

Attachment I-A for Form 4461-A, Application for Approval of Master or Prototype or Volume Submitter Defined Benefit Plan

Note: This application is designed to be used in conjunction with Rev. Proc. 2011-49. A list of required modifications is also recommended for use and may be obtained from the IRS website at www.irs.gov/ep.

In items 10 through 12 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; otherwise complete the "Article or Section and Page Number" column.	N/A	Article or Section and Page Number	Change	For IRS Use Only
10 Provisions applicable to all plans: a Definitions: Where does the plan define the following terms-				
(1) Year of Service?				(1)
(2) Break in Service?				(2)
(3) Hour of service under Department of Labor Regulations, including service with all employers aggregated under sections 414(b), (c), (m), or (o), and service of any individual considered an employee for purposes of this plan under section 414(n) or (o)?				(3)
(4) Elapsed time?				(4)
(5) Plan year?				(5)
(6) Compensation as defined in section 414(s) as limited by section 401(a)(17)?				(6)
(7) Average annual compensation?				(7)
(8) Earned income as defined in section 401(c)(2)?				(8)
(9) Employee as described in sections 414(b), (c), (m), (n), or (o)?				(9)
(10) Leased employee as described in section 414(n) or (o)?				(10)
(11) Highly compensated employee as defined in section 414(q)?				(11)
(12) Owner-Employee?				(12)
(13) Self-employed individual?				(13)
(14) Normal retirement age?				(14)
(15) Straight life annuity?				(15)

10 (continued)	N/A	Article or Section and Page Number	Change	For IRS Use Only
b Minimum participation standards:				
(1) Are the requirements for participation under the plan determined without regard to maximum age?				(16)
(2) Will a new employee, otherwise eligible, participate on the earlier of the first day of the first plan year after meeting the minimum age and service requirements of section 410(a)(1) or 6 months after satisfying such requirements?				(17)
(3) Does the initial eligibility computation period begin with the date on which the employee first performs an hour of service, and do subsequent eligibility computation periods: (1) begin with the anniversary of such date, or (2) shift to the plan year in accordance with section 2530.202-2(b) of the Department of Labor regulations?				(18)
(4) Is the computation period for determining a break in service the same as is used to compute a year of service for eligibility after the initial computation period?				(19)
(5) If all years of service are not counted for participation purposes, is the service not counted excludable under section 410(a)(5)(B), (C), or (D)?				(20), (21)
(6) Will an employee otherwise eligible, who is in an ineligible class of employees, immediately participate on becoming a member of an eligible class?				(22)
c Accrual of benefits:				
(1) Does the benefit formula provide for wear-away and fresh-start rules?				(23)
(2) Does the plan provide for the determination of a participant's frozen accrued benefit?				(24)
(3) Does the plan provide for adjustments to frozen accrued benefits?				(25)
(4) Does the current benefit formula provide for no permitted disparity and does it use the fractional accrual rule?				(26)
(5) Does the current benefit formula provide for permitted disparity?				(27)
(6) Does the plan define covered compensation, final average compensation, and taxable wage base?				(27A)
(7) Does the plan provide adjustments for benefits beginning at a time other than normal retirement age?				(27B)
(8) If the plan provides for permitted disparity, must mandatory employee contributions be allocated to a separate account?				(27C)
(9) If fully insured, does the plan provide for permitted disparity with respect to employer-provided benefits?				(27D)
(10) If the plan is integrated, is the employer-provided benefit limited in accordance with section 401(a)(5)(D)?				(27E)
d Benefits Increases: For a fully insured plan, or a plan that provides an insured death benefit, is there a provision for purchasing additional contracts due to increases in compensation?				(28)

