

2010

Instructions for Form 5500-SF

Short Form Annual Return/Report of Small Employee Benefit Plan

Code section references are to the Internal Revenue Code unless otherwise noted. ERISA refers to the Employee Retirement Income Security Act of 1974.

Changes to Note

- **Eligible Combined Plans.** The Pension Protection Act of 2006 ("PPA") established rules for a new type of pension plan, an "eligible combined plan," effective for plan years beginning after December 31, 2009. An eligible combined plan consists of a defined benefit plan and a defined contribution plan that includes a qualified cash or deferred arrangement under Code section 401(k), with the assets of the two plans held in a single trust, but clearly identified and allocated between the plans. The eligible combined plan design is available only to employers that employed an average of at least 2 but not more than 500 employees on each business day during the calendar year preceding the plan year as of which the eligible combined plan is established and that employs at least 2 employees on the first day of the plan year. Because an eligible combined plan includes both a defined benefit plan and a defined contribution plan, the Form 5500 filed for the plan must include all the information, schedules and attachments that would be required for either a defined benefit plan (such as Schedule SB) or a defined contribution plan.

- **2010 Short Plan Year Filings for Defined Benefit Plans Required to File Actuarial Information.** The availability of instructions for Schedules SB and MB for the 2010 plan year was delayed because of possible changes to the instructions resulting from additional regulatory guidance related to the Pension Protection Act. Short plan year filers for the 2010 plan year, other than money purchase plan filers required to file Schedule MB, were prohibited from using the 2009 Schedule SB (Single-Employer Defined Benefit Plan Actuarial Information) or Schedule MB (Multiemployer Defined Benefit Plan and Certain Money Purchase Plan Actuarial Information) for 2010 short plan year filings. Rather, filers who were required to file a Schedule SB or Schedule MB with respect to a defined benefit plan were told that they were required to wait to file their 2010 Form 5500 or 2010 Form 5500-SF until the 2010 Schedule SB and Schedule MB instructions were made available. **The final 2010 Schedule MB and 2010 Schedule SB instructions (Revised June 2010) are now available and can be used for filing. You can find a hyperlink to the instructions for the 2010 Schedule SB (Revised June 2010) and to the instructions for the 2010 Schedule MB (Revised June 2010) (for money purchase plans amortizing a funding waiver) on page 4 of these instructions, or you can go directly to the links on the DOL website for the 2010 Forms and Instructions.**

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EFAST2 Processing System

Under the computerized ERISA Filing Acceptance System (EFAST2), you must electronically file your 2010 Form 5500-SF, Short Form Annual Return/Report of Small Employee Benefit Plan. You may file your 2010 Form 5500-SF online using EFAST2's web-based filing system or you may file through an EFAST2-approved vendor. You cannot file a paper Form 5500-SF by mail or other delivery service. For more information, see the instructions for *How To File – Electronic Filing Requirement* on page 6 and the EFAST2 website at www.efast.dol.gov.

How To Get Assistance

If you need help completing this form, or have related questions, call the EFAST2 Help Line at 1-866-GO-EFAST (1-866-463-3278) (toll free) or access the EFAST2 or IRS websites. The EFAST2 Help Line is

available Monday through Friday from 8:00 am to 8:00 pm, Eastern Time.

You can access the EFAST2 website 24 hours a day, 7 days a week at www.efast.dol.gov to:

- File the Form 5500-SF or 5500, and any needed schedules or attachments.
- Check on the status of a filing you submitted.
- View filings posted by EFAST2.
- Register for electronic credentials to sign or submit filings.
- View forms and related instructions.
- Get information regarding EFAST2, including approved software vendors.
- See answers to frequently asked questions about the Form 5500-SF, the Form 5500 and its schedules, and EFAST2.
- Access the main Employee Benefits Security Administration (EBSA) and DOL websites for news, regulations, and publications.

You can access the IRS website 24 hours a day, 7 days a week at www.irs.gov to:

- View forms, instructions, and publications.
- See answers to frequently asked tax questions.
- Search publications online by topic or keyword.
- Send comments or request help by e-mail.
- Sign up to receive local and national tax news by e-mail.

You can order related forms and IRS publications by calling 1-800-TAX-FORM (1-800-829-3676). You can order EBSA publications by calling 1-866-444-3272.

General Instructions

The Form 5500-SF, Short Form Annual Return/Report of Small Employee Benefit Plan, is a simplified annual reporting form for use by certain small pension and welfare benefit plans. To be eligible to use Form 5500-SF, the plan must:

- Be a small plan (i.e., generally have fewer than 100 participants at the beginning of the plan year),
- Meet the conditions for being exempt from the requirement that the plan's books and records be audited by an independent qualified public accountant (IQPA),
- Have 100% of its assets invested in certain secure investments with a readily determinable fair value,
- Hold no employer securities, and
- Not be a multiemployer plan.

Plans required to file an annual return/report that are not eligible to file the Form 5500-SF, must file a Form 5500, Annual Return/Report of Employee Benefit Plan, with all required schedules and attachments (Form 5500), or Form 5500-EZ, Annual Return of One-Participant (Owners and Their Spouses) Retirement Plan.

To reduce the possibility of correspondence and penalties, we remind filers that the Internal Revenue Service (IRS), Department of Labor (DOL), and Pension Benefit Guaranty Corporation (PBGC) have consolidated their annual return/report forms to minimize the filing burden for employee benefit plans. Administrators and sponsors of employee benefit plans generally will satisfy their IRS and DOL annual reporting requirements for the plan under

ERISA sections 104 and 4065 and Code sections 6058 and 6059 by filing either the Form 5500, Form 5500-SF, or Form 5500-EZ. Defined contribution and defined benefit pension plans may have to file additional information with the IRS including: the annual registration statement required to be filed under Code section 6057; Form 5330, Return of Excise Taxes Related to Employee Benefit Plans; and Form 5310-A, Notice of Plan Merger or Consolidation, Spinoff, or Transfer of Plan Assets or Liabilities; Notice of Qualified Separate Lines of Business. See www.irs.gov for more information. Defined benefit pension plans covered by the PBGC have special additional requirements, including filing premiums and reporting certain transactions directly with that agency. See the PBGC's website at www.pbgc.gov/practitioners for information on premium filings and reporting and disclosure requirements.

Note. The Form 5500-EZ generally is used by "one-participant plans" (as defined under *Specific Instructions Only for "One-Participant Plans"* on page 7) that are not subject to the requirements of section 104(a) of ERISA to satisfy certain annual reporting and filing obligations imposed by the Code. A "one-participant plan" may also be eligible to file Form 5500-SF. See *Specific Instructions Only for "One-Participant Plans."* A "one-participant plan" that is eligible to file Form 5500-SF may elect to file Form 5500-SF electronically with EFAST2 rather than filing a Form 5500-EZ on paper with the IRS. A "one-participant plan" that is not eligible to file Form 5500-SF must file Form 5500-EZ on paper with the IRS. For more information on filing with the IRS, go to www.irs.gov or call 1-877-829-5500.



Abbreviated filing requirements apply for one-participant plan filers who are eligible to file Form 5500-SF. See Specific Instructions Only for "One-Participant Plans" on page 7.

The Form 5500-SF must be filed electronically. See *How To File – Electronic Filing Requirement* instructions on page 6 and the EFAST2 website at www.efast.dol.gov. Your Form 5500-SF entries will be initially screened electronically. Your entries must satisfy this screening for your filing to be received. Once received, your form may be subject to further detailed review, and your filing may be rejected based upon this further review.

ERISA and the Code provide for the assessment or imposition of penalties for not submitting the required information when due. See *Penalties* on page 5.

Annual returns/reports filed under Title I of ERISA must be made available by plan administrators to plan participants and beneficiaries and by the DOL to the public pursuant to ERISA sections 104 and 106. Pursuant to Section 504 of the Pension Protection Act of 2006 (PPA), this availability for defined benefit pension plans must include the posting of identification and basic plan information and actuarial information on any plan sponsor intranet website (or website maintained by the plan administrator on behalf of the plan sponsor) that is used for the purpose of communicating with employees and not the public. Section 504 also requires DOL to display such information on DOL's website within 90 days after the filing of the plan's annual return/report. To see 2009 Forms 5500, including actuarial information, see www.dol.gov/ebsa. See www.dol.gov/ebsa/actuarialsearch.html for 2008 and short plan year 2009 actuarial information filed under the previous paper-based system.

Pension and Welfare Plans Required To File Annual Return/Report

All pension benefit plans and welfare benefit plans covered by ERISA must file a Form 5500 or Form 5500-SF for a plan year unless they are eligible for a filing exemption. (See Code sections 6058 and 6059 and ERISA sections 104 and 4065). An annual return/report must be filed even if the plan is not "tax qualified," benefits no longer accrue, contributions were not made during this plan year, or contributions are no longer made. Pension benefit plans required to file include both defined benefit plans and defined contribution plans. Profit-sharing plans, stock bonus plans, money purchase plans, 401(k) plans, Code section 403(b) plans covered by Title I of ERISA, and IRA plans established by an employer are among the pension benefit plans for which an annual return/report must be filed. Welfare benefit plans provide benefits such as medical, dental, life insurance, apprenticeship and training, scholarship funds, severance pay, disability, etc. Plans that cover residents of Puerto Rico, the U.S. Virgin Islands, Guam, Wake Island, or American Samoa also must file unless they are eligible for a filing exemption. This includes a plan that elects to have the provisions of section 1022(i)(2) of ERISA apply.

Plans Exempt From Filing

Under regulations and applicable guidance, some pension benefit plans and many welfare benefit plans with fewer than 100 participants are exempt from filing an annual return/report. Do not file a Form 5500-SF for an employee benefit plan that is any of the following:

1. An unfunded excess benefit plan. See ERISA section 4(b)(5).
2. A pension benefit plan maintained outside the United States primarily for the benefit of persons substantially all of whom are nonresident aliens.
3. An annuity or custodial account arrangement under Code section 403(b)(1) or (7) not established or maintained by an employer as described in DOL Regulations 29 CFR 2510.3-2(f).
4. A simplified employee pension (SEP) described in Code section 408(k) that conforms to the alternative method of compliance described in 29 CFR 2520.104-48 or 29 CFR 104-49. A SEP is a pension plan that meets certain minimum qualifications regarding eligibility and employer contributions.
5. A Savings Incentive Match Plan for Employees of Small Employers (SIMPLE) that involves SIMPLE IRAs under Code section 408(p).
6. A church pension benefit plan not electing coverage under Code section 410(d).
7. An unfunded dues financed pension benefit plan that meets the alternative method of compliance provided by 29 CFR 2520.104-27.
8. An individual retirement account or annuity not considered a pension plan under 29 CFR 2510.3-2(d).
9. "One-participant plans," as defined on page 7, that have assets (either alone or in combination with one or more one-participant plans maintained by the employer) of \$250,000 or less at the end of the plan year. (However, in any case, you must file for the final plan year to indicate that all assets have been distributed.)

10. A governmental plan.

11. An unfunded pension benefit plan or an unfunded or insured welfare benefit plan: (a) whose benefits go only to a select group of management or highly compensated employees, and (b) which meets the terms of 29 CFR 2520.104-23 (including the requirement that a registration statement be timely filed with DOL) or 29 CFR 2520.104-24.

12. A welfare benefit plan that covers fewer than 100 participants as of the beginning of the plan year and is unfunded, fully insured, or a combination of insured and unfunded. For this purpose:

a. An unfunded welfare benefit plan has its benefits paid as needed directly from the general assets of the employer or the employee organization that sponsors the plan.

Note. Plans that are NOT unfunded include those plans that received employee (or former employee) contributions during the plan year and/or used a trust or separately maintained fund (including a Code section 501(c)(9) trust) to hold plan assets or act as a conduit for the transfer of plan assets during the plan year.

A welfare benefit plan with employee contributions that is associated with a cafeteria plan under Code section 125 may be treated for annual reporting purposes as an unfunded welfare benefit plan if it meets the requirements of DOL Technical Release 92-01, 57 Fed. Reg. 23272 (June 2, 1992) and 58 Fed. Reg. 45359 (Aug. 27, 1993). The mere receipt of COBRA contributions or other after-tax participant contributions (e.g., retiree contributions) by a cafeteria plan would not by itself affect the availability of the relief provided for cafeteria plans that otherwise meet the requirements of DOL Technical Release 92-01. See 61 Fed. Reg. 41220, 41222-23 (Aug. 7, 1996).

b. A fully insured welfare benefit plan has its benefits provided exclusively through insurance contracts or policies, the premiums of which must be paid directly to the insurance carrier by the employer or employee organization from its general assets or partly from its general assets and partly from contributions by its employees or members (which the employer or employee organization forwards within 3 months of receipt). The insurance contracts or policies discussed above must be issued by an insurance company or similar organization (such as Blue Cross Blue Shield or a health maintenance organization) that is qualified to do business in any state.

c. A combination unfunded/insured welfare benefit plan has its benefits provided partially as an unfunded plan and partially as a fully insured plan. An example of such a plan is a welfare benefit plan that provides medical benefits as in "a" above and life insurance benefits as in "b" above. See 29 CFR 2520.104-20 and the DOL Technical Release 92-01.

Note. A voluntary employees' beneficiary association, as used in Code section 501(c)(9) (VEBA), should not be confused with the employer or employee organization that sponsors the plan. See ERISA section 3(4).

13. Plans maintained only to comply with workers' compensation, unemployment compensation, or disability insurance laws.

14. A welfare benefit plan maintained outside the United States primarily for persons substantially all of whom are nonresident aliens.

15. A church welfare benefit plan under ERISA section 3(33).

16. An unfunded dues financed welfare benefit plan that meets the alternative method of compliance provided by 29 CFR 2520.104-26.

17. A welfare benefit plan that participates in a group insurance arrangement that files a return/report on its behalf under 29 CFR 2520.104-43. A group insurance arrangement generally is an arrangement that provides benefits to the employees of two or more unaffiliated employers (not in connection with a multiemployer plan or a collectively bargained multiple-employer plan), fully insures one or more welfare benefit plans of each participating employer, uses a trust (or other entity such as a trade association) as the holder of the insurance contracts, and uses a trust as the conduit for payment of premiums to the insurance company.

18. An apprenticeship or training plan meeting all of the conditions specified in 29 CFR 2520.104-22.

For more information on plans that are exempt from filing an annual return/report, call the EFAST2 Help Line at 1-866-GO-EFAST (1-866-463-3278). For one-participant plan filers, see the Instructions for Form 5500-EZ or call the IRS Help Line at 1-877-829-5500.

Who May File

If your plan is required to file an annual return/report, you may file the Form 5500-SF instead of the Form 5500 only if you meet all of the eligibility conditions listed below.

1. The plan (a) covered fewer than 100 participants at the beginning of the plan year 2010, or (b) under 29 CFR 2520.103-1(d) was eligible to and filed as a small plan for plan year 2009 and did not cover more than 120 participants at the beginning of plan year 2010 (see instructions for line 5 on counting the number of participants);

Note. If a Code section 403(b) plan would have been eligible to file as a small plan under 29 CFR 2520.103-1(d) in 2009 (that is, the plan was eligible to file in the previous year under the small plans requirements and has a participant count of less than 121 at the beginning of the 2010 plan year), then it can rely on 29 CFR 2520.103-1(d) to file as a small plan for the 2010 plan year.

