1999

Department of the Treasury
Internal Revenue Service

Instructions for Form 5500-EZ

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

Section references are to the Internal Revenue Code.

Changes To Note for 1999

- The Form 5500-EZ has been revised to take advantage of a new computerized system that will process the form (the ERISA Filing Acceptance System or "EFAST"). The new form is printed on special paper with green drop-out ink. Filers should not substitute a reproduction of these machine readable pages. A copy of the hand printed form is available in **Package 5500-EZ.**
- For the first time you will file your Form 5500-EZ with the U.S. Department of Labor's Pension and Welfare Benefits Administration **(PWBA)** rather than the Internal Revenue Service (see **Where To File** on page 2 for the new mailing and private delivery addresses).

Telephone Assistance

If you have questions and/or need help completing this form, please call **1-877-829-5500.** This toll-free telephone service is available Monday through Friday from 8:00am to 9:30pm EST.

How To Get Forms and Publications

Personal computer
You can access the IRS's Internet Web Site 24 hours a day, 7 days a week at **www.irs.gov** to:

- Download forms, instructions, and publications.
- See answers to frequently asked tax questions.
- Search publications on-line by topic or keyword.
- Send us comments or request help by e-mail.
- Sign up to receive local and national tax news by e-mail.

You can also reach us using file transfer protocol at **ftp.irs.gov**

By phone and in person.
You can order forms and publications 24 hours a day, 7 days a week, by calling **1-800-TAX-FORM** (1-800-829-3676). You can also get most forms and publications at your local IRS office.

General Instructions

Reminder

For 1994 and prior years, one-participant plan(s) that held $100,000 or less in total plan assets at the end of any plan year did not have to file Form 5500-EZ (or any other annual information return) for that plan year. For Forms 5500-EZ filed in 1995 and later years, one-participant plans that held more than $100,000 at the end of any plan year beginning on or after January 1, 1994, must file a Form 5500-EZ for the year the assets exceeded $100,000 and for each year thereafter, even if total plan assets were reduced to $100,000 or less. For example, if plan assets in a plan that otherwise satisfies the requirements for filing the Form 5500-EZ totaled $110,000 at the end of the 1998 plan year, and a distribution occurred in 1999 so that total plan assets were $85,000 at the end of the 1999 plan year, a Form 5500-EZ must be filed for the 1999 plan year and for all following years.

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 that as of the 1st day of the plan year for which this form is filed, 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(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 a business that leases employees. For an explanation of the technical terms above, see **Definitions** on page 3.

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 1999 if you meet the five conditions above, **AND**

You have a one-participant plan that had total plan assets of $100,000 or less at the end of every plan year beginning on or after January 1, 1994, **OR**

You have two or more one-participant plans that together had total plan assets of $100,000 or less at the end of every plan year beginning on or after January 1, 1994.

Note: *All one-participant plans **must** file a Form 5500-EZ for their **final** plan year even if the total plan assets have always been less than $100,000. 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

One-participant retirement plans that are required to file should complete and file Form 5500-EZ for the first year that it is required to be filed and for every plan year thereafter.

When To File

File the 1999 return for plan years that started in 1999. All required forms, schedules, statements, and attachments must be filed by the last day of the 7th calendar month after the end of the plan year that began in 1999 (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 most recent list of designated private delivery services was published by the IRS in August 1999 and includes only the following:

- Airborne Express (Airborne): Overnight Air Express Service, Next Afternoon Service, Second Day Service.
- DHL Worldwide Express (DHL): DHL "Same Day" Service, DHL USA Overnight.
- Federal Express (FedEx): FedEx Priority Overnight, FedEx Standard Overnight, FedEx 2Day.
- United Parcel Service (UPS): UPS Next Day Air, UPS Next Day Air Saver, UPS 2nd Day Air, UPS 2nd Day Air A.M.

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 2½ months) may be obtained by filing **Form 5558,** Application for Extension of Time To File Certain Employee Plan Returns, **before** the normal due date (not including any extensions) of the return. **You must continue to file Form 5558 with the IRS.**.

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

The address for requesting a one-time extension of time to file the Form 5500-EZ (filing Form 5558) remains:

Internal Revenue Service Center

Memphis, TN 37501

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 and all applicable schedules 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)).