10 (continued)	N/A	Article or Section and Page Number	Change	For IRS Use Only
e (1) Does the plan define an accrual computation period?				(29)
(2) Does the plan define a year of credited service?				(30)
(3) Does the rate of accrual under each benefit formula satisfy one of the following tests at all times: (a) 3 percent rule-section 411(b)(1)(A)?				(31)
(b) 133-1/3 percent rule-section 411(b)(1)(B)?				(31)
(c) Fractional rule-section 411(b)(1)(C)?				(31)
(d) Fully insured plan rule-section 411(b)(1)(F)?				(32)
(4) Does the plan provide for pre-ERISA accruals?				(33)
(5) For purposes of determining accrued benefits, is the normal retirement benefit equal to the greater of the early retirement benefit under the plan or the benefit beginning at normal retirement age?				(34)
(6) Do plan participants continue to accrue benefits without reduction in the rate of accruals solely on account of the attainment of any specified age?				(35)
f Employee contributions:				
(1) Does the plan preclude employee contributions for years beginning after the date the plan was restated for EGTRRA?				(36)
(2) Does the plan provide a separate account for the portion of each employee's accrued benefit derived from voluntary employee contributions?				(37)
(3) Are employee contributions (adjusted for investment experience) nonforfeitable at all times?				(38)
(4) Does the plan require that deductible voluntary employee contributions will be maintained in a separate account?				(39)
g Section 415 limitations: Are annual benefits limited as required by section 415?				(40)
h Distribution provisions:				
(1) Does the plan state the normal form in which benefits will be paid (life annuity, 10 years certain and life thereafter, etc.)?				(41)
(2) Does the plan specify the actuarial assumptions to be used in determining actuarial equivalence which comply with Regulations section 1.417(e)-1?				(42)
(3) Are the optional forms of benefits stated in the plan?				(43)
(4) If the plan disregards service attributable to a distribution in computing the employer-derived accrued benefit, does the plan contain provisions that satisfy Regulations section 1.411(a)-7(d)(4)?				(44)

10 (continued)	N/A	Article or Section and Page Number	Change	For IRS Use Only
(5) If the present value of the accrued benefit is greater than \$5,000, is consent of the participant and spouse (if applicable) required when benefits are immediately distributable within the meaning of Regulations section 1.417(e)-1?				(45)
(6) (a) Does a married participant automatically receive a qualified joint and survivor annuity (QJSA), and an unmarried participant the normal form of life annuity?				(46)
(b) Is the participant given an opportunity to make a qualified election to waive the automatic form of payment in a manner which satisfies section 417(a)(2) during the election period described in section 417(a)(6)(A)?				(46)
(c) Is a married participant who waives the QJSA given an opportunity to elect to receive a qualified optional survivor annuity in accordance with section 417(a)(1)(A)(ii)?				(46)
(7) (a) Does the plan provide that the spouse of a deceased participant will receive a qualified preretirement survivor annuity (QPSA) that requires payments not less than the amount specified in section 417(c)(1) in the event of death before the annuity starting date?				(46)
(b) Is the participant given an opportunity to make a qualified election to waive the QPSA in a manner which satisfies section 417(a)(2) during the election period described in section 417(a)(6)(B)?				(46)
(8) Does the plan designate or enable the employer to elect the percentage (not less than 50% nor more than 100%) of the survivor annuity provided under the QJSA?				(46)
(9) (a) Does the plan provide for a written explanation of the automatic form of payment in a manner which satisfies section 417(a)(3)(A)?				(46)
(b) Does the plan provide for a written explanation of the QPSA in a manner which satisfies section 417(a)(3)(B)?				(46)
(10) Do benefits under the plan begin, unless otherwise elected in writing, no later than the 60 th day after the latest of the close of the plan year in which: (i) the participant attains the earlier of age 65 or the plan's normal retirement age, (ii) the 10 th anniversary of the year in which the participant began participation under the plan occurs, or (iii) the participant terminates his or her service with the employer?				(47)
(11) If the plan contains an early retirement provision which requires or could require both a minimum age and service for eligibility, does a participant who meets the service requirement but separates from service before meeting the age requirement begin to receive benefits (unless otherwise elected) upon meeting the age requirement?				(48)
(12) Does the plan provide that the terms of any annuity contract purchased and distributed by the plan to a participant or spouse shall comply with the requirements of the plan?				(49)
(13) Are annuity contracts nontransferable when distributed?				(50)
(14) Does the plan require, in accordance with section 401(a)(9), that:				
(a) Distributions be made beginning not later than the required beginning date?				(51)
(b) Payment of the participant's interest be made at least as rapidly as under the method used prior to death, when the participant dies after distribution has started?				(51)

