## Instructions for Form 5500-EZ

## Annual Return of One-Participant (Owners and Their Spouses) Retirement Plan

Section references are to the Internal Revenue Code unless otherwise noted.

## Changes To Note

Under the Pension Protection Act of 2006, the requirements for filing annual returns with respect to one-participant retirement plans have been modified to ensure that such plans (and any other plans of the employer) with total assets of $\$ 250,000$ or less as of the close of the plan year beginning on or after January 1, 2007, will not have to file a return for that year upon meeting the five conditions under Who May File Form 5500-EZ (see General Instructions).

Plans beginning on or before December 31, 2006, for which a Form 5500-EZ was required to be filed, will not need to continue filing the Form 5500-EZ unless their total plan assets (for one or more one-participant plans, separately or together) exceed $\$ 250,000$ at the close of the plan year beginning on or after January 1, 2007.

## EFAST Filing System

Under the computerized ERISA Filing Acceptance System (EFAST), you can choose between two computer scannable forms to complete and file your 2007 Form 5500-EZ: "machine print" and "hand print." Machine print forms are completed using computer software from EFAST approved vendors and can be filed electronically or by mail (including certain private delivery services). Hand print forms may be completed by hand, typewriter or by using computer software from EFAST approved vendors. Hand print forms can be filed by mail (including certain private delivery services); however, they cannot be filed electronically. For more information, see the instructions for How To File on page 3.

## EFAST Filing Tips

To reduce the possibility of correspondence and penalties, we remind filers that:

- Paper forms must be obtained from the IRS or printed using software from an EFAST approved software developer.
- Hand print and machine print forms generated by EFAST approved software will not be processed if they are printed out blank, or with limited information, and then completed by pen or typewriter. Only official hand print paper forms printed by the IRS may be completed by pen or typewriter.
- All information should be in the specific fields or boxes provided on the forms and schedules. Information entered outside of the fields or boxes may not be processed.
- Filings using photocopies of the computer scannable forms may be returned or cause correspondence requiring additional information.
- Do not use felt tip pens or other writing instruments that can cause signatures or data to bleed through to the other side of the paper. One-sided documents should have no markings on the blank side.
- Paper should be clean without glue or other sticky substances.
- Do not staple the forms. Use binder clips or other fasteners that do not perforate the paper.
- Do not submit extraneous material or information, such as arrows used to indicate where to sign, notes between preparers of the report, notations on the form, for example, "DOL copy," etc.
- Do not attach or send any payments to EFAST.


## Telephone Assistance

If you need assistance completing this form, want to confirm the receipt of forms you submitted, or have related questions, call the EFAST Help Line at 1-866-463-3278 (toll-free) and follow the directions as prompted. The EFAST Help Line is available Monday through Friday from 8:00 am to 8:00 pm, Eastern Time.

## How To Get Forms and Publications

## Personal computer.

You can access the IRS's Internet 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 on-line by topic or keyword.
- Send comments or request help by email.
- Sign up to receive local and national tax news by email.
Telephone.
You can order forms and IRS publications by calling 1-800-TAX-FORM (1-800-829-3676). You can order EBSA publications by calling 1-866-444-EBSA (3272).


## General Instructions

## Purpose of Form

Form 5500-EZ is a simpler form that you can use if you have a one-participant retirement plan and you meet the five conditions listed under Who May File Form 5500-EZ. If you do not meet the five conditions, see Form 5500, Return/Report of Employee Benefit Plan, for reporting requirements.

Retirement plans can be either defined contribution plans (which include profit-sharing plans, money
purchase pension plans, stock bonus plans, and employee stock ownership plans (ESOPs)) or defined benefit pension plans.

## Who May File Form 5500-EZ

You may file Form 5500-EZ instead of Form 5500 if you meet all of the following conditions:

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. (The business 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 meets the minimum coverage requirements of section $410(\mathrm{~b})$ without being combined with any other plan you may have that covers other employees of your business. See the instructions for line 14c for more information.
3. The plan does not provide benefits for anyone except you, or you and your spouse, or one or more partners and their spouses.
4. The plan does not cover a business that is a member of:
a. An affiliated service group,
b. A controlled group of corporations, or
c. A group of businesses under common control.
5. The plan does not cover individuals of a business that uses leased employees. For an explanation of the technical terms above, see Definitions on page 4.

