



## **COMPLIANCE CHECKLIST 2012**

For Defined Benefit Plans, Defined Contribution Plans and 403(b) Plans that are subject to ERISA.

## COMPLIANCE CHECKLIST FOR 2012

As a retirement plan sponsor, you know how important it is to comply with the Employee Retirement Income Security Act (ERISA) and the ever-changing reporting and disclosure requirements mandated by the federal government. You also know how confusing it can be.

As your provider of retirement services, we are always looking for ways we can make your job easier. That is why we are pleased to provide you with our *Compliance Checklist* for 2012, offered to Prudential Retirement® clients by our Retirement Plan Strategies department.

The *Compliance Checklist* incorporates defined benefit, defined contribution and ERISA 403(b) requirements and provides information on the materials that you will need to file, filing due dates and agencies to which the filings should be made. In addition, we've identified how Prudential Retirement can help you complete each task, so you can rest assured you have what you need to meet the latest governmental filing and disclosure requirements.

We are confident that you will find this checklist to be a valuable reference tool. If you have any questions on any of the items covered in the *Compliance Checklist*, or if you would like additional information on how Prudential Retirement can help you meet these requirements, please contact your Prudential Retirement representative.

## HOW TO USE THIS CHECKLIST

We've designed this checklist as a “quick glance” resource to help you meet plan reporting and disclosure requirements for plans subject to the reporting and disclosure requirements of ERISA. This easy-to-follow checklist should help you provide timely and complete information to individuals and appropriate government agencies. We suggest you keep your checklist in a convenient place so you can refer to it whenever you may need to take specific action.

### For your convenience, we've divided it into four broad reporting categories:

- Participants & Beneficiaries—Pages 3 through 20;
- Internal Revenue Service (IRS)—Pages 21 through 26;
- Department of Labor (DOL)—Pages 27 through 30; and
- Pension Benefit Guaranty Corporation (PBGC)—Pages 31 through 38.

### Each of the categories contains five sections:

- **Status;**
- **Plan;**
- **Item;**
- **Action/Support; and**
- **When Due.**

### Status

This column is a convenient way to monitor the activity for each item that applies to your plan.

### Plan

This column indicates whether the item applies to:

-  401(a) qualified defined benefit (“DB”) plans
-  401(a) qualified defined contribution (“DC”) plans
-  ERISA 403(b) plans (“403(b)”)

Remember, if you sponsor multiple plans, these requirements apply separately to each plan.

### Item

### Action/Support

This column lists what must be completed for each item and describes Prudential Retirement’s role in supporting the tasks. In addition, this column indicates how these actions must be performed.

### When Due

This column specifies the deadline or completion time frame for each item.

## HOW TO USE THIS CHECKLIST (continued)

We suggest you start by reviewing in each section the items that apply to your type of plan(s). The mandatory annual (or more frequent) recurring items appear in **bold** within each section. You are required by law to act on these items if they apply to your plan. Next to the applicable items, place a check mark in the box provided in the “Status” column. Then look in the “When Due” column to determine your deadline and pencil it in next to “Action Date.”

There are two categories of event-driven items, which require action only under certain circumstances. The first category includes items that may apply to your plan, such as a change in your plan’s vesting schedule. For these you can fill in the “Action Date.”

The second category of event-driven items covers those that apply to individuals in your plan. Because these can occur frequently each year, an “Action Date” is not included, but you may find it useful to jot down notes in the “Status” column.

A separate edition of Prudential’s *Compliance Checklist* addresses reporting and disclosure requirements for plans not subject to ERISA Title I, such as governmental and nonelecting church plans, non-ERISA 403(b) programs, 457(b) plans and unfunded nonqualified plans.

ERISA Title I requirements do not apply to 403(b) plans that permit only salary reduction contributions, offer employees a reasonable choice of investments, and limit the employer’s role to transmitting salary reduction contributions to the issuers of the 403(b) contracts. Certain ERISA requirements apply to church plans that elect to be subject to ERISA under Code Section 410(d). Section 457(b) plans and unfunded nonqualified plans are never subject to ERISA Title I.

The information presented here reflects reporting and disclosure requirements in effect as of January 1, 2012. Since regulations are always subject to change, you should consult your tax advisor for updates.

This *Compliance Checklist* and other important compliance publications, such as Prudential’s *Pension Analyst*<sup>®</sup> may be found on Prudential’s website at <http://www.prudential.com/pensionanalyst>.

## PARTICIPANTS & BENEFICIARIES

Status	Plan	Item	Action/Support	When Due		
<input type="checkbox"/> Action Date: ___/___/___	DC	403(b)	<b>Summary of latest Annual Report (SAR)</b> (contains information from applicable Form 5500).	Plan sponsors must publish an SAR and distribute it to participants and beneficiaries who are receiving benefits. Prudential prepares the report for clients who elect the Signature Ready Form 5500 Service. Model reports are provided at §2520.104b-10(d). Reports must follow the model.	Nine months after the end of the plan year or, if applicable, within two months after the close of the extension period for filing the applicable Form 5500.	
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	403(b)	<b>Form 1099-R</b> to report distributions, including direct rollovers, from qualified plans or 403(b) plans.	Prudential issues Forms 1099-R to participants and beneficiaries in plans whose plan sponsors have elected to use our Benefit Payment Services.	January 31 of the year following the calendar year in which the distribution was made.
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	403(b)	<b>Form 1042-S</b> to report distributions made to certain nonresident aliens.	Prudential issues Forms 1042-S to participants and beneficiaries in plans whose plan sponsors have elected to use our Benefit Payment Services.	March 15 of the year following the calendar year in which the distribution was made.
<input type="checkbox"/> Action Date: ___/___/___	DC	403(b)	<b>Safe Harbor Notice</b> for traditional safe harbor plans or qualified automatic contribution arrangements (QACAs).  A 403(b) plan may satisfy the safe harbor requirements to avoid ACP testing on employer contributions.	Plan sponsors of defined contribution plans that include a safe harbor plan design must provide notices to employees. For more information on traditional safe harbor notice requirements, see Prudential's <i>Pension Analyst</i> titled, <u>Improved ADP and ACP Safe Harbor Plan Designs</u> . For more information on QACAs, see Prudential's <i>Pension Analyst</i> titled, <u>IRS provides final guidance on automatic enrollment plan designs</u> .  Prudential Retirement offers varying levels of notice support to plan sponsors. For more information regarding annual notices, see Prudential's <i>Compliance Bulletin</i> titled, <u>Many defined contribution plan sponsors must annually "notice" their participants</u> .	Annual safe harbor notices must be provided "within a reasonable period" before the beginning of each plan year. At least 30 days and no more than 90 days before the beginning of the plan year is deemed reasonable.  In addition, safe harbor notices must also be provided to newly-eligible employees within "a reasonable period." The initial notice is deemed to be given within a reasonable period if it is provided no later than the date the employee becomes an eligible employee.	

## PARTICIPANTS & BENEFICIARIES (continued)

Status	Plan	Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___ / ___ / ___	DC	403(b)	<b>Safe Harbor Contingent Notice.</b>  Plan sponsors that want to preserve the ability to adopt a 3% QNEC safe harbor design before the end of the plan year must provide notices to eligible employees that this action may be taken.  Prudential Retirement offers varying levels of notice support to plan sponsors. For more information regarding annual notices, see Prudential's <i>Compliance Bulletin</i> titled, <u>Many defined contribution plan sponsors must annually "notice" their participants.</u>	Within a reasonable time before the first day of the plan year. A reasonable safe harbor time is 30 to 90 days before the first day of the plan year.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DC	403(b)	<b>Safe Harbor Supplemental Notice.</b>  Plan sponsors that provide contingent notices and then decide to adopt the safe harbor design must provide notices to eligible employees that this action has been taken.  Prudential Retirement offers varying levels of notice support to plan sponsors. For more information regarding annual notices, see Prudential's <i>Compliance Bulletin</i> titled, <u>Many defined contribution plan sponsors must annually "notice" their participants.</u>	At least 30 days before the last day of the plan year in which the safe harbor design is effective. This notice may be combined with the standard or contingent safe harbor notice for the next plan year.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DC	403(b)	<b>Safe Harbor Supplemental Notice for Suspension of Employer Nonelective Contribution.</b>  Plan sponsors that reduce or suspend nonelective safe harbor contributions due to a substantial business hardship must provide notice to eligible employees.  Prudential can provide sample notices to plan sponsors. For more information, see our June 2009 <i>Compliance Bulletin</i> titled, <u>New rules allow employers to suspend nonelective contributions to Safe Harbor plans due to business hardship.</u>	At least 30 days before the plan document is amended to reflect the change.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DC	403(b)	<b>Notice of automatic contribution arrangement (ACA).</b>  Plan sponsors of defined contribution plans that include an automatic contribution arrangement must provide employees with a notice that accurately apprises them of their rights and obligations under the plan, explains the employee's right to elect not to have deferral contributions made or elect a different contribution percentage, and explains the default investment provisions. The notice must be written in a manner that can be understood by the average eligible employee and must give the employee a reasonable time after receipt of the notice and before the first contribution is made to make contribution and investment elections.  Prudential Retirement offers varying levels of notice support to plan sponsors. For more information regarding annual notices, see Prudential's <i>Compliance Bulletin</i> titled, <u>Many defined contribution plan sponsors must annually "notice" their participants.</u>	At least 30 days before the employee becomes eligible and within a reasonable period of at least 30 days before the beginning of each plan year.

