



TOPIC: EMERGENCY EXTENSION FOR CERTAIN 5500 FILINGS

EXECUTIVE SUMMARY: The Labor Department, IRS and PBGC have postponed the deadline for Form 5500 (and 5500EZ) filings that would otherwise have been due between September 11 and November 30, 2001, for employers and plan administrators directly affected by the September 11 terrorist attacks. This includes employers and plan administrators located anywhere in New York City or in Arlington County, Virginia, and those located elsewhere whose access to necessary information or professional assistance was directly affected. If the *initial* filing deadline for the plan was in the 9/11 – 11/30 period, it is postponed for 6 months plus 120 days; if the due date was earlier but the plan had a filing extension that expires in the 9/11 – 11/30 period, the filing is due no later than 120 days from that extended deadline.

Other plans that may not be able to file in time because of the disruption in transportation and mail services will have until November 15 to file.

For example, calendar-year plans have an initial 5500 filing deadline of July 31. Many of them take an extension to October 15. If their sponsors or administrators are located in the disaster areas, those plans will now have an extra 120 days within which to complete and file their Forms 5500 for the 2000 plan year.

There is as yet no delay in the deadlines for other ERISA filings, or for contributions required by the ERISA minimum funding rules.*

PURPOSE: INFORMATIONAL

CATEGORY: REGULATORY

ISSUER: IRS, DOL, PBGC

TARGET AUDIENCE: FUND COUNSEL, ADMINISTRATORS, AUDITORS, TRUSTEES

INPUT REQUESTED: N/A

OFFICIAL COMMENT PERIOD ENDS: N/A

NCCMP DEADLINE: N/A

FORWARD COMMENTS TO: Multi-alert@nccmp.org

REFERENCE: VOL.1, ISSUE 2,

FOR ADDITIONAL BACKGROUND SEE: N/A

*As with all matters involving legal interpretation, you should rely on your attorneys for guidance.