

Pension Protection Act of 2006

Sorted by Topic

PL 109-280, enacted 8-17-2006

Guidance/Other Information available as of 9/30/07

| | |
|------|---------------|
| KEY: | IRS Guidance |
| | DOL Guidance |
| | PBGC Guidance |

| Topic | IRC/ERISA § Added, Changed or Impacted | PPA § No. | Description | Published Guidance | Other Information Available |
|---|--|-----------|--|---|-----------------------------|
| 30-year Treasury rates | 412 | 301 | Extension of replacement of 30-year Treasury rates | Notice 2006-75, 2006-36 I.R.B. 366 | |
| 415 limits | 415 | 832 | Determination of average compensation for section 415 limits | IRC Section 415 Final Regs | |
| Amendments | 401 | 1107 | Amendment Period | Rev. Proc. 2007-44, 2007-28 I.R.B.54 | |
| Annual financial and actuarial information reporting | | 303 | Explains how the provisions of PPA relating to PBGC's required interest rate for determining variable-rate premiums apply to certain PBGC requirements (in particular, reporting and disclosure requirements). | Technical Update 06-4: Use of Corporate Bond Rate for Certain PBGC Purposes | |
| Benefit accrual for cash balance and other hybrid defined benefit plans | 411 | 701 | Benefit accrual standards | Notice 2007-6, 2007-3 I.R.B. 272 | |

| Topic | IRC/ERISA § Added, Changed or Impacted | PPA § No. | Description | Published Guidance | Other Information Available |
|---------------------|--|-----------|---|--|---|
| Benefit limitations | 436 | 113 | Benefit limitations for single-employer defined benefit pension plans | Proposed §436 regulations on benefit limits | Employee Plans News Flash August 29, 2007 |
| Deduction | 404 | 801 | Increase in deduction limit for single-employer plans | Notice 2007-28, 2007-14 I.R.B. 880 | |
| | | 803 | Updating deduction rules for combination of plans | | |
| Default investment | ERISA §404(c)(5) | 624 | Treatment of investment of assets by plan where participant fails to exercise investment election | Default Investment Alternatives Under Participant Directed Individual Account Plans; Proposed Rule | |
| Distributions | 72 | | | IRC Section 415 Final Regs. | Form 5329 Instructions updated |
| | 415 | 303 | Interest rate assumption for applying benefit limitations to lump sum distributions | | Publication 575 updated |
| | | 828 | Waiver of 10 percent early withdrawal penalty tax on certain distributions of pension plans for public safety employees | Notice 2007-7, 2007-5 I.R.B. 395 | Publication 571 updated |
| | 401 | | Distributions from governmental retirement | | Form 1040 (Sch. A&B) Instructions modified Form 1040 Instructions modified |

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|---------------------------|--|-----------|---|--|---|
| | 402 | 845 | Distributions from governmental retirement plans for health and long-term insurance for public safety officers | | Form 1040A Instructions modified |
| | 403 | | | | Form 1040NR Instructions modified |
| | 457 | | | | Form 5329 Instructions modified |
| | 408 | 1201(a) | Tax-free distributions from individual retirement plans for charitable purposes | | Form 8606 Instructions modified |
| Diversification | 409 ERISA §502(c)(7) | 901 | Defined contribution plans required to provide employees with freedom to invest their plan assets | Final Rule - Amendment to Civil Penalties Under ERISA §502(c)(7) Notice 2006-107, 2006-51 I.R.B. 1114 | |
| | 401 | | | | |
| | 409 | | | | |
| Domestic relations orders | ERISA 206(d)(3) | 1001 | Regulations on time and order of issuance of domestic relations orders | Time and Order of Issuance of Domestic Relations Orders | |
| EGTRRA | | 811 | Pensions and individual retirement arrangement provisions of Economic Growth and Tax Relief Reconciliation Act of 2001 made permanent | | Publication 571 updated |
| Excise tax | 4971 | 214 | Exemptions from excise tax for certain multiemployer plans for accumulated funding deficiencies | | Form 5330 Instructions revised |