For more information about annual return/report filings for Code section 403(b) plans covered by Title I of ERISA, see Field Assistance Bulletin 2009-02, available on the DOL website at www.dol.gov.

2. The plan did not hold any employer securities at any time during the plan year;

3. At all times during the plan year, the plan was 100% invested in certain secure, easy to value assets that meet the definition of "eligible plan assets" (see the instructions for line 6a), such as mutual fund shares, investment contracts with insurance companies and banks valued at least annually, publicly traded securities held by a registered broker dealer, cash and cash equivalents, and plan loans to participants;

4. The plan is eligible for the waiver of the annual examination and report of an independent qualified public accountant (IQPA) under 29 CFR 2520.104-46 (but not by reason of enhanced bonding), which requirement includes, among others, giving certain disclosures and supporting documents to participants and beneficiaries

regarding the plan's investments (see instructions for line 6b); and

5. The plan is not a multiemployer plan.

Note. Employee Stock Ownership Plans (ESOPs) and Direct Filing Entities (DFEs) may not file the Form 5500-SF.

Note. One-participant plans should follow the *Specific Instructions Only for "One-Participant Plans"* in place of the instructions 1–5 above to see if Form 5500-SF may be filed instead of Form 5500-EZ.

What To File

Plans required to file an annual return/report that meet all of the conditions for filing the Form 5500-SF may complete and file the Form 5500-SF in accordance with its instructions. Single-employer defined benefit pension plans using the Form 5500-SF must also file the Schedule SB (Form 5500), Single-Employer Defined Benefit Plan Actuarial Information, and its required attachments. Money purchase plans amortizing a funding waiver using the Form 5500-SF must also file the Schedule MB (Form 5500), Multiemployer Defined Benefit Plan and Certain Money Purchase Plan Actuarial Information, and its required attachments. See **the Instructions to the Schedule SB (Revised June 2010) and the Instructions to the Schedule MB (Revised June 2010)**. No other schedules or attachments have to be filed with the Form 5500-SF.

One-participant plans see *Specific Instructions Only for "One-Participant Plans."*

When To File

File the 2010 Form 5500-SF for plan years that began in 2010. The form, and any required schedules and attachments, must be filed by the last day of the 7th calendar month after the end of the plan year (not to exceed 12 months in length) that began in 2010.

Short Years. For a plan year of less than 12 months (short plan year), file the form and applicable schedules by the last day of the 7th calendar month after the short plan year ends or by the extended due date, if filing under an authorized extension of time. Fill in the short plan year beginning and ending dates in the space provided and check the appropriate box in Part I, line B, of the Form 5500-SF. For purposes of this return/report, a short plan year ends on the date of the change in accounting period or upon the complete distribution of assets of the plan. Also see the instructions for *Final Return/Report* to determine if "the final return/report" box in line B should be checked.

Notes. (1) If the filing due date falls on a Saturday, Sunday, or Federal holiday, the return/report may be filed on the next day that is not a Saturday, Sunday, or Federal holiday. (2) If the 2011 Form 5500 is not available before the plan or DFE filing, use the 2010 Form 5500 and enter the 2011 fiscal year beginning and ending dates on the line provided at the top of the form.

Note: All 2010 short plan year filers must use the 2010 forms, schedules, and instructions.

Extension of Time To File

Using Form 5558

If filing under an extension of time based on the filing of an IRS Form 5558, Application for Extension of Time To File Certain Employee Plan Returns, check the appropriate box on the Form 5500-SF, Part I, line C. A one-time extension of time to file the Form 5500-SF (up to 2 ½ months) may be obtained by filing Form 5558 on or before the normal due date (not including any extensions) of the return/report.

You must file the Form 5558 with the Department of Treasury, Internal Revenue Service Center, Ogden, UT 84201-0027. Approved copies of the Form 5558 will not be returned to the filer. A copy of the completed extension request must be retained with the plan's records.

Using Extension of Time To File Federal Income Tax Return

An automatic extension of time to file Form 5500-SF until the due date of the federal income tax return of the employer will be granted if all of the following conditions are met: (1) the plan year and the employer's tax year are the same; (2) the employer has been granted an extension of time to file its federal income tax return to a date later than the normal due date for filing the Form 5500-SF; and (3) a copy of the application for extension of time to file the federal income tax return is maintained with the filer's records. An extension of time granted by using this automatic extension procedure CANNOT be extended further by filing an IRS Form 5558, nor can it be extended beyond a total of 9 ½ months beyond the close of the plan year.

Note. An extension of time to file the Form 5500-SF does not operate as an extension of time to file PBGC premiums or annual financial and actuarial reports (if required by section 4010 of ERISA) or as an extension of time to file the annual registration statement required to be filed with the IRS under Code section 6057.

Other Extensions of Time

The IRS, DOL, and PBGC may announce special extensions of time under certain circumstances, such as extensions for Presidentially-declared disasters or for service in, or in support of, the Armed Forces of the United States in a combat zone. See www.irs.gov, www.efast.dol.gov, and www.pbgc.gov/practitioners for announcements regarding such special extensions. If you are relying on one of these announced special extensions, check the appropriate box on the Form 5500-SF, Part I, line C, and enter a description of the announced authority for the extension.

Delinquent Filer Voluntary Compliance (DFVC) Program

The DFVC Program facilitates voluntary compliance by plan administrators who are delinquent in filing annual return/report forms under Title I of ERISA by permitting administrators to pay reduced civil penalties for voluntarily complying with their DOL annual reporting obligations. If the Form 5500-SF is being filed under the DFVC Program, check the appropriate box on Form 5500-SF, Part I, line C to indicate that the Form 5500-SF is being filed under the DFVC Program.

See www.efast.dol.gov for additional information, including information concerning DFVC Program filings and the submission of penalty payments to the DFVC processing center.

Plan administrators are reminded that they can use the online calculator available at www.dol.gov/ebsa/calculator/dfvcmain.html to compute the penalties due under the program. Payments under the DFVC Program also may be submitted electronically. For information on how to pay DFVC Program payments online, go to www.dol.gov/ebsa.

Change in Plan Year

Generally, only defined benefit pension plans need to get approval for a change in plan year. See Code section 412(d)(1). However, under Rev. Proc. 87-27, 1987-1 C.B. 769, these pension plans may be eligible for automatic approval of a change in plan year.

If a change in plan year for a pension or a welfare benefit plan creates a short plan year, file the form and applicable schedules by the last day of the 7th calendar month after the short plan year ends or by the extended due date, if filing under an authorized extension of time. Fill in the short plan year beginning and ending dates in the space provided in Part I and check the appropriate box in Part I, line B of the Form 5500-SF. For purposes of this return/report, the short plan year ends on the date of the change in accounting period or upon the complete distribution of assets of the plan. Also, see the instructions for *Final Return/Report* to determine if "final return/report" in line B should be checked.

Penalties

Plan administrators and plan sponsors must provide complete and accurate information and must otherwise comply fully with the filing requirements. ERISA and the Code provide for the DOL and the IRS, respectively, to assess or impose penalties for not giving complete and accurate information and for not filing complete and accurate statements and returns/reports. Certain penalties are administrative (that is, they may be imposed or assessed in an administrative proceeding by one of the governmental agencies delegated to administer the collection of the Form 5500-SF data). Others require a legal conviction.

Administrative Penalties

Listed below are various penalties under ERISA and the Code that may be assessed or imposed for not meeting the annual return/report filing requirements. Generally, whether the penalty is under ERISA or the Code, or both, depends upon the agency for which the information is required to be filed. One or more of the following administrative penalties may be assessed or imposed in the event of incomplete filings or filings received after the due date unless it is determined that your failure to file properly is for reasonable cause.

1. A penalty of up to \$1,100 a day (or higher amount if adjusted pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended) for each day a plan administrator fails or refuses to file a complete and accurate annual return/report. See ERISA section 502(c)(2) and 29 CFR 2560.502c-2.
2. A penalty of \$25 a day (up to \$15,000) for not filing the annual return/report for certain plans of deferred

compensation, trusts and annuities, and bond purchase plans by the due date(s). See Code section 6652(e).

3. A penalty of \$1,000 for not filing an actuarial statement (Schedule MB (Form 5500) or Schedule SB (Form 5500)) required by the applicable instructions. See Code section 6692.

Other Penalties

1. Any individual who willfully violates any provision of Part 1 of Title I of ERISA shall on conviction be fined not more than \$100,000 or imprisoned not more than 10 years, or both. See ERISA section 501.

2. A penalty up to \$10,000, five (5) years imprisonment, or both, may be imposed for making any false statement or representation of fact, knowing it to be false, or for knowingly concealing or not disclosing any fact required by ERISA. See section 1027, Title 18, U.S. Code, as amended by section 111 of ERISA.

How To File – Electronic Filing Requirement

Under the computerized ERISA Filing Acceptance System (EFAST2), you must file your 2010 Form 5500-SF electronically. You may file your 2010 Form 5500-SF online using EFAST2's web-based filing system or you may file through an EFAST2-approved vendor. Detailed information on electronic filing is available at www.efast.dol.gov. For telephone assistance, call the EFAST2 Help Line at 1-866-GO-EFAST (1-866-463-3278). The EFAST2 Help Line is available Monday through Friday from 8:00 am to 8:00 pm, Eastern Time.



Annual returns/reports filed under Title I of ERISA, including those filed using the Form 5500-SF, must be made available by the plan administrators to plan participants and beneficiaries and by the DOL to the public pursuant to ERISA sections 104 and 106. Even though the Form 5500-SF must be filed electronically, the plan administrator must keep a copy of the Form 5500-SF, including schedules and attachments, with all required signatures on file as part of the plan's records, and must make a paper copy available on request to participants, beneficiaries, and the DOL as required by section 104 of ERISA and 29 CFR 2520.103-1. Filers may use electronic media for record maintenance and retention, so long as they meet the applicable requirements.

Generally, questions on the Form 5500-SF relate to the plan year entered at the top of the first page of the form. Therefore, answer all questions on the 2010 Form 5500-SF with respect to the 2010 plan year unless otherwise explicitly stated in the instructions or on the form itself.

Your entries must be in the proper format in order for the EFAST2 system to process your filing. For example, if a question requires you to enter a dollar amount, you cannot enter a word. Your software will not let you submit your return/report unless all entries are in the proper format. To reduce the possibility of correspondence and penalties:

- Complete all lines on the Form 5500-SF unless otherwise specified. Also complete and electronically attach, as required, any applicable schedules and attachments.
- Do not enter "N/A" or "Not Applicable" on the Form 5500-SF or Schedules SB (Form 5500) and MB (Form

5500) unless specifically permitted. "Yes" or "No" questions on the form and schedules cannot be left blank, unless specifically permitted. Answer "Yes" or "No," but not both.

- Use the correct employer identification number (EIN) and plan number (PN) for the plan.

You should check your return/report for errors before signing or submitting it to EFAST2. Your filing software or, if you are using it, the EFAST2 web-based filing system will allow you to check your return/report for errors. If, after reasonable attempts to correct your filing to eliminate any identified problem or problems, you are unable to address them, or you believe that you are receiving the message in error, call the EFAST2 Help Line at 1-866-GO-EFAST (1-866-463-3278) or contact the service provider you used to help prepare and file your annual return/report.

Once you complete the return/report and finish the electronic signature process, you can electronically submit it to EFAST2. When you electronically submit your return/report, EFAST2 is designed to immediately notify you if your submission was received and whether the return/report is ready to be processed by EFAST2. If EFAST2 does not notify you that your submission was successfully received and is ready to be processed, you will need to take steps to correct the problem or you may be deemed a non-filer subject to penalties from DOL, IRS, and/or PBGC.

Once EFAST2 receives your return/report, the EFAST2 system should be able to provide a filing status within 20 minutes. The person submitting the filing should check back into the EFAST2 system to determine the filing status of your return/report. The filing status message will include a list of any filing errors or warnings that EFAST2 may have identified in your filing. If EFAST2 did not identify any filing errors or warnings, EFAST2 will show the filing status of your return/report as "Filing_Received." Persons other than the submitter can check whether the filing was received by the system by calling the EFAST2 Help Line at 1-866-GO-EFAST (1-866-463-3278) and using the automated telephone system.

To reduce the possibility of correspondence and penalties from the DOL, IRS, and/or PBGC, you should do the following: (1) Before submitting your return/report to EFAST2, check it for errors, and (2) after you have submitted it to EFAST2, verify that you have received a filing status of "Filing_Received" and attempt to correct and resolve any errors or warnings listed in the status report.

Note. Even after being received by the EFAST2 system, your return/report filing may be subject to further detailed review by DOL, IRS, and/or PBGC, and your filing may be deemed deficient based upon this further review. See *Penalties* on page 5.

The Form 5500-SF, Schedules SB (Form 5500) and MB (Form 5500), and any attachments that are filed under ERISA are open to public inspection, and the contents are public information subject to publication on the Internet.



Do not enter social security numbers in response to questions asking for an employer identification number (EIN). Because of privacy concerns, the inclusion of a social security number on the Form 5500-SF or on a schedule or attachment that is open to public

inspection may result in the rejection of the filing. If you discover a filing disclosed on the EFAST2 website that contains a social security number, immediately call the EFAST2 Help Line at 1-866-GO-EFAST (1-866-463-3278).

Do not attach a copy of the annual registration statement identifying separated participants with deferred vested benefits, or a previous year's Schedule SSA (Form 5500) to your 2010 Form 5500-SF annual return/report. The annual registration statement must be filed directly with the IRS and cannot be attached to a Form 5500-SF submission with EFAST2.

Employers without an employer identification number (EIN) must apply to the IRS for one as soon as possible. The EBSA does not issue EINs. To apply for an EIN from the IRS:

- Mail or fax Form SS-4, Application for Employer Identification Number, obtained by calling 1-800-TAX-FORM (1-800-829-3676) or at the IRS website at www.irs.gov.
- Call 1-800-829-4933 to receive your EIN by telephone.
- Select the Online EIN Application link at www.irs.gov. The EIN is issued immediately once the application information is validated. (The online application process is not yet available for corporations with addresses in foreign countries or Puerto Rico.)

Signature and Date

For purposes of Title I of ERISA, the plan administrator is required to file the Form 5500 or 5500-SF. Thus, the plan administrator or, if the plan administrator is an entity, a person authorized to sign on behalf of the plan administrator must electronically sign the Form 5500 or 5500-SF submitted to EFAST2. If the plan administrator does not sign a filing, the filing status will indicate that there is an error with your filing, and your filing will be subject to further review, correspondence, rejection, and civil penalties.

Note. The Code permits either the plan sponsor/employer or the administrator to sign the filing. Therefore, in the case of a Form 5500-SF filed for a "one-participant plan" not subject to Title I of ERISA that is filing a Form 5500-SF with EFAST2 in lieu of filing a Form 5500-EZ on paper with the IRS (see *Specific Instructions Only for "One-Participant Plans"*), either may sign. However, any other Form 5500-SF that is not electronically signed by the plan administrator will be subject to rejection and civil penalties under Title I of ERISA.

