

Pension Protection Act of 2006

Sorted by Topic

PL 109-280, enacted 8-17-2006

Guidance/Other Information available as of 05/31/09

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 §415 limits	IRC §415 Final Regs.	
Amendments	401	1107	Amendment Period	Rev. Proc. 2007-44, 2007-28 I.R.B.54 Notice 2008-30, 2008-12 IRB 637	
		various	Cumulative List	Notice 2007-3, 2007-2 I.R.B. 255 Notice 2007-94, 2007-51, IRB 1179 Notice 2008-108, 2008-50 IRB 1275	
Annual financial and actuarial reporting	ERISA §4010	505	Changes in the standards for determining persons that are required to report under §4010; other (non-PPA) changes to the 4010 reporting requirements.	Proposed Rule on Annual Financial and Actuarial Information Reporting	
			Waives §4010 reporting in certain cases for controlled groups with aggregate plan underfunding of \$15 million or less.	Technical Update 08-3: Waiver of Certain Reporting Requirements under ERISA §4010	
			Allows filers to determine benefit liabilities for 4010 reporting purposes using the form-of-payment assumption described in ERISA §4044.51 (generally an annuity form of payment) instead of the form-of-payment assumption under the final 4010 rule, which requires filers to use the form-of-payment assumption for determining the minimum required contribution	Technical Update 09-2: Alternative Form-of-Payment Assumption for Determining Benefit Liabilities	
Association plans	419A	843	Allowance of reserve for 7443B medical benefits of plans sponsored by bona fide associations	Notice 2007-83, 2007-45 I.R.B. 960	

Bankruptcy terminations	ERISA §§4001, 4022 and 4044	404	Bankruptcy filing date, rather than termination date, determines guarantees and benefits in priority category 3 of the asset allocation, if contributing sponsor enters bankruptcy before plan termination date	Proposed Rule on Bankruptcy Filing Date Treated as Plan Termination Date for Certain Purposes: Guaranteed Benefits Allocation of Plan Assets	
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 REG-104946-07, 72 Fed. Reg. 73680 (Dec. 28, 2007) Rev. Rul. 2008-7, 2008-7 I.R.B. 419 REG-100464-08, 73 Fed. Reg. 34665 (June 18, 2008)	
Benefit limitations	436	113	Benefit limitations for single-employer defined benefit pension plans	Proposed §436 regulations on benefit limits Notice 2008-21, 2008-7 IRB 431	Employee Plans News Flash August 29, 2007
Civil Penalties	ERISA §502(c)(4)	103(b)(2), 502(a)(2), 502(b)(2), 902(f)(2)	Proposed regulation establishing procedures for the assessment of civil penalties related to PPA amendments	Proposed Rule - Civil Penalties Under ERISA §502(c)(4) Proposed Rule - Civil Penalties Under ERISA §502(c)(4) Proposed Rule - Civil Penalties Under ERISA §502(c)(4)	
Computing withdrawal liability; reallocation liability upon mass withdrawal	ERISA §§4001, 4211, and 4219	204	PPA and other changes to the calculation of withdrawal liability for multiemployer plans	Final Rule on Methods for Computing Withdrawal Liability: Reallocation Liability Upon Mass Withdrawal	
Corporate bond rates – use in certain PBGC reporting requirements	ERISA §§4010, 4011, and 4043	302	Explanation of how the PPA changes to PBGC's interest rate for determining variable rate premiums apply to certain PBGC reporting and disclosure requirements that reference the VRP interest rate.	Technical Update 06-4: Use of Corporate Bond Rate for Certain PBGC Purposes	

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	401	902	Increasing participation through automatic contribution arrangement	REG-133300-07, 72 Fed. Reg. 63144 (Nov. 8, 2007)	Sample Automatic Enrollment and Default Investment Notice
				TD 9447 74 Fed Reg. 8200 (February 24, 2009)	Employee Plans News Special Edition November 14, 2007
					Employee Plans News Special Edition November 7, 2007
	411				
	4979				
	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 QDIA Guidance - Correcting Amendments Field Assistance Bulletin 2008-03	Fact sheet on final rule
Disclosure of termination information	ERISA §§4041 and 4042	506	Requirements for disclosure of certain information in connection with a distress termination or a PBGC-initiated termination.	Final Rule on Disclosure of Termination Information	
Disclosure requirements for certain underfunded plans	ERISA §4011	501	Repeal of §4011 Notice to Participants for plan years beginning after 2006. (PPA replaces this notice with changes to the disclosure requirements under Title I of ERISA.)	Final Rule; Technical Amendment -- Repeal of ERISA §4011	