Amended Return

If you file an amended return, check box A(2) at the top of the return. Be sure to circle the amended line numbers.

Where To File

File Form 5500-EZ with any required schedules, statements, and attachments, at the address indicated below.

by mail:

PWBA

P.O. Box 7042

Lawrence, KS 66044-7042

by private delivery service:

PWBA / NCS

Attn: EFAST

3833 Greenway Drive

Lawrence, KS 66046-1290

Electronic Filing

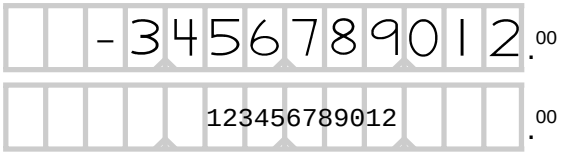
You may file Form 5500-EZ using 4mm DAT, 8mm DAT, 3½ inch diskette, CD-ROM, 3490 Tape or 9-Track Tape at the above address or via modem. If the Form 5500-EZ is filed in this manner, the filer must obtain an electronic signature and a transmission encryption key. For more information regarding electronic filing and how to obtain electronic signatures and transmission encryption keys, check the EFAST Web Site at **www.efast.dol.gov** periodically, beginning in late March, 2000 for updates.

Paper Filing

Completion by Computer. If Electronic Filing is not used, print out the Form 5500-EZ on standard 8½ by 11 inch paper using EFAST approved computer software.

Completion by Hand. Enter one letter or number within each green box without any overlapping of characters. If entering a negative number, enter a minus sign "–" in a box to the left of the number.

Completion by Typewriter. Ignore the vertical lines and type directly through the boxes. Do NOT type more characters than the number of boxes. Do NOT use commas. See example below. If entering a negative number, enter a minus sign "–" within the boxes to the left of the number.



If you did not receive Form 5500-EZ in the mail, call **1-800-TAX-FORM** (1-800-829-3676) to order forms to be used for completion by hand or typewriter since these forms use special paper, special green drop-out ink, and are printed within precise specifications.

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 attach it to Form 5500-EZ. See the instructions for Schedule B (Form 5500).
- **Schedule E (Form 5500),** ESOP Annual Information, is required for all pension benefit plans with ESOP benefits. For additional information, see the instructions for Schedule E (Form 5500).
- **Schedule P (Form 5500),** Annual Return of Fiduciary of Employee Benefit Trust, can be filed as an attachment to Form 5500-EZ for a one-participant plan that is funded by a trust by any trustee or custodian to start the running of the statute of limitations for the trust. See the instructions for Schedule P (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 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 relative 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 (e.g., Form 5500 or Form 5500-C/R).

Check box A(2) if you have already filed for the 1999 plan year and are now filing an amended return to correct errors and/or omissions on the previously filed return.

Check box 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. Enter the employer's name and address. Include the suite, room, or other unit number after the street address. If the Post Office does not deliver mail to the street address and the employer has a P.O. box, show the box number instead of the street address.

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. Form SS-4 can be obtained at most IRS or Social Security Administration (SSA) offices. The PWBA does NOT issue EINs.

You may also apply for an EIN before you are required to file Form 5500-EZ by filing a completed Form SS-4 with the IRS Service Center, Memphis, TN 37501. If you do not receive your EIN in time to enter it on the Form 5500-EZ you file, enter "Applied For" on line 2b.

Note: *Although EINs for funds (trusts or custodial accounts) associated with plans are generally not required to be furnished on the Form 5500 series returns/reports (except on Schedule P (Form 5500)), the IRS will issue EINs for such funds for other reporting purposes. EINs may be obtained by filing Form SS-4 as explained above.*

The plan administrator or employer should use the trust's EIN described in the **Note** above when opening a bank account or conducting other transactions for a plan that requires an EIN.

Line 2d. From the list of business activity codes on pages 6 through 8, enter the one that best describes the nature of your business.

Line 3a. Enter the name and address of the plan administrator unless the administrator is the employer identified in line 2a. If this is the case, enter the word "same" on line 3a and leave lines 3b and 3c blank.

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 2b.

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. If the person who prepared the annual return is not the employer named in line 2a or the plan administrator named in line 3a, you may identify the person on line 5.

