

Application for  
**Approval of Master or Prototype  
Defined Contribution Plan**  
(Form of Plan under Section 401(a) of the Internal Revenue Code  
and related Trust under Section 501(a) of the Internal Revenue Code)

**This Form is Open  
to Public Inspection**

**For IRS Use Only**  
Letter number  .....  
Issue date  .....  
EPMF status code .....  
File folder number  .....

**File Original and One Copy of This Form with Internal Revenue Service**

**Note: Form 3672 must be used for plans covering self-employed individuals.**

**Please complete every item on this form. If an item does not apply enter "N/A."**

**Section references are to the Internal Revenue Code**

**1 Approval requested:**  
(a)  Initial application  
(b)  Amendment—Enter  (1) Latest letter serial number or notification letter number (2) Date letter issued (3) File folder number

**2 (a) Name of sponsoring organization**  
Address (number and street)  
City or town, State and ZIP code  
**2 (b) Employer identification number of sponsor**

**3 (a) Name of person to be contacted**  
**3 (b) Telephone number** ( )

**4 Type of sponsoring organization:**  
(a)  Bank (b)  Insurance company  
(c)  Regulated investment company (d)  Trade or professional association (e)  Other  
**5 (a) Form of plan:**  
(1)  Master plan (2)  Prototype plan (3)  Field prototype plan  
(b) Plan is:  
(1)  Standardized (2)  Variable  
**6 Name of plan**

**Note: Items 7 through 9 do not apply to prototype plans.**  
**7 If plan is trustee enter name, address, and ZIP code of fiduciary (trustee or custodian)**  
**8 Date trust or custodial account executed**

**9 Month in which accounting period of trust or custodial account ends**  
**10 Type of plan:**  
(a)  Money-purchase (b)  Profit-sharing  
**11 Is this plan integrated with social security or railroad retirement?** . . . . .  Yes  No

**12 Type of funding entity:**  
(a)  Trust described in section 401(a) (b)  Non-trusteed (fully insured) (c)  Custodial account described in section 401(f)  
**13 Medium of funding (check each applicable box):**  
(a)  Individual annuity contracts (f)  Other group annuity contracts  
(b)  Individual contracts containing life insurance (g)  Stock of regulated investment companies (mutual funds)  
(c)  Group deposit administration contracts (h)  U.S. Retirement Bonds  
(d)  Group deferred annuity contracts (i)  Face amount certificates  
(e)  Group permanent contracts (j)  General investments

**14 Indicate the article or section and page number of the plan or trust where the following provisions are contained. All questions must be answered. If not applicable, check "N/A" column.**

	Yes	No	N/A	Article or Section and Page Number
<b>(a) Definitions:</b>				
(1) Does the plan define the following terms—				
(i) Compensation (if plan is integrated, all wages subject to tax under section 3101, without the dollar limitation of section 3121(a), must be included)?				
(ii) Break in service?				
(iii) Hour of service?				
(iv) Joint and survivor annuity?				
(v) Net profits (profit-sharing plans only)?				
(vi) Normal retirement age?				
(vii) Plan year?				
(viii) Taxable wage base (integrated plans only)?				
(ix) Year of service?				

Under penalties of perjury, I declare that I have examined this application, including accompanying statements and to the best of my knowledge and belief it is true, correct, and complete.

(Signature) (Title) (Date)







**14 (k) Miscellaneous plan provisions:**

- (1) Does the plan provide for disposition of dividends and other credits on insurance contracts? . . . . .
- (2) Does the plan prohibit the assignment or alienation of benefits? . . . . .
- (3) Does the plan provide that corpus or income may not be diverted for purposes other than the exclusive benefit of employees or their beneficiaries? . . . . .
- (4) Does the plan provide that after its merger, transfer of assets, or consolidation, benefits will be no less than before such merger, consolidation or transfer? . . . . .
- (5) Does the plan provide that if an adopting employer fails to attain or retain qualification, such employer can no longer participate under the master or prototype plan? . . . . .
- (6) Does the plan provide that funds held in a master trust on behalf of an adopting employer will be removed as soon as administratively feasible should such employer fail to attain or retain qualified status? . . . . .
- (7) Does the plan provide that all employees of all corporations, trades or businesses under common control shall be treated as employed by a single employer? . . . . .
- (8) Where the employer maintains the plan of a predecessor employer, does the plan provide that service with a predecessor employer is counted as service with the employer? . . . . .
- (9) Does the plan provide that in the event of any conflict between provisions of this plan and the terms of any policy or contract issued thereunder, the provisions of the plan shall control? . . . . .
- (10) If the plan is designated as a "Master" plan, is there only one trust or custodial account for all adopting employers? . . . . .