Distributions	72	828	Waiver of 10 percent early withdrawal penalty tax on certain distributions of pension plans for public safety employees		Publication 575 updated
					Form 5329 Instructions updated
	72, 401, 402, 403, 457	845	Distributions from governmental retirement plans for health and long-term insurance for public safety officers	Notice 2007-7, 2007-5 I.R.B. 395	Publication 575 updated
	408	1201(a)	Tax-free distributions from individual retirement plans for charitable purposes		
	415	303	Interest rate assumption for applying benefit limitations to lump sum distributions		
	72	845	Distributions from governmental retirement plans for health and long-term insurance for public safety officers	IRC §415 Final Regs.	
	401	823	Clarification of minimum distribution rules of government plans	IRC §401(a)(9) and 403(b) Proposed Regulations	
	402	845	Distributions from governmental retirement plans for health and long-term insurance for public safety officers	Notice 2007-99, 2007-52 I.R.B. 1243	
					Publication 571 updated
					Publication 590 updated
					Publication 560 updated
	408	1201(a)	Tax-free distributions from individual retirement plans for charitable purposes		Form 1040 (Sch. A&B) Instructions modified
					Form 1040 Instructions modified
				Form 1040A Instructions modified	
				Form 1040NR Instructions modified	
				Form 5329 Instructions modified	
				Form 8606 Instructions modified	
417	302	Interest rate assumption for determination of lump sum distributions	Notice 2007-81, 2007-44 I.R.B. 899 Rev. Rul. 2007-67, 2007-48 I.R.B. 1047 Notice 2008-30, 2008-12 IRB 637	Employee Plans News Flash November 6, 2007	

Diversification	401	901	Defined contribution plans required to provide employees with freedom to invest their plan assets	Notice 2006-107, 2006-51 I.R.B. 1114	
				REG-136701-07, 73 Fed. Reg. 421 (Jan. 3, 2008)	
	409			Notice 2008-7, 2008-3 I.R.B. 276	
	409 ERISA §502(c)(7)			Notice 2006-107, 2006-51 I.R.B. 1114;	
				Final Rule - Amendment to Civil Penalties Under ERISA §502(c)(7)	
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	
Effect of Treasury mortality tables on PBGC requirements	ERISA §§4006, 4010, and 4043	112(a)	Guidance on how the new Treasury mortality tables affect premium calculations and certain reporting requirements.	Technical Update 07-1: Effect of Treasury Mortality Tables on PBGC Requirements	
EGTRRA		811	Pensions and IRA of EGTRRA made permanent		Publication 571 updated
EPCRS	401	1101	Employees plans compliance resolution system	Rev. Proc. 2008-50, 2008-35 IRB 464	
Excise tax	4971	214	Exemptions from excise tax for certain multiemployer plans for accumulated funding deficiencies		Form 5330 Instructions revised
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			Proposed REG-108508-08, 73 Fed. Reg. 20203 (Apr. 15, 2008)	
	4971				
	430	112	Funding rules for single-employer defined benefit pension plans		
	415	402	Special funding rules for certain plans maintained by commercial airlines	Announcement 2008-2, 2008-3 I.R.B. 307	
	412	111	Minimum funding standards	Notice 2006-75, 2006-36 I.R.B. 366	Schedule B Instructions modified
		101, 102		Notice 2007-81, 2007-44 I.R.B. 899	
			Funding rules for single-employer defined benefit pension plans	Final regulations on certain mortality tables under PPA	
				Rev. Proc. 2007-37, 2007-25 I.R.B. 1433	
				Proposed §430(f) regulations on treatment of employer contributions	Employee Plans News Flash August 29, 2007
				Notice 2007-81, 2007-44 I.R.B. 899	
				REG-139236-07, 72 Fed. Reg. 74215 (Dec. 31, 2007)	
				Notice 2008-21, 2008-7 IRB 431	
		Notice 2008-29, 2008-12 IRB 636			
		Rev. Proc. 2008-62, 2008-42 I.R.B. 935			
		Notice 2008-85, 2008-42 I.R.B. 905			
		Notice 2008-73, 2008-38 IRB 717			
		Notice 2009-42, 2009-20			
		Notice 2008-29, 2008-12 IRB 636			
		Rev Proc. 2008-67, 2008-48 IRB 1211			
	431	211	Funding rules for multiemployer defined benefit plans		
	432	212	Additional funding rules for multiemployer plans in endangered or critical status	REG-151135-07, 73 Fed. Reg. 14417 (Mar. 18, 2008)	Model Notice of Multiemployer Plan in Critical Status
	409A	116	Restrictions on funding of nonqualified deferred compensation plans by employers maintaining underfunded or terminated single-employer plans		Form 5500, Instructions modified
	ERISA §305	202	Additional funding rules for multiemployer plans in endangered or critical status		Model Notice of Multiemployer Plan in Critical Status