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. Any defined benefit pension plan subject to the minimum funding standards must complete and attach Schedule B (Form 5500) to this form. All defined benefit pension plans are subject to the minimum funding standards, except certain insurance contract plans described in section 412(i), church plans, governmental plans, and certain other plans described in section 412(h).

Line 6b. If this is a defined contribution plan for which a waived funding deficiency is being amortized in the current plan year, attach Schedule B (Form 5500) to this form. Complete only lines 3, 8a, 9, and 10 of Schedule B. 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 8b. File a separate Form 5500-EZ for each plan if you have two or more one-participant plans with combined total plan assets that exceeded $100,000 at the end of any plan year beginning on or after January 1, 1994.

Line 9. In general, distributions received by participants from any qualified plan prior to attainment of age 59½, 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 70½.

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 Attributable to Qualified Retirement Plans (Including IRAs), Annuities, and Modified Endowment Contracts, 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 Web Site **(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 Code section 72(p) and proposed IRS regulation 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 proposed IRS regulation 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(l)) 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 10g. Include rollovers, direct transfers under section 401(a)(31), transfers under section 414(l), and net income received by the plan for the year. Do not include unrealized gains or losses.

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(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 Code 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 Code section 416. See Q&As 12 and 19 of proposed IRS regulation 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** 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-EZ, 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 hr., 11 min.
Learning about the law or the form	2 hr., 13 min.
Preparing the form	4 hr., 35 min.
Copying, assembling, and sending the form	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 Tax Forms Committee, Western Area Distribution Center, Rancho Cordova, CA 95743-0001. **DO NOT** send this form to this address. Instead, see **Where To File** on page 2.

Forms 5500 and 5500-EZ

Codes for Principal Business Activity

This list of principal business activities and their associated codes is designed to classify an enterprise by type of activity in which it is engaged. These principal activity codes are based on the North American Industry Classification System.

Agriculture, Forestry, Fishing and Hunting

Code

Crop Production

111100 Oilseed & Grain Farming
111210 Vegetable & Melon Farming (including potatoes & yams)
111300 Fruit & Tree Nut Farming
111400 Greenhouse, Nursery, & Floriculture Production
111900 Other Crop Farming (including tobacco, cotton, sugarcane, hay, peanut, sugar beet & all other crop farming)

Animal Production

112111 Beef Cattle Ranching & Farming
112112 Cattle Feedlots
112120 Dairy Cattle & Milk Production
112210 Hog & Pig Farming
112300 Poultry & Egg Production
112400 Sheep & Goat Farming
112510 Animal Aquaculture (including shellfish & finfish farms & hatcheries)
112900 Other Animal Production

Forestry and Logging

113110 Timber Tract Operations
113210 Forest Nurseries & Gathering of Forest Products
113310 Logging

Fishing, Hunting and Trapping

114110 Fishing
114210 Hunting & Trapping

Support Activities for Agriculture and Forestry

115110 Support Activities for Crop Production (including cotton ginning, soil preparation, planting, & cultivating)
115210 Support Activities for Animal Production
115310 Support Activities For Forestry

Mining

211110 Oil & Gas Extraction
212110 Coal Mining
212200 Metal Ore Mining
212310 Stone Mining & Quarrying
212320 Sand, Gravel, Clay, & Ceramic & Refractory Minerals Mining & Quarrying
212390 Other Nonmetallic Mineral Mining & Quarrying
213110 Support Activities for Mining

Utilities

221100 Electric Power Generation, Transmission & Distribution
221210 Natural Gas Distribution
221300 Water, Sewage & Other Systems

Construction

Code

Building, Developing, and General Contracting

233110 Land Subdivision & Land Development
233200 Residential Building Construction
233300 Nonresidential Building Construction

Code

Heavy Construction

234100 Highway, Street, Bridge, & Tunnel Construction
234900 Other Heavy Construction

Special Trade Contractors

235110 Plumbing, Heating, & Air-Conditioning Contractors
235210 Painting & Wall Covering Contractors
235310 Electrical Contractors
235400 Masonry, Drywall, Insulation, & Tile Contractors
235500 Carpentry & Floor Contractors
235610 Roofing, Siding, & Sheet Metal Contractors
235710 Concrete Contractors
235810 Water Well Drilling Contractors
235900 Other Special Trade Contractors