If you do not meet all five of the conditions listed above, file Form 5500 instead of Form 5500-EZ. If you meet all five of the conditions, read Who May Not Have To File.

## Who May Not Have To File

You do not have to file Form 5500-EZ (or Form 5500) for a plan year (other than the final plan year) that begins on or after January 1, 2007, if you meet the five conditions above and you have one or more one-participant plans that separately or together had total assets of \$250,000 or less at the end of that plan year.

## Example for plan years beginning on or after

 January 1, 2007. If total assets in a plan (or in two or more plans, separately or together), that otherwise satisfies the requirements for filing the Form 5500-EZ, exceeded $\$ 250,000$ at the end of the 2007 plan year, a Form 5500-EZ must be filed for each plan for the 2007 plan year.Final plan year. All one-participant plans should file the Form 5500-EZ for their final plan year indicating that all assets have been distributed. The final plan year is the year in which distribution of all plan assets is completed. Check the "final return" box at the top of Form 5500-EZ if all assets under the plan(s) (including insurance/annuity contracts) have been distributed to the participants and beneficiaries or distributed to another plan.

## What To File

For plan years beginning on or after January 1, 2007, one-participant retirement plans should complete and file a Form 5500-EZ (for each plan) for every plan year when their total plan assets (for one or more plans, separately
or together) exceed $\$ 250,000$ at the close of the plan year.
Note. Effective beginning with calendar plan year 2005, filers of Form 5500-EZ are no longer required to file any schedules or attachments (including the Schedule B (Form 5500)) with the Form 5500-EZ. Filers, however, must collect and retain completed and signed Schedule $B$, if applicable. This change does not eliminate the requirement to both perform an annual valuation and maintain the funding standard account for all plans subject to the minimum funding requirements of section 412.

## When To File

File the 2007 return for plan years that started in 2007. The Form 5500-EZ must be filed by the last day of the 7th calendar month after the end of the plan year that began in 2007 (not to exceed 12 months in length).
Note. If the filing due date falls on a Saturday, Sunday, or Federal holiday, the return may be filed on the next day that is not a Saturday, Sunday, or Federal holiday.

## Private Delivery Service

You can use certain private delivery services designated by the IRS to meet the "timely mailing as timely filing/ paying" rule for tax returns and payments. The private delivery services include only the following:

- DHL Express (DHL): DHL Same Day Service, DHL Next Day 10:30 am, DHL Next Day 12:00 pm, DHL Next Day 3:00 pm, and DHL 2nd Day Service.
- Federal Express (FedEx): FedEx Priority Overnight, FedEx Standard Overnight, FedEx 2Day, FedEx International Priority, and FedEx International First. - United Parcel Service (UPS): UPS Next Day Air, UPS Next Day Air Saver, UPS 2nd Day Air, UPS 2nd Day Air A.M., UPS Worldwide Express Plus, and UPS Worldwide Express.

The private delivery service can tell you how to get written proof of the mailing date. See Where To File for the street address when using a private delivery service.

## Extension of Time To File

A one-time extension of time to file Form 5500-EZ (up to $21 / 2$ months) may be obtained by filing Form 5558,
Application for Extension of Time To File Certain Employee Plan Returns, on or before the normal due date (not including any extensions) of the return. You must file Form 5558 with the IRS.

Approved copies of the Form 5558 will not be returned to the filer. However, a photocopy of the completed extension request that was filed must be attached to the Form 5500-EZ.

File Form 5558 with the Department of the Treasury, Internal Revenue Service Center, Ogden, UT 84201-0027.
Exception. One-participant plans are automatically granted an extension of time to file Form 5500-EZ until the extended due date of the Federal income tax return of the employer (and are not required to file Form 5558) if all 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-EZ, and (3) a copy of the application for extension of time to file the Federal income tax return is attached to the Form 5500-EZ. Be
sure to check box B at the top of the form. An extension granted by using this exception cannot be extended further by filing a Form 5558 after the normal due date (without extension) of Form 5500-EZ.