## PARTICIPANTS & BENEFICIARIES (continued)

Status	Plan	Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___ / ___ / ___	DC	403(b)	<b>Eligible Automatic Contribution Arrangement Notice (EACA).</b>  Plan sponsors of defined contribution plans that include an eligible automatic contribution arrangement (to permit penalty-free distribution of “accidental” automatic deferrals, and/or to provide a six-month period to distribute excess contributions and excess aggregate contributions without imposition of 10% excise tax) must provide employees with a notice that describes the level of contribution which will be made if the employee does not make an affirmative election, the employee’s right to elect a different percentage, and how contributions will be invested in the absence of an investment election. If applicable, the notice must also describe the ability for the employee to receive a withdrawal of accidental deferrals and the procedures to elect such a withdrawal. For more information regarding additional items that must be included in the EACA notice, please see the May 2009 Prudential’s <i>Pension Analyst</i> titled, <a href="#">IRS provides final guidance on automatic enrollment plan designs</a> .  Prudential Retirement offers varying levels of notice support to plan sponsors. For more information regarding annual notices, see Prudential’s <i>Compliance Bulletin</i> titled, <a href="#">Many defined contribution plan sponsors must annually “notice” their participants</a> .	Within a reasonable period of time before the employee becomes eligible and within a reasonable time before the beginning of each plan year. At least 30 days and no more than 90 days before the beginning of the plan year is deemed reasonable.
<input type="checkbox"/>	DB DC	403(b)	Plan Documents (e.g., plan documents, bargaining agreements, trust documents, contracts).  Plan sponsors must make these documents available for viewing at the plan administrator’s principal office. Plan sponsors must also provide a copy of the plan documents to participants upon request. Prudential prepares plan documents for clients who elect our Plan Document Services.	Within 30 days after participant’s written request.  ERISA imposes a penalty of up to \$110 per day for failure to provide requested information.

## PARTICIPANTS & BENEFICIARIES (continued)

Status	Plan		Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	DC	403(b)	Summary Plan Description (SPD) (contains descriptive information concerning plan provisions and administration).  Plan sponsors must give participants and beneficiaries who are receiving benefits an SPD. Prudential drafts the SPD for clients who have elected to use our Plan Document Services.	<p><b>On or before the latest of:</b></p> <ul style="list-style-type: none"> <li>(a) 120 days after the plan effective date;</li> <li>(b) 120 days after the plan adoption date;</li> <li>(c) 90 days after an employee becomes a participant in the plan; or</li> <li>(d) 90 days after a beneficiary begins receiving benefits under the plan.</li> </ul> <p><b>Updates to existing plans:</b></p> <ul style="list-style-type: none"> <li>(a) once every five years from the date of the previous SPD if the plan is modified; or</li> <li>(b) once every 10 years from the date of the previous SPD, whether or not the plan is modified.</li> </ul> <p>(Due 210 days after the end of the plan year in which the five or 10-year period ends.)</p> <p>Request for latest copy: within 30 days after participant's or beneficiary's written request.</p>
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	DC	403(b)	Summary description of Material Modifications to plan (SMM) (contains description of plan amendment that modifies SPD).  Plan sponsors must communicate plan modifications to participants.  Prudential prepares the SMM for defined contribution clients who have elected our Plan Document Services.  Upon request from a defined benefit client, Prudential will prepare the SMM for a fee.	210 days after close of plan year in which modification is adopted, unless a revised SPD reflecting the modification is distributed.  To new participants, within 90 days of becoming a participant.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	DC		Notice to Interested Parties of application for initial qualification or for amendment of plan under Internal Revenue Code.  Plan sponsors must provide this notice to eligible employees and other employees working at the same principal place of employment. Prudential prepares a sample of this notice for clients who have elected our Plan Document Services, if applicable.	Individually designed plans, volume submitter plans and prototype plans that need to file, must provide the notice no less than 10 and no more than 24 days before the application for the determination letter is mailed.

## PARTICIPANTS & BENEFICIARIES (continued)

Status	Plan	Item	Action/Support	When Due		
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	Notice of significant reduction in rate of future benefit accruals, early retirement benefits, and retirement-type subsidies under: <ul style="list-style-type: none"> <li>• a defined benefit plan; or</li> <li>• a money purchase pension plan (including a target benefit plan).</li> </ul> (Section 204(h) Notice)	Plan sponsors must provide a written notice to each plan participant, alternate payee under a QDRO, and employee organization representing participants who are affected or could potentially be affected by the change. This notice must include a description of the amendment and its effective date. Illustrative examples may be required in the notice. For more information regarding this notice, please see Prudential's <i>Compliance Bulletin</i> from January 2010, titled, <a href="#">IRS issues final rules for ERISA Section 204(h) notices.</a>	Within a reasonable time before the amendment effective date. A reasonable time is at least 45 days before the effective date of the amendment. For multiemployer plans and plans with fewer than 100 participants, a reasonable time is at least 15 days before the effective date of the amendment. Different timing rules apply to merger and acquisition situations.	
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	403(b)	Election to remain under prior vesting schedule.	Plan sponsors must communicate this information to participants whenever an amendment to the vesting schedule would result in a reduced vesting percentage.	A participant meeting the three-year service requirement may elect to remain under the pre-amendment vesting schedule. This election must be made during a period which begins no later than the date the plan amendment changing the schedule is adopted and ends no earlier than the latest of the following dates: <ol style="list-style-type: none"> <li>60 days after the day the plan amendment is adopted;</li> <li>60 days after the day the plan amendment becomes effective; or</li> <li>60 days after the day the participant is issued written notice of the plan amendment by the employer or plan administrator.</li> </ol>
<input type="checkbox"/> Action Date: ___/___/___	DB		403(b)	Plan Terminations: (1) Notice of intent to terminate the plan.	Plan sponsors must provide this notice to participants and beneficiaries.	For defined benefit plans, at least 60 days and no more than 90 days before proposed date of termination. For 403(b) plans, the IRS has not issued guidance on when these notices must be furnished.

## PARTICIPANTS & BENEFICIARIES (continued)

Status	Plan	Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB		Plan Terminations: (2) Notice of Plan Benefits detailing the amount of participant's benefit and information used to calculate benefit under a standard termination.	Plan sponsors must provide this notice to participants.  No later than when the Pension Benefit Guaranty Corporation (PBGC) Form 500 is filed (i.e., within 180 days after the proposed termination date).
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	DC	(3) Notice to Interested Parties.	If an application is made for IRS determination letter (Form 5310), the plan sponsor must provide this notice to participants.  This notice must be provided no less than 10 and no more than 24 days before the application for the determination letter is mailed.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB		(4) Notice of annuity providers under standard plan termination.	Plan sponsors must provide this notice to participants.  If information is not available when notice of intent to terminate the plan is filed, a supplemental notice must be sent to participants no later than 45 days before the date of distribution.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB		(5) Disclosure of plan termination information.	Single-employer defined benefit plan sponsors that filed a notice of intent to terminate the plan in a distress termination, or plan sponsors that received notice from the PBGC to involuntarily terminate the plan, should provide affected parties with any information provided to the PBGC in connection with the plan termination.  No later than 15 days after the plan sponsor: <ul style="list-style-type: none"> <li>receives a request from the affected party; or</li> <li>provides new information to the PBGC relating to a previous request.</li> </ul>
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB		<b>Annual Funding Notice.</b>	Defined benefit plan sponsors must provide an annual funding notice to participants, beneficiaries, and labor organizations representing participants. For more information regarding the plan funding notices, see Prudential's <i>Pension Analyst</i> titled <a href="#">DOL issues model PPA annual funding notice</a> .  Generally, within 120 days of the end of the plan year to which it relates. In the case of a small plan (i.e., a plan covering fewer than 100 participants), the notice must be provided by the filing due date of the annual Form 5500.

## PARTICIPANTS & BENEFICIARIES (continued)

Status	Plan	Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	Notice of benefit restrictions.	Defined benefit plan sponsors must provide written notice to participants and beneficiaries after: <ul style="list-style-type: none"> <li>• the date the plan becomes subject to a benefit restriction;</li> <li>• the valuation date for the plan year for which the plan's adjusted funding target attainment percentage (AFTAP) is less than 60% (or, if earlier) the date the AFTAP is presumed to be less than 60%; and</li> <li>• such other time determined by the IRS.</li> </ul> The notice must be provided in writing, but may be provided in electronic or other form to the extent reasonably accessible to the participant. For more information, please see Prudential's <i>Pension Analyst</i> from January 2010 titled, <a href="#">IRS issues benefit restriction regulations</a> .	Within 30 days after the date the plan is subject to a benefit restriction. Also, within 30 days after the valuation date for the plan year for which the plan's adjusted funding target attainment percentage (AFTAP) is less than 60%, or presumed to be less than 60%.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	Notice of endangered or critical status plans.	Plan sponsors of multiemployer defined benefit plans that are in endangered or critical status for a plan year must provide notice of the plan's status to participants, beneficiaries and labor organizations representing participants. For more information regarding this notice, see Prudential's <i>Pension Analyst</i> titled, <a href="#">Federal Agencies Provide Guidance Affecting Multiemployer Defined Benefit Pension Plans</a> .  Effective for plan years beginning after December 31, 2007.	Within 30 days of the certification that the plan is in endangered or critical status. The DOL has provided a <a href="#">model notice</a> and <a href="#">guidance</a> regarding the form and manner in which the notice is to be given.