10 (continued)	N/A	Article or Section and Page Number	Change	For IRS Use Only
(c) Payment of the participant's interest be made within 5 years of the participant's death, unless one of the exceptions in section 401(a)(9)(B)(iii) or (iv) applies, when payment of the participant's interest has not begun prior to death?				(51)
(d) Distributions, if not made in a single sum, will satisfy the minimum distribution rules of section 401(a)(9) and the regulations thereunder, including the minimum distribution incidental benefit requirement of Regulations section 1.401(a)(9)-6, Q&A-2?				(51)
(15) Does the plan provide that any preretirement death benefits are incidental?				(52)
(16) Does the plan permit distributions only at normal retirement age, plan termination, termination of employment, death, disability or attainment of age 62?				(53)
(17) (a) Does the plan provide for the direct rollover of an eligible rollover distribution to an eligible retirement plan?				(54)
(b) Does the plan provide for the automatic rollover of a mandatory distribution over \$1,000 to an individual retirement plan, unless the participant elects otherwise?				(54)
(c) If provided in the adoption agreement, does the plan specify the types of plans that it will accept rollovers from?				(54)
(d) If the plan accepts rollovers made on or after January 1, 2013 and converts those rollovers to additional annuity benefits for the participant, is the amount of the additional annuity attributable to the rollover determined in accordance with sections 411(c)(2)(B) and (C) and 411(c)(3) of the Code and Rev. Rul. 2012-4?				(54)
(18) If the plan provides for suspension of benefits upon reemployment with the employer or continued employment beyond normal retirement age, does this provision comply with Department of Labor regulations?				(55)
(19) Does the plan contain pre-termination restrictions?				(57)
(20) Does the plan limit the accrual and payment of benefits as required by section 436?				(57A)
i. Vesting provisions:				
(1) Is a computation period for vesting purposes specified in the plan?				(58)
(2) Is the computation period for determining a break in service the same as is used to compute a year of service for vesting?				(59)
(3) Does the plan provide that an employee will be fully vested on reaching normal retirement age?				(60)
(4) Are vesting options limited so that at all times they will provide a percentage of nonforfeitable rights which is not less than the percentage that would be provided under one of the options under section 411(a)(2)?				(61)
(5) If all years of service are not counted for vesting purposes, is the service not counted excludable under section 411(a)(4)?				(62)
(6) Does the plan contain the vesting break in service one year holdout provision?				(63)

10 (continued)	N/A	Article or Section and Page Number	Change	For IRS Use Only
(7) Does the plan contain the vesting break in service rule of parity?				(64)
(8) Does the participant who has at least 3 years of service have a reasonable period of time after the adoption of an amendment which directly or indirectly affects the calculation of his or her nonforfeitable percentage (including a change to or from a top-heavy vesting schedule) to elect to have his or her nonforfeitable percentage computed without regard to the amendment?				(65)
(9) Does the plan provide protection against cutback of vested rights or rights to accrued benefits under sections 411(a)(10)(A) and 411(d)(6)?				(66)
(10) If participants may withdraw their contributions or earnings on them, may the withdrawal be made without forfeiting vested benefits based on employer contributions?				(67)
(11) If benefits under the plan are forfeited when a participant or beneficiary cannot be located, does the plan provide for a reinstatement of the benefit if a claim is made?				(68)
j Top-heavy:				
(1) If this plan does not fulfill the basic top-heavy plan requirements at all times, does the plan define the following terms-				(69)
(a) Key employee?				(69)
(b) Top-heavy plan?				(69)
(c) Top-heavy ratio (as defined in section 416(g))?				(69)
(d) Permissive aggregation group?				(69)
(e) Required aggregation group?				(69)
(f) Determination date?				(69)
(g) Valuation date?				(69)
(h) Present value?				(69)
(2) Does the adoption agreement provide a section for the employer to specify the interest rate and mortality table used in determining the top-heavy ratio because of the required aggregation of multiple plans?				(69)
(3) Does the plan provide that for the purpose of determining the top-heavy ratio, the accrual rate used will be that used to accrue benefits under all defined benefit plans of the employer, or where there is no such uniform rate, the lowest accrual rate permitted under section 411(b)(1)(C)?				(69)

