

**DATAIR 2008 EGTRRA Document Series**

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**Recap Of What We Have Learned So Far**

- ☑ Introduction to EGTRRA
  - ◆ EGTRRA Highlights and Features
  - ◆ Background Information
  - ◆ Restatement Process
- ☑ Review of 401(k) Non-standardized Prototype Long Form Adoption Agreement and Basic Plan
  - ◆ Organization of the Documents
  - ◆ Summary of Changes for EGTRRA
  - ◆ **New** Prototype Short Form

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**What's Ahead**

- ☑ Highlights of the **NEW** EGTRRA Volume Submitter Adoption Agreement (AA) Format
- ☑ Restatement Process
  - ◆ What documents do I need to restate?
  - ◆ What tools are available?
  - ◆ What steps should I follow?
- ☑ Resources
  - ◆ Document Support Team
  - ◆ Helpful Links



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**NEW Volume Submitter AA Format**

- ☑ Intended for those who desire the flexibility and customization that the Volume Submitter program affords, but in an Adoption Agreement type format.
- ☑ Includes a Core and Trust and an Adoption Agreement with optional provisions.
- ☑ Separate trusts must be individually filed by the adopting employer.
- ☑ Includes a multiple employer option.

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**NEW Volume Submitter AA Format**

- ☑ Cross-tested formulas are not restricted.
  - ◆ The number of allocation rate groups permitted in the prototype is limited based on the number of eligible NHCEs. The volume submitter has no such limitation.
- ☑ Includes more locations to enter custom text for alternate provisions.

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**DATAIR's EGTRRA Documents for DC Plans**

- ☑ Incorporates all amendments made within the remedial amendment period.
- ☑ Includes plan qualification requirements based on the 2004 Cumulative List.
- ☑ Does not include the 2007 Interim Amendment, which is based on the 2006 Cumulative List (this amendment must be readopted after the EGTRRA restatement.)
- ☑ Does not include changes for the Pension Protection Act of 2006 (PPA).

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**What tools are available?**

- Release Notes DS 1.18.100
- A Map to the EGTRRA Adoption Agreement for DATAIR 401(k) Plans
- Restatement Steps to Complete Checklist
- Plan Listing

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**Suggested Restatement Steps** When Complete

- **Step 1.** Update DS/WIN for EGTRRA CD Release.
- **Step 2.** Open the plan to access the Plan Amendments screen. With this form you can open or add a new amendment. On the Plan Amendments screen click the [ Add New ] command button, or double-click on <Add New> in the Amendment List.
- **Step 3.** Enter a description and an effective date for the EGTRRA restatement. Then select [OK].
- **Step 4.** The Plan Information screen will then be displayed. Verify all the indicative information. In the Plan Info tab check to see that the Plan Type and Sub Type are correct. Under the Document Info tab select EGTRRA for the Version and verify the Document Type.

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**Suggested Restatement Steps** When Complete

- **Step 5.** When the amendment has been added to the Plan Amendment screen to your satisfaction, save your changes by pressing Save on the ToolBar or pressing Edit | Save on the menu.
- **Step 6.** From there go to the Plan Documents screen in the folder view and complete the Adoption Agreement or Checklist. When all the changes have been made to your satisfaction, press Edit | Save on the menu.
- **Step 7.** Print and Review the Adoption Agreement/Checklist, Plan Document and Trust.
- **Step 8.** Make Board Resolution Selections.

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Suggested Restatement Steps	When Complete
<ul style="list-style-type: none"><li>Step 9. Print and Review Board Resolution.</li><li>Step 10. Prepare 2007 Interim Amendment, Board Resolution, and Summary of Material Modifications. The 2007 Interim Amendment must be re-adopted after the Plan is restated for EGTRRA.</li><li>Step 11. Print and Review 2007 Interim Amendment.</li><li>Step 12. Obtain Signatures for all Documents.</li></ul>	

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Suggested Restatement Steps	When Complete
<ul style="list-style-type: none"><li>Step 13. Enter the adoption date in the Document Info screen. <b>Register the Plan with DATAIR within 60 days of adoption.</b></li><li>Step 14. Write the registration number on the signature page.</li><li>Step 15. Make copies of all documents for your files. Make sure the copy is a signed and dated copy with the registration number noted on the signature page.</li></ul>	

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Suggested Restatement Steps	When Complete
<ul style="list-style-type: none"><li>Step 16. Print the Opinion Letter or the Advisory Letter.</li><li>Step 17. Deliver the original signed and dated documents to client with a copy of the Opinion Letter or Advisory Letter. The original should have the registration number noted on the signature page. Remind your client that at some point in the plan's existence, it is likely they will be asked to demonstrate the plan has been in compliance with current and prior law.</li></ul>	

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Suggested Restatement Steps	
<p>☐ <b>Step 17.</b> (continued) These documents should be kept in the files:</p> <ul style="list-style-type: none"><li>◆ Original plan document</li><li>◆ All subsequent amendments or restatements to the plan document.</li><li>◆ All adoption agreements.</li><li>◆ Any opinion letter or advisory letter issued by the IRS.</li><li>◆ Any determination letter issued by the IRS.</li><li>◆ Board of Director's resolutions and minutes, or similar records related to the plan.</li></ul>	<p>When Complete</p>

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Suggested Restatement Steps	
<p>☐ <b>Step 18.</b> File your copies.</p> <p>☐ <b>Step 19.</b> Prepare Determination Letter Submission (if applicable.)</p> <p>☐ <b>Step 20.</b> Follow up with Summary Plan Description, Plan Specifications, and any other Administrative Forms.</p>	<p>When Complete</p>

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What other resources are available to me?	
<p>☐ Document Support Team</p> <p>☐ Helpful Links</p>	

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**Document Support Team**

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Ethel Myles-Henderson, Esq.

Janice LaPorte

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**Links**

- ▶ DATAIR Employee Benefit Systems, Inc.
  - ◆ <http://www.datair.com/>
    - Be sure to visit the DATAIR Discussion Forum to receive email notification of all releases.
- ▶ Government Agencies
  - ◆ Internal Revenue Service (IRS)
    - Retirement Plans Community:  
<http://www.irs.gov/retirement/index.html>
  - ◆ Department of Labor (DOL)
    - Retirement Plans, Benefits and Savings:  
<http://www.dol.gov/dol/topic/retirement/index.htm>

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**Links**

- ▶ Employee Benefit Organizations
  - ◆ American Society of Pension Professionals & Actuaries (ASPPA)
    - <http://www.aspa.org/>
  - ◆ National Institute of Pension Administrators (NIPA)
    - <http://www.nipa.org/>
- ▶ Other Employee Benefits Sites
  - ◆ BenefitsLink
    - <http://www.benefitslink.com/>

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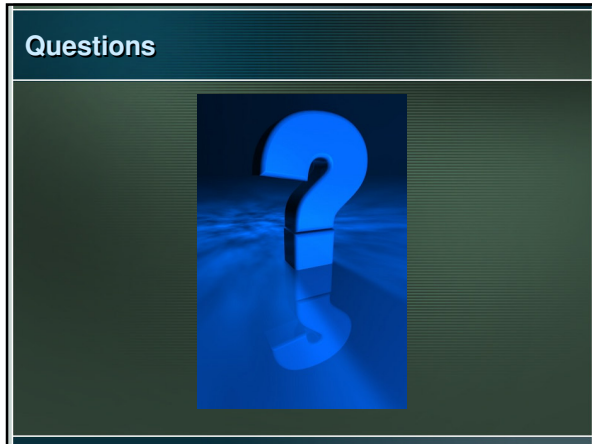
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