Funding-related determinations for PBGC reporting	ERISA §§4010 and 4043	505	Guidance on the applicability of PPA to PBGC's premiums regulations on determining funding-related amounts for purposes of reporting under §§4010 and 4043 for 2008 plan years	Technical Update 07-2: Funding-Related Determinations for Reporting Under Parts 4010 and 4043	
	ERISA §4043	505	Guidance on the applicability of PPA to the reportable events requirements of ERISA §4043 and PBGC's premium regulations for 2009 plan years	Technical Update 09-1: Reportable Events: Funding-Related Determinations for Threshold Test, Waivers, and Extensions; Effect of PPA 2006: Guidance for 2009 Plan Years	
Hardships	401	826	Modifications of rules governing hardships and unforeseen financial emergencies	Notice 2007-7, 2007-5 I.R.B. 395	Publication 571 updated
	403			Announcement 2007-59, 2007-25 I.R.B. 1448	
	409			IRC§403(b) Final Regulations	Publication 560 updated
	Field Assistance Bulletin 2007-2 pertaining to §403(b) plans				
Indexing	219	833	Inflation indexing of gross income limitations on certain retirement savings incentives		Publication 590 updated
	25B			Rev. Proc. 2006-53	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	
Investment Advice	ERISA §408(b)(14)	601	Investment Advice - Participants and Beneficiaries	Notice of Proposed Extension of Effective Date and Applicability Date	
	ERISA §408(b)(14), 408(g)			Final Rule - Delay of Effective Date and Applicability Date	
				Delay of Effective Date and Applicability Date rev 5-22-09	

Lump sum assumptions for terminating single employer plans	ERISA §4041	302(b)	(1) Guidance on lump sum valuation issues for single-employer plans that terminate in a standard termination under §4041, with a termination date prior to, and a final distribution date on or after, the effective date of changes in the interest rate and mortality tables used in calculating minimum lump sum values under the PPA; and (2) Limited guidance for single-employer plans that terminate on or after the effective date of the PPA changes.	Technical Update 07-3: Minimum Lump Sum Assumptions for Terminating Single-Employer Plans	
			Expands guidance on lump sum valuation issues for single-employer plans that terminate in a standard termination under §4041, with a termination date on or after the effective date of changes in the interest and mortality tables used in calculating minimum lump sum values under the PPA.	Technical Update 08-4: Minimum Lump Sum Assumptions for Single-Employer Plans That Terminate in a Plan Year Beginning On or After January 1, 2008	
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)	Notice establishing 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 4980F ERISA §101(k)	502	Access to multiemployer pension plan information	REG-110136-07, 73 Fed. Reg. 15101 (Mar. 21, 2008) Proposed Rule on Multiemployer Plan Information Made Available on Request	
Notice	401	507	Notice of freedom to divest employer securities	Notice 2006-107, 2006-51 I.R.B. 1114	
	402	1102	Notice and consent	REG 107318-08 73 Fed. Reg. 59575 (October 9, 2008)	
	411		Consequences of failure to defer		
	417		Notice and consent		
	ERISA §101	501	Defined benefit plan funding notice	Notice 2007-7, 2007-5 I.R.B. 395 Field Assistance Bulletin No. 2009-01	
	ERISA §502(c)(7)	507	Notice of freedom to divest employer securities	Final DOL regulations on civil penalties under ERISA §502(c)(7)	

