

Attachment I for Form 4461, Application for Approval of Master or Prototype or Volume Submitter Defined Contribution Plans				
In items 10 through 13 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) Earned income as defined in section 401(c)(2)?				(7)
(8) Disability?				(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) Benefiting?				(15)
(16) Straight life annuity?				(16)
b Minimum participation standards				(17)
(1) Are the requirements for participation under the plan determined without regard to maximum age?				(17)
(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?				(18)
(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?				(19)
(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?				(20)
(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)?				(21)
(6) Does this plan include the one-year hold-out rule?				(22)
(7) Will an employee otherwise eligible, who is in an ineligible class of employees, immediately participate on becoming a member of an eligible class?				(23)

10 (continued)	N/A	Article or Section and Page Number	Change	For IRS Use Only
c Employer contributions:				
(1) If this is a money purchase plan, are contributions on behalf of each participant determined under a definite, uniform formula?				(24)
(2) If this is a profit-sharing plan, are contributions allocated under a definite, uniform formula?				(25)
(3) If the plan contains a uniform points allocation formula, does the formula meet the requirements of section 1.401(a)(4)-2(b)(3)(i)(A) of the Regulations?				(25A)
(4) If this is a target benefit plan, answer (i) and (ii) (i.) Does the plan include a target benefit with permitted disparity? (ii.) Does the plan provide for the calculation of employer contributions?				(26),(27) (28)
(5) Does the contribution or allocation formula provide for permitted disparity per section 401(l)?				(29)
(6) Does the plan continue to allocate contributions to participants without reduction in the rate of allocations on account of the attainment of any specified age?				(30)
(7) Are annual additions limited as required by section 415?				(31)
(8) Does the plan require separate accounting for each employee's accrued benefit?				(34)
d Employee contributions:				
(1) If the plan permits:				
(a) Does the plan comply with section 401(m)?				(35)
(b) Does the plan either provide for separate accounts for employer contributions and nondeductible employee contributions, or identify what portion of an account balance is attributable to employer contributions and nondeductible employee contributions according to section 411(c)(2)?				(36)
(c) Are all employee contributions and earnings thereon nonforfeitable at all times?				(37)
(2) Does the plan prohibit deductible voluntary employee contributions for a tax year beginning after 1986?				(38)
(3) If the plan permits deemed IRAs:				
(a) Does the plan meet the applicable requirements of section 408 and 408A of the Code and address every applicable point of the IRA LRMs?				(38A)
(b) Does the plan either provide for separate individual trusts, a single trust separate from a trust maintained by the defined contribution plan, or (if in a single trust that includes the defined contribution plan) provide that the trustee must maintain a separate account for each deemed IRA?				(38A)

10 (continued)	N/A	Article or Section and Page Number	Change	For IRS Use Only
e Forfeiture provisions:				
(1) Are forfeitures used either to reduce employer contributions or to increase benefits according to a definite uniform formula?				(39)
(2) If participants may withdraw employee contributions or the earnings on them, may the withdrawal be made without forfeiting vested benefits based on employer contributions?				(40)
(3) 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?				(41)
f Distribution provisions:				
(1) (a) If this is not a profit-sharing plan described in (6) below, does a married participant receive a qualified joint and survivor annuity (QJSA) and an unmarried participant a life annuity?				(42)
(b) Is the participant given an opportunity to make a Qualified Election to waive the QJSA and to elect to receive a qualified optional survivor annuity in a manner which satisfies section 417(a)(2) during an election period beginning no earlier than 180 days before the annuity starting date?				(42)
(2) (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)(2) in the event of death before the annuity starting date?				(42)
(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 beginning on the first day of the plan year in which the participant attains 35 and ending on the date of the participant's death?				(42)
(3) 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?				(42)
(4) Does the plan define annuity starting date in a manner that satisfies Q & A 10(b) of Regulations section 1.401(a)-20?				(42)
(5) (a) Does the plan provide for a written explanation of the QJSA in a manner which satisfies section 417(a)(3)(A)?				(42)
(b) Does the plan provide for a written explanation of the QPSA in a manner which satisfies section 417(a)(3)(B)?				(42)
(6) If this is a profit-sharing plan which does not offer a life annuity form of payment, does the plan satisfy the conditions described in Q & A 3 of Regulations section 1.401(a)-20, including the requirement that the value of the participant's vested account balance on the date of death be paid in full to the surviving spouse?				(42)
(7) If the plan permits distributions prior to 5 consecutive 1-year breaks in service (upon termination of employment, hardship distributions, change to an ineligible class, etc.), does the plan contain either (A) cashout, buy-back, or (B) separate account provisions required under Regulations sections 1.411(a)-7(d)(4) and (5)?				(43)
(8) If the vested account balance 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 1.411(a)-11?				(44)
(9) If the plan is a money purchase pension plan (including a target benefit plan), may distributions be made only upon the participant's attainment of age 62, or, if earlier, separation from employment, attainment of normal retirement age, death, or disability, or termination of the plan?				(44A)
(10) Do benefits under the plan begin, unless otherwise elected in writing, no later than the 60 <sup>th</sup> 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 <sup>th</sup> 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?				(45)