## PARTICIPANTS & BENEFICIARIES (continued)

Status	Plan	Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	Multiemployer Plan Information.	Plan sponsors of multiemployer defined benefit plans must provide a copy of the following plan documents upon written request from a participant, beneficiary, an organization representing participants, or a contributing employer: <ul style="list-style-type: none"> <li>• any periodic actuarial report for any plan year that has been in the plan's possession for at least 30 days;</li> <li>• any quarterly, semi-annual, or annual financial report prepared for the plan by any plan investment manager, adviser or other fiduciary and which has been in the plan's possession for at least 30 days; and</li> <li>• any application filed with the IRS requesting an amortization extension and the result of such application.</li> </ul> For more information, please see the Prudential's <i>Pension Analyst</i> from May 2010 titled, <a href="#">DOL issues additional guidance for multiemployer plans</a> .	Within 30 days after the request.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB DC	Notice of failure to meet minimum funding standards by: <ul style="list-style-type: none"> <li>• a defined benefit plan; or</li> <li>• a money purchase pension plan (including a target benefit plan).</li> </ul>	Plan Sponsors must communicate this information to participants if the plan fails to meet minimum funding standards. This notice may be delivered via mail or hand delivery. It may <i>not</i> be posted in a central location.  Upon request, Prudential will provide a sample of this notice to defined benefit clients who elect our Actuarial Valuation and Recordkeeping Services.	Within 60 days of the missed due date for the payment. If a waiver was requested and denied, within 60 days of the notice of denial. ERISA imposes a penalty of up to \$110 per day for failure to provide notice.

## PARTICIPANTS & BENEFICIARIES (continued)

Status	Plan	Item	Action/Support	When Due	
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	Notice of Funding Waiver Application by: <ul style="list-style-type: none"> <li>• a defined benefit plan; or</li> <li>• a money purchase pension plan (including a target benefit plan).</li> </ul>	Plan sponsors must communicate to participants, beneficiaries, and alternate payees when a waiver is being requested. This notice may be delivered via mail or hand delivery. It <i>may not</i> be posted in a central location.	Within 14 days before the date of application.
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	<b>Required Minimum Distributions (RMD):</b> (1) Participants age 70½ who are 5% owners (whether active or separated from service).	Plan sponsors must determine which participants must receive RMDs.  For defined benefit clients, Prudential publishes a special annual issue of Prudential's <i>Pension Analyst</i> , titled <u>Defined benefit plans must make required payments</u> , which contains updated information on the rules. Plan sponsors must submit the appropriate forms to initiate distributions.  Prudential sends a listing of participants who are/will be age 70½ or older during the upcoming calendar year to defined contribution clients and defined benefit clients who use our Recordkeeping Services. After plan sponsors review the list and submit changes or revisions, Prudential sends information directly to affected participants to initiate the required distributions.	Must begin to receive payments by April 1 of the year following the year they reach age 70½ and by December 31 each year thereafter.

## PARTICIPANTS & BENEFICIARIES (continued)

Status	Plan	Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___/___/___	DB DC 403(b)*	(2) Participants age 70½ who are non-5% owners and are still employed.	<p>Plan sponsors must determine which participants must receive required minimum distributions.</p> <p>For defined benefit clients, Prudential publishes a special annual issue of Prudential's <i>Pension Analyst</i>, titled <u>Defined benefit plans must make required payments</u>, which contains updated information on the rules. Plan sponsors must submit the appropriate forms to initiate distributions.</p> <p>Prudential sends a listing of participants who are/ will be age 70½ or older during the upcoming calendar year to defined contribution clients, defined benefit clients and 403(b) clients who use our Recordkeeping Services. After plan sponsors review the list and submit changes or revisions, Prudential sends information directly to affected participants to initiate the required distributions.</p>	<p>In general, non-5% owners must begin to receive payments by April 1 of the calendar year following the calendar year in which the participant retires or turns age 70½, whichever comes later. However, plans may require non-5% owners to begin receiving payments by April 1 of the calendar year following the year the employee reaches age 70½. This requirement is dependent on individual Plan language, as well as prior RMD deferral/suspension elections.</p> <p>Special Note: A participant who signed an election before January 1, 1984, to remain under pre-TEFRA rules can defer payments according to that election. Non-5% owners who reached age 70½ before 1/1/88 (i.e., date of birth before 7/1/17) do not have to begin receiving minimum distributions until they terminate employment.</p>
<input type="checkbox"/> Action Date: ___/___/___	DB DC 403(b)*	(3) Participants age 70½ who are non-5% owners separated from service and are to receive minimum distributions for the first time.	<p>Plan sponsors must monitor participants who must receive required minimum distributions.</p> <p>For defined benefit clients, Prudential publishes a special annual issue of Prudential's <i>Pension Analyst</i>, titled <u>Defined benefit plans must make required payments</u>, which contains updated information on the rules. Plan sponsors must submit the appropriate forms to initiate distributions.</p> <p>Prudential sends a listing of participants who are/will be age 70½ or older during the upcoming calendar year to defined contribution clients, defined benefit clients and 403(b) clients who use our Recordkeeping Services. After plan sponsors review the list and submit changes or revisions, Prudential sends information directly to affected participants to initiate the required distributions.</p>	<p>On or before April 1 of the calendar year following the year in which the employee separated from service.</p>

\*For 403(b) plans, RMD requirements described above apply only to the portion of the account balance that accrued after December 31, 1986. For the portion of the account balance that accrued before January 1, 1987, RMD requirements apply beginning in the year in which the employee turns age 75, regardless of employment status.



## PARTICIPANTS & BENEFICIARIES (continued)

Status	Plan	Item	Action/Support	When Due	
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	403(b)	Notice to terminated vested participants.  Plan sponsors must communicate required information to terminated vested participants.  For defined benefit clients who have elected our Outsourcing Services, Prudential provides vested benefit statements.  Upon request, Prudential can prepare individual vested benefit statements for a fee.	The last day of the seventh month following the last day of the plan year, plus extensions.
<input type="checkbox"/>	DB	DC	403(b)	Notice of denial of benefit claim.  Plan sponsors must communicate this information to participants and beneficiaries. This notice may be provided using written or electronic means.	Generally, within 90 days after claim is filed. If applicant appeals denial within 60 days of notice of denial, a review of the decision must be furnished to applicant generally within 60 days of appeal (60-day extension allowed under special circumstances; claimant must be notified).
<input type="checkbox"/>	DB			Suspension of Benefits Notice.  Plan sponsors must provide this notice to retirees who return to work or to employees who continue to work beyond normal retirement age, if the plan provides that benefits are suspended in these situations. Prudential provides a sample notice to clients who elect our Plan Document Services. This notice may be provided via hand delivery or first class mail.	During the first calendar month or payroll period in which the plan suspends benefit payments.

## PARTICIPANTS & BENEFICIARIES (continued)

Status	Plan		Item	Action/Support	When Due	
<input type="checkbox"/>	DB	DC	403(b)	<p>Written explanation of qualified preretirement survivor annuity (QPSA).</p> <p>Explanation must be provided by:</p> <ul style="list-style-type: none"> <li>• Defined benefit plans;</li> <li>• Money purchase pension plans (including target benefit plans);</li> <li>• Profit sharing plans, to participants subject to survivor annuity requirements; and</li> <li>• 403(b) plans, to participants subject to survivor annuity requirements.</li> </ul>	<p>Plan sponsors must provide this information to participants and beneficiaries. This explanation must include descriptions of optional forms of benefit available, as well as information about the relative values of the optional forms, and an explanation of the relative financial effect of an election to waive the preretirement survivor annuity. This explanation may be provided electronically if certain requirements are met.</p> <p>For more information on sending these notices electronically, see our January 2007 <i>Pension Analyst</i> titled, <a href="#">IRS Issues Electronic Media Rules</a>. This notice is not required for defined benefit plans that fully subsidize the cost of the qualified preretirement survivor annuity and do not permit participants to waive the benefit or designate another beneficiary. Prudential has published a <i>Pension Analyst</i> on Survivor Benefit Rules for Defined Benefit plans (June 1994) and for Defined Contribution plans (August 1999).</p>	<p>Generally, this notice is due during the period beginning with the first day of the plan year in which the participant reaches age 32 and ending with the close of the plan year preceding the plan year in which the participant reaches age 35.</p> <p>If the individual becomes a participant after reaching age 35, it is due within one year after he becomes a participant.</p> <p>If the participant terminates employment before reaching age 35, the notice must be provided within one year of his separation of service.</p> <p>An election to waive the preretirement survivor annuity must be made within the period beginning on the first day of the plan year in which the participant attains age 35 and ending on the date of the participant's death.</p> <p>Plan sponsors of defined benefit plans should refer to the plan document for specific notice requirements.</p>
<input type="checkbox"/>	DB	DC	403(b)	<p>Written explanation of joint and survivor annuity (QJSA).</p> <p>Explanation must be provided by:</p> <ul style="list-style-type: none"> <li>• Defined benefit plans;</li> <li>• Money purchase pension plans (including target benefit plans);</li> <li>• Profit sharing plans, to participants subject to survivor annuity requirements; and</li> <li>• 403(b) plans, to participants subject to survivor annuity requirements.</li> </ul>	<p>Plan sponsors must provide this information to participants.</p> <p>This explanation must include descriptions of optional forms of benefits available, as well as information about the relative values of the optional forms, and an explanation of the relative financial effect of an election to waive the joint and survivor annuity. This explanation may be provided electronically if certain requirements have been met. For more information on sending these notices electronically, see our January 2007 <i>Pension Analyst</i> titled, <a href="#">IRS Issues Final Electronic Media Rules</a>.</p>	<p>No less than 30 days and no more than 180 days before the annuity starting date. Participants may waive the 30-day waiting period. If a participant affirmatively elects a payment, a plan may allow the payment to be mailed or begin anytime more than seven days after the explanation is provided.</p>

