2010 Key Administrative Dates and Deadlines for Calendar-Year Defined Contribution Retirement Plans[1]

Milliman

January

Annual Benefit Statements for individual account plan participants who do not have the right to direct their investments must be distributed no later than when the Form 5500 is actually filed. (However, in no event may Annual Benefit Statements be provided later than the Form 5500 due date, including extensions.)

February

2/1/10*	• Determination Letter Applications - Cycle D • Form W-2 • Form 945 • Form 1099-R • Determination Letter Applications - Cycle E
2/10/10	• Form 945
2/14/10	• Quarterly Benefit Statements

March

3/1/10*	• Form W-3 • Form 1099-R
3/15/10	• Corrective Distributions • Form 1120 or 7004 • Forms 1042 and 1042-S
3/31/10	• Form W-3 • Form 1099-R • Form 5330

April

4/1/10	• Required Minimum Distributions
4/15/10	• Excess Deferrals and Allocable Income • Form 1065 or 7004
4/30/10	• Preapproved Plan Document and Form 5307

May

5/15/10	• Quarterly Benefit Statements • Forms 990 and 8868

June

6/30/10	• EACA Corrective Distributions

July

7/29/10	• Summary of Material Modifications

August

8/2/10*	• Form 5500 (*and Annual Benefit Statements*) or Form 5558 • Form 8955-SSA • Form 5330
8/14/10	• Quarterly Benefit Statements
8/15/10	• Form 5500 (*and Annual Benefit Statements*)

September

9/15/10	• Form 5500 (*and Annual Benefit Statements*) • Deductible Contributions • Money Purchase Plan Contributions
9/30/10	• Summary Annual Reports

October

10/2/10	• Safe Harbor Notices • Automatic Enrollment Notices
10/15/10	• Form 5500 (*and Annual Benefit Statements*) • Plan Amendment

November

11/2/10	• SIMPLE IRA or SIMPLE 401(k) Notices
11/14/10	• Quarterly Benefit Statements
11/15/10	• Summary Annual Reports

December

12/1/10	• QDIA Notices • Safe Harbor Notices • Automatic Enrollment Notices
12/15/10	• Summary Annual Reports
12/31/10	• Corrective Distributions and QNECs • Safe Harbor, QACA, or EACA Elections • Required Minimum Distributions • Participant Notices • Self-Employed Partner Elections • HEART Amendments • EESA Amendments • Discretionary Plan Amendments • Remove Safe Harbor Feature

[1]Click on any item for more information or refer to pp. 2-4.

*The date reflected is the next business day following a filing date of an IRS or Department of Labor form that otherwise would fall on a Saturday, Sunday, or a legal holiday.

The Milliman 2010 DC Calendar contains general information that is not intended to constitute the rendering of legal, tax, investment, or accounting advice. Application to specific circumstances should rely on further professional guidance.

Key Administrative Dates and Deadlines for 2010 Calendar-Year Defined Contribution Retirement Plans