The Form 5500-SF annual return/report must be filed electronically and signed. To obtain an electronic signature, go to www.efast.dol.gov and register in EFAST2 as a signer. You will be provided with a UserID and a PIN. Both the UserID and PIN are needed to sign the Form 5500-SF. The plan administrator must keep a copy of the Form 5500-SF, including schedules and attachments, with all required signatures on file as part of the plan's records. See 29 CFR 2520.103-1. Electronic signatures on annual returns/reports filed under EFAST2 are governed by the applicable statutory and regulatory requirements.

Specific Instructions Only for "One-Participant Plans"

A "one-participant plan" is: (1) a pension benefit plan that covers only an individual or an individual and his or her spouse who wholly own a trade or business, whether incorporated or unincorporated; or (2) a pension benefit plan for a partnership that covers only the partners or the partners and the partners' spouses. Thus, a "one-participant plan" can cover more than one participant. On the other hand, merely covering only one participant does not make you eligible to file as a "one-participant plan" unless you are one of the types of plans described above.

The Form 5500-EZ generally is used by one-participant plans that are not subject to the requirements of section 104(a) of ERISA to satisfy certain annual reporting and filing obligations imposed by the Code. One-participant plans that meet the *Conditions for Filing* below may file the Form 5500-SF electronically in place of a Form 5500-EZ (on paper) to satisfy the filing obligations under the Code. One-participant plans that file the Form 5500-SF electronically complete only certain questions on the Form 5500-SF. These are the questions that would be completed if the filer filed Form 5500-EZ on paper. For more information on filing with the IRS, go to www.irs.gov or call 1-877-829-5500.

Note. A Form 5500-SF may be filed for one-participant plans that are either defined contribution plans (which include profit-sharing and money purchase pension plans, but not an ESOP or stock bonus plan) or defined benefit plans.

Note. Information filed on Form 5500-EZ is required to be made available to the public. Form 5500-SF is open to public inspection and the contents are public information subject to publication on the Internet.

Conditions for Filing. One-participant plan filers that meet the following conditions are eligible to file a Form 5500-SF.

1. The plan is a "one-participant plan." This means either:
 - a. The plan only covers you (or you and your spouse) and you (or you and your spouse) own the entire business (which may be incorporated or unincorporated) or
 - b. The plan only covers one or more partners (or partner(s) and spouse(s)) in a business partnership.
2. The plan does not provide benefits for anyone except you, or you and your spouse, or one or more partners and their spouses.
3. The plan covered fewer than 100 participants at the beginning of the plan year.

If you do not meet ALL the conditions listed above, you are not a one-participant plan filer who is eligible to file Form 5500-SF instead of Form 5500-EZ. You must file a paper Form 5500-EZ with the IRS if you meet the first two conditions but do not meet the third condition.

Eligible one-participant plans need complete only the following questions on the Form 5500-SF:

- Part I, lines A, B, and C;
- Part II, lines 1a–5b;
- Part III, lines 7a–c, and 8a;
- Part IV, line 9a;
- Part V, line 10g; and
- Part VI, lines 11–12e.

Schedule MB (Form 5500). If a money purchase defined contribution plan (including a target benefit plan) has received a waiver of the minimum funding standard, and the waiver is currently being amortized, complete lines 3, 9, and 10 of Schedule MB (Form 5500). See the Instructions for Schedule MB in the Instructions for Form 5500. One-participant plans, however, do not attach Schedule MB to the Form 5500-SF. Instead, one-participant plans must keep the completed Schedule MB in accordance with the applicable records retention requirements.

Schedule SB (Form 5500). One-participant plans do not attach Schedule SB (Form 5500) to the Form 5500-SF. Instead, one-participant plans must keep the completed Schedule SB that is signed by the plan actuary in accordance with the applicable records retention requirements. Actuaries of one-participant plans that are defined benefit plans subject to the minimum funding standards for this plan year, must complete Schedule SB (Form 5500) and forward the completed and signed Schedule SB to the plan administrator no later than the filing due date. See the Instructions for Schedule SB in the Instructions for Form 5500.

Filing Form 5500-EZ with the IRS. If you are filing a paper form, you must file the Form 5500-EZ with the IRS using the following address: Department of the Treasury, Internal Revenue Service Center, Ogden, UT 84201-0027. You may order the paper Form 5500-EZ and its instructions by calling 1-800-TAX-FORM (1-800-829-3676) or visiting the IRS website at www.irs.gov/formspubs/.

Filing an amendment. If you are filing an amendment for a “one-participant plan” that filed a Form 5500-SF electronically, you may submit the amendment either electronically using the Form 5500-SF with EFAST2 or on paper using the Form 5500-EZ with the IRS. If you are filing an amendment for a “one-participant plan” that previously filed on a paper Form 5500-EZ, you must submit the amendment using the paper Form 5500-EZ with the IRS.

Specific Line-by-Line Instructions (Form 5500-SF)

Part I – Annual Report Identification Information

Check only one of the line A box choices.

Line A – Box for Single-Employer Plan. Check this box if the Form 5500-SF is filed for a single-employer plan. A single-employer plan for purposes of the Form 5500-SF is an employee benefit plan maintained by one employer or one employee organization.

Note. A “controlled group” is generally considered one employer for Form 5500 and Form 5500-SF reporting purposes. A “controlled group” is a controlled group of corporations under Code section 414(b), a group of trades or businesses under common control under Code section 414(c), or an affiliated service group under Code section 414(m). A separate annual return/report with line A (single-employer plan) checked must be filed by each employer participating in a plan or program of benefits in which the funds attributable to each employer are available to pay benefits only for that employer’s employees, even if the plan is maintained by a controlled group.

Line A – Box for Multiple-Employer Plan. Check this box if the Form 5500-SF is being filed for a multiple-employer plan. For purposes of the Form 5500-SF, a multiple-employer plan is a plan that is maintained by more than one employer and is not a single-employer plan or a multiemployer plan. Multiple-employer plans can be collectively bargained and collectively funded, but if covered by PBGC termination insurance, they must have properly elected before September 27, 1981, not to be treated as a multiemployer plan under Code section 414(f)(5) or ERISA sections 3(37)(E) and 4001(a)(3), and have not revoked that election or made an election to be treated as a multiemployer plan under Code section 414(f)(6) or ERISA section 3(37)(G). Participating employers do not file individually for multiple-employer plans.

Note. Do not check this box if all of the employers maintaining the plan are members of the same controlled group or affiliated service group under Code sections 414(b), (c), or (m).



Multiemployer plans cannot use the Form 5500-SF to satisfy their annual reporting obligations. They must file the Form 5500. For these purposes, a plan is a multiemployer plan if: (a) more than one employer is required to contribute; (b) the plan is maintained pursuant to one or more collective bargaining agreements between one or more employee organizations and more than one employer; (c) an election under Code section 414(f)(5) and ERISA section 3(37)(E) has not been made; and (d) the plan meets any other applicable conditions of 29 CFR 2510.3-37. A plan that made a proper election under ERISA section 3(37)(G) and Code section 414(f)(6) on or before Aug. 17, 2007, is also a multiemployer plan.

Line A – Box for One-Participant Plan. Check this box if the Form 5500-SF is being filed for a plan that is a “one-participant plan” (see page 7). Check the *one-participant plan* box only for those plans that are submitting the Form 5500-SF in place of a Form 5500-EZ (on paper) to satisfy the annual return/report filing obligations under the Code. Plans checking the box for *one-participant plan* should not check either the box for *single-employer plan* or the box for *multiple-employer plan*. See *Specific Instructions Only for “One-Participant Plans.”*

Line B – Box for First Return/Report. Check this box if an annual return/report has not been previously filed for this plan. For the purpose of completing this box, the Form 5500-EZ is not considered an annual return/report.

Line B – Box for Amended Return/Report. Check this box if you have already filed for the 2010 plan year and are now filing an amended return/report to correct errors and/or omissions on the previously filed return/report.



Check the line B box for an “amended return/report” if you filed a previous 2010 annual return/report that was given a “Filing_Received,” “Filing_Error,” or “Filing_Stopped” status by EFAST2. Do not check the line B box for an “amended return/report” if your previous submission attempts were not successfully received by EFAST2 because of problems with the transmission of your return/report. For more information, go to the EFAST2 website at www.efast.dol.gov or call the EFAST2 Help line at 1-866-GO-EFAST (1-866-463-3278).

If you need to file an amended return/report to correct errors and/or omissions in a previously filed annual

return/report for the 2010 plan year AND you are eligible to file the Form 5500-SF, you may use the Form 5500-SF even if the original filing was a Form 5500. If you filed a Form 5500-SF, but determine that you were not eligible to file the Form 5500-SF, you must use the Form 5500 or Form 5500-EZ to amend your return/report.

Line B – Box for Final Return/Report. Check this box if this is the final report for the plan. Only check this box if all assets under the plan (including insurance/annuity contracts) have been distributed to the participants and beneficiaries or legally transferred to the control of another plan, and when all liabilities for which benefits may be paid under a welfare benefit plan have been satisfied. Do not mark the *final return/report* box if you are reporting participants and/or assets at the end of the plan year. If a trustee is appointed for a terminated defined benefit plan pursuant to ERISA section 4042, the last plan year for which a return/report must be filed is the year in which the trustee is appointed.

Examples:

Mergers/Consolidations. A final return/report should be filed for the plan year (12 months or less) that ends when all plan assets were legally transferred to the control of another plan.

Pension and Welfare Plans That Terminated Without Distributing All Assets. If the plan was terminated but all plan assets were not distributed, a return/report must be filed for each year the plan has assets. The return/report must be filed by the plan administrator, if designated, or by the person or persons who actually control the plan's assets/property.

Welfare Plans Still Liable To Pay Benefits. A welfare plan cannot file a final return/report if the plan is still liable to pay benefits for claims that were incurred prior to the termination date, but not yet paid. See 29 CFR 2520.104b-2(g)(2)(ii).

Line B – Box for Short Plan Year Return/Report. Check this box if this Form 5500-SF is being filed for a plan year period of less than 12 months. Provide the dates in Part I, Plan Year Beginning and Ending.

Line C – Box for Extension and DFVC Program. Check the appropriate box here if:

- You filed for an extension of time to file this form with the IRS using Form 5558, Application for Extension of Time To File Certain Employee Plan Returns, and maintain a copy of the Form 5558 with the filer's records.
- You are filing using the automatic extension of time to file the Form 5500-SF return/report until the due date of the federal income tax return of the employer and maintain a copy of the employer's extension of time to file the income tax return with the plan's records.
- You are filing under the DFVC Program.
- You are filing using a special extension of time to file the Form 5500-SF annual return/report that has been announced by the IRS, DOL, or PBGC. If you checked that you are using a special extension of time, enter a description of the extension of time in the space provided.

Part II – Basic Plan Information

Line 1a. Enter the formal name of the plan or enough information to identify the plan. Abbreviate if necessary. If an annual return/report has previously been filed on behalf of the plan, regardless of the type of Form that was filed (Form 5500, Form 5500-EZ, or Form 5500-SF), use the same name or abbreviations that were used on the prior filings. Once you use an abbreviation, continue to use it for that plan on all future annual return/report filings with the IRS, DOL, and PBGC. Do not use the same name or abbreviation for any other plan, even if the first plan is terminated.

Line 1b. Enter the three-digit plan or entity number (PN) that the employer or plan administrator assigned to the plan. This three-digit number, in conjunction with the employer identification number (EIN) entered on line 2b, is used by the IRS, DOL, and PBGC as a unique 12-digit number to identify the plan.

Start at 001 for plans providing pension benefits. Start at 501 for welfare plans. Do not use 888 or 999.

Once you use a plan number, continue to use it for that plan on all future filings with the IRS, DOL, and PBGC. Do not use it for any other plan, even if the first plan is terminated.

For each Form 5500-SF with the same EIN (line 2b), when ▼	Assign PN ▼
Codes are entered in line 9a	001 to the first plan. Consecutively number others as 002, 003 . . .
Codes are entered in line 9b, and not in line 9a	501 to the first plan. Consecutively number others as 502, 503 . . .

Exception. If 333 (or a higher number in a sequence beginning with 333) was previously assigned to the plan, that number may be entered on line 1b.

Line 1c. Enter the date the plan first became effective.

Line 2a. Enter the plan sponsor's (employer, if for a single-employer plan) name, postal address (only use a P.O. Box number if the Post Office does not deliver mail to the employer's street address), foreign routing code where applicable, and "D/B/A" (doing business as) or trade name of the employer if different from the employer's name.

Note. In the case of a multiple-employer plan, file only one annual return/report for the plan. If an association or other entity is not the sponsor, enter the name of a participating employer as sponsor. For a plan of a controlled group of corporations, the name of one of the sponsoring members should be entered. In either case, the same name must be used in all subsequent filings of the Form 5500 return/report or Form 5500-SF for the multiple-employer plan or controlled group (see instructions for line 4 concerning change in sponsorship).

Line 2b. Enter the employer's nine-digit employer identification number (EIN). Do not use a social security number (SSN). A Form 5500-SF that is filed under ERISA is open to public inspection and the contents are public information and are subject to publication on the Internet. Because of privacy concerns, the inclusion of a social security number on this line may result in the rejection of the filing.

Employers without an EIN number must apply to the IRS for one as soon as possible. The EBSA does not issue EINs. To apply for an EIN from the IRS:

- Mail or fax Form SS-4, Application for Employer Identification Number, obtained by calling 1-800-TAX-FORM (1-800-829-3676) or at the IRS website at www.irs.gov.
- Call 1-800-829-4933 to receive your *EIN by telephone*.
- Select the Online EIN Application link at www.irs.gov. The EIN is issued immediately once the application information is validated. (The online application process is not yet available for corporations with addresses in foreign countries or Puerto Rico.)

A multiple-employer plan or plan of a controlled group of corporations should use the EIN number of the sponsor identified in line 2a. The EIN must be used in all subsequent filings of the Form 5500-SF (or any subsequent Form 5500 or Form 5500-EZ in a year where the plan is not eligible to file the Form 5500-SF) for these plans. (See instructions to line 4 concerning change in EIN).

Note. EINs for funds (trusts or custodial accounts) associated with plans are generally not required to be furnished on the Form 5500-SF. The IRS, however, will issue EINs for such funds for other reporting purposes.

EINs may be obtained as explained above. Plan sponsors should use the trust EIN when opening a bank account or conducting other transactions for a trust.

Line 2c. Enter the telephone number for the plan sponsor. Use numbers only, including area code, and do not include any special characters.

Line 2d. Enter the six-digit business code that best describes the nature of the plan sponsor's business from the list of business codes on pages 22-24. If more than one employer or employee organization is involved, enter the business code for the main business activity of the employers and/or employee organizations.

Line 3a. Enter the name of the plan administrator unless the administrator is the sponsor identified in line 2. If this is the case, enter the word "same" on line 3a and leave the remainder of line 3a and all of lines 3b and 3c blank. If the administrator is not the plan sponsor, also enter on line 3a the postal address (only use a P.O. Box number if the Post Office does not deliver mail to the administrator's street address), and foreign routing code where applicable.