## PARTICIPANTS & BENEFICIARIES (continued)

Status	Plan		Item	Action/Support	When Due
<input type="checkbox"/>	DB	DC	403(b)	<p>Notice of domestic relations order (DRO) pending qualification and Qualified Domestic Relations Order (QDRO) notice following review and determination.</p> <p>Plan sponsors must provide this notice to participants and alternate payees. The notice should be mailed to the addresses provided in the domestic relations order.</p>	<p>This is due:</p> <p>(a) promptly upon receipt of domestic relations order; and</p> <p>(b) upon determination that the order is or is not qualified.</p>
<input type="checkbox"/>		DC	403(b)	<p>Notice to participant to obtain consent for payments of account balances that exceed \$5,000, or any lower cash-out threshold established by the plan, for participants who are not subject to the survivor annuity requirements.</p> <p>Participant consent to a distribution is not valid unless the participant has received a general description of the material features, and an explanation of the relative values, of the optional forms of benefit available under the plan. This notice may be provided using written or electronic means.</p>	<p>No less than 30 days and no more than 180 days before the date the distribution starts. Participants can waive the 30-day waiting period by electing a form of distribution provided:</p> <p>(a) the participant is given at least 30 days after receiving the notice to make a decision; and</p> <p>(b) the plan administrator clearly lets the participant know he has at least 30 days in which to consent to the distribution.</p>
<input type="checkbox"/>	DB	DC	403(b)	<p>Notice of right to defer distribution.</p> <p>Plan sponsors must provide this notice when a participant's consent to a distribution is required. These notices must describe the consequences of a participant's failing to defer receipt of a distribution.</p> <p>For defined benefit plans that use Prudential's Distribution Outsourcing Services and defined contribution plans that use Prudential Retirement's Retirement Security Education, Prudential will provide these notices and will make a good faith effort to comply with PPA rules until regulations are issued.</p>	<p>No less than 30 days and no more than 180 days before the date the distribution starts. Participants can waive the 30-day waiting period by electing a form of distribution provided:</p> <p>(a) the participant is given at least 30 days after receiving the notice to make a decision; and</p> <p>(b) the plan administrator clearly lets the participant know he has at least 30 days in which to consent to the distribution.</p>

## PARTICIPANTS & BENEFICIARIES (continued)

Status	Plan		Item	Action/Support	When Due
<input type="checkbox"/>	DB	DC	403(b)	<p>Special Tax Notice Regarding Plan Payments (Section 402(f) Notice).</p> <p>Plan sponsors must provide this notice to participants and beneficiaries.</p> <p>Prudential provides this notice to participants in defined contribution plans who request distributions through Prudential's toll-free telephone number service, Participant Website, Retirement Security Education or the Direct Service Option. For defined benefit plans that use Prudential Retirement's Outsourcing Services, Prudential provides this notice to participants.</p> <p>For more information regarding the IRS safe harbor notice, see Prudential's <i>Pension Analyst</i> from December 2009 titled, <a href="#"><u>IRS updates safe harbor rollover distribution notice.</u></a></p>	<p>No less than 30 days and no more than 180 days before the distribution date. Participants can waive the 30-day waiting period if:</p> <ul style="list-style-type: none"> <li>(a) the participant is given at least 30 days after receiving the notice to make a decision to directly roll over the payment;</li> <li>(b) the plan administrator clearly lets the participant know that he/she has at least 30 days in which to make a decision; and</li> <li>(c) the participant's spouse does not have to consent to the distribution.</li> </ul>
<input type="checkbox"/>	DB	DC	403(b)	<p>Automatic Rollover Notice- for plans with mandatory distributions exceeding \$1,000.</p> <p>For defined contribution plans that use Prudential Retirement's Distribution Options Letter, Prudential will provide this notice to participants. Also, for defined benefit plans that use Prudential Retirement's Outsourcing Services, Prudential will provide this notice to participants.</p>	<p>Prior to the date the mandatory distribution is made.</p>

## PARTICIPANTS & BENEFICIARIES (continued)

Status	Plan			Item	Action/Support	When Due
<input type="checkbox"/>	DB	DC	403(b)	Notice of right to elect not to have federal income tax withheld from distributions other than “eligible rollover distributions.”	Plan sponsors must provide this notice to participants and beneficiaries taking distributions.  Prudential provides this notice to participants in defined contribution plans on the disbursement form.	Periodic payment: no earlier than six months before and no later than with the first payment. Notice must thereafter be given of the right to make or revoke an existing election once each calendar year at approximately the same time.  Nonperiodic payment: no earlier than six months before the distribution but within reasonable time for payee to make decision and notify payer of election choice before distribution is made.  Note: U.S. citizens living abroad with no permanent resident address in the U.S. cannot elect out of federal tax withholding. Special rules may apply to nonresident aliens.
<input type="checkbox"/>			403(b)	Effective opportunity to make or change elective deferrals.	Plan sponsors must provide employees with an effective opportunity to make or change a cash or deferred election. Prudential can provide a sample template that can be used for this purpose.	At least once during each plan year.
<input type="checkbox"/>	DB			Notice of right to supply actual earnings history under plans using estimated wages to determine Social Security offset in benefit formula.	Plan sponsors must provide this notice to participants, if applicable.	This is due:  (a) with Summary Plan Description, and  (b) upon separation from service.
<input type="checkbox"/> Action Date: ___/___/___	DB			Notice of transfer of excess pension assets to retiree health benefit account.	Plan sponsors of defined benefit plans that transfer excess assets to retiree health benefit accounts must provide notice to the IRS, DOL, plan administrator and participants.	No later than 60 days before the date of the transfer. The notice must also be available for inspection in the principal office of the administrator.
<input type="checkbox"/>	DB	DC	403(b)	Latest annual report (Form 5500).	Plan sponsors must provide this report to participants upon request. Prudential prepares this report for clients who elect the Signature Ready Form 5500 Service.	Within 30 days after participant’s written request.  ERISA imposes a penalty of up to \$110 per day for failure to provide requested information.

## PARTICIPANTS & BENEFICIARIES (continued)

Status	Plan	Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___/___/___	DC	403(b)	Sarbanes-Oxley Blackout Notice.  Plan administrators must notify participants and beneficiaries (and stock issuer, if publicly-traded company stock is involved) when they will be temporarily suspended or restricted from directing investments or obtaining plan loans or distributions for a period of more than three consecutive business days. Prudential provides a sample notice, upon request.	At least 30 days but no more than 60 calendar days before the last day that participants and beneficiaries can exercise the affected rights before the blackout period.
<input type="checkbox"/> Action Date: ___/___/___	DC		Sarbanes-Oxley Insider Trading Notice.  Employers must notify directors and executive officers of a blackout period that restricts direct or indirect trading of employer stock. The March 2003 issue of Prudential's <i>Pension Analyst</i> titled <u>DOL and SEC Adopt Final Rules on Sarbanes-Oxley Provisions</u> discusses the final blackout period notice rules.	No later than 5 business days after receiving the Sarbanes-Oxley Blackout Notice or, if no Blackout Notice is received, at least 15 calendar days before the actual or expected beginning date of the black-out period.
<input type="checkbox"/> Action Date: ___/___/___	DC	403(b)	ERISA 404(c) Disclosure (If Applicable).  Much of the disclosure information is in materials that are already available to you and to your participants (e.g., the SPD.) The July 2008 issue of Prudential's <i>Pension Analyst</i> titled <u>Department of Labor Requirements for Participant-Directed Investments</u> , summarizes the DOL Section 404(c) regulations and describes the participant disclosure rules that must be satisfied to obtain 404(c) protection.	The 404(c) participant directed investment rules are voluntary; compliance is optional.  Certain disclosures must be provided before the time permitted for giving investment instructions or making voting decisions, and in sufficient time to make informed investment and voting decisions. Any subsequent material changes in the information must be furnished in sufficient time to enable participants to review before making an investment decision. Certain other disclosures must be furnished upon request.
<input type="checkbox"/> Action Date: ___/___/___	DC	403(b)	<b>ERISA 404(a) Disclosure.</b>  Effective with plan years beginning on or after November 1, 2011, sponsors of participant-directed defined contribution plans must disclose fees, expenses, and other plan and investment-related information to participants and beneficiaries. For more information regarding these rules, see our December 2010 <i>Pension Analyst</i> titled, <u>DOL issues final participant fee disclosure rules for defined contribution plans</u> .	Certain plan and investment-related information must be provided on or before the first date the participant or beneficiary can direct his or her investments, and annually thereafter. Administrative and individual expenses actually charged to a participant must be disclosed quarterly. In addition, other materials, such as prospectuses and financial reports must be provided upon request.  The DOL has delayed the deadline for providing these disclosures. The initial disclosures must be furnished by the later of: 1) 60 days after the first day of the first plan year beginning on or after November 1, 2011; or 2) August 30, 2012.  The deadline for providing quarterly disclosure has been delayed until 45 days after the end of the quarter in which initial disclosures must be provided.