Date	Item	Action
2/1/10*	EGTRRA Plan Document and Form 5300 Determination Letter Applications - Cycle D	Final date to adopt an EGTRRA plan document restatement and submit to the IRS a determination letter application (Form 5300) for the EGTRRA remedial amendment period for multiemployer plans and individually designed plans of sponsors with Employer Identification Numbers (EINs) ending in 4 or 9 (Cycle D)
2/1/10*	Form W-2	Provide to employees IRS Form W-2 (*Wage and Tax Statement*) for 2009, reporting wages and amount of elective deferrals
2/1/10*	Form 945	File with the IRS Form 945 (*Annual Return of Withheld Federal Income Tax*) to report income tax withheld from 2009 distributions made from qualified plans
2/1/10*	Form 1099-R	Provide to recipients of 2009 plan distributions IRS Form 1099-R (*Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.*)
2/1/10	EGTRRA Plan Document and Form 5300 Determination Letter Applications - Cycle E	First date to adopt an EGTRRA plan document restatement and submit to the IRS a determination letter application (Form 5300) for the EGTRRA remedial amendment period for individually designed plans of sponsors with EINs ending in 5 or 0 (Cycle E) and electing individually designed governmental plans
2/10/10	Form 945	File with the IRS Form 945, if the withholding taxes on 2009 distributions were timely paid
2/14/10	Quarterly Benefit Statements	Distribute to participants 2009 fourth quarter benefit statements, if individual account plan gives participants the right to direct their investments (Note: 2/14 is Sunday; the "next business day" rule does not apply to participant disclosures.)
3/1/10*	Form W-3	File with the IRS Form W-3 (*Transmittal of Wage and Tax Statements*), reflecting employee wages and elective deferrals for 2009, unless filing electronically
3/1/10*	Form 1099-R	File with the IRS Form 1099-R along with Form 1096 (*Annual Summary and Transmittal of U.S. Information Returns*), unless filing electronically
3/15/10	Corrective Distributions	Distribute to highly compensated employees corrective distributions for a failed 2009 ADP/ACP test for excess 401(k)/(m) plan contributions and allocable income to avoid 10% excise tax assessment on plan sponsor
3/15/10	Form 1120 or 7004	For corporate employers with a calendar fiscal year, file with the IRS Form 7004 (*Application for Automatic Extension of Time to File Certain Business Income Tax, Information, and Other Returns*) to obtain a six-month extension of both the 2009 Form 1120 (*U.S. Corporation Income Tax Return*) and the deadline for making and deducting 2009 employer contributions; otherwise, file with the IRS 2009 corporate tax return and deposit employer contributions for amounts to be considered deductible for 2009
3/15/10	Forms 1042 and 1042-S	File with the IRS Form 1042 (*Annual Withholding Tax Return for U.S. Source Income of Foreign Persons*) to report income taxes withheld from distributions made in 2009 to certain nonresident aliens; also file with the IRS Copy A of Form 1042-S (*Foreign Person's U.S. Source Income Subject to Withholding*) to report distributions made in 2009 to certain nonresident aliens and provide to the recipient Copies B, C, and D
3/31/10	Form W-3	Electronically file with the IRS Form W-3 for 2009, unless filed earlier on paper
3/31/10	Form 1099-R	Electronically file with the IRS Form 1099-R, unless filed earlier on paper
3/31/10	Form 5330	File with the IRS Form 5330 (*Return of Excise Taxes Related to Employee Benefit Plans*) to report and pay excise taxes for 2008 ADP/ACP refunds returned after 3/15/2009
4/1/10	Required Minimum Distributions	Otherwise applicable deadline for first required minimum distributions (RMDs) due to terminated vested participants who attained age 70-1/2 in 2009 and to participants older than age 70-1/2 who retired in 2009 (Note: This requirement is waived for 2009 RMDs under WRERA; follow the plan's default for making or not making 2009 RMDs, subject to a participant's contrary election.)
4/15/10	Excess Deferrals and Allocable Income	Refund to participants any excess 401(k), 403(b), and nongovernmental 457(b) plan deferrals (above $16,500 in 2009) and allocable income (Note: Excess deferrals for governmental 457(b) plans do not require correction by the following April 15, but rather "as soon as administratively practicable.")

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Key Administrative Dates and Deadlines for 2010 Calendar-Year Defined Contribution Retirement Plans