Plan administrator for this purpose means:

- The person or group of persons specified as the administrator by the instrument under which the plan is operated;
- The plan sponsor/employer if an administrator is not so designated; or
- Any other person prescribed by applicable regulations if an administrator is not designated and a plan sponsor cannot be identified.

Line 3b. Enter the plan administrator's nine-digit EIN. A plan administrator must have an EIN for Form 5500-SF reporting. If the plan administrator does not have an EIN, it must apply to the IRS for one as explained in the instructions for line 2b. One EIN should be entered for a group of individuals who are, collectively, the plan administrator.

Note. Employees of the plan sponsor who perform administrative functions for the plan are generally not the plan administrator unless specifically designated in the plan document. If an employee of the plan sponsor is designated as the plan administrator, that employee must obtain an EIN.

Line 3c. Enter the telephone number for the plan administrator.

Line 4. If the plan sponsor's name and/or EIN have changed since the last annual return/report was filed for this plan, enter the plan sponsor's name, EIN, and the plan number as it appeared on the last annual return/report filed.



Failure to indicate on line 4 that a plan sponsor was previously identified by a different name or a different employer identification number (EIN) could result in correspondence from the DOL and the IRS.

Line 5. Enter in element (a) the total number of participants at the beginning of the plan year. Enter in element (b) the total number of participants at the end of the plan year. Enter in element (c) the total number of participants with account balances as of the end of the plan year. Welfare benefit plans and defined benefit plans do not complete element (c).

The description of "participant" in the following instructions is only for purposes of these lines.

An individual becomes a participant covered under an employee welfare benefit plan on the earliest of:

- The date designated by the plan as the date on which the individual begins participation in the plan;
- The date on which the individual becomes eligible under the plan for a benefit subject only to occurrence of the contingency for which the benefit is provided; or
- The date on which the individual makes a contribution to the plan, whether voluntary or mandatory.

See 29 CFR 2510.3-3(d)(1). This includes former employees who are receiving group health continuation coverage benefits pursuant to Part 6 of ERISA and who are covered by the employee welfare benefit plan. Covered dependents are not counted as participants. A child who is an "alternate recipient" entitled to health benefits under a qualified medical child support order (QMCSO) should not be counted as a participant for line 5. An individual is not a participant covered under an employee welfare plan on the earliest date on which the individual (A) is ineligible to receive any benefit under the plan even if the contingency for which such benefit is provided should occur, and (B) is not designated by the plan as a participant. See 29 CFR 2510.3-3(d)(2).



Before counting the number of participants, especially in a welfare benefit plan, it is important to determine whether the plan sponsor has established one or more plans for Form 5500/Form 5500-SF reporting purposes. As a matter of plan design, plan sponsors can offer benefits through various structures or combinations. For example, a plan sponsor could create (i) one plan providing major medical benefits, dental benefits, and vision benefits, (ii) two plans with one providing major medical benefits and the other providing self-insured dental and vision benefits; or (iii) three separate plans. You must review the governing documents and actual operations to

determine whether welfare benefits are being provided under a single plan or separate plans.

The fact that you have separate insurance policies for each different welfare benefit does not necessarily mean that you have separate plans. Some plan sponsors use a “wrap” document to incorporate various benefits and insurance policies into one comprehensive plan. In addition, whether a benefit arrangement is deemed to be a single plan may be different for purposes other than Form 5500/Form 5500-SF reporting. For example, special rules may apply for purposes of HIPAA, COBRA, and Internal Revenue Code compliance. If you need help determining whether you have a single welfare benefit plan for Form 5500/Form 5500-SF reporting purposes, you should consult a qualified benefits consultant or legal counsel.

For pension benefit plans, “alternate payees” entitled to benefits under a qualified domestic relations order (QDRO) are not to be counted as participants for this line.

For pension benefit plans, “participant” for this line means any individual who is included in one of the categories below.

1. Active participants (i.e., any individuals who are currently in employment covered by the plan and who are earning or retaining credited service under the plan). This includes any individuals who are eligible to elect to have the employer make payments under a Code section 401(k) qualified cash or deferred arrangement. Active participants also include any nonvested individuals who are earning or retaining credited service under the plan. This does not include (a) nonvested former employees who have incurred the break in service period specified in the plan or (b) former employees who have received a “cash-out” distribution or deemed distribution of their entire nonforfeitable accrued benefit.

2. Retired or separated participants receiving benefits (i.e., individuals who are retired or separated from employment covered by the plan and who are receiving benefits under the plan). This does not include any individual to whom an insurance company has made an irrevocable commitment to pay all the benefits to which the individual is entitled under the plan.

3. Other retired or separated participants entitled to future benefits (i.e., any individuals who are retired or separated from employment covered by the plan and who are entitled to begin receiving benefits under the plan in the future). This does not include any individual to whom an insurance company has made an irrevocable commitment to pay all the benefits to which the individual is entitled under the plan.

4. Deceased individuals who had one or more beneficiaries who are receiving or are entitled to receive benefits under the plan. This does not include any individual to whom an insurance company has made an irrevocable commitment to pay all the benefits to which the beneficiaries of that individual are entitled under the plan.

Line 6. If your plan is required to file an annual return/report, you may file the Form 5500-SF instead of the Form 5500 only if you meet all of the eligibility conditions listed below.

1. The plan (a) covered fewer than 100 participants at the beginning of the plan year 2010, or (b) under 29 CFR 2520.103-1(d) was eligible to and filed as a small plan for plan year 2009 and did not cover more than 120 participants at the beginning of plan year 2010 (see

instructions for line 5 on counting the number of participants);

2. The plan did not hold any employer securities at any time during the plan year;

3. At all times during the plan year, the plan was 100% invested in certain secure, easy to value assets such as mutual fund shares, investment contracts with insurance companies and banks valued at least annually, publicly traded securities held by a registered broker dealer, cash and cash equivalents, and plan loans to participants that meet the definition of “eligible plan assets” (see the instructions for line 6a);

4. The plan is eligible for the waiver of the annual examination and report of an independent qualified public accountant (IQPA) under 29 CFR 2520.104-46 (but not by reason of enhanced bonding), which requirement includes, among others, giving certain disclosures and supporting documents to participants and beneficiaries regarding the plan’s investments (see instructions for line 6b); and

5. The plan is not a multiemployer plan.

Special conditions for filing the Form 5500-SF apply to “one-participant plans.” See *Specific Instructions for “One-Participant Plans”* on page 7.

Line 6a – Eligible Plan Assets. To be eligible to file the Form 5500-SF, all of the plan’s assets must be “eligible plan assets.” Answer line 6a “Yes” or “No.” Do not leave this question blank. If the answer to line 6a is “No” you CANNOT file the Form 5500-SF and must file the Form 5500. See discussion under *Who May File Form 5500-SF*.

For the purposes of this line, “eligible plan assets” are assets that have a readily determinable fair market value for purposes of this annual reporting requirement as described in 29 CFR 2520.103-1(c)(2)(ii)(C), are not employer securities, and are held or issued by one of the following regulated financial institutions: a bank or similar financial institution as defined in 29 CFR 2550.408b-4(c) (for example, banks, trust companies, savings and loan associations, domestic building and loan associations, and credit unions); an insurance company qualified to do business under the laws of a state; organizations registered as broker-dealers under the Securities Exchange Act of 1934; investment companies registered under the Investment Company Act of 1940; or any other organization authorized to act as a trustee for individual retirement accounts under Code section 408. Examples of assets that would qualify as eligible plan assets for this annual reporting purpose are mutual fund shares, investment contracts with insurance companies or banks that provide the plan with valuation information at least annually, publicly traded stock held by a registered broker dealer, cash and cash equivalents held by a bank. Participant loans meeting the requirements of ERISA section 408(b)(1) are also “eligible plan assets” for this purpose whether or not they have been deemed distributed.

Line 6b. In addition to all of the plan’s assets being eligible plan assets as defined in line 6a, to be eligible to file the Form 5500-SF the plan also must be exempt from the requirement to be audited annually by an independent qualified public accountant (IQPA).

Welfare plans that cover fewer than 100 participants at the beginning of the plan year are exempt from the annual audit requirement.

A pension plan is exempt from the annual audit requirement if it covered fewer than 100 participants at the beginning of the plan year or under 29 CFR 2520.103-1(d) was eligible to and filed as a small plan for plan year 2009 and did not cover more than 120 participants at the beginning of plan year 2010 and meets the following three requirements for the audit waiver under 29 CFR 2520.104-46: (1) as the last day of the preceding plan year, at least 95% of a small pension plan's assets were "qualifying plan assets;" (2) the plan includes the required audit waiver disclosure in the Summary Annual Report (SAR) furnished to participants and beneficiaries, in accordance with 29 CFR 2520.104b-10. For defined benefit pension plans that are required pursuant to section 101(f) of ERISA to furnish an Annual Funding Notice (AFN), the administrator must instead either provide the information to participants and beneficiaries with the AFN or as a stand-alone notification at the time an SAR would have been due and in accordance with the rules for furnishing an SAR, although such plans do not have to furnish an SAR; and (3) in response to a request from any participant or beneficiary, the plan administrator must furnish without charge copies of statements from the regulated financial institutions holding or issuing the plan's "qualifying plan assets."



In order to be eligible to file the Form 5500-SF, a small pension plan must meet the audit waiver conditions by virtue of having 95% or more of its assets as "qualifying plan assets" in accordance with 29 CFR 2520.104-46(b)(1)(i)(A)(1). If the small plan satisfies the conditions of the audit waiver by virtue of having enhanced fidelity bond under 29 CFR 2520.104-46(b)(1)(i)(A)(2), the plan does not satisfy the conditions for filing the Form 5500-SF and must file the Form 5500, along with the appropriate schedules and attachments. Also, although many "qualifying plan assets" for audit waiver purposes will also be "eligible plan assets" as described in the instructions for line 6a, the definitions are not the same. If, as of the last day of the preceding plan year, the plan was 100% invested in "eligible plan assets," the plan would satisfy the "qualifying plan asset" prong of the audit waiver conditions. Holding all the plan's investments in "qualifying plan assets," however, would not necessarily satisfy the conditions for filing the Form 5500-SF. For example, real estate held by a bank as trustee for a plan could be a qualifying plan asset for purposes of the small pension plan audit waiver conditions but it would not be an "eligible plan asset" for purposes of the plan being eligible to file the Form 5500-SF because real estate would not have a readily determinable fair market value as described in 29 CFR 2520.103-1(c)(2)(ii)(C).

Part III – Financial Information

Note. The cash, modified cash, or accrual basis may be used for recognition of transactions in Parts I and II, as long as you use one method consistently. Round off all amounts reported on the Form 5500-SF to the nearest dollar. Any other amounts are subject to rejection. Check all subtotals and totals carefully.

Current value means fair market value where available. Otherwise, it means the fair value as determined in good faith under the terms of the plan by a trustee or named fiduciary, assuming an orderly liquidation at the time of the determination. See ERISA section 3(26).

Line 7 – Plan Assets and Liabilities. Amounts reported on lines 7a, 7b, and 7c of the Form 5500-SF for the beginning of the plan year must be the same as reported for the end of the plan year for the corresponding lines on the return/report for the preceding plan year. However, if the Form 5500 was filed the previous year, the amounts reported on the Form 5500-SF, lines 7a, column (a), 7b, column (a), and 7c, column (a), should correspond to the amounts entered in lines 1a, column (b), 1b, column (b), and 1c, column (b), of the 2009 Schedule I (Form 5500) or the amounts entered in lines 1f, column (b), 1k, column (b), and 1l, column (b), of Schedule H (Form 5500) whichever schedule was filed.

Line 7a. Enter the total amount of plan assets at the beginning of the plan year in column (a). Do not include contributions designated for the 2010 plan year in column (a).

Enter the total amount of plan assets at the end of the plan year in column (b). Do not include in column (b) a participant loan that has been deemed distributed during the plan year under the provisions of Code section 72(p) and Treasury Regulations section 1.72(p)-1 if both the following circumstances apply: (1) Under the plan, the participant loan is treated as a directed investment solely of the participant's individual account; and (2) As of the end of the plan year, the participant is not continuing repayment under the loan.

If the deemed distributed participant loan is included in column (a) and both of these circumstances apply, include the value of the loan as a deemed distribution on line 8e. However, if either of these two circumstances does not apply, the current value of the participant loan (including interest accruing thereon after the deemed distribution) should be included in column (b) without regard to the occurrence of a deemed distribution.

After a participant loan that has been deemed distributed is included in the amount reported on line 8e, it is no longer to be reported as an asset on line 7a unless, in a later year, the participant resumes repayment under the loan. However, such a loan (including interest accruing thereon after the deemed distribution) that has not been repaid is still considered outstanding for purposes of applying Code section 72(p)(2)(A) to determine the maximum amount of subsequent loans. Also, the deemed distribution is not treated as an actual distribution for other purposes, such as the qualification requirements of Code section 401, including, for example, the determination of top-heavy status under Code section 416 and the vesting requirements of Treasury Regulations section 1.411(a)-7(d)(5). See Q&As 12 and 19 of Treasury Regulations section 1.72(p)-1.

The entry on line 7a, column (b) (plan assets at end of year) must include the current value of any participant loan included as a deemed distribution in the amount reported for any earlier year if, during the plan year, the participant resumes repayment under the loan. In addition, the amount to be entered on line 8e must be reduced by the amount of the participant loan reported as a deemed distribution for the earlier year.

Line 7b. Enter the total liabilities at the beginning and end of the plan year. Liabilities to be entered here do not include the value of future pension payments to participants. The amount to be entered in line 7b for accrual basis filers includes, among other things:

1. Benefit claims that have been processed and approved for payment by the plan but have not been paid (including all incurred but not reported (IBNR) welfare benefit claims);

2. Accounts payable obligations owed by the plan that were incurred in the normal operations of the plan but have not been paid; and

3. Other liabilities such as acquisition indebtedness and any other amount owed by the plan.

Line 7c. Enter the net assets as of the beginning and end of the plan year. (Subtract line 7b from 7a). Line 7c, column (b), must equal the sum of line 7c, column (a), plus lines 8i (net income (loss)) and 8j (transfers to (from) the plan).

Line 8 – Income, Expenses, and Transfers for this Plan Year.

Line 8a. Include the total cash contributions received and/or (for accrual basis plans) due to be received.

Line 8a(1). Plans using the accrual basis of accounting must not include contributions designated for years before the 2010 plan year on line 8a(1).

Line 8a(2). For welfare plans, report all employee contributions, including all elective contributions under a cafeteria plan (Code section 125). For pension plans, participant contributions, for purposes of this line item, also include elective contributions under a qualified cash or deferred arrangement (Code section 401(k)).

Line 8a(3). Enter the current value, at date contributed, of all other contributions, including rollovers from other plans.

Line 8b. Enter all other plan income for the plan year. Do not include transfers from other plans that are reported on line 8j. Examples of other income received and/or receivable include:

1. Interest on investments (including money market accounts, sweep accounts, etc.)

2. Dividends. (Accrual basis plans should include dividends declared for all stock held by the plan even if the dividends have not been received as of the end of the plan year.)

3. Net gain or loss from the sale of assets.

4. Other income such as unrealized appreciation (depreciation) in plan assets.

To compute this amount, subtract the current value of all assets at the beginning of the year plus the cost of any assets acquired during the plan year from the current value of all assets at the end of the year minus assets disposed of during the plan year.