Yes	No	N/A	Article or Section and Page Number

**15 Procedural requirements:**

- (a)** Has power of attorney been submitted with application (or previously submitted)? . . . . .
- (b)** In the case of an initial request, have the following documents been submitted as required by instructions—
  - (1) Adoption agreement(s) (see specific instructions)? . . . . .
  - (2) Copy of plan? . . . . .
  - (3) Copy of trust indenture or custodial account? . . . . .
  - (4) Cover letter requesting field prototype approval and stating that the sponsor can reasonably expect at least 5 of its clients to adopt the plan? . . . . .
- (c)** In the case of a request involving an amendment, after initial qualification, have the following documents been included—
  - (1) A copy of the amendment(s)? . . . . .
  - (2) A description of the amendment covering the items changed and an explanation of the provisions before and after the amendment? . . . . .
  - (3) A completely restated plan (see specific instructions)? . . . . .
  - (4) A working copy of the plan in which there has been incorporated all of the previous amendments representing the provisions of the plan as currently in effect (see specific instructions)? . . . . .
  - (5) Consent of participating employers to amend plan (see specific instructions)? . . . . .
- (d)** If the plan is being amended for the first time to conform to the requirements of the Employee Retirement Income Security Act of 1974, or if this is a new plan which contains provisions that permit it to be substituted for a pre-existing plan, do you represent that within 90 days after receiving a favorable opinion letter, you will—
  - (1) Contact each employer who has previously adopted your pre-existing plan and give such employer an opportunity to decide whether to continue in the master or prototype plan and, if so, to amend his adoption agreement to participate under your amended plan or to adopt your new plan? . . . . .
  - (2) Advise those employers who cannot or do not adopt an amended plan or a new plan that such employers may not continue to participate under the master or prototype plan? . . . . .
  - (3) In the case of a prototype plan, advise each adopting employer of the possible need to amend the related trust agreement? . . . . .
- (e)** Is the plan and trust (or custodial account) agreement patterned after and substantially the same as another plan and trust (or custodial account) agreement and on which a favorable letter has been requested? . . . . .  
If "Yes," see specific instructions.

Yes	No

## General Instructions

Before submitting this application you should check to be sure that the information provided is accurate and complete in all respects. If an item does not apply, so indicate by entering "N/A" in that item. **Incomplete applications will be returned without action.**

**A. Purpose of Form.**—This application is to be used for initial approval and amendment of the form of:

- (1) A master or prototype defined contribution pension, annuity or profit-sharing plan, that does not include self-employed individuals.
- (2) A field prototype defined contribution pension or profit-sharing plan, that does not include self-employed individuals.

**B. Who May File.**—

(1) *Master or Prototype Plans.*—Trade or professional associations, banks (savings and loan associations that qualify as banks and Federally insured credit unions), insurance companies and regulated investment companies.

(2) *Field Prototype Plans.*—A firm, other than a firm which fits into the categories listed in B(1), whose clients number at least 25 employers who maintain corporate employee pension benefit plans.

**C. What to File.**—For initial approval file this application in duplicate and a single copy of each applicable document listed in item 15(b). For approval of an amendment file this application in duplicate and a single copy of each applicable document listed in item 15(c).

**D. Where to File.**—

(1) *Master or Prototype.*—Commissioner of Internal Revenue, Washington, D.C. 20224, Attention: E:EP:T.

(2) *Field Prototype.*—Each key District Director in whose jurisdiction the sponsor anticipates that the employers will adopt the form of plan.

**E. Signature.**—The application must be signed by a duly authorized partner or officer of the applicant or such other person authorized pursuant to a power of attorney properly executed and filed with the application.

## Note

**Disclosure Requested by Taxpayers.**—The Tax Reform Act of 1976 permits a taxpayer to request the Service to disclose and discuss the return or return information with respect to such taxpayer with any person or persons as the taxpayer may designate in a written request. A taxpayer wishing to designate a person or persons to assist in an application for approval must provide the IRS office of jurisdiction with a written request which must contain:

- (1) The taxpayer's name, address, employer identification number and plan number(s).
- (2) A statement which clearly identifies the person or persons whom the taxpayer has authorized to receive the return information. This information must include the person or persons whom the taxpayer has authorized to receive the return or return information. This information must include the person or persons' name, address and social security number. Also, the person or persons' telephone number(s) should be included.
- (3) A paragraph which clearly and explicitly describes the return and/or return information which the taxpayer authorizes the IRS to disclose.

## Specific Instructions

(Numbered to correspond with the item numbers on the form.)

**1.** Indicate whether this application is for an initial approval or an amendment to a previously approved plan by checking the appropriate box. If the application relates to an amendment of a previously approved plan enter the latest letter serial number or notification letter number, the date of such letter and the file folder number.

**5. Form of plan.**—A "Master Plan" is a form of plan in which the funding organization (trust, custodial account or insurer) is designated by the sponsoring organization. In the case of a master plan

there is only one trust or custodial account for all employers adopting the plan. A "Prototype Plan" is a form of a plan in which the funding organization may be designated by the adopting employer. In the case of a prototype plan, there is a separate trust or custodial account with respect to each employer adopting the plan.

A Field Prototype Plan is a form of plan which sponsors (see B, Who May File, (2)) of employee plans may file with Key District Directors for approval as to form.

**10. Target Benefit Plans check box (a).**

**15. Procedural requirements.**—A separate application must be filed for each plan submitted. Options provided by the plan must be set forth in a separate document known as the adoption agreement. In addition, where the plan contains more than one type of contribution formula, such as one integrated with social security and one not integrated with social security, a separate adoption agreement must be submitted for each such plan formula.

If a plan is being amended for the first time to conform to the requirements of the Employee Retirement Income Security Act of 1974, or if the plan has been amended at least three times since the last restated plan was submitted, one of the documents specified under item 15(c)(3) or (4) must be attached to this application.

If a restated plan is being submitted with this application a copy of the amendment and a description of such amendment need not be submitted.

If a written consent of participating employers is required attach copies of the signed consent of each participating employer.

**15(e).** If you checked "Yes" to this question you may attach an exhibit that gives the name of the plan and the file folder number. If the plan has been approved also give the IRS letter serial number or notification letter number and the date the plan was approved. If you show the language differences between the two plans and agreements, this information may expedite the review of your plan.