## Short Plan Year

For a short plan year, file a return by the last day of the 7th month following the end of the short plan year. Modify the heading of the form to show the beginning and ending dates of your short plan year and check box $A(4)$ for a short plan year. If this is also the first or final return, check the appropriate box (box $A(1)$ or $A(3)$ ).

## Where To File

File the Form 5500-EZ using the following applicable address.

## By mail:

## Address for filing on paper

EBSA
P.O. Box 7042

Lawrence, KS 66044-7042

## Address for filing on floppy disc, CD-ROM, or tape

EBSA
P.O. Box 7041

Lawrence, KS 66044-7041

## By private delivery service:

Address for filing on paper, floppy disc, CD-ROM, or tape

EBSA
Attn: EFAST
3833 Greenway Drive
Lawrence, KS 66046-5502

## How To File

## Paper and Electronic Filing

As described in more detail below, the 2007 forms are available in two computer scannable formats: machine print and hand print (the questions are the same).

Filers can choose a machine print format that is completed by using EFAST approved computer software that produces computer scannable 2-D bar codes on the bottom of each page. Machine print forms can be filed on paper, magnetic tape, floppy diskette, or CD-ROM by mail (including certain private delivery services) or filed electronically by approved EFAST transmitters (authorized transmitters of forms by modem or file transfer protocol). Filers can also choose a hand print format that can be completed in one of two ways. You may complete the IRS printed paper forms by hand or typewriter. You may also choose to complete the hand print form by using computer software from EFAST approved vendors.


Computer-generated forms CANNOT be printed out blank, or with limited information, and then completed by pen or typewriter. These forms must be completed entering the data by computer.

The hand print format uses special printing standards that enables EFAST to scan the hand, typewritten, and
computer entries and must be filed by mail (including certain private delivery services). Hand print forms are available from the IRS as discussed in How To Get Forms and Related Publications on page 1. See www. efast.dol.gov for a list of approved software vendors.

## Form 5500-EZ Completed by Pen

Use only the official hand print form. Enter only a single letter or number within each box using blue or black ink. Abbreviate if necessary. Where numbers are required, do not enter dollar signs, commas, or decimal points. To indicate a negative number, enter a minus sign "-" in the box to the left of the number. See example below.


## Form 5500-EZ Completed by Typewriter

Use only the official hand print form. Type within the row of boxes and ignore the vertical lines between the boxes. The number of entries should not exceed the number of boxes (for example, if there are 13 boxes, the numbers or letters entered should not exceed 13). Abbreviate if necessary. Where numbers are required, do not enter dollar signs, commas, or decimal points. See the example of a typewritten positive number below. To indicate a negative number, enter a minus sign "-" in the box to the left of the number.


## Form 5500-EZ Completed by Using Computer Software

Use only software from an approved software vendor, which may produce either a machine print or hand print form.

All forms completed using computer software must be submitted on paper (except for machine print forms submitted electronically, as described below). Paper filings must be printed on only one side of standard $81 / 2$ by 11 inch paper and mailed to the address listed under Where To File on this page.

To submit a machine print Form 5500-EZ electronically, use only software from an approved software vendor. An electronic signature and an encryption key must be obtained by filing the Application for EFAST Electronic Signature and Codes for EFAST Transmitters and Software Developers Form EFAST-1. You may, following the software's instructions, either (1) save the completed machine print Form 5500-EZ to a 3.5 inch floppy disc, CD-ROM, 4 mm or 8 mm DAT, 3480 or 3490 cartridge, or 9-track tape and submit the Form $5500-E Z$ by mail or private delivery service or (2) submit by modem or FTP.

See www.efast.dol.gov for a list of approved software vendors, the Form EFAST-1 and additional information.

## Amended Return

File an amended Form 5500-EZ to correct errors and/or omissions in a previously filed annual return for the 2007 plan year. The amended Form 5500-EZ must conform to the requirements in this How To File section.

回If you are filing a corrected return in response to correspondence from EBSA regarding processing of your return, do not check the box for "an amended return" (Part I, box A(2)) on Form 5500-EZ.