Line 8c. Enter the total of all cash contributions (line 8a(1) through line 8a(3)) and other plan income (line 8b) during the plan year. If entering a negative number, enter a minus sign (“-”) to the left of the number.

Line 8d. Include (1) payments made (and for accrual basis filers payments due) to or on behalf of participants or beneficiaries in cash, securities, or other property (including rollovers of an individual’s accrued benefit or account balance). Include all eligible rollover distributions as defined in Code section 401(a)(31)(D) paid at the participant’s election to an eligible retirement plan (including an IRA within the meaning of Code section 401(a)(31)(E)); (2) payments to insurance companies and similar organizations such as Blue Cross, Blue Shield, and health maintenance organizations for the provision of plan benefits (e.g.,

paid-up annuities, accident insurance, health insurance, vision care, dental coverage, etc.); and (3) payments made to other organizations or individuals providing benefits. Generally, these payments discussed in (3) are made to individual providers of welfare benefits such as legal services, day care services, and training and apprenticeship services. If securities or other property are distributed to plan participants or beneficiaries, include the current value as of the date of distribution.

Line 8e. Include on this line all distributions paid during the plan year of excess deferrals under Code section 402(g)(2)(A)(ii), excess contributions under Code section 401(k)(8), and excess aggregate contributions under Code section 401(m)(6). Include allocable income distributed. Also include on this line any elective deferrals and employee contributions distributed or returned to employees during the plan year as well as any attributable income that was also distributed.

For line 8e, also include in the total amount a participant loan included in line 7a, column (a) that has been deemed distributed during the plan year under the provisions of Code section 72(p) and Treasury Regulations section 1.72(p)-1 only if both of the following circumstances apply:

1. Under the plan, the participant loan is treated as a directed investment solely of the participant’s individual account; and

2. As of the end of the plan year, the participant is not continuing repayment under the loan.

If either of these circumstances does not apply, a deemed distribution of a participant loan should not be included in the total on line 8e. Instead, the current value of the participant loan (including interest accruing thereon after the deemed distribution) should be included on lines 7a, column (b) (plan assets – end of year), and 10g (participant loans – end of year), without regard to the occurrence of a deemed distribution.

Note. The amount to be reported on line 8e must be reduced if, during the plan year, a participant resumes repayment under a participant loan reported as a deemed distribution on line 2g of Schedule H or Schedule I of a prior Form 5500 or line 8e of a prior Form 5500-SF for any earlier year. The amount of the required reduction is the amount of the participant loan that was reported as a deemed distribution on such line for any earlier year. If entering a negative number, enter a minus sign (“-”) to the left of the number. The current value of the participant loan must then be included on line 7a, column (b) (plan assets – end of year).

Although certain participant loans deemed distributed are to be reported on line 8e, and are not to be reported on the Form 5500-SF or on the Schedule H or Schedule I of the Form 5500 as an asset thereafter (unless the participant resumes repayment under the loan in a later year), they are still considered outstanding loans and are not treated as actual distributions for certain purposes. See Q&As 12 and 19 of Treasury Regulations section 1.72(p)-1.

Line 8f. The amount to be reported for expenses involving administrative service providers (salaries, fees, and commissions) includes the total fees paid (or in the case of accrual basis plans, costs incurred during the plan year but not paid as of the end of the plan year) by the plan for, among others:

1. Salaries to employees of the plan;
2. Fees and expenses for accounting, actuarial, legal, investment management, investment advice, and securities brokerage services;
3. Contract administrator fees; and
4. Fees and expenses for individual plan trustees, including reimbursement for travel, seminars, and meeting expenses.

Line 8g. Other expenses (paid and/or payable) include other administrative and miscellaneous expenses paid by or charged to the plan, including among others office supplies and equipment, telephone, and postage.

Line 8h. Enter the total of all benefits paid or due reported on lines 8d and 8e and all other plan expenses reported on lines 8f and 8g during the year.

Line 8i. Subtract line 8h from line 8c.

Line 8j. Enter the net value of all assets transferred to and from the plan during the plan year including those resulting from mergers and spinoffs. A transfer of assets or liabilities occurs when there is a reduction of assets or liabilities with respect to one plan and the receipt of these assets or the assumption of these liabilities by another plan. Transfers out at the end of the year should be reported as occurring during the plan year.

Note. A distribution of all or part of an individual participant's account balance that is reportable on Form 1099-R, Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc., should not be included on line 8j but must be included in benefit payments reported on line 8d. Do not submit IRS Form 1099-R with the Form 5500-SF.

Part IV – Plan Characteristics

Line 9. Enter on lines 9a and 9b, as appropriate, all applicable plan characteristics codes. See the *List of Plan Characteristics Codes* on pages 20 and 21.

Note. In the case of an eligible combined plan, the codes entered in line 9a must include any codes applicable for either the defined benefit pension features or the defined contribution pension features of the plan.

Part V – Compliance Questions

Line 10. Answer all lines either "Yes" or "No." Do not leave any answer blank unless otherwise directed. For lines 10a, b, c, d, e, f, and g, if the answer is "Yes," an amount must be entered.

Note. "One-participant plans" should complete only question 10g.

Line 10a. Amounts paid by a participant or beneficiary to an employer and/or withheld by an employer for contribution to the plan are participant contributions that become plan assets as of the earliest date on which such contributions can reasonably be segregated from the employer's general assets. See 29 CFR 2510.3-102. Plans that check "Yes," must enter the aggregate amount of all late contributions for the year. The total amount of the delinquent contributions must be included on line 10a for the year in which the contributions were delinquent and must be carried over and reported again on line 10a for each subsequent year (or on line 4a of Schedule H or I of the Form 5500 if not eligible to file the Form 5500-SF in

the subsequent year) until the year after the violation has been fully corrected by payment of the late contributions and reimbursement of the plan for lost earnings or profits. If no participant contributions were received or withheld by the employer during the plan year, answer "No."

An employer holding participant contributions commingled with its general assets after the earliest date on which such contributions can reasonably be segregated from the employer's general assets will have engaged in a prohibited use of plan assets (see ERISA section 406). If such a nonexempt prohibited transaction occurred with respect to a disqualified person (see Code section 4975(e)(2)), file IRS Form 5330, Return of Excise Taxes Related to Employee Benefit Plans, with the IRS to pay any applicable excise tax on the transaction.

Participant loan repayments paid to and/or withheld by an employer for purposes of transmittal to the plan that were not transmitted to the plan in a timely fashion must be reported either on line 10a in accordance with the reporting requirements that apply to delinquent participant contributions or on line 10b. See Advisory Opinion 2002-02A, available at www.dol.gov/ebsa.

Applicants that satisfy both the DOL Voluntary Fiduciary Correction Program (VFCP) and the conditions of Prohibited Transaction Exemption (PTE) 2002-51 are eligible for immediate relief from payment of certain prohibited transaction excise taxes for certain corrected transactions, and are also relieved from the requirement to file the IRS Form 5330 with the IRS. For more information on how to apply under the VFCP, the specific transactions covered (which transactions include delinquent participant contributions to pension and welfare plans), and acceptable methods for correcting violations, see 71 Fed. Reg. 20261 (Apr. 19, 2006) and 71 Fed. Reg. 20135 (Apr. 19, 2006). All delinquent participant contributions must be reported on line 10a at least for the year in which they were delinquent even if violations have been fully corrected by the close of the plan year. Information about the VFCP is also available on the Internet at www.dol.gov/ebsa.

Line 10b. Plans that check "Yes" must enter the amount. Check "Yes" if any nonexempt transaction with a party-in-interest occurred. Do not check "Yes" with respect to transactions that are: (1) statutorily exempt under Part 4 of Title I of ERISA; (2) administratively exempt under ERISA section 408(a); (3) exempt under Code sections 4975(c) or 4975(d); (4) the holding of participant contributions in the employer's general assets for a welfare plan that meets the conditions of ERISA Technical Release 92-01; or (5) delinquent participant contributions or delinquent loan repayments reported on line 10a. You may indicate that an application for an administrative exemption is pending. If you are unsure whether a transaction is exempt or not, you should consult either with a qualified public accountant, legal counsel, or both. If the plan is a qualified pension plan and a nonexempt prohibited transaction occurred with respect to a disqualified person, an IRS Form 5330 is required to be filed with the IRS to pay the excise tax on the transaction.

Nonexempt transactions. Nonexempt transactions with a party-in-interest include any direct or indirect:

- A. Sale or exchange, or lease, of any property between the plan and a party-in-interest.

- B.** Lending of money or other extension of credit between the plan and a party-in-interest.
- C.** Furnishing of goods, services, or facilities between the plan and a party-in-interest.
- D.** Transfer to, or use by or for the benefit of, a party-in-interest, of any income or assets of the plan.
- E.** Acquisition, on behalf of the plan, of any employer security or employer real property in violation of ERISA section 407(a).
- F.** Dealing with the assets of the plan for a fiduciary's own interest or own account.
- G.** Acting in a fiduciary's individual or any other capacity in any transaction involving the plan on behalf of a party (or represent a party) whose interests are adverse to the interests of the plan or the interests of its participants or beneficiaries.
- H.** Receipt of any consideration for his or her own personal account by a party-in-interest who is a fiduciary from any party dealing with the plan in connection with a transaction involving the income or assets of the plan.

Party-in-Interest. For purposes of this form, party-in-interest is deemed to include a disqualified person. See Code section 4975(e)(2). The term "party-in-interest" means, as to an employee benefit plan:

- A.** Any fiduciary (including, but not limited to, any administrator, officer, trustee, or custodian), counsel, or employee of the plan;
- B.** A person providing services to the plan;
- C.** An employer, any of whose employees are covered by the plan;
- D.** An employee organization, any of whose members are covered by the plan;
- E.** An owner, direct or indirect, of 50% or more of:
 1. the combined voting power of all classes of stock entitled to vote or the total value of shares of all classes of stock of a corporation;
 2. the capital interest or the profits interest of a partnership; or
 3. the beneficial interest of a trust or unincorporated enterprise which is an employer or an employee organization described in C or D;
- F.** A relative of any individual described in A, B, C, or E;
- G.** A corporation, partnership, or trust or estate of which (or in which) 50% or more of:
 1. the combined voting power of all classes of stock entitled to vote or the total value of shares of all classes of stock of such corporation,
 2. the capital interest or profits interest of such partnership, or
 3. the beneficial interest of such trust or estate, is owned directly or indirectly, or held by persons described in A, B, C, D, or E;
- H.** An employee, officer, director (or an individual having powers or responsibilities similar to those of officers or directors), or a 10% or more shareholder directly or indirectly, of a person described in B, C, D, E, or G, or of the employee benefit plan; or
- I.** A 10% or more (directly or indirectly in capital or profits) partner or joint venturer of a person described in B, C, D, E, or G.



Applicants that satisfy the VFCP requirements and the conditions of PTE 2002-51 (see the instructions for line 10a) are eligible for immediate relief from payment of certain prohibited transaction excise taxes for certain corrected transactions and the requirement to file the Form 5330 with the IRS. For more information, see 71 Fed. Reg. 20261 (Apr. 19, 2006) and 71 Fed. Reg. 20135 (Apr. 19, 2006). When the conditions of PTE 2002-51 have been satisfied, the corrected transactions should be treated as exempt under Code section 4975(c) for the purposes of answering line 10b.

Line 10c. Plans that check "Yes" must enter the aggregate amount of fidelity bond coverage for all claims. Check "Yes" only if the plan itself (as opposed to the plan sponsor or administrator) is a named insured under a fidelity bond that is from an approved surety covering plan officials and that protects the plan from losses due to fraud or dishonesty as described in 29 CFR Part 2580. Generally, every plan official of an employee benefit plan who "handles" funds or other property of such plan must be bonded. Generally, a person shall be deemed to be "handling" funds or other property of a plan, so as to require bonding, whenever his or her duties or activities with respect to given funds are such that there is a risk that such funds could be lost in the event of fraud or dishonesty on the part of such person, acting either alone or in collusion with others. Section 412 of ERISA and 29 CFR Part 2580 describe the bonding requirements, including the definition of "handling" (29 CFR 2580.412-6), the permissible forms of bonds (29 CFR 2580.412-10), the amount of the bond (29 CFR Part 2580, Subpart C), and certain exemptions such as the exemption for unfunded plans, certain banks and insurance companies (ERISA section 412), and the exemption allowing plan officials to purchase bonds from surety companies authorized by the Secretary of the Treasury as acceptable reinsurers on federal bonds (29 CFR 2580.412-23). Information concerning the list of approved sureties and reinsurers is available on the Internet at www.fms.treas.gov/c570. For more information on the fidelity bonding requirements, see Field Assistance Bulletin 2008-04, available at www.dol.gov/ebsa.

Note. Plans are permitted under certain conditions to purchase fiduciary liability insurance. These fiduciary liability insurance policies are not written specifically to protect the plan from losses due to dishonest acts and cannot be reported as fidelity bonds on line 10c.

Line 10d. Check "Yes" if the plan had suffered or discovered any loss as a result of any dishonest or fraudulent act(s) even if the loss was reimbursed by the plan's fidelity bond or from any other source. If "Yes" is checked enter the full amount of the loss. If the full amount of the loss has not yet been determined, provide an estimate as determined in good faith by a plan fiduciary. You must keep, in accordance with ERISA section 107, records showing how the estimate was determined.



Willful failure to report is a criminal offense. See ERISA section 501.

Line 10e. If any benefits under the plan are provided by an insurance company, insurance service, or other similar organization (such as Blue Cross Blue Shield or

a health maintenance organization) or if the plan has investments with insurance companies such as guaranteed investment contracts (GICs), report the total of all insurance fees and commissions paid to agents, brokers and/or other persons directly or indirectly attributable to the contract(s) placed with or retained by the plan.

For purposes of line 10e, commissions and fees include sales or base commissions and all other monetary and non-monetary forms of compensation where the broker's, agent's, or other person's eligibility for the payment or the amount of the payment is based, in whole or in part, on the value (e.g., policy amounts, premiums) of contracts or policies (or classes thereof) placed with or retained by an ERISA plan, including, for example, persistency and profitability bonuses. The amount (or pro rata share of the total) of such commissions or fees attributable to the contract or policy placed with or retained by the plan must be reported. Insurers must provide plan administrators with a proportionate allocation of commissions and fees attributable to each contract. Any reasonable method of allocating commissions and fees to policies or contracts is acceptable, provided the method is disclosed to the plan administrator. A reasonable allocation method could allocate fees and commissions based on a calendar year calculation even if the plan year or policy year was not a calendar year. For additional information on these reporting requirements, see ERISA Advisory opinion 2005-02A, available on the Internet at www.dol.gov/ebsa.

Where benefits under a plan are purchased from and guaranteed by an insurance company, insurance service, or other similar organization, and the total fees and commissions are reported on the Form 5500-SF, payments of reasonable monetary compensation by the insurer out of its general assets to affiliates or third parties for performing administrative activities necessary for the insurer to fulfill its contractual obligation to provide benefits, where there is no direct or indirect charge to the plan for administrative services other than the insurance premium, then the payments for administrative services by the insurer to the affiliates or third parties do not need to be reported on line 10e. This would include compensation for services such as recordkeeping and claims processing services provided by a third party pursuant to a contract with the insurer to provide those services but would not include compensation provided by the insurer incidental to the sale or renewal of a policy, such as finders' fees, insurance brokerage commissions and fees, or similar fees.