Manufacturing

Food Manufacturing

311110 Animal Food Mfg
311200 Grain & Oilseed Milling
311300 Sugar & Confectionery Product Mfg
311400 Fruit & Vegetable Preserving & Specialty Food Mfg
311500 Dairy Product Mfg
311610 Animal Slaughtering and Processing
311710 Seafood Product Preparation & Packaging
311800 Bakeries & Tortilla Mfg
311900 Other Food Mfg (including coffee, tea, flavorings & seasonings)

Beverage and Tobacco Product Manufacturing

312110 Soft Drink & Ice Mfg
312120 Breweries
312130 Wineries
312140 Distilleries
312200 Tobacco Manufacturing

Textile Mills and Textile Product Mills

313000 Textile Mills
314000 Textile Product Mills

Apparel Manufacturing

315100 Apparel Knitting Mills
315210 Cut & Sew Apparel Contractors
315220 Men's & Boys' Cut & Sew Apparel Mfg
315230 Women's & Girls' Cut & Sew Apparel Mfg
315290 Other Cut & Sew Apparel Mfg
315990 Apparel Accessories & Other Apparel Mfg

Leather and Allied Product Manufacturing

316110 Leather & Hide Tanning & Finishing
316210 Footwear Mfg (including rubber & plastics)
316990 Other Leather & Allied Product Mfg

Wood Product Manufacturing

321110 Sawmills & Wood Preservation
321210 Veneer, Plywood, & Engineered Wood Product Mfg

Code

321900 Other Wood Product Mfg

Paper Manufacturing

322100 Pulp, Paper, & Paperboard Mills
322200 Converted Paper Product Mfg

Printing and Related Support Activities

323100 Printing & Related Support Activities

Petroleum and Coal Products Manufacturing

324110 Petroleum Refineries (including integrated)
324120 Asphalt Paving, Roofing, & Saturated Materials Mfg
324190 Other Petroleum & Coal Products Mfg

Chemical Manufacturing

325100 Basic Chemical Mfg
325200 Resin, Synthetic Rubber, & Artificial & Synthetic Fibers & Filaments Mfg
325300 Pesticide, Fertilizer, & Other Agricultural Chemical Mfg
325410 Pharmaceutical & Medicine Mfg
325500 Paint, Coating, & Adhesive Mfg
325600 Soap, Cleaning Compound, & Toilet Preparation Mfg
325900 Other Chemical Product & Preparation Mfg

Plastics and Rubber Products Manufacturing

326100 Plastics Product Mfg
326200 Rubber Product Mfg

Nonmetallic Mineral Product Manufacturing

327100 Clay Product & Refractory Mfg
327210 Glass & Glass Product Mfg
327300 Cement & Concrete Product Mfg
327400 Lime & Gypsum Product Mfg
327900 Other Nonmetallic Mineral Product Mfg

Primary Metal Manufacturing

331110 Iron & Steel Mills & Ferroalloy Mfg
331200 Steel Product Mfg from Purchased Steel
331310 Alumina & Aluminum Production & Processing
331400 Nonferrous Metal (except Aluminum) Production & Processing
331500 Foundries

Fabricated Metal Product Manufacturing

332110 Forging & Stamping
332210 Cutlery & Handtool Mfg
332300 Architectural & Structural Metals Mfg
332400 Boiler, Tank, & Shipping Container Mfg
332510 Hardware Mfg
332610 Spring & Wire Product Mfg
332700 Machine Shops; Turned Product; & Screw, Nut, & Bolt Mfg
332810 Coating, Engraving, Heat Treating, & Allied Activities
332900 Other Fabricated Metal Product Mfg

Machinery Manufacturing

333100 Agriculture, Construction, & Mining Machinery Mfg
333200 Industrial Machinery Mfg
333310 Commercial & Service Industry Machinery Mfg
333410 Ventilation, Heating, Air-Conditioning, & Commercial Refrigeration Equipment Mfg
333510 Metalworking Machinery Mfg
333610 Engine, Turbine & Power Transmission Equipment Mfg