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|-----------|--|-----------|--|---|---|---|
| Fiduciary | ERISA §404(a)(1) | 625 | Clarification of fiduciary rules | Interim Final Rule on Amendment to Interpretive Bulletin 95-1 Proposed rule on the Selection of Annuity Providers for Individual Account Plans | | |
| Funding | 404 | 402 | Special funding rules for certain plans maintained by commercial airlines | Announcement 2006-70, 2006-40 I.R.B. 629 | | |
| | 412 | | | Notice 2006-105, 2006-50 I.R.B. 1093 | | |
| | 415 | | | Notice 2006-75, 2006-36 I.R.B. 366 | | Schedule B Instructions modified |
| | 4971 | | | Proposed §430(f) regulations on treatment of employer contributions | | Employee Plans News Flash August 29, 2007 |
| | 412 | 111 | Minimum funding standards | Proposed regulations on certain mortality tables under PPA Rev. Proc. 2007-37, 2007-25 I.R.B. 1433 | | |
| | 430 | 112 | Funding rules for single-employer defined benefit pension plans | | | |
| | 409A | 116 | Restrictions on funding of nonqualified deferred compensation plans by employers maintaining underfunded or terminated single-employer plans | | Form 5500 Instructions modified | |

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|---------------------------|--|-----------|---|--|---|
| Hardships | 401 | 826 | Modifications of rules governing hardships and unforeseen financial emergencies | Announcement 2007-59, 2007-25 I.R.B. 1448 | Publication 571 updated |
| | 403 | | | Field Assistance Bulletin 2007-2 pertaining to §403(b) | |
| | 409 | | | IRC Section 403(b) Final Regulations | |
| | | | | Notice 2007-7, 2007-5 I.R.B. 395 | Publication 560 updated |
| Indexing | 219 | 833 | Inflation indexing of gross income limitations on certain retirement savings incentives | Rev. Proc. 2006-53 | |
| | 25B | | | | |
| | 408A | | | | |
| Indexing | 219 | 833 | Inflation indexing of gross income limitations on certain retirement savings incentives | | Publication 590 updated |
| | 25B | | | | Publication 571 updated |
| | 408A | | | | Form 8606 Instructions modified |
| Indian tribal governments | 414 | 906 | Treatment of certain pension plans of Indian tribal governments | Notice 2006-89, 2006-43 I.R.B. 772 Notice 2007-67, 2007-35 I.R.B. 467 | |

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| Multiemployer plan election procedures | ERISA §3(37)(G) | 1106, as modified by an amendment in the May 25, 2007, supplemental spending legislation (Pub L. 110-028). | This Notice establishes implementing procedures for certain single-employer plans to elect to be multiemployer plans. | Notice: Election of Multiemployer Plan Status | |
| Multiemployer plans | 414 | 1106 | Revocation of election relating to treatment as multiemployer plan | Model Notice of Pending Election of Multiemployer Plan Status | |
| | 4980F ERISA §101(k) | 502 | Access to multiemployer pension plan information | Proposed Rule on Multiemployer Plan Information Made Available on Request | |
| Notice | ERISA §502(c)(7) | 507 | Notice of freedom to divest employer securities | Final DOL regulations on civil penalties under ERISA §502(c)(7) | |
| | 401 | | | Notice 2006-107, 2006-51 I.R.B. 1114 | |
| | 417 | 1102 | Notice and consent period regarding distributions | Notice 2007-7, 2007-5 I.R.B. 395 | |

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| Participant notice of plan underfunding | ERISA §4011 | 501 | Section 4011 of ERISA requires certain underfunded plans to notify participants of plan funding status and the limits on the PBGC's guarantee. PPA repealed section 4011 for plan years beginning after 2006 and replaced the disclosure requirement under that section with a disclosure requirement under Title I of ERISA. This rule amends PBGC's regulation on Disclosure to Participants to reflect that statutory change. | Final Regulation on Disclosure to Participants | |
| | | 303 | Explains, among other things, how PPA interest rate changes can effect the requirement to issue a 2006 Participant Notice. | Technical Update 06-3: 2006 Participant Notice | |
| PBGC | | 505 | Section 4010 filings with the PBGC | Technical Update 06-4: Use of Corporate Bond Rate for Certain PBGC Purposes | |
| Permissive service credit | 415 | 821 | Clarifications regarding purchase of permissive service credit | Field Assistance Bulletin 2007-2 pertaining to §403(b) plans | Publication 560 updated |
| | | | | IRC Section 403(b) Final Regulations IRC Section 415 Final Regs. | Publication 571 updated |