Reporting also is not required for compensation paid by the insurer to a "general agent" or "manager" for that general agent's or manager's management of an agency or performance of administrative functions for the insurer. For this purpose, (1) a "general agent" or "manager" does not include brokers representing insureds, and (2) payments would not be treated as paid for managing an agency or performance of administrative functions where the recipient's eligibility for the payment or the amount of the payment is dependent or based on the value (e.g., policy amounts, premiums) of contracts or policies (or classes thereof) placed with or retained by ERISA plan(s).

Reporting is not required for occasional gifts or meals of insubstantial value which are tax deductible for federal

income tax purposes by the person providing the gift or meal and would not be taxable income to the recipient. For this exemption to be available, the gift or gratuity must be both occasional and insubstantial. For this exemption to apply, the gift must be valued at less than \$50, the aggregate value of gifts from one source in a calendar year must be less than \$100, but gifts with a value of less than \$10 do not need to be counted toward the \$100 annual limit. If the \$100 aggregate value limit is exceeded, then the aggregate value of all the gifts will be reportable. For this purpose, non-monetary gifts of less than \$10 also do not need to be included in calculating the aggregate value of all gifts required to be reported if the \$100 limit is exceeded.

Gifts from multiple employees of one service provider should be treated as originating from a single source when calculating whether the \$100 threshold applies. On the other hand, in applying the threshold to an occasional gift received from one source by multiple employees of a single service provider, the amount received by each employee should be separately determined in applying the \$50 and \$100 thresholds. For example, if six employees of a broker attend a business conference put on by an insurer designed to educate and explain the insurer's products for employee benefit plans, and the insurer provides, at no cost to the attendees, refreshments valued at \$20 per individual, the gratuities would not be reportable on this line even though the total cost of the refreshments for all the employees would be \$120.

These thresholds are for purposes of line 10e reporting. Filers are cautioned that the payment or receipt of gifts and gratuities of any amount by plan fiduciaries may violate ERISA and give rise to civil liabilities and criminal penalties.

Important Reminder. The insurance company, insurance service, or other similar organization is required under ERISA section 103(a)(2) to provide the plan administrator with the information needed to complete this return/report. Your insurance company must provide you with the information you need to answer this question. If your insurance company, insurance service, or other similar organization does not automatically send you this information, you should make a written request for the information. If you have difficulty getting the information from your insurance company, contact the nearest office of the DOL's Employee Benefits Security Administration.

Line 10f. You must check "Yes" if any benefits due under the plan were not timely paid or not paid in full. Include in this amount the total of any outstanding amounts that were not paid when due in previous years that have continued to remain unpaid.

Line 10g. You must check "Yes" if the plan had any participant loans outstanding at any time during the plan year and enter the amount outstanding as of the end of the plan year. If no participant loans are outstanding as of the end of the plan year, enter "0".

Line 10h. Code section 401(k) and other individual account pension plans must complete line 10h. Other filers should leave line 10h blank. Check "Yes" if there was a "blackout period." A blackout period is a temporary suspension of more than three consecutive business days during which participants or beneficiaries of a 401(k) or other individual account pension plan were unable, or were limited or restricted in their ability, to direct or diversify assets credited to their accounts, obtain loans

from the plan, or obtain distributions from the plan. A “blackout period” generally does not include a temporary suspension of the right of participants and beneficiaries to direct or diversify assets credited to their accounts, obtain loans from the plan, or obtain distributions from the plan if the temporary suspension is: (1) part of the regularly scheduled operations of the plan that has been disclosed to participants and beneficiaries; (2) due to a qualified domestic relations order (QDRO) or because of a pending determination as to whether a domestic relations order is a QDRO; (3) due to an action or a failure to take action by an individual participant or because of an action or claim by someone other than the plan regarding a participant’s individual account; or (4) by application of federal securities laws. For more information, see the DOL’s regulation at 29 CFR 2520.101-3 (available at www.dol.gov/ebsa).

Line 10i. Code section 401(k) and other individual account pension plans who answered “Yes” to line 10h must complete line 10i. Other filers should leave line 10i blank. If there was a blackout period, did you provide the required notice not less than 30 days nor more than 60 days in advance of restricting the rights of participants and beneficiaries to change their plan investments, obtain loans from the plan, or obtain distributions from the plan? If so, check “Yes.” See 29 CFR 2520.101-3 for specific notice requirements and for exceptions from the notice requirement. Also, answer “Yes” if one of the exceptions to the notice requirement under 29 CFR 2520.101-3 applies.

Part VI – Pension Funding Compliance

Complete Part VI only if the plan is subject to the minimum funding requirements of Code section 412 or ERISA section 302.

All qualified defined benefit and defined contribution plans are subject to the minimum funding requirements of Code section 412 unless they are described in the exceptions listed under Code section 412(e)(2). These exceptions include profit-sharing or stock bonus plans, insurance contract plans described in Code section 412(e)(3), and certain plans to which no employer contributions are made.

Nonqualified employee pension benefit plans are subject to the minimum funding requirements of ERISA section 302 unless specifically exempted under ERISA sections 4(a) or 301(a).

The employer or plan administrator of a single-employer or multiple-employer defined benefit plan that is subject to the minimum funding requirements must file the Schedule SB (Form 5500) as an attachment to the Form 5500-SF. The employer or plan administrator of a money purchase plan that is currently amortizing a waiver of the minimum funding requirements must complete lines 3, 9, and 10 of the Schedule MB (Form 5500) and file it as an attachment to the Form 5500-SF.

Line 11. If “Yes” is checked, attach a completed and signed Schedule SB (Form 5500). See the instructions for the Schedule SB in the Instructions for Form 5500. If this is a defined contribution pension plan, leave blank.

Line 12. Check the “Yes” box if the plan is a defined contribution plan subject to the minimum funding requirements of Code section 412 and ERISA section 302. Those money purchase plans (including target benefit plans) that are amortizing a waiver of the minimum funding standard for a prior year should fill out line 12a and then

skip to line 13. Those defined contribution plans answering “Yes” to the line 12 question that do not fill out line 12a should fill out lines 12b-12e.

Line 12a. If a money purchase defined contribution plan (including a target benefit plan) has received a waiver of the minimum funding standard, and the waiver is currently being amortized, complete lines 3, 9, and 10 of Schedule MB (Form 5500). See instructions for Schedule MB in the Instructions for Form 5500. The Schedule MB for a money purchase defined contribution plan does not need to be signed by an enrolled actuary.

Line 12b. The minimum required contribution for a money purchase defined contribution plan (including a target benefit plan) for a plan year is the amount required to be contributed for the year under the formula set forth in the plan document. If there is an accumulated funding deficiency for a prior year that has not been waived, that amount should also be included as part of the contribution required for the current year.

Line 12c. Include all contributions for the plan year made not later than 8 ½ months after the end of the plan year. Show only contributions actually made to the plan by the date the form is filed. For example, do not include receivable contributions for this purpose.

Line 12d. If the minimum required contribution exceeds the contributions for the plan year made not later than 8 ½ months after the end of the plan year, the excess is an accumulated funding deficiency for the plan year. File IRS Form 5330, Return of Excise Taxes Related to Employee Benefit Plans, with the IRS to pay the excise tax on the deficiency. There is a penalty for not filing Form 5330 on time.

Line 12e. Check “Yes” if the minimum required contribution remaining in line 12d will be made not later than 8 ½ months after the end of the plan year. If “Yes,” and contributions are actually made by this date, then there will be no reportable deficiency and IRS Form 5330 will not need to be filed.

Part VII – Plan Terminations and Transfers of Assets

Line 13a. Check “Yes” if a resolution to terminate the plan was adopted during this or any prior plan year, unless the termination was revoked and no assets reverted to the employer. If “Yes” is checked, enter the amount of plan assets that reverted to the employer during the plan year in connection with the implementation of such termination. Enter “0” if no reversion occurred during the current plan year.



A Form 5500 or a Form 5500-SF must be filed for each year the plan has assets, and, for a welfare benefit plan, if the plan is still liable to pay benefits for claims incurred before the termination date, but not yet paid. See 29 CFR 2520.104b-2(g)(2)(ii).

Line 13b. Check “Yes” if all of the plan assets (including insurance/annuity contracts) were distributed to the participants and beneficiaries, legally transferred to the control of another plan, or brought under the control of the PBGC.

Check “No” for a welfare benefit plan that is still liable to pay benefits for claims that were incurred before the termination date, but not yet paid. See 29 CFR 2520.104b-2(g)(2)(ii).

Line 13c. Enter information concerning assets and/or liabilities transferred from this plan to another plan(s) (including spinoffs) during the plan year. A transfer of assets or liabilities occurs when there is a reduction of assets or liabilities with respect to one plan and the receipt of these assets or the assumption of these liabilities by another plan. Enter the name, EIN, and PN of the transferee plan(s) involved on lines 13c(1), c(2) and c(3).

Do not use a social security number in place of an EIN or include an attachment that contains visible social security numbers. The Form 5500-SF is open to public inspection, and the contents are public information and are subject to publication on the Internet. Because of privacy concerns, the inclusion of a social security number on this Form 5500-SF may result in the rejection of the filing.

Note. A distribution of all or part of an individual participant's account balance that is reportable on Form 1099-R should not be included on line 13c. Do not submit Form 1099-R with the Form 5500-SF.



IRS Form 5310-A, Notice of Plan Merger or Consolidation, Spinoff, or Transfer of Plan Assets or Liabilities; Notice of Qualified Separate Lines of Business, must be filed at least 30 days before any plan merger or consolidation or any transfer of plan assets or liabilities to another plan. There is a penalty for not filing IRS Form 5310-A on time. In addition, a transfer of benefit liabilities involving a plan covered by PBGC insurance may be reportable to the PBGC. See PBGC Form 10, Post-Event Notice of Reportable Event, and PBGC Form 10-Advance, Advance Notice of Reportable Event (see the "Reportable Events and Large Unpaid Contributions" section of the Practitioners page on PBGC's website, which is available at www.pbgc.gov/practitioners).

OMB Control Numbers

Agency	OMB Number
Employee Benefits Security Administration.....	1210-0110
	1210-0089
Internal Revenue Service	1545-1610
Pension Benefit Guaranty Corporation.....	1212-0057

Paperwork Reduction Act Notice

We ask for the information on this form to carry out the law as specified in ERISA and in Code sections 6058(a) and 6059(a). You are required to give us the information. We need it to determine whether the plan is operating according to the law.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books and records relating to a form or its instructions must be retained as long as their contents may become material in the administration of the Internal Revenue Code or are required to be maintained pursuant to Title I or IV of ERISA. The Form 5500-SF return/reports are open to public inspection and are subject to publication on the Internet.

The time needed to complete and file the Form 5500-SF and the Schedules SB (Form 5500) and MB (Form 5500) shown in the list below reflects the combined requirements of the Internal Revenue Service, Department of Labor, and Pension Benefit Guaranty Corporation. These times will vary depending on individual circumstances. The estimated average times are:

Form	Pension Plans	Welfare Plans
Form 5500-SF	2 hr., 32 min.	2 hr., 32 min.
Schedule MB (Form 5500)	3 hr., 20 min.	N/A
Schedule SB (Form 5500)	6 hr., 49 min.	N/A

If you have comments concerning the accuracy of these time estimates or suggestions for making these forms simpler, we would be happy to hear from you. You can write to the Internal Revenue Service, Tax Products Coordinating Committee, SE:W:CAR:MP:T:T:SP, 1111 Constitution Ave. NW, IR-6526, Washington, DC 20224. Do not send this form or these schedules to this address. **The form and schedules must be filed electronically. See *How To File – Electronic Filing Requirement*.**

LIST OF PLAN CHARACTERISTICS CODES FOR LINES 9a AND 9b

CODE	Defined Benefit Pension Features
1A	Benefits are primarily pay related.
1B	Benefits are primarily flat dollar (includes dollars per year of service).
1C	Cash balance or similar plan – Plan has a “cash balance” formula. For this purpose, a “cash balance” formula is a benefit formula in a defined benefit plan by whatever name (for example, personal account plan, pension equity plan, life cycle plan, cash account plan, etc.) that rather than, or in addition to, expressing the accrued benefit as a life annuity commencing at normal retirement age, defines benefits for each employee in terms more common to a defined contribution plan such as a single sum distribution amount (for example, 10 percent of final average pay times years of service, or the amount of the employee’s hypothetical account balance).
1D	Floor-offset plan – Plan benefits are subject to offset for retirement benefits provided by an employer-sponsored defined contribution plan.
1E	Code section 401(h) arrangement – Plan contains separate accounts under Code section 401(h) to provide employee health benefits.
1F	Code section 414(k) arrangement – Benefits are based partly on the balance of the separate account of the participant (also include appropriate defined contribution pension feature codes).
1G	Covered by PBGC – Plan is covered under the PBGC insurance program (see ERISA section 4021).
1H	Plan covered by PBGC that was terminated and closed out for PBGC purposes – Before the end of the plan year (or a prior plan year), (1) the plan terminated in a standard (or distress) termination and completed the distribution of plan assets in satisfaction of all benefit liabilities (or all ERISA Title IV benefits for distress termination); or (2) a trustee was appointed for a terminated plan pursuant to ERISA section 4042.
1I	Frozen plan – As of the last day of the plan year, the plan provides that no participant will get any new benefit accrual (whether because of service or compensation).
CODE	Defined Contribution Pension Features
2A	Age/service weighted or new comparability or similar plan – Age/service weighted plan: Allocations are based on age, service, or age and service. New comparability or similar plan: Allocations are based on participant classifications and a classification(s) consists entirely or predominantly of highly compensated employees; or the plan provides an additional allocation rate on compensation above a specified threshold, and the threshold or additional rate exceeds the maximum threshold or rate allowed under the permitted disparity rules of Code section 401(l).
2B	Target benefit plan.
2C	Money purchase (other than target benefit).

2D	Offset plan – Plan benefits are subject to offset for retirement benefits provided in another plan or arrangement of the employer.
2E	Profit-sharing.
2F	ERISA section 404(c) plan – This plan, or any part of it, is intended to meet the conditions of 29 CFR 2550.404c-1.
2G	Total participant-directed account plan – Participants have the opportunity to direct the investment of all the assets allocated to their individual accounts, regardless of whether 29 CFR 2550.404c-1 is intended to be met.
2H	Partial participant-directed account plan – Participants have the opportunity to direct the investment of a portion of the assets allocated to their individual accounts, regardless of whether 29 CFR 2550.404c-1 is intended to be met.
2J	Code section 401(k) feature – A cash or deferred arrangement described in Code section 401(k) that is part of a qualified defined contribution plan that provides for an election by employees to defer part of their compensation or receive these amounts in cash.
2K	Code section 401(m) arrangement – Employee contributions are allocated to separate accounts under the plan or employer contributions are based, in whole or in part, on employee deferrals or contributions to the plan. Not applicable if plan is 401(k) with only QNECs and/or QMACs. Also not applicable if Code section 403(b)(1), 403(b)(7), or 408 arrangement/ accounts annuities.
2L	Code section 403(b)(1) arrangement.
2M	Code section 403(b)(7) accounts.
2N	Code section 408 accounts and annuities.
2R	Participant-directed brokerage accounts provided as an investment option under the plan.
2S	Plan provides for automatic enrollment in plan that has employee contributions deducted from payroll.
2T	Total or partial participant-directed account plan – plan uses default investment account for participants who fail to direct assets in their account.
CODE	Other Pension Benefit Features
3B	Plan covering self-employed individuals.
3C	Plan not intended to be qualified – A plan not intended to be qualified under Code sections 401, 403, or 408.
3D	Pre-approved pension plan – A master, prototype, or volume submitter plan that is the subject of a favorable opinion or advisory letter from the IRS.
3E	A one-participant plan that satisfies minimum coverage requirements of Code section 410(b) only when combined with another plan of the employer.
3F	Plan sponsor(s) received services of leased employees, as defined in Code section 414(n), during the plan year.

