

Pension Protection Act of 2006

Sorted by Topic

PL 109-280, enacted 8-17-2006

Guidance/Other Information available as of 12/31/08

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 2007-94, 2007-51, IRB 1179 Notice 2007-3, 2007-2 IRB 255 Notice 2008-108, 2008-50 IRB XX	
Annual financial		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	

Topic	IRC/ERISA § Added, Changed or Impacted	PPA § No.	Description	Published Guidance	Other Information Available
Annual financial and actuarial information 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	
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 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)	

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Benefit plans				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	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)	
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		Explanation of how the PPA changes to PBGC's interest rate for determining variable rate premiums (the "VRP interest rate") 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		

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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			
	411				Employee Plans News Special Edition November 14, 2007			
	4979				Employee Plans News Special Edition November 7, 2007			
	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; Final Rule	Fact sheet on final rule			
QDIA Guidance - Correcting Amendments		Field Assistance Bulletin 2008-03	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	

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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			IRC §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				Form 1040 (Sch. A&B) Instructions modified
	402	845	Distributions from governmental retirement plans for health and long-term insurance for public safety officers		Form 1040 Instructions modified
	403			Notice 2007-99, 2007-	Form 1040NR Instructions modified

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	457			Notice 2007-55, 2007-52 I.R.B. 1243	Form 5329 Instructions modified
	408	1201(a)	Tax-free distributions from individual retirement plans for charitable purposes		Form 8606 Instructions modified
	401	823	Clarification of minimum distribution rules of government plans	IRC §§401(a)(9) and 403(b) Proposed Regulations	
	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	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)	
	401			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	
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	

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Effect of Treasury mortality tables on PBGC requirements	ERISA §§ 4006, 4010, and 4043	112(a)	Guidance on how the new Treasury mortality tables affect premiums calculations and certain reporting requirements	Technical Update 07-1: Effect of Treasury Mortality Tables on PBGC Requirements	
EGTRRA		811	Pensions and individual retirement arrangement provisions of Economic Growth and Tax Relief Reconciliation Act of 2001 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	
	404 412 415	402	Special funding rules for certain plans maintained by commercial airlines	Announcement 2006-70, 2006-40 I.R.B. 629 Notice 2006-105, 2006 50 I.R.B. 1093	

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Funding	4971			Notice 2008-7, 2008-3 I.R.B. 276	
		101, 102	Minimum funding standards	Notice 2006-75, 2006-36 I.R.B. 366	Schedule B Instructions modified
	412	111			
	430	112	Funding rules for single-employer defined benefit pension plans	Notice 2007-81, 2007-44 I.R.B. 899	
				Proposed §430(f) regulations on treatment of employer contributions	Employee Plans News Flash August 29, 2007
				Final regulations on certain mortality tables under PPA	
				Rev. Proc. 2007-37, 2007-25 I.R.B. 1433	
				REG-139236-07, 72 Fed. Reg. 74215 (Dec. 31, 2007)	
				Notice 2008-21, 2008-7 IRB 431	
	REG-108508-08, 73 Fed. Reg. 20203 (Apr. 15, 2008).				
Notice 2008-29, 2008-12 IRB 636					
Rev. Proc. 2008-62, 2008-42 I.R.B. 935					

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				Notice 2008-85, 2008-42 I.R.B. 905	
				Notice 2008-73, 2008-38 IRB 717	
	431	211	Funding rules for multiemployer defined benefit plans	Notice 2008-29, 2008-12 IRB 636 Rev Proc. 2008-67, 2008-48 IRB 1211	
	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 premium regulations on determining funding-related amounts for purposes of reporting under §§4010 and 4043.	Technical Update 07-2: Funding-Related Determinations for Reporting Under Parts 4010 and 4043	
Hardships	401	826	Modifications of rules governing hardships	Announcement 2007-59, 2007-25 I.R.B. 1448	Publication 571 updated
	403			Field Assistance Bulletin 2007-2 pertaining to §403(b)	