The procedure for amending the return depends upon the type of form filed as specified:

## Paper Forms

Submit a completed, signed, and dated Form 5500-EZ (be certain to check box A(2)).

## Electronic Forms

Submit a completed and dated Form 5500-EZ with electronic signature (be certain to check box A(2)). See the DOL website at www.efast.dol.gov for information on electronic filing of amended returns.

## Signature and Date

The plan administrator or employer (owner) must sign and date Form 5500-EZ.

## Penalties

The Internal Revenue Code imposes a penalty of \$25 a day (up to $\$ 15,000$ ) for not filing returns in connection with pension, profit-sharing, etc., plans by the required due date.

## Schedules

Actuaries of defined benefit plans subject to the minimum funding standards for this plan year must complete Schedule B (Form 5500), Actuarial Information, and forward the completed schedule to the person responsible for filing the Form 5500-EZ. The completed Schedule B is subject to the record retention provisions of these instructions. See the instructions for Schedule B (Form 5500).

## Definitions

Organizations defined in Affiliated Service Group or Controlled Group of Corporations and a Group of Trades or Businesses Under Common Control must file Form 5500 rather than Form 5500-EZ.

## Affiliated Service Group

In general, two or more businesses may be an affiliated service group if: (a) one or more of the businesses (or the shareholders, officers, or highly compensated employees of one or more of the businesses) has an ownership interest in any of the other businesses, and (b) any of the businesses provide services to any of the other businesses (or the businesses are associated to provide services to third parties). If this applies to your business, read the rest of this definition for more details.

Section 414(m)(2) defines an affiliated service group as a group consisting of a service organization (referred to below as the "first service organization" (FSO)) and:

1. A service organization (A-ORG) that is a shareholder or partner in the FSO and that regularly performs services for the FSO or is regularly associated with the FSO in performing services for third persons and/or
2. Any other organization (B-ORG) if:
a. A significant portion of the business of that organization consists of performing services for the FSO or A-ORG of a type historically performed by employees in the service field of the FSO or A-ORG, and
b. $10 \%$ or more of the interest of the B-ORG is held by persons who are officers, highly compensated employees, or owners of the FSO or A-ORG.

An affiliated service group also includes a group consisting of: (a) an organization whose principal business is performing management functions on a regular and continuous basis for another organization (or one organization and other related organizations), and (b) the organization (and related organizations) for which such functions are performed. See section 414(m)(5).

## Controlled Group of Corporations and a Group of Trades or Businesses under Common Control

These are corporations or unincorporated businesses in which there is common ownership or control by one or more individuals or persons. See sections 414(b) and 414(c).

## Leased Employee

Under section 414(n), a leased employee provides employee services for you that are performed under your primary direction and control, the individual provides services on a substantially full-time basis for at least a year, and the services are provided pursuant to an agreement between you and a leasing organization.

## Disqualified Person

Generally, a disqualified person in the case of a sole proprietorship or partnership includes you, your partners, your relatives and your partner's relatives, and other businesses in which you, your partners, or the partnership have an interest. In the case of a corporation, another corporation in which your corporation has an interest may be a disqualified person.

Specifically, the term "disqualified person" means:

1. Any fiduciary (including, but not limited to, any administrator, officer, trustee, or custodian), or counsel;
2. A person providing services to the plan;
3. An employer any of whose employees are covered by the plan;
4. An employee organization any of whose members are covered by the plan;
5. An owner, direct or indirect, of $50 \%$ or more of: (a) 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, (b) the capital interest or the profits interest of a partnership, or (c) the beneficial interest of a trust or unincorporated enterprise, which is an employer or an employee organization described in paragraph 3 or 4;
6. A member of the family (as defined in section 4975(e)(6) of the Internal Revenue Code) of any individual, described in paragraph 1, 2, 3, or 5;
7. A corporation, partnership, or trust or estate of which (or in which) $50 \%$ or more of: (a) 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, (b) the capital interest or profits interest of such partnership, or (c) the beneficial interest of such trust or estate is owned directly or indirectly, or held by persons described in paragraph 1, 2, 3, 4, or 5;
8. An officer, director (or an individual having power or responsibilities similar to those of officers or directors), or a $10 \%$ or more shareholder, directly or indirectly, of a person described in paragraph $3,4,5$, or 7 ; or
9. A $10 \%$ or more (directly or indirectly in capital or profits) partner or joint venturer of a person described in paragraph 3, 4, 5, or 7 .