Code

333900 Other General Purpose Machinery Mfg

Computer and Electronic Product Manufacturing

334110 Computer & Peripheral Equipment Mfg
334200 Communications Equipment Mfg
334310 Audio & Video Equipment Mfg
334410 Semiconductor & Other Electronic Component Mfg
334500 Navigational, Measuring, Electromedical, & Control Instruments Mfg
334610 Manufacturing & Reproducing Magnetic & Optical Media

Electrical Equipment, Appliance, and Component Manufacturing

335100 Electric Lighting Equipment Mfg
335200 Household Appliance Mfg
335310 Electrical Equipment Mfg
335900 Other Electrical Equipment & Component Mfg

Transportation Equipment Manufacturing

336100 Motor Vehicle Mfg
336210 Motor Vehicle Body & Trailer Mfg
336300 Motor Vehicle Parts Mfg
336410 Aerospace Product & Parts Mfg
336510 Railroad Rolling Stock Mfg
336610 Ship & Boat Building
336990 Other Transportation Equipment Mfg

Furniture and Related Product Manufacturing

337000 Furniture & Related Product Manufacturing

Miscellaneous Manufacturing

339110 Medical Equipment & Supplies Mfg
339900 Other Miscellaneous Manufacturing

Wholesale Trade

Wholesale Trade, Durable Goods

421100 Motor Vehicle & Motor Vehicle Parts & Supplies Wholesalers
421200 Furniture & Home Furnishing Wholesalers
421300 Lumber & Other Construction Materials Wholesalers
421400 Professional & Commercial Equipment & Supplies Wholesalers
421500 Metal & Mineral (except Petroleum) Wholesalers
421600 Electrical Goods Wholesalers
421700 Hardware, & Plumbing & Heating Equipment & Supplies Wholesalers
421800 Machinery, Equipment, & Supplies Wholesalers
421910 Sporting & Recreational Goods & Supplies Wholesalers
421920 Toy & Hobby Goods & Supplies Wholesalers
421930 Recyclable Material Wholesalers
421940 Jewelry, Watch, Precious Stone, & Precious Metal Wholesalers
421990 Other Miscellaneous Durable Goods Wholesalers

Code

Wholesale Trade, Nondurable Goods

422100 Paper & Paper Product Wholesalers
422210 Drugs & Druggists' Sundries Wholesalers
422300 Apparel, Piece Goods, & Notions Wholesalers
422400 Grocery & Related Product Wholesalers
422500 Farm Product Raw Material Wholesalers
422600 Chemical & Allied Products Wholesalers
422700 Petroleum & Petroleum Products Wholesalers
422800 Beer, Wine, & Distilled Alcoholic Beverage Wholesalers
422910 Farm Supplies Wholesalers
422920 Book, Periodical, & Newspaper Wholesalers
422930 Flower, Nursery Stock, & Florists' Supplies Wholesalers
422940 Tobacco & Tobacco Product Wholesalers
422950 Paint, Varnish, & Supplies Wholesalers
422990 Other Miscellaneous Nondurable Goods Wholesalers

Retail Trade

Motor Vehicle and Parts Dealers

441110 New Car Dealers
441120 Used Car Dealers
441210 Recreational Vehicle Dealers
441221 Motorcycle Dealers
441222 Boat Dealers
441229 All Other Motor Vehicle Dealers
441300 Automotive Parts, Accessories, & Tire Stores

Furniture and Home Furnishings Stores

442110 Furniture Stores
442210 Floor Covering Stores
442291 Window Treatment Stores
442299 All Other Home Furnishings Stores

Electronics and Appliance Stores

443111 Household Appliance Stores
443112 Radio, Television, & Other Electronics Stores
443120 Computer & Software Stores
443130 Camera & Photographic Supplies Stores

Building Material and Garden Equipment and Supplies Dealers

444110 Home Centers
444120 Paint & Wallpaper Stores
444130 Hardware Stores
444190 Other Building Material Dealers
444200 Lawn & Garden Equipment & Supplies Stores

Food and Beverage Stores

445110 Supermarkets and Other Grocery (except Convenience) Stores
445120 Convenience Stores
445210 Meat Markets
445220 Fish & Seafood Markets
445230 Fruit & Vegetable Markets
445291 Baked Goods Stores
445292 Confectionery & Nut Stores
445299 All Other Specialty Food Stores
445310 Beer, Wine, & Liquor Stores