10 (continued)	N/A	Article or Section and Page Number	Change	For IRS Use Only
(4) Does the plan provide an accrued benefit (determined without regard to social security) which is at all times not less than 2% of the highest 5 consecutive years' average compensation for each year of service (service may be limited to service while the plan is top-heavy and to a maximum of 10 years of service) for each nonkey employee participant who has completed 1,000 hours of service including a nonkey employee who:				
(a) fails to make mandatory contributions to the plan?				(70)
(b) is excluded from the plan because compensation is less than a stated amount?				(70)
(c) is not employed on the last day of the accrual computation period?				(70)
(d) has his or her accrued benefit reduced in any way because of permitted disparity?				(70)
(5) If the minimum accrued benefit in (4) is in a form other than a life annuity at normal retirement age, is such minimum accrued benefit at least equal to the actuarial equivalent of the required minimum accrued benefit?				(71)
(6) Are forfeitures of the minimum accrued benefit prohibited in the event a participant:				(72)
(a) works beyond the normal retirement age?				(72)
(b) withdraws mandatory employee contributions?				(72)
(7) Does the plan provide for vesting not less favorable than the vesting described in section 416(b)?				(73)
k Amendment and termination:				
(1) For an M&P plan, is there a provision for the sponsor to amend the plan and does the provision describe the circumstances under which the sponsor will no longer be authorized to amend the plan on behalf of adopting employers?				(74)
(2) For an M&P plan, is there a provision for the employer to amend the plan to satisfy sections 415 and 416 because of the required aggregation of multiple plans?				(75)
(3) For an M&P plan, does the plan prohibit adopting employers from amending other than elective provisions (except to the extent necessary to satisfy section 415 or 416 because of the required aggregation of multiple plans, or as permitted by section 5.06, 5.09 and 19.03 of Rev. Proc. 2011-49) unless the employer wants to cease participation in the plan?				(75)
(4) Is there a provision for the employer to amend the plan to add certain model, sample, or other required interim amendments that specifically provide that their adoption will not cause the plan to be treated as individually designed?				(75)
(5) Are the rights of all affected employees to benefits accrued to the date of termination or partial termination, to the extent funded as of such date, nonforfeitable?				(76)
(6) Does the plan provide that after merger or consolidation with, or transfer of assets or liabilities to any other plan, benefits on a termination basis will be no less than before the merger, consolidation, or transfer?				(77)

10 (continued)	N/A	Article or Section and Page Number	Change	For IRS Use Only
(7) If a VS plan allows the practitioner to amend the plan on behalf of adopting employers, does the plan provide that:				
(a) the practitioner will amend the plan on behalf of all adopting employers?				
(b) the practitioner will no longer have the authority to amend on behalf of any adopting employer as of the date the employer adopts an amendment to the plan to incorporate a type of plan not allowable in the VS program or as of the date the plan is otherwise considered an individually designed plan due to the nature and extent of the amendments?				
(8) Does the adoption agreement of the VS plan, if applicable, contain, in close proximity to the employer's signature line, the circumstances under which the employer may not rely on the advisory letter?				
I Miscellaneous plan provisions:				
(1) Does the plan prohibit the assignment or alienation of benefits except as provided by section 401(a)(13) and 414(p)?				(78)
(2) Do loans to plan participants satisfy the requirements of section 4975(d)(1) and the joint and survivor annuity requirements, if any?				(79)
(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?				(80)
(4) Does the plan provide that if it does not attain or retain qualification, the employer can no longer participate under the plan?				(81)
(5) If this is a master plan:				
(a) Is only a single funding medium available for use by all adopting employers?				(82)
(b) Does the plan provide that funds held in the master trust on behalf of an adopting employer will be removed as soon as administratively feasible if the employer's plan does not attain or retain qualified status?				(83)
(6) Does the plan provide that if the employer maintains a plan of a predecessor employer, service with the predecessor employer is counted as service with the employer?				(84)
(7) Does the plan provide that in the event of any conflict between provisions of the plan and the terms of any policy or contract issued under the plan, the provisions of the plan will control?				(86)
(8) If the plan provides for investment in insurance contracts, does it provide for the disposition of dividends and other credits?				(87)
(9) Does the adoption agreement contain the sponsor or representative's name, address, and telephone number for the purpose of answering employer's inquiries?				(88)
(10) Does the adoption agreement contain a cautionary statement describing the limitations on employer reliance on an opinion or advisory letter without a determination letter and that the failure to properly fill out the adoption agreement may result in disqualification of the plan?				(88)
(11) Does the adoption agreement contain a statement which provides that the sponsor will inform the adopting employer of any amendments made to the plan or of the discontinuance or abandonment of the plan?				(88)
(12) Does the plan contain provisions that satisfy section 401(a)(37) and incorporate the requirements of section 414(u) of the Code (USERRA)?				(89)
(13) Does the plan contain any sub-trusts for life insurance?				

