent of your expected pension (this is the pension you accrued before your scheme started to wind-up, plus revaluation, all subject to a limit known as the Cap), less the amount of any scheme pension or annuity payable to them.

If you choose to receive FAS payments early because of ill-health, the amount will be actuarially reduced to reflect that you are paid over a greater number of years. This will affect the amount of assistance your spouse, civil partner or partner will get when you die. They would get half the reduced amount.

What is a valid nomination?

A valid nomination is a signed written notice nominating a partner as the qualifying member's survivor.

The FAS can accept either a record of an existing nomination to the member's scheme or a new nomination to the FAS Scheme Manager. Where multiple nominations exist from the same qualifying member, the FAS will accept the most recently signed notice for the purposes of determining the potential beneficiary.

Can I nominate someone other than a partner?

No, only a partner that you are living with as if that person was either your husband or wife or, in the case of an adult of the same sex, as if they were your civil partner, can be nominated.

I live with my partner to whom I am not married. I separated from my spouse some years ago but we have never divorced. Who will the FAS pay in the event of my death?

Where you have made a valid nomination in respect of your partner (and there is provision to pay a survivor's pension to a partner under the rules of your pension scheme), they will receive the survivor's assistance provided they are still living with you when you die.

If you have not made a valid nomination in respect of your partner, your spouse or civil partner will receive the survivor's assistance even though you have separated.

I have no spouse or civil partner – just a partner – do I need to fill in a Nomination Form?

If you do not make a nomination, assistance may still be payable to your partner.

However, your partner will need to provide evidence to the FAS Scheme Manager that they were living with you at the time of your death and evidence that they were financially dependent on you, or that you and your partner were financially interdependent.

The nomination template provides the FAS Scheme Manager with information about your partner. Where assistance is payable to a partner and a valid nomination has been made, to either the trustees of the scheme (where an existing process exists or existed) or to the FAS Scheme Manager, your partner will only have to provide evidence to the FAS Scheme Manager that they were living with you at the time of death to enable assistance payments to commence.

What if my circumstances change?

If your circumstances change, please contact the FAS Operational Unit and let us know.

If our records are out of date this may cause difficulties with paying assistance. You should notify us if:

- **you get married or enter into a civil partnership**
- **you get divorced or dissolve a civil partnership**
- **you wish to nominate your partner or to cancel such a nomination.**

Our contact details are set out at the front of this booklet.

What does my survivor need to do following my death?

In the event of your death, the FAS Operational Unit will need to be informed by your survivor, the representative dealing with your estate or your pension scheme trustees, as soon as is reasonably possible using the contact details set out at the front of this booklet.

What documents will the FAS Operational Unit need to see?

In all cases we will need to see a death certificate.

Other documents may be required, depending on the deceased's personal circumstances such as:

- **Marriage certificate**
- **Civil Registration**
- **Decree absolute**
- **Dissolution Certificate**
- **Child(ren)'s birth certificate(s), or**
- **Amended birth certificates issued on adoption.**

Where the deceased had a surviving partner, additional documents may be required.

Do you need to see an original death certificate?

Certified copies may be sent instead of the original certificate.

If you send a certified copy this must be signed as true copies of the original by one of the following people:

- **Justice of the Peace (JP)**
- **solicitor**
- **other legal professional, eg legal executive.**

If an original certificate is sent, these will be returned on day of receipt.

FAS for dependants

Are my children entitled to assistance?

If at the time of your death you have an eligible child or eligible children, assistance will be payable to any such dependant until he/she ceases to qualify.

How do I know if my children are eligible?

An eligible child is your natural child (born or unborn at date of death), an adopted child, or any other child of the family who was financially dependent upon you at the time of your death.

And who is:

- **under 18, or**
- **over 18 and under 23 and in Qualifying Education, or**
- **over 18 and under 23 and has a Qualifying Disability.**

What is Qualifying Education?