Health and Personal Care Stores

446110 Pharmacies & Drug Stores
446120 Cosmetics, Beauty Supplies, & Perfume Stores
446130 Optical Goods Stores
446190 Other Health & Personal Care Stores

Gasoline Stations

447100 Gasoline Stations (including convenience stores with gas)

Code

Clothing and Clothing Accessories Stores

448110 Men's Clothing Stores
448120 Women's Clothing Stores
448130 Children's & Infants' Clothing Stores
448140 Family Clothing Stores
448150 Clothing Accessories Stores
448190 Other Clothing Stores
448210 Shoe Stores
448310 Jewelry Stores
448320 Luggage & Leather Goods Stores

Sporting Goods, Hobby, Book, and Music Stores

451110 Sporting Goods Stores
451120 Hobby, Toy, & Game Stores
451130 Sewing, Needlework, & Piece Goods Stores
451140 Musical Instrument & Supplies Stores
451211 Book Stores
451212 News Dealers & Newsstands
451220 Prerecorded Tape, Compact Disc, & Record Stores

General Merchandise Stores

452110 Department stores
452900 Other General Merchandise Stores

Miscellaneous Store Retailers

453110 Florists
453210 Office Supplies & Stationery Stores
453220 Gift, Novelty, & Souvenir Stores
453310 Used Merchandise Stores
453910 Pet & Pet Supplies Stores
453920 Art Dealers
453930 Manufactured (Mobile) Home Dealers
453990 All Other Miscellaneous Store Retailers (including tobacco, candle, & trophy shops)

Nonstore Retailers

454110 Electronic Shopping & Mail-Order Houses
454210 Vending Machine Operators
454311 Heating Oil Dealers
454312 Liquefied Petroleum Gas (Bottled Gas) Dealers
454319 Other Fuel Dealers
454390 Other Direct Selling Establishments (including door-to-door retailing, frozen food plan providers, party plan merchandisers, & coffee-break service providers)

Transportation and Warehousing

Air, Rail, and Water Transportation

481000 Air Transportation
482110 Rail Transportation
483000 Water Transportation

Truck Transportation

484110 General Freight Trucking, Local
484120 General Freight Trucking, Long-distance
484200 Specialized Freight Trucking

Transit and Ground Passenger Transportation

485110 Urban Transit Systems
485210 Interurban & Rural Bus Transportation
485310 Taxi Service
485320 Limousine Service
485410 School & Employee Bus Transportation
485510 Charter Bus Industry
485990 Other Transit & Ground Passenger Transportation

Pipeline Transportation

486000 Pipeline Transportation

Scenic & Sightseeing Transportation

487000 Scenic & Sightseeing Transportation

Code

Support Activities for Transportation

488100 Support Activities for Air Transportation
488210 Support Activities for Rail Transportation
488300 Support Activities for Water Transportation
488410 Motor Vehicle Towing
488490 Other Support Activities for Road Transportation
488510 Freight Transportation Arrangement
488990 Other Support Activities for Transportation

Couriers and Messengers

492110 Couriers
492210 Local Messengers & Local Delivery

Warehousing and Storage

493100 Warehousing & Storage (except lessors of miniwarehouses & self-storage units)

Information

Publishing Industries

511110 Newspaper Publishers
511120 Periodical Publishers
511130 Book Publishers
511140 Database & Directory Publishers
511190 Other Publishers
511210 Software Publishers

Motion Picture and Sound Recording Industries

512100 Motion Picture & Video Industries (except video rental)
512200 Sound Recording Industries

Broadcasting and Telecommunications

513100 Radio & Television Broadcasting
513200 Cable Networks & Program Distribution
513300 Telecommunications (including paging, cellular, satellite, & other telecommunications)

Information Services and Data Processing Services

514100 Information Services (including news syndicates, libraries, & on-line information services)
514210 Data Processing Services

Finance and Insurance

Depository Credit Intermediation

522110 Commercial Banking
522120 Savings Institutions
522130 Credit Unions
522190 Other Depository Credit Intermediation

Nondepository Credit Intermediation

522210 Credit Card Issuing
522220 Sales Financing
522291 Consumer Lending
522292 Real Estate Credit (including mortgage bankers & originators)
522293 International Trade Financing
522294 Secondary Market Financing
522298 All Other Nondepository Credit Intermediation