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	409		and unforeseen financial emergencies	IRC §403(b) Final Regulations Notice 2007-7, 2007-5 I.R.B. 395	Publication 560 updated
Indexing	219 25B 408A	833	Inflation indexing of gross income limitations on certain retirement savings incentives	Rev. Proc. 2006-53	Publication 590 updated Publication 571 updated 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	
Lump sum assumptions for terminating single-employer	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	

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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).	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) 4980F	502	Access to multiemployer pension plan information	Proposed Rule on Multiemployer Plan Information Made Available on Request REG-110136-07, 73 Fed. Reg. 15101 (Mar. 21, 2008).	

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Notice	ERISA §502(c)(7)	507	Notice of freedom to divest employer securities	Final DOL regulations on civil penalties under ERISA §502(c)(7) Notice 2006-107, 2006-51 I.R.B. 1114	
	401		1102	Notice and consent	
	402	Consequences of failure to defer			
	411	Notice and consent			
	417	Notice and consent period regarding distributions			
Participant notice of plan underfunding	ERISA §4011	501	<p>§4011 of ERISA requires certain underfunded plans to notify participants of plan funding status and the limits on the PBGC's guarantee. PPA repealed §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.</p>	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	

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PBGC		505	§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 IRC §403(b) Final Regulations IRC §415 Final Regs	Publication 560 updated Publication 571 updated
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	

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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>	<p>Proposed Rule on Premium Rates; Payment of Premiums; Flat Premium Rates, Variable-Rate Premium Cap, and Termination Premium</p>	
		405	<p>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.</p>	<p>Proposed Rule on premium Rates; Payment of Premiums; Variable-Rate Premium</p>	
		401(a)	<p>PPA and other changes in the variable-rate premium for plan years beginning on or after January 1, 2008</p>	<p>Final Rule on Premium Rates; Payment of Premiums; Variable-Rate Premium</p>	

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		401(b), 402(g)(2)(B), and 405	Increases and indexes flat-rate 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)(ii)(2) and ERISA § 206(g)(3)(C)(i)(II).	Technical Update 07-4: Present Value of the Maximum PBGC Guaranteed Benefit	
Prohibited transaction	4975 ERISA	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	Hearing on Computer Model Investment Advice Program for IRAs (transcript) Hearing on Computer Model Investment

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	ERISA §408(b)(14), 408(g)			Statutory Exemption for Cross-Trading of Securities	Advice Program for IRAs (transcript)
				Proposed Rule on Investment Advice Proposed Class Exemption on Investment Advice	Report to Congress on Investment Advice
Reporting		504	Electronic display of annual report information		Actuarial Information Search
	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	
Rollover	403		Allow direct rollovers from retirement plans	IRC §403(b) Final Regulations	Publication 560 updated

Topic	IRC/ERISA § Added, Changed or Impacted	PPA § No.	Description	Published Guidance	Other Information Available
	408, 408A	824	Allow direct rollovers from retirement plans to Roth IRAs	Notice 2007-7, 2007-5 I.R.B. 395	Publication 571 updated
	457				Publication 590 updated
	ERISA §404	829	Allow rollovers by nonspouse beneficiaries of certain retirement plan distributions		Publication 575 updated
					Form 1099-R Instructions updated
					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(b)	821	Model Amendments for creating or amending 403(b) plans	Rev. Proc. 2007-71, 2007-51 IRB 1184	
Vesting	411	904	Faster vesting of employer nonelective contributions	Notice 2007-7, 2007-5 I.R.B. 395	
	72				News Release IR-2006-152 Publication 590 updated

Topic	IRC/ERISA § Added, Changed or Impacted	PPA § No.	Description	Published Guidance	Other Information Available
Withdrawals	401	827	Penalty-free withdrawals from retirement plans for individuals called to active duty for at least 179 days		Publication 560 updated
	6511				Publication 571 updated Publication 575 updated Form 5329 Instructions updated

IRS Guidance	KEY:
DOL Guidance	
PBGC Guidance	