## Specific Instructions

## Information at the Top of the Form

Check box $A(1)$ if this is the first filing for this plan. Do not check this box if you have ever filed for this plan, even if it was a different form (for example, Form 5500).

Check box A(2) if you have already filed for the 2007 plan year and are now filing an amended return to correct errors and/or omissions on the previously filed return.

Check box $\mathrm{A}(3)$ if all assets under the plan(s) (including insurance/annuity contracts) have been distributed to the participants and beneficiaries or distributed to another plan. The final plan year is the year in which distribution of all plan assets is completed.

Check box $A(4)$ if this form is filed for a period of less than 12 months. Show the dates at the top of the form.
Line 1a. Enter the formal name of the plan or sufficient information to identify the plan.
Line 1b. Enter the three-digit number the employer assigned to the plan. Plans should be numbered consecutively starting with 001.

Once a plan number is used for a plan, it must be used as the plan number for all future filings of returns for the plan, and this number may not be used for any other plan even after the plan is terminated.
Line 1c. Enter the date the plan first became effective.
Line 2a. Each row of boxes on the hand print forms is designed to contain specific information regarding the employer. Please limit your response to the information required in each row of boxes as specified below:

1. Enter in the first two rows of boxes labeled 1) the name of the employer.
2. Enter in row 2) any "in care of ( $\mathrm{C} / \mathrm{O}$ )" name.
3. Enter in row 3) the street address. A post office box number may be entered if the Post Office does not deliver mail to the employer's street address.
4. Enter in row 4) the name of the city.
5. Enter in row 5) the two character abbreviation of the U.S. state or possession and zip code.
6. Enter in row 6) the foreign routing code, if applicable. Leave row 5), U.S. state and zip code, blank if entering information in rows 6) and 7).
7. Enter in row 7) the foreign country, if applicable.
8. Enter in row 8 ) the "doing business as (D/B/A)" or trade name of the employer if different from the name entered in 1).
9. Enter in the rows of boxes labeled 9) any second address. Use only a street address, not a P.O. box, here. A P.O. box may be entered only in row 3).

Line 2b. Enter the employer's nine-digit employer identification number (EIN). For example, 00-1234567. Do not enter your Social Security Number.

Employers who do not have an EIN should apply for one on Form SS-4, Application for Employer Identification Number, as soon as possible. You can obtain Form SS-4 by calling 1-800-TAX-FORM (1-800-829-3676) or at the IRS website at www.irs.gov. The EBSA does not issue EINs.

Note. Although EINs for funds (trusts or custodial accounts) associated with plans are generally not required to be furnished on the Form 5500, 5500-EZ, or schedules, the IRS will issue EINs for such funds for other reporting purposes. EINs may be obtained by filing Form SS-4 as explained above.
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 9,10, and 11.
Line 3a. Each row of boxes on the hand print forms is designed to contain specific information regarding the plan administrator. Please limit your response to the information required in each row of boxes as specified below:

1. Enter in the first two rows of boxes labeled 1) the name of the plan administrator unless the administrator is the employer identified in line 2. If this is the case, enter the word "same" on line 3a and leave the remainder of line $3 a$, and all of lines $3 b$ and $3 c$ blank.
2. Enter in row 2) any "in care of (C/O)" name.
3. Enter in row 3) the street address. A post office box number may be entered if the Post Office does not deliver mail to the administrator's street address.
4. Enter in row 4) the name of the city.
5. Enter in row 5) the two character abbreviation of the U.S. state or possession and zip code.
6. Enter in rows 6) and 7) the foreign routing code and foreign country, if applicable. Leave row 5), U.S. state and zip code, blank if entering information in rows 6) and 7).