Activities Related to Credit Intermediation

522300 Activities Related to Credit Intermediation (including loan brokers)

Securities, Commodity Contracts, and Other Financial Investments and Related Activities

523110 Investment Banking & Securities Dealing
523120 Securities Brokerage
523130 Commodity Contracts Dealing
523140 Commodity Contracts Brokerage

Code

523210 Securities & Commodity Exchanges
523900 Other Financial Investment Activities (including portfolio management & investment advice)

Insurance Carriers and Related Activities

524140 Direct Life, Health, & Medical Insurance & Reinsurance Carriers
524150 Direct Insurance & Reinsurance (except Life, Health & Medical) Carriers
524210 Insurance Agencies & Brokerages
524290 Other Insurance Related Activities

Funds, Trusts, and Other Financial Vehicles

525100 Insurance & Employee Benefit Funds
525910 Open-End Investment Funds (Form 1120-RIC)
525920 Trusts, Estates, & Agency Accounts
525930 Real Estate Investment Trusts (Form 1120-REIT)
525990 Other Financial Vehicles

Real Estate and Rental and Leasing

Real Estate

531110 Lessors of Residential Buildings & Dwellings
531120 Lessors of Nonresidential Buildings (except Miniwarehouses)
531130 Lessors of Miniwarehouses & Self-Storage Units
531190 Lessors of Other Real Estate Property
531210 Offices of Real Estate Agents & Brokers
531310 Real Estate Property Managers
531320 Offices of Real Estate Appraisers
531390 Other Activities Related to Real Estate

Rental and Leasing Services

532100 Automotive Equipment Rental & Leasing
532210 Consumer Electronics & Appliances Rental
532220 Formal Wear & Costume Rental
532230 Video Tape & Disc Rental
532290 Other Consumer Goods Rental
532310 General Rental Centers
532400 Commercial & Industrial Machinery & Equipment Rental & Leasing

Lessors of Nonfinancial Intangible Assets (except copyrighted works)

533110 Lessors of Nonfinancial Intangible Assets (except copyrighted works)

Professional, Scientific, and Technical Services

Legal Services

541110 Offices of Lawyers
541190 Other Legal Services

Accounting, Tax Preparation, Bookkeeping, and Payroll Services

541211 Offices of Certified Public Accountants
541213 Tax Preparation Services
541214 Payroll Services
541219 Other Accounting Services

Architectural, Engineering, and Related Services

541310 Architectural Services
541320 Landscape Architecture Services
541330 Engineering Services
541340 Drafting Services
541350 Building Inspection Services

Code

541360 Geophysical Surveying & Mapping Services
541370 Surveying & Mapping (except Geophysical) Services
541380 Testing Laboratories

Specialized Design Services

541400 Specialized Design Services (including interior, industrial, graphic, & fashion design)

Computer Systems Design and Related Services

541511 Custom Computer Programming Services
541512 Computer Systems Design Services
541513 Computer Facilities Management Services
541519 Other Computer Related Services

Other Professional, Scientific, and Technical Services

541600 Management, Scientific, & Technical Consulting Services
541700 Scientific Research & Development Services
541800 Advertising & Related Services
541910 Marketing Research & Public Opinion Polling
541920 Photographic Services
541930 Translation & Interpretation Services
541940 Veterinary Services
541990 All Other Professional, Scientific, & Technical Services

Management of Companies (Holding Companies)

551111 Offices of Bank Holding Companies
551112 Offices of Other Holding Companies

Administrative and Support and Waste Management and Remediation Services

Administrative and Support Services

561110 Office Administrative Services
561210 Facilities Support Services
561300 Employment Services
561410 Document Preparation Services
561420 Telephone Call Centers
561430 Business Service Centers (including private mail centers & copy shops)
561440 Collection Agencies
561450 Credit Bureaus
561490 Other Business Support Services (including repossession services, court reporting, & stenotype services)

Code

561500 Travel Arrangement & Reservation Services
561600 Investigation & Security Services
561710 Exterminating & Pest Control Services
561720 Janitorial Services
561730 Landscaping Services
561740 Carpet & Upholstery Cleaning Services
561790 Other Services to Buildings & Dwellings
561900 Other Support Services (including packaging & labeling services, & convention & trade show organizers)