## PARTICIPANTS & BENEFICIARIES (continued)

Status	Plan	Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___ / ___ / ___	<b>DC</b>	<b>403(b)</b> Qualified Default Investment Alternative (QDIA) Notice.	<p>Plan sponsors of defined contribution plans that allow participants to choose their investment elections and intend to comply with the DOL safe harbor rules for default investments must provide participants a notice describing the circumstances under which a participant's account will be invested in a QDIA, an explanation of the right of participants and beneficiaries to direct the investment of their account assets, a description of the QDIA, a description of the participant's right to direct investment of assets invested in the QDIA, including applicable fees and restrictions, and an explanation of where participants and beneficiaries can obtain investment information concerning other investment alternatives under the plan. For additional information on the QDIA rules, please see Prudential's <i>Pension Analysts</i> from November 2007 and July 2008 titled, <u>DOL Issues Long-Awaited Final Rules on Default Investments</u> and <u>DOL Clarifies QDIA Rules</u>, respectively.</p> <p>Prudential Retirement offers varying levels of notice support to plan sponsors. For more information regarding annual notices, see Prudential's <i>Compliance Bulletin</i> titled, <u>Many defined contribution plan sponsors must annually "notice" their participants</u>.</p>	<p>At least 30 days before a participant is first eligible to participate in the plan, or at least 30 days before contributions are first invested in the QDIA. However, if an <u>EACA</u> allows participants to make a withdrawal of accidental deferrals within 90 days (as permitted by PPA), the notice may be provided on or before the date of plan eligibility.</p> <p>In addition, an annual notice must be provided at least 30 days before the first day of each plan year.</p>

# INTERNAL REVENUE SERVICE

Status	Plan			Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	403(b)	<b>Form 1099-R</b> to report distributions, including direct rollovers, from qualified plans and 403(b) plans.	Prudential files Form 1099-R with the IRS for plans whose plan sponsors have elected to use our Benefit Payment Services.	February 28 of the year following the calendar year in which the distribution was made. If filing electronically, the due date is March 31 of the year following the year in which the distribution was made. A 30-day extension to either filing deadline may be requested by filing Form 8809 by the applicable filing due date.
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	403(b)	<b>Form 945</b> to report income tax withheld from distributions made from qualified plans and 403(b) plans.	Prudential files Form 945 with the IRS for plans whose plan sponsors have elected to use our Benefit Payment Services.	January 31 of the year following the calendar year in which the distributions were made. This filing deadline can be extended by 10 days if tax payments were made on time and in full.
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	403(b)	<b>Form 1042-S</b> to report distributions made to certain nonresident aliens.	Prudential files Form 1042-S with the IRS for plans whose plan sponsors have elected to use our Benefit Payment Services.	March 15 of the year following the calendar year in which the distribution was made. A 30-day extension may be requested by filing Form 8809 by this due date.
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	403(b)	<b>Form 1042</b> to report income tax withheld from distributions made to certain nonresident aliens.	Prudential files Form 1042 with the IRS for plans whose plan sponsors have elected to use our Benefit Payment Services.	March 15 of the year following the calendar year in which the distribution was made. The filing deadline can be extended up to 90 days by filing Form 2758. However, filing of Form 2758 does not extend the time for the payment of income tax.
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	403(b)	Form 5558 - Application for Extension of Time To File Certain Employee Plan Returns.	Plan sponsors must file this form with the IRS to apply for an extension of the filing deadline for Form 5500 or Form 5330. If requesting extension of Form 5330 filing deadline, estimated taxes must be paid with submission of Form 5558.  Upon request, Prudential will assist plan sponsors with completing this form.	In enough time for the IRS to consider and act on it before the return's regular due date (not including extensions).  Approval of the 2½-month extension for filing Form 5500 is automatic if a properly completed and signed Form 5558 is filed before the Form 5500 due date. Occasionally, automatic extensions are provided for plans affected by certain natural disasters. Form 5558 does not have to be filed by an eligible plan sponsor to obtain these extensions.
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	403(b)	<b>Form 8955-SSA.</b>	Plan sponsors are responsible for all appropriate filings for their plans. This form can be submitted to the IRS in paper form or electronically. Prudential Retirement will assist plan sponsors that use our Form 5500 Preparation services in the completion of Form 8955-SSA. For more information regarding Form 8955-SSA, see Prudential's <i>Compliance Bulletin</i> titled, <a href="#">IRS issues new Form 8955-SSA</a> .	The last day of the seventh month following the last day of the plan year, plus extensions.

## INTERNAL REVENUE SERVICE (continued)

Status	Plan	Item	Action/Support	When Due	
<input type="checkbox"/> Action Date: ___/___/___	<b>DB</b>	<b>DC</b>	Application for a Waiver of the Minimum Funding Standard by: <ul style="list-style-type: none"> <li>• a defined benefit plan; or</li> <li>• a money purchase pension plan (including a target benefit plan).</li> </ul>	Plan sponsors who fail to meet the minimum funding requirements of the plan may request a waiver from the IRS. Multiemployer plans may request a waiver if they have incurred a substantial business hardship.	No later than the 15th day of the 3rd month following the close of the plan year for which the waiver is requested. For multiemployer plans, no later than the close of the plan year following the plan year for which the waiver is requested.
<input type="checkbox"/> Action Date: ___/___/___	<b>DB</b>		Notice of transfer of excess pension assets to retiree health benefit account.	Plan sponsors of defined benefit plans that transfer excess assets to retiree health benefit accounts must provide notice to the IRS, DOL, plan administrator and participants.	No later than 60 days before the date of the transfer. The notice must also be available for inspection in the principal office of the plan administrator.
<input type="checkbox"/> Action Date: ___/___/___	<b>DB</b>	<b>DC</b>	Form 5308—Request for Change in Plan/Trust Year.	Plan sponsors must file this form with the IRS.	On or before the last day of the close of the short period required to make the change.  Note: Approval is automatic for defined benefit plans that meet all seven criteria listed on the form. Approval is automatic for money purchase plans, including target benefit plans, that meet all six criteria listed on the form. In these situations, the form need not be filed. Profit-sharing plans and certain other plans, including discretionary contribution plans, need not file a request for approval to change their plan year.
<input type="checkbox"/> Action Date: ___/___/___	<b>DB</b>	<b>DC</b>	Forms 5310/6088/8717 filed for plans, other than multi-employer plans covered by PBGC insurance, to apply for a final determination letter upon plan termination.	Plan sponsors must file these forms with the IRS. Submission must be made on the original scannable form (no photocopies or black and white versions accepted).	The later of: (i) one year from the effective date of the termination; or (ii) one year from the date on which the action terminating the plan is adopted. However, in no event can the application be filed later than 12 months from the date of distribution of substantially all plan assets in connection with the termination of the plan.  For a defined contribution plan, Form 6088 is only required if the plan is underfunded.  Note: For defined benefit plans, we recommend filing these forms at the same time as filing Form 500 with the PBGC (i.e., within 180 days after the proposed termination date).