Qualifying Education is a full-time educational or vocational course at a recognised educational establishment where, in pursuit of that course, the time spent receiving instruction or tuition, undertaking supervised study, examination or practical work or taking part in any exercise, experiment or project for which provision is made in the curriculum of the course, exceeds 12 hours per week in normal term time. It includes any gaps between ending one course and beginning another.

What is a Qualifying Disability?

A person has a Qualifying Disability where that person is incapable of engaging in full-time paid employment due to a condition that falls within the definition of a disability under the Disability Discrimination Act 1995.

How should I notify FAS about my children?

The FAS will make enquiries on the member's death to establish whether there are any eligible children. Entitlement is automatic for eligible children and a nomination is not required.

How much will they receive?

The amount of assistance will depend on whether assistance is also payable to a survivor.

Where assistance is being paid to a spouse, civil partner or surviving partner, the amount of gross assistance (that is the amount before any scheme pension paid to the children is deducted) is broadly as follows:

- **one child – 25 per cent of member's gross assistance (that is the amount before any scheme pension which is, or would have been paid, to the member is deducted), and**
- **two or more children – 50 per cent of member's gross assistance, divided equally between the children.**

How much will they receive? continued

Where assistance is not being paid to a spouse, civil partner or surviving partner, the amount of gross assistance is broadly as follows:

- **one child – 50 per cent of member's gross assistance, and**
- **two or more children – 100 per cent of member's gross assistance, divided equally between the children.**

Gross assistance will be reduced by the amount of any scheme pension paid to the children.

Payments will be made to a designated bank or building society account which must be in the name of the beneficiary, their appointed representative or any other person with the consent of the beneficiary.

What happens when my child reaches 18?

Assistance will cease at age 18 unless the child is in Qualifying Education or has a Qualifying Disability.

Prior to the child's 18th birthday, they will be advised that assistance will cease after their 18th birthday. If the child remains eligible after this time because of Qualifying Education or Qualifying Disability, they will be asked to provide evidence of continued eligibility. Such evidence will be requested at least annually to reconfirm continued eligibility. Assistance will cease when the child ceases to be in Qualifying Education or have a Qualifying Disability. No compensation will be payable after a child has reached age 23.

What happens if my child takes a Gap year?

Assistance will cease when your child leaves Qualifying Education, ie at the end of the academic year in question.

However, if your child subsequently re-enters Qualifying Education, while they remain under age 23, assistance can resume, once we have been notified, from the date Qualifying Education resumes.

No assistance will be paid after a child has reached age 23.

What if my child has a Qualifying Disability after their 18th birthday?

If your child develops a Qualifying Disability after their 18th birthday but before their 23rd birthday, assistance can resume from the date the child meets the Qualifying Disability test.

Assistance will cease when the child reaches age 23 or ceases to have a Qualifying Disability if earlier.

Putting assistance into payment

How is assistance put into payment?

Upon notification of your death, a form (FAS A2S) will be sent to the person who has informed us of your death – for example your spouse, civil partner or surviving partner, or the representative dealing with your estate. The form sets out what information should be provided to the FAS Operational Unit.

Transitional protection and payments for past periods

I am currently receiving survivor assistance as a spouse, although I was separated from my husband and he was living with a partner. Will my payments stop?

No. If you are already in receipt of survivor assistance, your payments will continue to be paid.

Transitional protection and payments for past periods continued

My deceased partner was in a FAS qualifying scheme but I was not eligible for FAS because we were not married. Will I now receive FAS?

Whether you receive assistance will be dependent on meeting the following conditions:

- your partner's pension scheme rules provided for a pension to be paid to a partner (even if this was at the discretion of the trustees)
- you were living with your partner immediately before the member's death, and either
- a nomination in your favour was made by the qualifying member to the scheme, for which a record exists, or
- if the member was not married and had not entered into a civil partnership before they died, there is evidence of your financial dependency or interdependency with the member.

When will I receive payments from FAS?

If you meet the above eligibility criteria, you will be entitled to assistance payments for the period from the day after the death of your partner or May 14 2004, whichever is later.

We will calculate the amount due to you once we have received all the information we need to calculate the payments. You will then receive the payments as soon as possible.