Waste Management and Remediation Services

562000 Waste Management & Remediation Services

Educational Services

611000 Educational Services (including schools, colleges, & universities)

Health Care and Social Assistance

Offices of Physicians and Dentists

621111 Offices of Physicians (except mental health specialists)
621112 Offices of Physicians, Mental Health Specialists
621210 Offices of Dentists

Offices of Other Health Practitioners

621310 Offices of Chiropractors
621320 Offices of Optometrists
621330 Offices of Mental Health Practitioners (except Physicians)
621340 Offices of Physical, Occupational & Speech Therapists, & Audiologists
621391 Offices of Podiatrists
621399 Offices of All Other Miscellaneous Health Practitioners

Outpatient Care Centers

621410 Family Planning Centers
621420 Outpatient Mental Health & Substance Abuse Centers
621491 HMO Medical Centers
621492 Kidney Dialysis Centers
621493 Freestanding Ambulatory Surgical & Emergency Centers
621498 All Other Outpatient Care Centers

Medical and Diagnostic Laboratories

621510 Medical & Diagnostic Laboratories

Home Health Care Services

621610 Home Health Care Services

Code

Other Ambulatory Health Care Services

621900 Other Ambulatory Health Care Services (including ambulance services & blood & organ banks)

Hospitals

622000 Hospitals

Nursing and Residential Care Facilities

623000 Nursing & Residential Care Facilities

Social Assistance

624100 Individual & Family Services
624200 Community Food & Housing, & Emergency & Other Relief Services
624310 Vocational Rehabilitation Services
624410 Child Day Care Services

Arts, Entertainment, and Recreation

Performing Arts, Spectator Sports, and Related Industries

711100 Performing Arts Companies
711210 Spectator Sports (including sports clubs & racetracks)
711300 Promoters of Performing Arts, Sports, & Similar Events
711410 Agents & Managers for Artists, Athletes, Entertainers, & Other Public Figures
711510 Independent Artists, Writers, & Performers

Museums, Historical Sites, and Similar Institutions

712100 Museums, Historical Sites, & Similar Institutions

Amusement, Gambling, and Recreation Industries

713100 Amusement Parks & Arcades
713200 Gambling Industries
713900 Other Amusement & Recreation Industries (including golf courses, skiing facilities, marinas, fitness centers, & bowling centers)

Accommodation and Food Services

Accommodation

721110 Hotels (except casino hotels) & Motels
721120 Casino Hotels
721191 Bed & Breakfast Inns
721199 All Other Traveler Accommodation
721210 RV (Recreational Vehicle) Parks & Recreational Camps
721310 Rooming & Boarding Houses

Code

Food Services and Drinking Places

722110 Full-Service Restaurants
722210 Limited-Service Eating Places
722300 Special Food Services (including food service contractors & caterers)
722410 Drinking Places (Alcoholic Beverages)

Other Services

Repair and Maintenance

811110 Automotive Mechanical & Electrical Repair & Maintenance
811120 Automotive Body, Paint, Interior, & Glass Repair
811190 Other Automotive Repair & Maintenance (including oil change & lubrication shops & car washes)
811210 Electronic & Precision Equipment Repair & Maintenance
811310 Commercial & Industrial Machinery & Equipment (except Automotive & Electronic) Repair & Maintenance
811410 Home & Garden Equipment & Appliance Repair & Maintenance
811420 Reupholstery & Furniture Repair
811430 Footwear & Leather Goods Repair
811490 Other Personal & Household Goods Repair & Maintenance

Personal and Laundry Services

812111 Barber Shops
812112 Beauty Salons
812113 Nail Salons
812190 Other Personal Care Services (including diet & weight reducing centers)
812210 Funeral Homes & Funeral Services
812220 Cemeteries & Crematories
812310 Coin-Operated Laundries & Drycleaners
812320 Drycleaning & Laundry Services (except Coin-Operated)
812330 Linen & Uniform Supply
812910 Pet Care (except Veterinary) Services
812920 Photofinishing
812930 Parking Lots & Garages
812990 All Other Personal Services

Religious, Grantmaking, Civic, Professional, and Similar Organizations

813000 Religious, Grantmaking, Civic, Professional, & Similiar Organizations