## INTERNAL REVENUE SERVICE (continued)

Status	Plan	Item	Action/Support	When Due	
<input type="checkbox"/> Action Date: ___/___/___	<b>DB</b>	<b>DC</b>	Form 5310-A filed for plans, other than multi-employer plans covered by PBGC insurance, to give notice of merger, consolidation or transfer of plan assets or liabilities to another plan.	Plan sponsors must file this form with the IRS. Prudential can provide defined benefit plan sponsors with information to complete the form, for a fee.	No less than 30 days before the plan event. Filing is not necessary in certain situations defined by IRS regulations.
<input type="checkbox"/> Action Date: ___/___/___	<b>DB</b>	<b>DC</b>	Form 5310-A filed to give notice of Qualified Separate Lines of Business (QSLOB).	Plan sponsors must file this form with the IRS. Plan sponsors must provide information about the QSLOB, the employer's plan and employees assigned to the QSLOB.	Plan sponsors must file on or before the later of: a) October 15 of the year following the calendar testing year; or b) the 15th day of the tenth month after the end of the plan year of the plan of the employer that begins earliest in the calendar testing year.
<input type="checkbox"/> Action Date: ___/___/___	<b>DB</b>	<b>DC</b>	<b>403(b)</b> Form 5330 to report excise taxes related to employee benefit plans.	Plan sponsors must file this form with the IRS.	Generally within seven months after the end of the tax year, but due date varies depending on specific excise tax incurred (e.g., the last day of the 15th month after the close of the plan year to which excess contributions or excess aggregate contributions relate). Form 5558 may be filed to request an extension of up to six months.
<input type="checkbox"/> Action Date: ___/___/___	<b>DB</b>	<b>DC</b>	Advance Determinations: Receipt of an advance determination letter allows an employer to make contributions to the retirement plan with the knowledge that its deductions for those contributions will most likely be allowed if the IRS audits its tax returns.  (1) Form 5300 filed to request a determination letter for qualification of an individually designed plan and the exempt status of any related trust.	Plan sponsors who seek advance determination must file this form with the IRS.  Prudential prepares a completed form for defined benefit clients who elect our Plan Document Service.  If applicable, Prudential provides either a completed form or an instructional package for defined contribution clients who elect our Plan Document Service.  Plan sponsors must complete and file Form 5300 with the IRS to obtain a determination on a partial plan termination.	Before the end of the plan's regular, five-year remedial amendment cycle, generally determined by the last digit of the employer's EIN. For plans where the last digit of the employer's EIN ends in a 2 or 7, the next remedial amendment cycle ends on January 31, 2013.  For more information on remedial amendment cycles, see the IRS's Determinations web page at <a href="http://www.irs.gov/retirement/article/0,,id=178044,00.html">http://www.irs.gov/retirement/article/0,,id=178044,00.html</a>

## INTERNAL REVENUE SERVICE (continued)

Status	Plan		Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	(2) Form 5307 filed by an adopter of a master or prototype plan or volume submitter plan to request a determination letter. (Also available for certain pre-approved, single-employer, collectively bargained plans.)  Effective May 1, 2012, Form 5307 is restricted to minor modifications of a volume submitter plan. The IRS will no longer accept applications on this form for master or prototype plans.	Same as (1) on previous page.	The next remedial amendment cycle for defined contribution prototype and volume submitter plans begins on February 1, 2012, with sponsors of those documents submitting restated documents for opinion and advisory letters.  The EGTRRA filing deadline for adopting employers of defined benefit prototype or volume submitter plan documents is April 30, 2012.  Note: Adopters of a master or prototype plan or a volume submitter plan may not be required to file this form if certain requirements are met. These plans may be able to rely on the opinion or advisory letter issued to the sponsor of the master or prototype plan or volume submitter plan. The August 2001 issue of Prudential's <i>Pension Analyst</i> titled <a href="#">IRS Issues Guidance on GUST, EGTRRA and MRD Amendments</a> contains details of this process.
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	(3) Form 8905—Certification of Intent to Adopt Pre-approved Plan.	Same as (1) above.	Before the end of the applicable five-year cycle.
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	(4) Form 8717 (User Fee to be attached to determination letter filing).	Plan sponsors must file this form, along with the appropriate Form 5300 series form with the IRS.	Same as (1) and (2) above.

## INTERNAL REVENUE SERVICE (continued)

Status	Plan	Item	Action/Support	When Due	
<input type="checkbox"/> Action Date: ___ / ___ / ___	DC	403(b)*	<p><b>Correction of Excesses:</b></p> <p>(1) Elective Deferral Limit</p> <ul style="list-style-type: none"> <li>• For 2011: \$16,500</li> <li>• For 2012: \$17,000</li> </ul>	<p>Plan sponsors must monitor the deferral limit.</p> <p>Plan sponsors must provide Prudential with direction to distribute excess deferrals.</p> <p>If permitted by the plan, catch-up eligible participants may have excess deferrals reclassified as catch-up contributions up to the limit for the specified year. (The age 50 catch-up limit is \$5,500 for 2011 and 2012).</p>	<p>Calendar-year test period—must distribute no later than April 15 of calendar year following the year in which excess deferrals occurred.</p>
<input type="checkbox"/> Action Date: ___ / ___ / ___	DC	(2) Excess Contribution (401(k) ADP).	<p>Plan sponsors must test participants' contributions (excluding catch-up contributions) and make the appropriate corrections for all excess contributions. For plan sponsors who use Prudential's Compliance Testing Services, Prudential can perform the tests, and will provide plan sponsors with information regarding the correction process. Plan sponsors who do not use Prudential's Compliance Testing Services must direct Prudential to take corrective action.</p> <p>The ADP test and corrective action do not apply to plans that satisfy the requirements of a traditional safe harbor or QACA plan design.</p>	<p>Plan-year test period—distribution must occur within one year following the end of a plan year. A plan may correct these excess contributions by making corrective distributions of the excess contributions and related earnings. If this is done within 2½ months after the end of the plan year (within six months after the end of the plan year for certain <u>EACA</u> plans), the plan sponsor will avoid paying a 10% excise tax to the IRS on the amount of the excess contributions. Corrective distributions of excess contributions are taxable in the year distributed. Note that excess contributions can be recharacterized as after-tax contributions only during the period 2½ months following the end of the given plan year (or during the six months following the end of the plan year for certain <u>EACA</u> plans). Plan sponsors may make Qualified Nonelective Contributions (QNECs) or Qualified Matching Contributions (QMACs). However, it is virtually impossible to use these corrective contributions when the prior year NHCE ADP is used.</p> <p>Note: Plans that allow for catch-up contributions must reclassify portions of the excess as catch-up contributions for eligible employees.</p>	

\*Under a 403(b) plan, certain employees of an eligible organization may make additional deferrals under a 15-year catch-up option.

## INTERNAL REVENUE SERVICE (continued)

Status	Plan	Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___ / ___ / ___	<b>DC</b>	<b>403(b)</b>	(3) Excess Aggregate Contributions (401(m) ACP).  Plan sponsors must test employer matching and participants' after-tax contributions and make the appropriate corrections for all excess contributions. For plan sponsors who use Compliance Testing Services, Prudential can perform the tests, and will provide plan sponsors with information regarding the correction process. Plan sponsors that do not use Compliance Testing Services must direct Prudential to take corrective action.  The ACP test and corrective action do not apply to plans that satisfy the requirements of a traditional safe harbor or QACA plan design.	Plan-year test period—distribution (forfeiture of nonvested matching contributions) must occur within one year following end of plan year. A plan may correct these excess aggregate contributions by making corrective distributions of the excess amounts and related earnings. If this is done within 2½ months after the end of the plan year (within six months after the end of the plan year for certain <u>EACA</u> plans), the plan sponsor will avoid paying a 10% excise tax to the IRS on the amount of the excess aggregate contributions. Corrective distributions of excess aggregate contributions are taxable in the year distributed. Plan sponsors may make Qualified Nonelective Contributions (QNECs) or Qualified Matching Contributions (QMACs). However, it is virtually impossible to use these corrective contributions when the prior year NHCE ACP is used.
<input type="checkbox"/> Action Date: ___ / ___ / ___	<b>DC</b>	<b>403(b)</b>	(4) Excess Annual Additions (For 2012: the lesser of 100% of Compensation or \$50,000).  Plan sponsors must monitor Code Section 415 Limits. Plan sponsors must provide Prudential with direction to distribute or otherwise correct excess annual additions.	Limitation-year test period. Correction methods may include refunding to participants, or removing from participants' accounts and using as contribution credit. Corrections should be completed as soon as possible.

# DEPARTMENT OF LABOR

Status	Plan		Item	Action/Support	When Due	
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	403(b)	<b>Annual Return/Report*</b>  (1) <b>Form 5500</b> is filed for plans with more than one participant and some one-participant plans.	Plan sponsors are responsible for all appropriate filings for their plans. Submission must be made electronically.  Prudential provides certain plan sponsors with information to assist them with the completion of the forms, attachments and schedules.  Prudential provides other sponsors with a Signature Ready Form 5500 Service, which includes a completed Form 5500 and the required attachments, along with associated schedules.	Last day of the seventh month after the end of the plan year.  A 2½-month extension may be requested by filing Form 5558 with the IRS before the date the Form 5500 is due. This extension is automatic for all properly completed and signed Forms 5558 filed before the due date for the Form 5500.  If a sponsor has a single-employer plan, the above due date is automatically extended if: (a) the plan year is the same as the sponsor's tax year; and (b) the extension granted for tax return purposes covers a period beyond the due date of the annual report.
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	403(b)	(2) <b>Short Form 5500</b> (Form 5500-SF) for certain small pension plans with secure and easy to value portfolios.	Same as (1) above.	Same as (1) above.
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	403(b)	(3) <b>Form 5500-EZ</b> is filed for one-participant pension benefit plans. It may also be used by certain partnership plans.	Same as (1) above.	Same as (1) above.
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	403(b)	(4) <b>Schedule A—Insurance Information.</b>	Same as (1) above.	Same as (1) above.