Line 3b. Enter the plan administrator's nine-digit EIN. A plan administrator must have an EIN for Form 5500-EZ reporting purposes. If the plan administrator does not have an EIN, apply for one as explained in the instructions for line 2 b .
Line 4. If the employer's name and/or EIN have changed since the last return was filed for this plan, enter the employer's name, EIN, and the plan number as it appeared on the last return filed for this plan.
Line 5. (Optional) You may use this line to designate the person or entity that is principally responsible for the preparation of the annual return.
Line 5a. Each row of boxes on the hand print forms is designed to contain specific information regarding the preparer. Please limit your response to the information required in each row of boxes as specified below:

1. If the person who prepared the annual return is not the employer named in line $2 a$ or the plan administrator named in line 3a, you may name the person in the first two rows of boxes labeled 1).
2. Enter in row 2) the street address. If the Post Office does not deliver mail to the street address and the preparer has a P.O. box, enter the box number.
3. Enter in row 3) the name of the city.
4. Enter in row 4) the two character abbreviation of the U.S. state or possession and zip code.
5. Enter in rows 5) and 6) the foreign routing code and foreign country, if applicable. Leave row 4), U.S. state and zip code, blank if entering information in rows 5) and $6)$.
Line 6. Check one box on this line. Profit-sharing, employee stock ownership (ESOP), stock bonus, and money purchase pension plans are types of defined contribution plans. A "defined contribution plan" is a plan
that provides for an individual account for each participant and for benefits based solely on the amount in such account. If a plan is not a defined contribution plan, it is a defined benefit plan.
Line 6a. Check this box if the plan is a defined benefit plan other than an insurance contract plan described in section 412(i) (see line 6b). All defined benefit pension plans are subject to the minimum funding requirements, except certain insurance contract plans described in section 412(i), church plans, governmental plans, and certain other plans described in section 412(h). Any defined benefit pension plan subject to these minimum funding requirements must maintain a funding standard account for each year. If Form 5500-EZ is filed for the plan, or if the plan has not received contributions sufficient to meet minimum funding requirements, a Schedule B (Form 5500) must be completed and retained with the plan records.
Line 6b. Check this box if the plan is an insurance contract plan described in section 412(i). For a defined benefit pension plan, check either box 6 a or box 6 b .
Line 6c. Check this box if the plan is a defined contribution plan with or without a waived funding deficiency being amortized in the current plan year. In this situation, complete only lines 3, 8a, 9, and 10 of Schedule B and retain the schedule with the plan records. An enrolled actuary does not have to sign the Schedule B under these circumstances.
Line 7a. If this plan is a master/prototype plan, enter the latest opinion letter number issued for the master/ prototype plan. If this plan is a regional prototype plan, enter the latest notification letter number issued for the regional prototype plan. Leave line 7a blank if this plan is not a master/prototype plan or a regional prototype plan.
Line 7b. Check box (1) if you, or you and your spouse together, own 100\% of the business which maintains the plan, and the business is unincorporated. Check box (2) if you are a partner in the partnership which maintains the plan. Check box (3) if you, or you and your spouse jointly, own $100 \%$ of the shares of the corporation which maintains the plan.
Line 8 b. File a separate Form 5500-EZ for each plan if you have two or more one-participant plans with combined total assets exceeding \$250,000 at the end of the plan year.
Line 9. In general, distributions received by participants from any qualified plan prior to attainment of age $591 / 2$, death, or disability will be subject to a $10 \%$ tax on the amount of the distributions (in addition to the income tax owed on the amount distributed). In addition, individuals generally must begin to receive distributions from qualified plans by April 1 of the calendar year following the calendar year in which they reach age $701 / 2$.

For more details on early distributions and excess accumulations in qualified retirement plans, see Pub. 560, Retirement Plans for Small Business, and Pub. 590, Individual Retirement Arrangements (IRAs). In addition, Form 5329, Additional Taxes on Qualified Plans (Including IRAs) and Other Tax-Favored Accounts, contains detailed information on how to report any excise tax or additional income tax in connection with your plan. These publications and the form can be downloaded at the IRS website www.irs.gov.
Line 10. Do not include transfers received or rollovers received from other plans on lines 10b and 10c. Those should be included on line 11a.