10 (continued)	N/A	Article or Section and Page Number	Change	For IRS Use Only
(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?				(46)
(12) Are annuity contracts nontransferable when distributed?				(47)
(13) 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?				(48)
(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?				(49)
(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, using the participant's remaining life expectancy if there is no designated beneficiary and if there is a designated beneficiary using the remaining life expectancy of either the participant or the designated beneficiary, whichever is longer?				(49)
(c) Payment of the participant's interest be made either within 5 years of the participant's death or over the life expectancy method under either sections 401(a)(9)(B)(iii) or (iv) when payment of the participant's interest has not begun prior to death?				(49)
(d) Distributions, if not made in a single sum, will satisfy 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?				(49)
(15) Are optional forms of benefit:				
(a) Stated in the plan?				(50)
(b) Made available to employees in a manner that does not discriminate in favor of highly compensated employees?				(50)
(c) Not subject to employer discretion?				(50)
(16) (a) Does the plan provide for the direct rollover of an eligible rollover distribution to an eligible retirement plan?				(51)
(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?				(51)
(c) If provided in the adoption agreement, does the plan specify the types of plans that it will accept rollovers from?				(51)
g Vesting provisions:				
(1) Is a computation period for vesting purposes specified in the plan?				(52)
(2) Is the computation period for determining a break in service the same as is used to compute a year of service for vesting?				(52)
(3) Does the plan provide that an employee will be fully vested on reaching normal retirement age?				(53)
(4) If the plan contains vesting options, are they 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)?				(54)
(5) If all years of service are not counted for vesting purposes, is the service not counted excludable under section 411(a)(4)?				(55)
(6) If the plan contains the vesting break in service rules, does the plan comply with section 411(a)(6)(B), (C), or (D), as applicable?				(56, 57, 58)

10 (continued)	N/A	Article or Section and Page Number	Change	For IRS Use Only
(7) 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?				(59)
(8) Does the plan provide protection against cutback of vested rights or rights to accrue benefits under sections 411(a)(10)(A) and 411(d)(6)?				(60)
h Top-heavy:				
(1) If this plan is not designed to operate as if it were top-heavy at all times, does the plan define the following terms-				(61)
(a) Key employee?				(61)
(b) Top-heavy plan?				(61)
(c) Top-heavy ratio (as defined in section 416(g))?				(61)
(d) Permissive aggregation group?				(61)
(e) Required aggregation group?				(61)
(f) Determination date?				(61)
(g) Valuation date?				(61)
(h) Present value?				(61)
(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?				(61)
(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 slowest accrual rate permitted under section 411(b)(1)(C)?				(61)
(4) Does the plan provide for a minimum contribution (determined without regard to social security) for each nonkey-employee participant, who has not separated from service at the end of the plan year, equal to the lesser of : (a) 3% of compensation, or (b) the highest contribution rate applicable to any key employee, including minimum contributions for nonkey employees who:				
(a) fail to complete 1,000 hours of service?				(62)
(b) fail to make mandatory contributions, or in the case of a cash or deferred arrangement, elective contributions to the plan?				(62)
(5) Does the plan prohibit forfeitures of required minimum contributions because of withdrawal of mandatory contributions described in section 411(a)(3)(B) or 411(a)(3)(D)?				(63)
(6) Does the plan provide for vesting not less favorable than the vesting described in section 416(b)?				(64)
i Death benefits:				
(1) If life insurance is provided, are premiums properly limited?				(65)
(2) If ordinary life insurance contracts are purchased, will such contracts be either converted to cash or an annuity contract at or before retirement, or distributed to the participant?				(66)
(3) Are insurance contracts owned and held by the trustee or custodian, if applicable, in accordance with the terms of the plan, including joint and survivor annuity requirements, if any?				(67)
j Investment provisions:				
(1) Trust or custodial accounts:				
(a) Are assets valued at least annually, on a specified date, and at current fair market value?				(68)
(b) Are trust earnings and losses allocated on the basis of account balances?				(68)

10 (continued)	N/A	Article or Section and Page Number	Change	For IRS Use Only
(2) If the plan provides for investments in insurance contracts, does it provide for the disposition of dividends and other credits?				(69)
(3) If investments, including insurance contracts, may be earmarked, are such investments subject to the employee's consent or purchased ratably where employee consent is not required?				(70)
(4) Does the plan contain any sub-trusts for life insurance?				
(5) If the plan, as adopted by an employer, is an "applicable defined contribution plan" within the meaning of Regulations section 1.401(a)(35)-1(f), does the plan give participants (to the extent required by the regulations) the opportunity to elect to diversify the portion of their accounts invested in employer securities and offer such participants at least three investment options (other than employer securities)?				(70A)
k Amendment and termination:				(71)
(1) Is there a provision for the sponsor or practitioner to amend the plan?				
(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?				(72)
(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 and 416 because of the required aggregation of multiple plans, and other amendments as permitted by section 5.06, 5.09 & 19.03 of Rev. Proc. 2011-49) unless the employer wants to cease participation in the plan?				(72)
(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?				(72)
(5) Are amounts credited to participants' accounts nonforfeitable upon termination or partial termination of the plan?				(73)
(6) Under a profit-sharing plan, are the employees' rights under the plan nonforfeitable upon complete discontinuance of contributions?				(74)
(7) 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?				(75)
(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?				
l Miscellaneous plan provisions:				(76)
(1) Does the plan prohibit the assignment or alienation of benefits except as provided by section 401(a)(13) and 414(p)?				
(2) Do loans to plan participants satisfy the requirements of section 4975(d)(1) and the joint and survivor requirements, if any?				(77)