\* The Form 5500 series Return/Report include information required by the Internal Revenue Service (IRS), Department of Labor (DOL), and Pension Benefit Guaranty Corporation (PBGC) but is filed only with the DOL.

## DEPARTMENT OF LABOR (continued)

Status	Plan	Item	Action/Support	When Due	
<input type="checkbox"/> Action Date: ___/___/___	DB		<b>(5) Schedule SB (Single-Employer Defined Benefit Plan Actuarial Information).</b>	See item (1) under Annual Return/Report.  Enrolled Actuary must sign Schedule SB.  Prudential provides Schedule SB information for clients who have elected the Actuarial Valuation Service.	See item (1) under Annual Return/Report.
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	<b>(6) Schedule MB (Multi-employer Defined Benefit Plan and Certain Money Purchase Plan Actuarial Information).</b>	See item (1) under Annual Return/Report.  Enrolled Actuary must sign Schedule MB for defined benefit plans.  Prudential provides Schedule MB information for clients who have elected the Actuarial Valuation Service.	See item (1) under Annual Return/Report.
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	403(b)	<b>(7) Schedule C—Service Provider Information.</b>	See item (1) under Annual Return/Report.
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	403(b)	<b>(8) Schedule D—DFE/Participating Plan Information (contains pooled investment arrangement information).</b>	See item (1) under Annual Return/Report. Prudential provides the pooled separate account information necessary to complete Schedule D for clients who do not use Prudential's Signature Ready Form 5500 Service.
<input type="checkbox"/> Action Date: ___/___/___	DB	DC	403(b)	<b>(9) Schedule G—Financial Transaction Schedules.</b>	See item (1) under Annual Return/Report.

**DEPARTMENT OF LABOR** (continued)

Status	Plan		Item	Action/Support	When Due	
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	DC	403(b)	<b>(10) Schedule H—Large Plan Financial Information.</b>  A Large Plan is a plan covering 100 or more participants, as determined at the beginning of the plan year.  If the plan had 80-120 participants at the beginning of the plan year, it may be classified the same (i.e., Small or Large) as the previous year.	Same as (1) on page 27.	Same as (1) on page 27.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	DC	403(b)	<b>(11) Schedule I—Small Plan Financial Information.</b>  A Small Plan is a plan covering fewer than 100 participants, as determined at the beginning of the plan year.  If the plan had 80-120 participants at the beginning of the plan year, it may be classified the same (i.e., Small or Large) as the previous year.	Same as (1) on page 27.	Same as (1) on page 27.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	DC	403(b)	<b>(12) Schedule R—Retirement Plan Information</b> (contains distribution, funding, coverage and certain amendment information).  Schedule R is filed by all defined benefit plans and by all money purchase pension plans, including target benefit plans.  It is also filed by all other defined contribution plans and 403(b) plans that have distributed benefits during the plan year.	Same as (1) on page 27.	Same as (1) on page 27.

## DEPARTMENT OF LABOR (continued)

Status	Plan			Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	DC	403(b)	<b>Summary Plan Description (SPD)</b> or booklet filing.	Within 30 days of request by the Department of Labor, plan sponsors must file the SPD with the Department of Labor. Please refer to the SPD item under “Participants and Beneficiaries” for more information.  Note: Penalty imposed if not provided timely.	Upon request.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	DC	403(b)	<b>Summary description of Material Modifications (SMM)</b> to plan filing.	Within 30 days of request by the Department of Labor, plan sponsors must file the SMM with the Department of Labor. Please refer to the SMM item under “Participants and Beneficiaries” for more information.  Note: Penalty imposed if not provided timely.	Upon request.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB			Notice of transfer of excess pension assets to retiree health benefit account.	Plan sponsors of defined benefit plans that transfer excess assets to retiree health benefit accounts must provide notice to the IRS, DOL, plan administrator, and participants.	No later than 60 days before the date of the transfer. The notice must also be available for inspection in the principal office of the administrator.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB			Notice of endangered or critical status plans.	Plan sponsors of multiemployer defined benefit plans that are in endangered or critical status for a plan year must provide notice of the plan’s status to the Department of Labor. For more information regarding this notice, see Prudential’s <i>Pension Analyst</i> titled, <a href="#">Federal Agencies Provide Guidance Affecting Multiemployer Defined Benefit Pension Plans</a> .	Within 30 days of the certification that the plan is in endangered or critical status. The DOL has provided a <a href="#">model notice</a> and <a href="#">guidance</a> regarding the form and manner in which the notice is to be given.

# PENSION BENEFIT GUARANTY CORPORATION

Status	Plan	Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___/___/___	DB	<b>Premium Filings:</b>  <b>(1) PBGC Form 1-ES Estimated Premium Payment</b> (flat rate premiums for plans with 500 or more participants).	Plan sponsors must prepare and file this form electronically with the PBGC. Prudential can provide fee-based consulting assistance upon request. For more information on the electronic premium filing rules, see our August 2006 <i>Compliance Bulletin</i> titled, <a href="#">PBGC Finalizes Electronic Premium Filing Rules</a> .	By the last day of the second full calendar month in the premium payment year.
<input type="checkbox"/> Action Date: ___/___/___	DB	<b>(2) PBGC Form 1—Annual Premium Payment</b> (flat rate premiums for plans with fewer than 500 participants, variable rate premiums and estimated reconciliations for those who filed PBGC Form 1-ES).	Plan sponsors must prepare and file this form electronically with the PBGC. Prudential can provide fee-based consulting assistance upon request. For more information on the electronic premium filing rules, see our August 2006 <i>Compliance Bulletin</i> titled, <a href="#">PBGC Finalizes Electronic Premium Filing Rules</a> .	By fifteenth day of the ninth full calendar month following the month in which the plan year began (e.g., October 15, 2012, for plan year beginning January 1, 2012).
<input type="checkbox"/> Action Date: ___/___/___	DB	<b>(3) Schedule A—Single-Employer Plan Variable Rate Portion of Premium.</b>	Plan sponsors must review and file Schedule A electronically with the PBGC. Prudential prepares this schedule for clients who elect the Actuarial Valuation Service. For more information on the electronic premium filing rules, see our August 2006 <i>Compliance Bulletin</i> titled, <a href="#">PBGC Finalizes Electronic Premium Filing Rules</a> .	Same as PBGC Form 1.
<input type="checkbox"/> Action Date: ___/___/___	DB	<b>(4) PBGC Form 1-EZ</b> (flat rate premiums for plans that are exempt from the variable rate premium).	Plan sponsors must prepare and file this form electronically with the PBGC. Prudential can provide fee-based consulting assistance upon request. For more information on the electronic premium filing rules, see our August 2006 <i>Compliance Bulletin</i> titled, <a href="#">PBGC Finalizes Electronic Premium Filing Rules</a> .	Same as PBGC Form 1.

# PENSION BENEFIT GUARANTY CORPORATION (continued)

Status	Plan	Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	PBGC Form 10-Post-Event Notice of Reportable Events:  (1) Reduction in number of active participants to less than 80% of number of active participants at beginning of plan year or 75% of number of active participants at beginning of prior plan year.	Plan sponsors must file this form with the PBGC.  Submission may be made by mail, commercial delivery service, hand delivery or electronic transmission.	Generally, within 30 days after knowledge of the event, if present value of unfunded vested benefits equals or exceeds \$1,000,000.  Note: These rules apply only to single-employer plans. Reporting may be waived or reporting deadline may be extended in certain situations.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	(2) Failure to make required minimum funding payment by due date.	Same as (1) above.	Generally, within 30 days after knowledge of the event.  Note: Reporting is waived if the required minimum funding payment is made by the 30th day after its due date. If a Form 200 has been filed with respect to the same missed payment, the Form 200 filing satisfies this reporting requirement.  Special rules apply to small plans.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	(3) Inability of plan to pay benefits when due.	Same as (1) above.	Generally, within 30 days after knowledge of the event.  Note: Reporting may be waived in certain situations.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	(4) Distribution of \$10,000 or more to a substantial owner, causing plan to have unfunded vested benefits.	Same as (1) above.	Generally, within 30 days after knowledge of the event.  Note: Reporting may be waived if total distributions made to the owner during a 12-month period do not exceed the applicable \$415 limit. Other reporting waivers may apply. Reporting deadline may be extended.

## PENSION BENEFIT GUARANTY CORPORATION (continued)

Status	Plan	Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	(5) Transfer, during a 12-month period, of 3% or more of total benefit liabilities from the plan or any other plan maintained by a member of the plan sponsor's controlled group to a person or plan maintained by a person that is not a member of the transferor's controlled group.	Same as (1) on previous page.  Only the administrator and contributing sponsor of the transferor plan are required to file a reportable event notice.	Generally, within 30 days after knowledge of the event.  Note: Reporting may be waived in certain situations.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	(6) Transaction resulting in one or more entities ceasing to be members of the plan sponsor's controlled group (e.g., controlled group breakup, change in contributing plan sponsor, merger or consolidation within the controlled group).	Same as (1) on previous page.	Generally, within 30 days after knowledge of the event.  Note: Reporting may be waived in certain situations. Reporting deadline may be extended.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	(7) Liquidation or dissolution of any member of plan sponsor's controlled group, under federal bankruptcy laws or any similar federal, state or local law.	Same as (1) on previous page.	Generally, within 30 days after knowledge of the event.  Note: Reporting may be waived in certain situations. Reporting deadline may be extended.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	(8) Declaration of extraordinary dividend or stock redemption by any member of the plan sponsor's controlled group.	Same as (1) on previous page.	Generally, within 30 days after knowledge of the event.  Note: Reporting may be waived in certain situations. Reporting deadline may be extended.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	(9) Application for minimum funding waiver is submitted for the plan.	Same as (1) on previous page.	Generally, within 30 days after knowledge of the event.