Line 10b. Enter the total cash contributions received by the plan during the year and the contributions owed to the plan at the end of the plan year including contributions for administrative expenses.
Line 10d. Enter the total plan distributions made to participants or beneficiaries (including those distributions that are rolled over, whether or not in a direct transfer under section 401(a)(31)). If distributions include securities or other property, include the current value of the securities or other property at the date these assets were distributed. For distributions of insurance or annuity contracts to participants, enter the cash value of the contract when distributed.

Also report on line 10d a participant loan that is included in line 11a, column (a) (total plan assets beginning of year) and that has been deemed distributed during the plan year or any prior year under the provisions of section 72(p) and Treasury Regulations section $1.72(p)$-1 provided both of the following circumstances apply:

- Under the plan, the participant loan is treated as a directed investment solely of the participant's individual account; and
- 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 reported on line 10d. Instead, the current value of the participant loan (including interest accruing thereon after the deemed distribution) should be included on line 11a, column (b) (plan assets - end of year) and on line 12e (participant loans), without regard to the occurrence of a deemed distribution.
Note. Although certain participant loans that are deemed distributions are to be reported on line 10d and are not to be reported as an asset thereafter, they are still considered outstanding loans and are not treated as actual distributions for certain purposes. See Q\&As 12 and 19 of Regulations section 1.72(p)-1.
Line 10e. Enter the total plan distributions made during the year attributable to employee contributions or other basis under the plan.
Line 10f. Enter the amount of assets transferred (under section 414(I)) from this plan to another plan, if any. Do not include rollovers or direct transfers under section 401(a)(31) included on line 10d.
Line $\mathbf{1 0 g}$. Include rollovers, direct transfers under section 401(a)(31), transfers under section 414(I), and net income received by the plan for the year. Do not include unrealized gains or losses.
Line $10 \mathrm{i}(1)$. This plan is subject to the minimum funding requirements (see Code section 412 and Part 3 of Title I of ERISA) if the enrolled actuary must sign the 2007 Schedule B (Form 5500). See the 2007 Instructions for Schedule B (Form 5500).
Note. If you answer "No," skip to line 11.
Line 10i(2). The enrolled actuary must have signed the 2007 Schedule B (Form 5500) and line 10 of the Schedule B must be \$0 or blank to certify that the 2007 minimum funding requirements have been met. See the 2007 Instructions for Schedule B (Form 5500).
Note. If you answer "Yes," skip to line 11.
Line 10i(3). If the plan has an accumulated funding deficiency, the amount of the deficiency will appear on line 10 of the 2007 Schedule B (Form 5500). The plan
does not have an accumulated funding deficiency if line 10 of the 2007 Schedule B (Form 5500) is \$0 or blank. See the 2007 Instructions for Schedule B (Form 5500).

Line 11a. "Total plan assets" includes rollovers and transfers received from other plans, and unrealized gains and losses such as appreciation/depreciation in assets.
Note. Do not include in column (b) a participant loan that has been deemed distributed if the loan has been reported on line 10d in accordance with the instructions for line 10d.
Line 11b. Do not include the value of future distributions that will be made to participants.
Line 12a. Enter the value of the plan's participation in a partnership or joint venture.
Line 12b. The term "employer real property" means real property (and related personal property) that is leased to an employer of employees covered by the plan, or to an affiliate of such employer. For purposes of determining the time at which a plan acquires employer real property for purposes of this line, such property shall be deemed to be acquired by the plan on the date on which the plan acquires the property or on the date on which the lease to the employer (or affiliate) is entered into, whichever is later.
Line 12d. An employer security is any security issued by an employer (including affiliates) of employees covered by the plan. These may include common stocks, preferred stocks, bonds, zero coupon bonds, debentures, convertible debentures, notes and commercial paper.
Line 12e. Enter on this line all loans to participants including residential mortgage loans that are subject to section $72(\mathrm{p})$. Include the sum of the value of the unpaid principal balances, plus accrued but unpaid interest, if any, for participant loans made under an individual account plan with investment experience segregated for each account made in accordance with 29 CFR 2550.408b-1 and which are secured solely by a portion of the participant's vested accrued benefit. When applicable, combine this amount with the current value of any other participant loans.
Note. Do not include on line 12e a participant loan that has been deemed distributed if the loan has been reported on line 10d in accordance with the instructions for line 10d.