LIST OF PLAN CHARACTERISTICS CODES FOR LINES 9a AND 9b (Continued)

3H	Plan sponsor(s) is (are) a member(s) of a controlled group (Code sections 414(b), (c), or (m)).
3J	U.S.-based plan that covers residents of Puerto Rico and is qualified under both Code section 401 and section 1165 of Puerto Rico Code.
CODE	Welfare Benefit Features
4A	Health (other than vision or dental).
4B	Life insurance.
4C	Supplemental unemployment.
4D	Dental.
4E	Vision.
4F	Temporary disability (accident and sickness).
4G	Prepaid legal.
4H	Long-term disability.
4I	Severance pay.
4J	Apprenticeship and training.

4K	Scholarship (funded).
4L	Death benefits (include travel accident but not life insurance).
4P	Taft-Hartley Financial Assistance for Employee Housing Expenses.
4Q	Other.
4R	Unfunded, fully insured, or combination unfunded/fully insured welfare plan that will not file an annual report for next plan year pursuant to 29 CFR 2520.104-20.
4S	Unfunded, fully insured, or combination unfunded/fully insured welfare plan that stopped filing annual reports in an earlier plan year pursuant to 29 CFR 2520.104-20.
4T	10 or more employer plan under Code section 419A(f)(6).

Forms 5500, 5500-SF, and 5500-EZ Codes for Principal Business Activity

This list of principal business activities and their associated codes is designed to classify an enterprise by the type of activity in which it is engaged.

These principal activity codes are based on the North American Industry Classification System.

Code	Code	Code	Code
Agriculture, Forestry, Fishing and Hunting	Specialty Trade Contractors	Printing and Related Support Activities	Computer and Electronic Product Manufacturing
Crop Production	238100 Foundation, Structure, & Building Exterior Contractors (including framing carpentry, masonry, glass, roofing, & siding)	323100 Printing & Related Support Activities	334110 Computer & Peripheral Equipment Mfg
111100 Oilseed & Grain Farming	238210 Electrical Contractors	Petroleum and Coal Products Manufacturing	334200 Communications Equipment Mfg
111210 Vegetable & Melon Farming (including potatoes & yams)	238220 Plumbing, Heating, & Air-Conditioning Contractors	324110 Petroleum Refineries (including integrated)	334310 Audio & Video Equipment Mfg
111300 Fruit & Tree Nut Farming	238290 Other Building Equipment Contractors	324120 Asphalt Paving, Roofing, & Saturated Materials Mfg	334410 Semiconductor & Other Electronic Component Mfg
111400 Greenhouse, Nursery, & Floriculture Production	238300 Building Finishing Contractors (including drywall, insulation, painting, wallcovering, flooring, tile, & finish carpentry)	324190 Other Petroleum & Coal Products Mfg	334500 Navigational, Measuring, Electromedical, & Control Instruments Mfg
111900 Other Crop Farming (including tobacco, cotton, sugarcane, hay, peanut sugar beet, & all other crop farming)	238900 Other Specialty Trade Contractors (including site preparation)	Chemical Manufacturing	334610 Manufacturing & Reproducing Magnetic & Optical Media
Animal Production		325100 Basic Chemical Mfg	Electrical Equipment, Appliance, and Component Manufacturing
112111 Beef cattle Ranching & Farming		325200 Resin, Synthetic Rubber, & Artificial & Synthetic Fibers & Filaments Mfg	335100 Electric Lighting Equipment Mfg
112112 Cattle Feedlots		325300 Pesticide, Fertilizer, & Other Agricultural Chemical Mfg	335200 Household Appliance Mfg
112120 Dairy Cattle & Milk Production		325410 Pharmaceutical & Medicine Mfg	335310 Electrical Equipment Mfg
112210 Hog & Pig Farming	Manufacturing	325500 Paint, Coating & Adhesive Mfg	335900 Other Electrical Equipment & Component Mfg
112300 Poultry & Egg Production	Food Manufacturing	325600 Soap, Cleaning Compound & Toilet Preparation Mfg	Transportation Equipment Manufacturing
112400 Sheep & Goat Farming	311110 Animal Food Mfg	325900 Other Chemical Product & Preparation Mfg	336100 Motor Vehicle Mfg
112510 Aquaculture (including shellfish & finfish farms & hatcheries)	311200 Grain & Oilseed Milling	Plastics and Rubber Products Manufacturing	336210 Motor Vehicle Body & Trailer Mfg
112900 Other Animal Production	311300 Sugar & Confectionary Product Mfg	326100 Plastics Product Mfg	336300 Motor Vehicle Parts Mfg
Forestry and Logging	311400 Fruit & Vegetable Preserving & Specialty Food Mfg	326200 Rubber Product Mfg	336410 Aerospace Product & Parts Mfg
113110 Timber Tract Operations	311500 Dairy Product Mfg	Nonmetallic Mineral Product Manufacturing	336510 Railroad Rolling Stock Mfg
113210 Forest Nurseries & Gathering of Forest Products	311610 Animal Slaughtering and Processing	327100 Clay Product & Refractory Mfg	336610 Ship & Boat Building
113310 Logging	311710 Seafood Product Preparation & Packaging	327210 Glass & Glass Product Mfg	336990 Other Transportation Equipment Mfg
Fishing, Hunting and Trapping	311800 Bakeries & Tortilla Mfg	327300 Cement & Concrete Product Mfg	Furniture and Related Product Manufacturing
114110 Fishing	311900 Other Food Mfg (including coffee, tea, flavorings & seasonings)	327400 Lime & Gypsum Product Mfg	337000 Furniture & Related Product Manufacturing
114210 Hunting & Trapping	Beverage and Tobacco Product Manufacturing	327900 Other Nonmetallic Mineral Product Mfg	Miscellaneous Manufacturing
Support Activities for Agriculture and Forestry	312110 Soft Drink & Ice Mfg	Primary Metal Manufacturing	339110 Medical Equipment & Supplies Mfg
115110 Support Activities for Crop Production (including cotton ginning, soil preparation, planting, & cultivating)	312120 Breweries	331110 Iron & Steel Mills & Ferroalloy Mfg	339900 Other Miscellaneous Mfg
115210 Support Activities for Animal Production	312130 Wineries	331200 Steel Product Mfg from Purchased Steel	Wholesale Trade
115310 Support Activities for Forestry	312140 Distilleries	331310 Alumina & Aluminum Production & Processing	Merchant Wholesalers, Durable Goods
Mining	312200 Tobacco Manufacturing	331400 Nonferrous Metal (except Aluminum) Production & Processing	423100 Motor Vehicle & Motor Vehicle Parts & Supplies
211100 Oil & Gas Extraction	Textile Mills and Textile Product Mills	331500 Foundries	423200 Furniture & Home Furnishings
212110 Coal Mining	313000 Textile Mills	Fabricated Metal Product Manufacturing	423300 Lumber & Other Construction Materials
212200 Metal Ore Mining	314000 Textile Product Mills	332110 Forging & Stamping	423400 Professional & Commercial Equipment & Supplies
212310 Stone Mining & Quarrying	Apparel Manufacturing	332210 Cutlery & Handtool Mfg	423500 Metals & Minerals (except Petroleum)
212320 Sand, Gravel, Clay, & Ceramic & Refractory Minerals Mining & Quarrying	315100 Apparel Knitting Mills	332300 Architectural & Structural Metals Mfg	423600 Electrical & Electronic Goods
212390 Other Nonmetallic Mineral Mining & Quarrying	315210 Cut & Sew Apparel Contractors	332400 Boiler, Tank, & Shipping Container Mfg	423700 Hardware, Plumbing & Heating Equipment & Supplies
213110 Support Activities for Mining	315220 Men's & Boys' Cut & Sew Apparel Mfg.	332510 Hardware Mfg	423800 Machinery, Equipment, & Supplies
Utilities	315230 Women's & Girls' Cut & Sew Apparel Mfg.	332610 Spring & Wire Product Mfg	423910 Sporting & Recreational Goods & Supplies
221100 Electric Power Generation, Transmission & Distribution	315290 Other Cut & Sew Apparel Mfg	332700 Machine Shops; Turned Product; & Screw, Nut, & Bolt Mfg	423920 Toy & Hobby Goods & Supplies
221210 Natural Gas Distribution	315990 Apparel Accessories & Other Apparel Mfg	332810 Coating, Engraving, Heat Treating, & Allied Activities	423930 Recyclable Materials
221300 Water, Sewage, & Other Systems	Leather and Allied Product Manufacturing	332900 Other Fabricated Metal Product Mfg	423940 Jewelry, Watches, Precious Stones, & Precious Metals
221500 Combination Gas & Electric	316110 Leather & Hide Tanning & Finishing	Machinery Manufacturing	423990 Other Miscellaneous Durable Goods
Construction	316210 Footwear Mfg (including rubber & plastics)	333100 Agriculture, Construction, & Mining Machinery Mfg	Merchant Wholesalers, Nondurable Goods
Construction of Buildings	316990 Other Leather & Allied Product Mfg	333200 Industrial Machinery Mfg	424100 Paper & Paper Products
236110 Residential Building Construction	Wood Product Manufacturing	333310 Commercial & Service Industry Machinery Mfg	424210 Drugs & Druggists' Sundries
236200 Nonresidential Building Construction	321110 Sawmills & Wood Preservation	333410 Ventilation, Heating, Air-Conditioning, & Commercial Refrigeration Equipment Mfg	424300 Apparel, Piece Goods, & Notions
Heavy and Civil Engineering Construction	321210 Veneer, Plywood, & Engineered Wood Product Mfg	333510 Metalworking Machinery Mfg	424400 Grocery & Related Products
237100 Utility System Construction	321900 Other Wood Product Mfg	333610 Engine, Turbine, & Power Transmission Equipment Mfg	424500 Farm Product Raw Materials
237210 Land Subdivision	Paper Manufacturing	333900 Other General Purpose Machinery Mfg	424600 Chemical & Allied Products
237310 Highway, Street, & Bridge Construction	322100 Pulp, Paper, & Paperboard Mills		
237990 Other Heavy & Civil Engineering Construction	322200 Converted Paper Product Mfg		

Forms 5500, 5500-SF, and 5500-EZ Codes for Principal Business Activity (continued)