# PENSION BENEFIT GUARANTY CORPORATION (continued)

Status	Plan	Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	(10) Default on loan with an outstanding balance of \$10 million or more by any member of plan sponsor's controlled group.	Same as (1) on page 32.	Generally, within 30 days after the person required to report knows or has reason to know of the default.  Note: Reporting is waived if payment is made within 30 days after the due date. Other reporting waivers may apply. Reporting deadline may be extended.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	(11) Bankruptcy or insolvency of plan sponsor or any member of its controlled group.	Same as (1) on page 32.	Generally, within 30 days after knowledge of the event.  Note: Reporting is waived if affected controlled group member is a foreign entity other than a foreign parent. Reporting deadline may be extended until 30 days after a person required to notify PBGC has actual knowledge of the reportable event, if the controlled group member is not a contributing sponsor.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	PBGC Form 10-Advance—Advance Notice of Reportable Events:  (1) Transaction resulting in one or more entities ceasing to be members of the plan sponsor's controlled group (e.g., controlled group breakup, change in contributing plan sponsor, merger or consolidation within the controlled group).	Plan sponsors must file this form with the PBGC.  Submission may be made by mail, commercial delivery service, hand delivery, or electronic transmission.	Generally, no later than 30 days before the effective date of the event.  Note: Reporting may be waived in certain situations.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	(2) Liquidation or dissolution of any member of plan sponsor's controlled group, under federal bankruptcy laws or any similar federal, state, or local law.	Same as (1) above.	Same as (1) above.

# PENSION BENEFIT GUARANTY CORPORATION (continued)

Status	Plan	Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___/___/___	DB	(3) Declaration of extraordinary dividend or stock redemption by any member of the plan sponsor's controlled group.	Same as (1) on previous page.	Same as (1) on previous page.
<input type="checkbox"/> Action Date: ___/___/___	DB	(4) Transfer, during a 12-month period, of 3% or more of total benefit liabilities from the plan or any other plan maintained by a member of the plan sponsor's controlled group to a person or plan maintained by a person that is not a member of the transferor's controlled group.	Same as (1) on previous page.	Generally, no later than 30 days before the effective date of the event.  Note: Reporting is waived for complete plan transfers and transfers involving fully-funded plans. Reporting may be waived in certain other situations.
<input type="checkbox"/> Action Date: ___/___/___	DB	(5) Application for minimum funding waiver is submitted for the plan.	Same as (1) on previous page.	Within 10 days after the reportable event has occurred.
<input type="checkbox"/> Action Date: ___/___/___	DB	(6) Default on loan with an outstanding balance of \$10 million or more by any member of plan sponsor's controlled group.	Same as (1) on previous page.	This reporting deadline is extended to the later of: (a) 10 days after the default occurs; or (b) one day after: <ul style="list-style-type: none"> <li>• the applicable cure period provided in the loan agreement;</li> <li>• the date the loan was accelerated; or</li> <li>• the date the debtor receives written notice of the default.</li> </ul> Reporting is waived if the default is cured or waived by the lender within 10 days.
<input type="checkbox"/> Action Date: ___/___/___	DB	(7) Bankruptcy or insolvency of plan sponsor or any member of its controlled group.	Same as (1) on previous page.	Within 10 days after the reportable event has occurred.

# PENSION BENEFIT GUARANTY CORPORATION (continued)

Status	Plan	Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	Report of withdrawal of substantial employer from single-employer plan with at least two contributing sponsors that are not members of the same controlled group (contains a request for determining withdrawing employer's liability).	Plan sponsors are responsible for reporting this information to the PBGC.	Within 60 days after event.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	Report of facility shutdown causing separation from service of more than 20% of participants. (Describe nature and details of closing.)	Plan sponsors are responsible for reporting this information to the PBGC.	Within 60 days after event.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	Annual Financial and Actuarial Information Reporting.	Actuarial and financial information for controlled groups must be submitted if any plan within a controlled group has a funding target attainment percentage at the end of the preceding plan year that is less than 80%.  For more information, please see Prudential's <i>Compliance Advisory</i> from June 2009 titled, <u><a href="#">PBGC issues final regulations on reporting by underfunded plans.</a></u>	No later than 105 days after the close of the filer's information year. An extension is possible for certain required actuarial information until 15 days after the Form 5500 filing deadline.
<input type="checkbox"/> Action Date: ___ / ___ / ___	DB	Notice of endangered or critical status plans.	Plan sponsors of multiemployer defined benefit plans that are in endangered or critical status for a plan year must provide notice of the plan's status to the PBGC. For more information regarding this notice, see Prudential's <i>Pension Analyst</i> titled, <u><a href="#">Federal Agencies Provide Guidance Affecting Multiemployer Defined Benefit Pension Plans.</a></u>	Within 30 days of the certification that the plan is in endangered or critical status. The DOL has provided a <u><a href="#">model notice</a></u> and guidance regarding the form and manner in which the notice is to be given.

# PENSION BENEFIT GUARANTY CORPORATION (continued)

Status	Plan	Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___/___/___	DB	<b>Annual Funding Notice.</b>	Plan sponsors of single-employer and multiemployer defined benefit plans must provide an annual funding notice to the PBGC. For more information regarding the plan funding notice, see Prudential's <i>Pension Analyst</i> titled, <a href="#">DOL issues model PPA annual funding notice.</a>	Generally, within 120 days of the end of the plan year to which it relates. In the case of a small plan (i.e., a plan covering fewer than 100 participants), the notice must be provided by the filing due date of the annual Form 5500.
<input type="checkbox"/> Action Date: ___/___/___	DB	Notice of intent to terminate plan— Standard termination:  (1) Form 500—Standard Termination Notice, Schedule EA-S Certification of Sufficiency and Schedule REP-S Designation of Representative (if applicable).	Plan sponsors must file this form with the PBGC.	Within 180 days after proposed termination date.  Note: To qualify for an extended distribution deadline, Form 500 should be filed with the PBGC at the same time or after the plan administrator submits a request to the IRS for a determination letter.
<input type="checkbox"/> Action Date: ___/___/___	DB	(2) Form 501 & Schedule MP— Post-Distribution Certification for Standard Terminations and Missing Participant Information.	Plan sponsors must file this form with the PBGC.	Within 30 days of completion of all distributions. However, there is no penalty for late filing if the certification is filed within 90 days after the distribution.
<input type="checkbox"/> Action Date: ___/___/___	DB	(3) List of annuity providers.	Plan sponsors must file this form with the PBGC.	If information is not available when notice of intent to terminate plan is filed, a supplemental notice must be sent no later than 45 days before date of distribution.  Plan administrators must also inform participants about state guarantees on their benefits if the annuity provider had financial problems.

## PENSION BENEFIT GUARANTY CORPORATION (continued)

Status	Plan	Item	Action/Support	When Due
<input type="checkbox"/> Action Date: ___/___/___	DB	Distress Termination:  (1) Form 600—Distress Termination Notice of Intent to Terminate and Schedule REP-D Designation of Representative (if applicable).	Plan sponsors must file Form 601 and Schedule EA-D with the PBGC.	At least 60 days, but not more than 90 days before proposed termination date. This form may not be filed before the notice of intent to terminate is issued to affected participants.
<input type="checkbox"/> Action Date: ___/___/___	DB	(2) Notice of Request to Bankruptcy Court to Approve Termination.	Plan sponsors must notify the PBGC of requests made to Bankruptcy Court to approve plan termination based on reorganization test.	At the same time the request is submitted to the Bankruptcy Court.
<input type="checkbox"/> Action Date: ___/___/___	DB	(3) Form 601—Distress Termination Notice and Schedule EA-D Distress Termination Enrolled Actuary Certification.	Plan sponsors must file this form with the PBGC.	Within 120 days after proposed termination date.
<input type="checkbox"/> Action Date: ___/___/___	DB	(4) Form 602 & Schedule MP— Post-Distribution Certification and Missing Participant Information.	Plan sponsors must complete this form and file it with the PBGC.	Within 30 days after distribution of assets is completed. The PBGC may assess a penalty of up to \$1,100 per day for failure to provide this information. However, there is no penalty for late filing if the certification is filed within 90 days after all plan benefits are distributed.
<input type="checkbox"/> Action Date: ___/___/___	DB	Form 200—Notification of failure to make contribution to a single-employer plan covered by ERISA when unpaid pension payments, including interest, exceed \$1 million.	Plan sponsors must file this form with the PBGC. Submission may be made by mail, commercial delivery service, hand delivery, or electronic transmission.	Within 10 days of missed payment.





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#### Pension Analyst by Prudential Retirement

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