Participant notice of plan underfunding	ERISA §4011	303	Explains, among other things, how PPA interest rate changes can effect the requirement to issue a 3006 Participant Notice.	Technical Update 06-3: 2006 Participant Notice	
Permissive service credit	415	821	Clarifications regarding purchase of permissive service credit	IRC §415 Final Regs.	Publication 560 updated
				IRC §403(b) Final Regulations Field Assistance Bulletin 2007-2 pertaining to §403(b) plans	Publication 571 updated
Phased retirement	401	905	Distributions during working retirement	Notice 2007-8, 2007-3 I.R.B. 278 Final Regulations on Distributions From a Pension Plan Upon Attainment of Normal Retirement Age Notice 2007-69, 2007-35 I.R.B. 468	
Premiums	ERISA §§4006 and 4007	401(a)	PPA and other changes in the variable-rate premium for plan years beginning on or after January 1, 2008	Final Rule on Premium Rates: Payment of Premiums: Variable-Rate Premium	
		401(b), 402(g)(2)(B), and 405	Increases and indexes flat-premium rates, caps the variable-rate premium for small employers, and creates a new "termination premium" for certain distress and involuntary plan terminations.	Final Rule on Premium Rates: Payment of Premiums: Flat Premium Rates: Variable-Rate Premium Cap and Termination Premium	
Present value of maximum PBGC guaranteed benefit	ERISA §206(g)	103(a)	Guidance on determining the present value of the maximum benefit guaranteed by PBGC for purposes of IRC §436(d)(3)(A)(i)(2) and ERISA §206(g)(3)(C)(i)(II)	Technical Update 07-4: Present Value of the Maximum PBGC Guaranteed Benefit	

Prohibited transaction	4975	601	Prohibited transaction exemption for provision of investment advice	Prohibited Transaction Exemption for Provision of Investment Advice to Participants in Individual Account Plans Prohibited Transaction Exemption for Provision of Investment Advice to Individuals Retirement and Similar Plans Field Assistance Bulletin No. 2007-01	Hearing on Computer Model Investment Advice Program for IRAs (transcript)
	ERISA §408(b)(19)	611	Prohibited transaction rules relating to financial investments	Statutory Exemption for Cross-Trading of Securities	
	ERISA §408(b)(14), 408(g)	601	Prohibited transaction exemption for provision of investment advice	Prohibited Transaction Exemption for Provision of Investment Advice to Participants in Individual Account Plans Prohibited Transaction Exemption for Provision of Investment Advice to Individuals Retirement and Similar Plans Field Assistance Bulletin No. 2007-01 Proposed Rule on Investment Advice Proposed Class Exemption on Investment Advice	Hearing on Computer Model Investment Advice Program for IRAs (transcript) Report to Congress on Investment Advice
Reporting		504	Electronic display of annual report information		Pension Plan Actuarial Information Search Instructions

Rollover	402	822	Allow rollover of after-tax amounts in annuity contracts		Publication 590 updated
	408, 408A	824	Allow direct rollovers from retirement plans to Roth IRAs	IRC §403(b) Final Regulations	Publication 571 updated
	402, 403, 457				Publication 575 updated
				Notice 2007-7, 2007-5 I.R.B. 395	Employee Plans News Special Edition
	402, 403, 457, ERISA §404	829	Allow rollovers by nonspouse beneficiaries of certain retirement plan distributions	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	Publication 590 updated
	402	822	Allow rollover of after-tax amounts in annuity contracts	Field Assistance Bulletin 2007-2 pertaining to §403(b) plans	Form 1099-R Instructions updated
	408, 408A	824	Allow direct rollovers from retirement plans to Roth IRAs		Employee Plans News Special Edition
	403, 457	829	Allow rollovers by nonspouse beneficiaries of certain retirement plan distributions		Publication 590 updated
					Publication 575 updated
					Form 1099-R Instructions updated
	408, 408A	824	Allow direct rollovers from retirement plans to Roth IRAs		Publication 560 updated
					Publication 571 updated
ERISA §404	829	Allow rollovers by nonspouse beneficiaries of certain retirement plan distributions		Class Exemption	
				Model Plan Termination Notice	
				Termination Notice	

Statements	ERISA §105	508	Periodic pension benefit statements	Field Assistance Bulletin No. 2006-03 Field Assistance Bulletin No. 2007-03	
Survivor annuity	417	1004	Requirement for additional survivor annuity option	Notice 2008-30, 2008-12 IRB 637	
Tax-Sheltered Annuities	403	821	Model Amendments for creating or amending 403(b) plans	Rev. Proc. 2007-71, 2007-51 IRB 1184 IRC §403(b) Final Regulations Field Assistance Bulletin 2007-2 pertaining to §403(b) plans	
Vesting	411	904	Faster vesting of employer nonelective contributions	Notice 2007-7, 2007-8 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

KEY:	IRS Guidance
	DOL Guidance
	PBGC Guidance