Code 424700 Petroleum & Petroleum Products 424800 Beer, Wine, & Distilled Alcoholic Beverages 424910 Farm Supplies 424920 Books, Periodicals, & Newspapers 424930 Flower, Nursery Stock, & Florists' Supplies 424940 Tobacco & Tobacco Products 424950 Paint, Varnish, & Supplies 424990 Other Miscellaneous Nondurable Goods Wholesale Electronic Markets and Agents and Brokers 425110 Business to Business Electronic Markets 425120 Wholesale Trade Agents & Brokers	Code 448140 Family Clothing Stores 448150 Clothing Accessories Stores 448190 Other Clothing Stores 448210 Shoe Stores 448310 Jewelry Stores 448320 Luggage & Leather Goods Stores Sporting Goods, Hobby, Book, and Music Stores 451110 Sporting Goods Stores 451120 Hobby, Toy, & Game Stores 451130 Sewing, Needlework, & Piece Goods Stores 451140 Musical Instrument & Supplies Stores 451211 Book Stores 451212 News Dealers & Newsstands 451220 Prerecorded Tape, Compact Disc, & Record Stores General Merchandise Stores 452110 Department Stores 452900 Other General Merchandise Stores Miscellaneous Store Retailers 453110 Florists 453210 Office Supplies & Stationery Stores 453220 Gift, Novelty, & Souvenir Stores 453310 Used Merchandise Stores 453910 Pet & Pet Supplies Stores 453920 Art Dealers 453930 Manufactured (Mobile) Home Dealers 453990 All Other Miscellaneous Store Retailers (including tobacco, candle, & trophy shops) Nonstore Retailers 454110 Electronic Shopping & Mail-Order Houses 454210 Vending Machine Operators 454311 Heating Oil Dealers 454312 Liquefied Petroleum Gas (bottled gas) Dealers 454319 Other Fuel Dealers 454390 Other Direct Selling Establishments (including door-to-door retailing, frozen food plan providers, party plan merchandisers, & coffee-break service providers)	Code Support Activities for Transportation 488100 Support Activities for Air Transportation 488210 Support Activities for Rail Transportation 488300 Support Activities for Water Transportation 488410 Motor Vehicle Towing 488490 Other Support Activities for Road Transportation 488510 Freight Transportation Arrangement 488990 Other Support Activities for Transportation Couriers and Messengers 492110 Couriers 492210 Local Messengers & Local Delivery Warehousing and Storage 493100 Warehousing & Storage (except lessors of miniwarehouses & self-storage units) Information Publishing Industries (except Internet) 511110 Newspaper Publishers 511120 Periodical Publishers 511130 Book Publishers 511140 Directory & Mailing List Publishers 511190 Other Publishers 511210 Software Publishers Motion Picture and Sound Recording Industries 512100 Motion Picture & Video Industries (except video rental) 512200 Sound Recording Industries Broadcasting (except Internet) 515100 Radio & Television Broadcasting 515210 Cable & Other Subscription Programming Telecommunications 517000 Telecommunications (including paging, cellular, satellite, cable & other program distribution, resellers, other telecommunications, & internet service providers) Data Processing Services 518210 Data Processing, Hosting, & Related Services Other Information Services 519100 Other Information Services (including news syndicates, libraries, internet publishing & broadcasting)	Code Activities Related to Credit Intermediation 522300 Activities Related to Credit Intermediation (including loan brokers, check clearing, & money transmitting) Securities, Commodity Contracts, and Other Financial Investments and Related Activities 523110 Investment Banking & Securities Dealing 523120 Securities Brokerage 523130 Commodity Contracts Dealing 523140 Commodity Contracts Brokerage 523210 Securities & Commodity Exchanges 523900 Other Financial Investment Activities (including portfolio management & investment advice) Insurance Carriers and Related Activities 524140 Direct Life, Health, & Medical Insurance & Reinsurance Carriers 524150 Direct Insurance & Reinsurance (except Life, Health & Medical) Carriers 524210 Insurance Agencies & Brokerages 524290 Other Insurance Related Activities (including third-party administration of Insurance and pension funds) Funds, Trusts, and Other Financial Vehicles 525100 Insurance & Employee Benefit Funds 525910 Open-End Investment Funds (Form 1120-RIC) 525920 Trusts, Estates, & Agency Accounts 525990 Other Financial Vehicles (including mortgage REITs & closed-end investment funds) "Offices of Bank Holding Companies" and "Offices of Other Holding Companies" are located under Management of Companies (Holding Companies) . Real Estate and Rental and Leasing Real Estate 531110 Lessors of Residential Buildings & Dwellings (including equity REITs) 531114 Cooperative Housing (including equity REITs) 531120 Lessors of Nonresidential Buildings (except Miniwarehouses) (including equity REITs) 531130 Lessors of Miniwarehouses & Self-Storage Units (including equity REITs) 531190 Lessors of Other Real Estate Property (including equity REITs) 531210 Offices of Real Estate Agents & Brokers 531310 Real Estate Property Managers 531320 Offices of Real Estate Appraisers 531390 Other Activities Related to Real Estate Rental and Leasing Services 532100 Automotive Equipment Rental & Leasing 532210 Consumer Electronics & Appliances Rental 532220 Formal Wear & Costume Rental 532230 Video Tape & Disc Rental
Retail Trade Motor Vehicle and Parts Dealers 441110 New Car Dealers 441120 Used Car Dealers 441210 Recreational Vehicle Dealers 441221 Motorcycle Dealers 441222 Boat Dealers 441229 All Other Motor Vehicle Dealers 441300 Automotive Parts, Accessories, & Tire Stores Furniture and Home Furnishings Stores 442110 Furniture Stores 442210 Floor Covering Stores 442291 Window Treatment Stores 442299 All Other Home Furnishings Stores Electronics and Appliance Stores 443111 Household Appliance Stores 443112 Radio, Television, & Other Electronics Stores 443120 Computer & Software Stores 443130 Camera & Photographic Supplies Stores Building Material and Garden Equipment and Supplies Dealers 444110 Home Centers 444120 Paint & Wallpaper Stores 444130 Hardware Stores 444190 Other Building Material Dealers 444200 Lawn & Garden Equipment & Supplies Stores Food and Beverage Stores 445110 Supermarkets and Other Grocery (except Convenience) Stores 445120 Convenience Stores 445210 Meat Markets 445220 Fish & Seafood Markets 445230 Fruit & Vegetable Markets 445291 Baked Goods Stores 445292 Confectionery & Nut Stores 445299 All Other Specialty Food Stores 445310 Beer, Wine, & Liquor Stores Health and Personal Care Stores 446110 Pharmacies & Drug Stores 446120 Cosmetics, Beauty Supplies, & Perfume Stores 446130 Optical Goods Stores 446190 Other Health & Personal Care Stores Gasoline Stations 447100 Gasoline Stations (including convenience stores with gas) Clothing and Clothing Accessories Stores 448110 Men's Clothing Stores 448120 Women's Clothing Stores 448130 Children's & Infants' Clothing Stores	Code 481000 Air Transportation 482110 Rail Transportation 483000 Water Transportation Truck Transportation 484110 General Freight Trucking, Local 484120 General Freight Trucking, Long-distance 484200 Specialized Freight Trucking Transit and Ground Passenger Transportation 485110 Urban Transit Systems 485210 Interurban & Rural Bus Transportation 485310 Taxi Service 485320 Limousine Service 485410 School & Employee Bus Transportation 485510 Charter Bus Industry 485990 Other Transit & Ground Passenger Transportation Pipeline Transportation 486000 Pipeline Transportation Scenic & Sightseeing Transportation 487000 Scenic & Sightseeing Transportation	Code Finance and Insurance Depository Credit Intermediation 522110 Commercial Banking 522120 Savings Institutions 522130 Credit Unions 522190 Other Depository Credit Intermediation Nondepository Credit Intermediation 522210 Credit Card Issuing 522220 Sales Financing 522291 Consumer Lending 522292 Real Estate Credit (including mortgage bankers & originators) 522293 International Trade Financing 522294 Secondary Market Financing 522298 All Other Nondepository Credit Intermediation	

Forms 5500, 5500-SF, and 5500-EZ Codes for Principal Business Activity (continued)

<div>Code</div> <div>532290 Other Consumer Goods Rental</div> <div>532310 General Rental Centers</div> <div>532400 Commercial & Industrial Machinery & Equipment Rental & Leasing</div> <div>Lessors of Nonfinancial Intangible Assets (except copyrighted works)</div> <div>533110 Lessors of Nonfinancial Intangible Assets (except copyrighted works)</div>	<div>Code</div> <div>Administrative and Support and Waste Management and Remediation Services</div> <div>Administration and Support Services</div> <div>561110 Office Administrative Services</div> <div>561210 Facilities Support Services</div> <div>561300 Employment Services</div> <div>561410 Document Preparation Services</div> <div>561420 Telephone Call Centers</div> <div>561430 Business Service Centers (including private mail centers & copy shops)</div> <div>561440 Collection Agencies</div> <div>561450 Credit Bureaus</div> <div>561490 Other Business Support Services (including repossession services, court reporting, & stenotype services)</div> <div>561500 Travel Arrangement & Reservation Services</div> <div>561600 Investigation & Security Services</div> <div>561710 Exterminating & Pest Control Services</div> <div>561720 Janitorial Services</div> <div>561730 Landscaping Services</div> <div>561740 Carpet & Upholstery Cleaning Services</div> <div>561790 Other Services to Buildings & Dwellings</div> <div>561900 Other Support Services (including packaging & labeling services, & convention & trade show organizers)</div> <div>Waste Management and Remediation Services</div> <div>562000 Waste Management and Remediation Services</div>	<div>Code</div> <div>Medical and Diagnostic Laboratories</div> <div>621510 Medical & Diagnostic Laboratories</div> <div>Home Health Care Services</div> <div>621610 Home Health Care Services</div> <div>Other Ambulatory Health Care Services</div> <div>621900 Other Ambulatory Health Care Services (including ambulance services & blood & organ banks)</div> <div>Hospitals</div> <div>622000 Hospitals</div> <div>Nursing and Residential Care Facilities</div> <div>623000 Nursing & Residential Care Facilities</div> <div>Social Assistance</div> <div>624100 Individual & Family Services</div> <div>624200 Community Food & Housing, & Emergency & Other Relief Services</div> <div>624310 Vocational Rehabilitation Services</div> <div>624410 Child Day Care Services</div>	<div>Code</div> <div>Other Services</div> <div>Repair and Maintenance</div> <div>811110 Automotive Mechanical & Electrical Repair & Maintenance</div> <div>811120 Automotive Body, Paint, Interior, & Glass Repair</div> <div>811190 Other Automotive Repair & Maintenance (including oil change & lubrication shops & car washes)</div> <div>811210 Electronic & Precision Equipment Repair & Maintenance</div> <div>811310 Commercial & Industrial Machinery & Equipment (except Automotive & Electronic) Repair & Maintenance</div> <div>811410 Home & Garden Equipment & Appliance Repair & Maintenance</div> <div>811420 Reupholstery & Furniture Repair</div> <div>811430 Footwear & Leather Goods Repair</div> <div>811490 Other Personal & Household Goods Repair & Maintenance</div> <div>Personal and Laundry Services</div> <div>812111 Barber Shops</div> <div>812112 Beauty Salons</div> <div>812113 Nail Salons</div> <div>812190 Other Personal Care Services (including diet & weight reducing centers)</div> <div>812210 Funeral Homes & Funeral Services</div> <div>812220 Cemeteries & Crematories</div> <div>812310 Coin-Operated Laundries & Drycleaners</div> <div>812320 Drycleaning & Laundry Services (except Coin-Operated)</div> <div>812330 Linen & Uniform Supply</div> <div>812910 Pet Care (except Veterinary) Services</div> <div>812920 Photofinishing</div> <div>812930 Parking Lots & Garages</div> <div>812990 All Other Personal Services</div> <div>Religious, Grantmaking, Civic, Professional, and Similar Organizations</div> <div>813000 Religious, Grantmaking, Civic, Professional, & Similar Organizations (including condominium and homeowners associations)</div> <div>813930 Labor Unions and Similar Labor Organizations</div> <div>921000 Governmental Instrumentality or Agency</div>
<div>Professional, Scientific, and Technical Services</div> <div>Legal Services</div> <div>541110 Offices of Lawyers</div> <div>541190 Other Legal Services</div> <div>Accounting, Tax Preparation, Bookkeeping, and Payroll Services</div> <div>541211 Offices of Certified Public Accountants</div> <div>541213 Tax Preparation Services</div> <div>541214 Payroll Services</div> <div>541219 Other Accounting Services</div> <div>Architectural, Engineering, and Related Services</div> <div>541310 Architectural Services</div> <div>541320 Landscape Architecture Services</div> <div>541330 Engineering Services</div> <div>541340 Drafting Services</div> <div>541350 Building Inspection Services</div> <div>541360 Geophysical Surveying & Mapping Services</div> <div>541370 Surveying & Mapping (except Geophysical) Services</div> <div>541380 Testing Laboratories</div> <div>Specialized Design Services</div> <div>541400 Specialized Design Services (including interior, industrial, graphic, & fashion design)</div> <div>Computer System Design and Related Services</div> <div>541511 Custom Computer Programming Services</div> <div>541512 Computer Systems Design Services</div> <div>541513 Computer Facilities Management Services</div> <div>541519 Other Computer Related Services</div> <div>Other Professional, Scientific, and Technical Services</div> <div>541600 Management, Scientific, & Technical Consulting Services</div> <div>541700 Scientific Research & Development Services</div> <div>541800 Advertising & Related Services</div> <div>541910 Marketing Research & Public Opinion Polling</div> <div>541920 Photographic Services</div> <div>541930 Translation & Interpretation Services</div> <div>541940 Veterinary Services</div> <div>541990 All Other Professional, Scientific, & Technical Services</div> <div>Management of Companies (Holding Companies)</div> <div>551111 Offices of Bank Holding Companies</div> <div>551112 Offices of Other Holding Companies</div>	<div>Educational Services</div> <div>611000 Educational Services (including schools, colleges, & universities)</div> <div>Health Care and Social Assistance</div> <div>Offices of Physicians and Dentists</div> <div>621111 Offices of Physicians (except mental health specialists)</div> <div>621112 Offices of Physicians, Mental Health Specialists</div> <div>621210 Offices of Dentists</div> <div>Offices of Other Health Practitioners</div> <div>621310 Offices of Chiropractors</div> <div>621320 Offices of Optometrists</div> <div>621330 Offices of Mental Health Practitioners (except Physicians)</div> <div>621340 Offices of Physical, Occupational & Speech Therapists, & Audiologists</div> <div>621391 Offices of Podiatrists</div> <div>621399 Offices of all Other Miscellaneous Health Practitioners</div> <div>Outpatient Care Centers</div> <div>621410 Family Planning Centers</div> <div>621420 Outpatient Mental Health & Substance Abuse Centers</div> <div>621491 HMO Medical Centers</div> <div>621492 Kidney Dialysis Centers</div> <div>621493 Freestanding Ambulatory Surgical & Emergency Centers</div> <div>621498 All Other Outpatient Care Centers</div>	<div>Arts, Entertainment, and Recreation</div> <div>Performing Arts, Spectator Sports, and Related Industries</div> <div>711100 Performing Arts Companies</div> <div>711210 Spectator Sports (including sports clubs & racetracks)</div> <div>711300 Promoters of Performing Arts, Sports, & Similar Events</div> <div>711410 Agents & Managers for Artists, Athletes, Entertainers, & Other Public Figures</div> <div>711510 Independent Artists, Writers, & Performers</div> <div>Museums, Historical Sites, and Similar Institutions</div> <div>712100 Museums, Historical Sites, & Similar Institutions</div> <div>Amusements, Gambling, and Recreation Industries</div> <div>713100 Amusement Parks & Arcades</div> <div>713200 Gambling Industries</div> <div>713900 Other Amusement & Recreation Industries (including golf courses, skiing facilities, marinas, fitness centers, & bowling centers)</div> <div>Accommodation and Food Services</div> <div>Accommodation</div> <div>721110 Hotels (except Casino Hotels) & Motels</div> <div>721120 Casino Hotels</div> <div>721191 Bed & Breakfast Inns</div> <div>721199 All other Traveler Accommodation</div> <div>721210 RV (Recreational Vehicle) Parks & Recreational Camps</div> <div>721310 Rooming & Boarding Houses</div> <div>Food Services and Drinking Places</div> <div>722110 Full-Service Restaurants</div> <div>722210 Limited-Service Eating Places</div> <div>722300 Special Food Services (including food service contractors & caterers)</div> <div>722410 Drinking Places (Alcoholic Beverages)</div>	

ERISA COMPLIANCE QUICK CHECKLIST

Compliance with the Employee Retirement Income Security Act (ERISA) begins with knowing the rules. Plan administrators and other plan officials can use this checklist as a quick diagnostic tool for assessing a plan's compliance with certain important ERISA rules; it is not a complete description of all ERISA's rules and it is not a substitute for a comprehensive compliance review. Use of this checklist is voluntary, and it is not to be filed with your Form 5500-SF.

If you answer "No" to any of the questions below, you should review your plan's operations because you may not be in full compliance with ERISA's requirements.

1. Have you provided plan participants with a summary plan description, summaries of any material modifications of the plan, and annual summary financial reports or annual pension funding reports?
2. Do you maintain copies of plan documents at the principal office of the plan administrator for examination by participants and beneficiaries?
3. Do you respond to written participant inquiries for copies of plan documents and information within 30 days?
4. Does your plan include written procedures for making benefit claims and appealing denied claims, and are you complying with those procedures?
5. Is your plan covered by fidelity bonds protecting the plan against losses due to fraud or dishonesty by persons who handle plan funds or other property?
6. Are the plan's investments diversified so as to minimize the risk of large losses?
7. If the plan permits participants to select the investments in their plan accounts, has the plan provided them with enough information to make informed decisions?
8. Has a plan official determined that the investments are prudent and solely in the interest of the plan's participants and beneficiaries, and evaluated the risks associated with plan investments before making the investments?
9. Did the employer or other plan sponsor send participant contributions to the plan on a timely basis?
10. Did the plan pay participant benefits on time and in the correct amounts?
11. Did the plan give participants and beneficiaries 30 days advance notice before imposing a "blackout period" of at least three consecutive business days during which participants or beneficiaries of a 401(k) or other individual account pension plan were unable to change their plan investments, obtain loans from the plan, or obtain distributions from the plan?

If you answer "Yes" to any of the questions below, you should review your plan's operations because you may not be in full compliance with ERISA's requirements.

1. Has the plan engaged in any financial transactions with persons related to the plan or any plan official? (For example, has the plan made a loan to or participated in an investment with the employer?)
2. Has the plan official used the assets of the plan for his/her own interest?
3. Have plan assets been used to pay expenses that were not authorized in the plan document, were not necessary to the proper administration of the plan, or were more than reasonable in amount?

If you need help answering these questions or want additional guidance about ERISA requirements, a plan official should contact the U.S. Department of Labor Employee Benefits Security Administration office in your region or consult with the plan's legal counsel or professional employee benefit advisor.

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