10 (continued)	N/A	Article or Section and Page Number	Change	For IRS Use Only
(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?				(78)
(4) If a nontrusteed plan, do insurance contracts provide for refunds or credits for the exclusive benefit of the participants?				(79)
(5) Does the plan provide that if the employer's plan does not attain or retain qualification, the employer can no longer participate under the plan?				(80)
(6) If this is a master plan: (a) Is only a single funding medium available for use by all adopting employers?				(81)
(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?				(82)
(7) 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?				(83)
(8) Does the adoption agreement contain the sponsor's or representative's name, address, and telephone number for the purpose of answering employer's inquiries?				(85)
(9) 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?				(85)
(10) 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?				(85)
(11) Does the adoption agreement contain an employer signature line?				(85)
(12) Does the plan contain a provision that incorporates the requirements of sections 414(u) and 401(a)(37) of the Code (USERRA)?				(86)
(13) If the plan may be adopted as a multiple employer plan within the meaning of section 413(c), does the plan:  (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  (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?				(86A)
<b>Part II (M&amp;P only) Complete This Part if you Are Filing for a Standardized Plan</b>				
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)?				(87)
b. Are the eligibility requirements not more favorable for highly compensated employees as defined in section 414(q) than for other employees?				(88)
c. Does the contribution formula satisfy the safe harbor requirements of Regulations section 1.401(a)(4)-2(b)(2) or section 1.401(a)(4)-8(b)(3)?				(89)
d. 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)?				(90)

<b>Part III (M&amp;P only) Complete This Part if you Are Filing for a Nonstandardized Plan</b>	N/A	Article or Section and page number	Change	<b>For IRS Use Only</b>
12 With respect to this nonstandardized plan:				
a. Does the plan meet the minimum age and service requirements of section 410(a)(1)?				(91)
b. 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 the plan unless they apply to EP Determinations for a determination letter?				(92)
c. Does the plan give the employer the option to select total compensation?				(93)
d. If the plan contains language that allows adopting employers to adopt an allocation formula designed to be cross-tested for nondiscrimination on the basis of equivalent benefits under section 1.401(a)(4)-8 of the regulations, does the employer's allocation formula meet the cross-testing rules?				(94)
<b>Part IV Complete This Part if you Are Filing for a Profit-Sharing/401(k) Plan</b>				
13 With respect to this section 410(k) plan Cash or Deferred Arrangement (CODA):				
a. Are contributions pursuant to an election permitted before the related compensation is earned?				(I)
b. Is an employee's eligibility to make elective deferrals conditioned on no more than one year of service or attainment of no more than age 21?				(II)
c. Does the plan provide for a reasonable period during which participants may once a year elect to commence elective deferrals?				(III)
d. Are participants' elective deferrals limited to the dollar limit in effect in section 402(g)?				(IV)
e. Will elective deferrals be distributed no later than April 15 to any participant who has excess elective deferrals for the preceding tax year?				(V)
f. Do the elective deferrals meet the nondiscrimination test of section 401(k)(3)?				(VI)
g. Does the plan provide for the distribution of excess contributions no later than 12 months after the plan year, if such excess contributions were allocated to the previous plan year?				(VII)
h. May a participant recharacterize an excess contribution?				(VIII)
i. Can the employer make matching contributions?				(IX)
j. Do matching contributions satisfy the minimum vesting requirements of section 411(a)(2)?				(X)
k. Can the employer make qualified matching contributions?				(XI)
l. Do employee contributions and matching contributions meet the ACP test of section 401(m)?				(XII)
m. Are the excess aggregate contributions distributed or forfeited no later than 12 months after the plan year?				(XIII)
n. May the employer make qualified non-elective contributions?				(XIV)
o. Are the participant's rights to his or her accrued benefit derived from employee contributions, qualified non-elective contributions, qualified matching contributions, and elective deferrals nonforfeitable?				(XV)
p. Do distributions of elective deferrals, qualified non-elective contributions, qualified matching contributions, and income allocable to each comply with section 401(k)(2)(B)?				(XVI)



13 (continued)	N/A	Article or Section and Page Number	Change	<b>For IRS Use Only</b>
q Does the plan permit hardship distributions of elective deferrals?				<b>(XVII)</b>
r Does the plan provide that elective deferrals are not taken into account to satisfy the minimum top-heavy contribution requirements?				<b>(XVIII)</b>
s Does the plan contain 401(k) SIMPLE provisions?				<b>(XIX)</b>
t Does the plan contain 401(k) safe harbor provisions?				<b>(XX)</b>
u. Does the plan allow the employer to elect to provide an eligible automatic contribution arrangement?				<b>(XXI)</b>