After a participant loan that has been deemed distributed is reported on line 10d, it is no longer to be reported as an asset unless the participant resumes repayment under the loan in a later year. 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 section $72(p)(2)(A)$ to determine the maximum amount of subsequent loans. The loan is also considered outstanding for other purposes, such as the qualification requirements of section 401(a), including, for example, the determination of top-heavy status under section 416. See Q\&As 12 and 19 of Regulations section 1.72(p)-1.
Line 12f. Enter all loans made by the plan except participant loans reported on line 12e. These include loans for construction, securities loans, mortgage loans (either by making or participating in the loans directly or by purchasing loans originated by a third party), and other miscellaneous loans. Include on this line residential mortgage loans that are not subject to section 72(p).

Line 12g. Include all property that has concrete existence and is capable of being processed, such as goods, wares, merchandise, furniture, machines, equipment, animals, automobiles, etc. This includes collectibles, such as works of art, rugs, antiques, metals, gems, stamps, coins, alcoholic beverages, musical instruments, and historical objects (documents, clothes, etc.). Do not include the value of a plan's interest in property reported on lines 12a through 12f, or intangible property, such as patents, copyrights, goodwill, franchises, notes, mortgages, stocks, claims, interests, or other property that embodies intellectual or legal rights.
Line 13. Section 4975 prohibits certain transactions between a plan and any disqualified person and imposes an excise tax on each prohibited transaction.

The section 4975 tax is paid with the filing of Form 5330, Return of Excise Taxes Related to Employee Benefit Plans. References to disqualified person transactions refer to all such transactions, not only those that are prohibited.

See Definitions on page 4 for the meaning of "disqualified person."
Line 14b. Count your spouse and your partners' spouses only if they work in the business and benefit under the plan.
Line 14c. Your plan meets the minimum coverage requirements of section 410(b), for purposes of Form $5500-E Z$, if the employees of your business (other than those benefiting under the plan) are:

1. Covered by a collective-bargaining agreement, under which retirement benefits were subject to good-faith bargaining,
2. Nonresident aliens who receive no earned income from you that constitutes income from sources within the United States, or
3. Not eligible because they do not meet the plan's minimum age or years-of-service requirements.

Note. You cannot use Form 5500-EZ if you have employees covered by another plan and this one-participant plan relies on that plan to meet the minimum coverage requirements. Use Form 5500 instead.

Line 15b. A qualified joint and survivor annuity is an immediate annuity for the life of the participant, with a survivor annuity for the life of the spouse that is not less than $50 \%$ of, and is not greater than $100 \%$ of, the amount of the annuity that is payable during the joint lives of the participant and the spouse. The qualified joint and survivor annuity may be provided either by the purchase of an annuity contract from an insurance company or directly from the plan's trust. See section 417(b).

## Privacy Act and Paperwork Reduction Act Notice.

We ask for the information on this form to carry out the Internal Revenue laws of the United States. This form is required to be filed under section 6058(a) of the Internal Revenue Code. Section 6109 requires you to provide your taxpayer identification number (SSN or EIN). If you fail to provide this information in a timely manner, you may be liable for penalties and interest. Section 6104(b) makes the information contained in this form publicly available. Therefore, the information will be given to anyone who asks for it and may be given to the Pension Benefit Guaranty Corporation (PBGC), Department of Justice for civil and criminal litigation, and cities, states
and the District of Columbia for use in administering their tax laws.

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 or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of ERISA or the Internal Revenue Code. Generally, the Form 5500 series return/reports and some of the related schedules are open to public inspection.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is:

| Recordkeeping | $18 \mathrm{hr} ., 24 \mathrm{~min}$. |
| :---: | :---: |
| Learning about the law or the form | $2 \mathrm{hr} ., 55 \mathrm{~min}$. |
| Preparing the form | $5 \mathrm{hr} ., 12 \mathrm{~min}$. |
|  | 32 min . |

If you have comments concerning the accuracy of these time estimates or suggestions for making this form 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 to this address. Instead, see Where To File on page 3.


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


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