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| Phased retirement | 401 | 905 | Distributions during working retirement | Final Regulations on Distributions From a Pension Plan Upon Attainment of Normal Retirement Age Notice 2007-69, 2007-35 I.R.B. 468 Notice 2007-8, 2007-3 I.R.B. 278 | |
| Premiums | ERISA §4006 4007 | 401 402 405 | <p>This is a proposed rule to amend PBGC's regulations on Premium Rates and Payment of Premiums to implement certain provisions of the Deficit Reduction Act of 2005 (Pub. L. 109-171) and the PPA that are effective beginning in 2006 or 2007. The provisions that would be implemented by this rule change the flat premium rate, cap the variable-rate premium in some cases, and create a new "termination premium" that is payable in connection with certain distress and involuntary plan terminations.</p> | Proposed Rule on Premium Rates; Payment of Premiums; Flat Premium Rates; Variable-Rate Premium Cap, and Termination Premium | |

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| | | 405 | This is a proposed rule to amend PBGC's regulations on Premium Rates and Payment of Premiums. The amendments would implement provisions of the PPA that change the variable-rate premium for plan years beginning on or after January 1, 2008, and make other changes to the regulations. | Proposed Rule on premium Rates; Payment of Premiums; Variable-Rate Premium | |
| Prohibited transaction | 4975 ERISA §408(b)(14), 408(g) | 601 | Prohibited transaction exemption for provision of investment advice | Field Assistance Bulletin No. 2007-01 Prohibited Transaction Exemption for Provision of Investment Advice to Individuals Retirement and Similar Plans Prohibited Transaction Exemption for Provision of Investment Advice to Participants in Individual Account Plans Statutory Exemption for Cross-Trading of Securities | Hearing on Computer Model Investment Advice Program for IRAs (transcript) Hearing on Computer Model Investment Advice Program for IRAs (transcript) |

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| Rollover | 402 | 822 | Allow rollover of after-tax amounts in annuity contracts | Amendments to Safe Harbor for Distributions From Terminated Individual Account Plans and Termination of Abandoned Individual Account Plans To Require Inherited Individual Retirement Plans for Missing Nonspouse Beneficiaries | Employee Plans News Special Edition |
| | ERISA §404 | | | Field Assistance Bulletin 2007-2 pertaining to §403(b) plans | |
| | 403 | 824 | Allow direct rollovers from retirement plans to Roth IRAs | IRC Section 403(b) Final Regulations Notice 2007-7, 2007-5 I.R.B. 395 | Publication 560 updated |
| | 408, 408A | | | | Publication 571 updated |
| | 457 | | | | Publication 590 updated Publication 575 updated |
| | | 829 | Allow rollovers by nonspouse beneficiaries of certain retirement plan distributions | | Form 1099-R Instructions updated Class Exemption |

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|-------------|--|-----------|--|---|--|
| | ERISA §404 | | | | Model Plan Termination Notice Termination Notice |
| Statements | ERISA §105 | 508 | Periodic pension benefit statements | Field Assistance Bulletin No. 2006-03 | |
| Vesting | 411 | 904 | Faster vesting of employer nonelective contributions | Notice 2007-7, 2007-5 I.R.B. 395 | |
| Withdrawals | 72 401 6511 | 827 | Penalty-free withdrawals from retirement plans for individuals called to active duty for at least 179 days | | News Release IR-2006-152 Publication 590 updated Publication 560 updated Publication 571 updated Publication 575 updated Form 5329 Instructions updated |

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| IRS Guidance | KEY: |
| DOL Guidance | |
| PBGC Guidance | |