10 (continued)	N/A	Article or Section and Page Number	Change	For IRS Use Only
<p>(14) If the plan may be adopted as a multiple employer plan within the meaning of section 413(c), does the plan:</p> <p>(i) include, as an addendum to the adoption agreement, a participation agreement, to be signed by any employer that adopts the plan (other than the "lead" employer that signs the adoption agreement), which provides that the participating employer agrees to be bound by the terms of the plan and trust as adopted by the lead employer, including any amendments thereto and any elections made by the lead employer, except to the extent the participation agreement allows for, and the participating employer makes, separate elections with respect to its employees; and</p> <p>(ii) provide that for purposes of participation and vesting the adopting employer and all participating employers are considered a single employer, and an employee's service includes all service with the adopting employer or any participating employer?</p>				(89A)

(M&P only) Complete if you are filing for a Standardized Plan	N/A	Article or Section and page number	Change	For IRS Use Only
11 With respect to this standardized plan: a. Does the plan cover all employees (including individuals required to be considered employees according to section 414(n) or (o) and employees of other members of groups aggregated under section 414(b), (c), (m), or (o)) other than employees who may be excluded under section 410(a)(1) or (b)(3)?				(90)
b. Are the eligibility requirements not more favorable for highly compensated employees, as defined in section 414(q), than for other employees?				(91)
c. Does the adoption agreement contain, in close proximity to the employer's signature line, the circumstances under which the adopting employer may not rely on the opinion letter (as set forth in section 19 of Rev. Proc. 2011-49), including a statement that the employer, in order to obtain or retain reliance, must obtain a determination letter if the employer ever has maintained any other plan (including a welfare benefit plan)?				(92)
(M&P only) Complete if you are filing for a Nonstandardized Plan	N/A	Article or Section and page number	Change	For IRS Use Only
12 With respect to this nonstandardized plan:				
a. Does the plan preclude mandatory contributions in plan years beginning after the date the plan was restated for EGTRRA?				(102)
b. If the plan previously provided for mandatory contributions, does the plan define the accrued benefit derived from employer contributions as the total accrued benefit, less the accrued benefit derived from mandatory employee contributions as provided in Regulations section 1.411(c)-1?				(103)
c. Is the accrued benefit attributable to mandatory employee contributions nonforfeitable at all times?				(104)
d. Does the plan meet the minimum age and service requirements of section 410(a)(1)?				(105)
e. Does the plan exclude categories of employees from participation in addition to those who may be excluded under section 410(a)(1) or section 410(b)(3)?				(105)
f. Does the plan give the employer the option to satisfy one of the nondiscrimination design-based safe harbors?				(106)
g. Does the adoption agreement contain, in close proximity to the employer's signature line, the circumstances under which adopting employers may not rely on an opinion letter issued by EP Rulings and Agreements, with respect to the qualification of this plan unless they apply to EP Determinations for a Determination Letter?				(107)
h. Does the plan give the employer the option to select total compensation?				(108)