Date	Item	Action
4/15/10	**Form 1065 or 7004**	For partnership employers with calendar fiscal years, file with the IRS Form 7004 to obtain a five-month extension of both the 2009 Form 1065 (U.S. Return of Partnership Income) and the deadline for making and deducting 2009 employer contributions; otherwise, file with the IRS 2009 partnership tax return and deposit employer contributions for amounts to be considered deductible for 2009
4/30/10	**Preapproved Plan Document and Form 5307**	Adopt the EGTRRA-approved plan document, if using preapproved plan documents for EGTRRA restatements, and submit to the IRS Form 5307 (*Application for Determination for Adopters of Master or Prototype or Volume Submitter Plans*)
5/15/10	**Quarterly Benefit Statements**	Distribute to participants 2010 first quarter benefit statements, if individual account plan gives participants the right to direct their investments
5/15/10	**Forms 990 and 8868**	For tax-exempt employers with calendar fiscal years, file with the IRS Form 8868 (*Application for Extension of Time to File an Exempt Organization Return*) to obtain a three-month extension of the 2009 Form 990 (*Return of Organization Exempt from Income Tax*); otherwise, file with the IRS 2009 information return
6/30/10	**EACA Corrective Distributions**	If the plan includes an eligible automatic contribution arrangement (EACA) that covers all participants, distribute to highly compensated employees corrective distributions for 2009 excess ADP/ACP amounts to avoid 10% excise tax assessment on plan sponsor
7/29/10	**Summary of Material Modifications**	Provide a Summary of Material Modifications (SMM) to participants if plan adopted amendments in 2009, unless information was included in a timely distributed updated Summary Plan Description (SPD)
8/2/10*	**Form 5500 (*and Annual Benefit Statements*) or Form 5558 Also, Form 8955-SSA**	Electronically file with the DOL Form 5500 (*Annual Return/Report of Employee Benefit Plan*) for the 2009 plan year using EFAST2 (*and distribute Annual Benefit Statements to individual account plan participants who do not have the right to direct their investments*), or file with the IRS Form 5558 (*Application for Extension of Time to File Certain Employee Plan Returns*) to extend the Form 5500 filing due date by 2-1/2 months (Note: Effective for 2009 plan year filings (generally due in 2010), Schedule SSA (*Annual Registration Statement Identifying Separated Participants with Deferred Vested Benefits*) will no longer accompany the Form 5500 filing with the DOL. Instead, the SSA information will be filed with the IRS using the new Form 8955-SSA. Form 5558 will be updated to include an extension request for Form 8955-SSA. An employer cannot use a business tax filing extension to extend the due date for Form 8955-SSA.)
8/2/10*	**Form 5330**	For employers with calendar fiscal years, file with the IRS Form 5330 (*Return of Excise Taxes Related to Employee Benefit Plans*) to report and pay excise taxes on 2009 prohibited transactions and nondeductible contributions
8/14/10	**Quarterly Benefit Statements**	Distribute to participants 2010 second quarter benefit statements, if individual account plan gives participants the right to direct their investments (Note: 8/14 is Saturday; "the next business day" rule does not apply to participant disclosures.)
8/15/10	**Form 5500 (*and Annual Benefit Statements*)**	For tax-exempt employers, electronically file with the DOL Form 5500 for the 2009 plan year using EFAST2 (*and distribute Annual Benefit Statements to individual account plan participants who do not have the right to direct their investments*), if no Form 5558 was filed with the IRS but an extension request (Form 8868) was timely filed for the employer's Form 990 information return
9/15/10	**Form 5500 (*and Annual Benefit Statements*)**	For corporate and partnership employers, electronically file with the DOL Form 5500 for the 2009 plan year using EFAST2 (*and distribute Annual Benefit Statements to individual account plan participants who do not have the right to direct their investments*), if no Form 5558 was filed with the IRS but an extension request (Form 7004) was timely filed for the company's income tax return (either corporate Form 1120 or partnership Form 1065)
9/15/10	**Deductible Contributions**	2009 plan contributions are deductible for 2009 if made by this date and if an extension request (Form 7004) was timely filed for the company's income tax return (either corporate Form 1120 or partnership Form 1065)
9/15/10	**Money Purchase Plan Contributions**	Final date to make required employer contributions to money purchase plans for the 2009 plan year

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Key Administrative Dates and Deadlines for 2010 Calendar-Year Defined Contribution Retirement Plans

Date	Item	Action
9/30/10	**Summary Annual Reports**	Distribute to participants the 2009 Summary Annual Report (SAR), unless extended by a timely filed IRS Form 5558
10/2/10	**Safe Harbor Notices**	Earliest date to provide to participants 401(k) or 403(b) plan safe harbor notice, if applicable for 2011 plan year
10/2/10	**Automatic Enrollment Notices**	Earliest date to send 401(k) or 403(b) annual automatic enrollment notices for 2011 to participants for automatic contribution arrangements (ACAs), eligible automatic contribution arrangements (EACAs), and qualified automatic contribution arrangements (QACAs) (Note: The notice may be combined with the qualified default investment alternative (QDIA) notice.)
10/15/10	**Form 5500 (*and Annual Benefit Statements*)**	Electronically file with the DOL Form 5500 for the 2009 plan year using EFAST2 (*and distribute Annual Benefit Statements to individual account plan participants who do not have the right to direct their investments*), if the due date was extended by a timely filed IRS Form 5558
10/15/10	**Plan Amendment**	Adopt a retroactive amendment to correct a failed tax code section 410(b) coverage test or a failed section 401(a)(4) general nondiscrimination test
11/2/10	**SIMPLE IRA or SIMPLE 401(k) Notices**	Notify eligible employees about SIMPLE IRA or SIMPLE 401(k) plans for 2011, including salary reduction rights and whether employer contributions will be matching or nonelective contributions
11/14/10	**Quarterly Benefit Statements**	Distribute to participants 2010 third quarter benefit statements, if individual account plan gives participants the right to direct their investments (Note: 11/14 is Sunday; the "next business day" rule does not apply to participant disclosures.)
11/15/10	**Summary Annual Reports**	Distribute to participants the 2009 SAR if no IRS Form 5558 was filed but an extension request (Form 7004) was timely filed for the company's income tax return (either corporate Form 1120 or partnership Form 1065)
12/1/10	**QDIA Notices**	Send QDIA notices to participants for 2011
12/1/10	**Safe Harbor Notices**	Provide to participants 401(k) or 403(b) plan safe harbor notice, if applicable for 2011 plan year
12/1/10	**Automatic Enrollment Notices**	Send to participants 401(k) or 403(b) annual automatic enrollment notices for 2011 (Note: The notice may be combined with the QDIA notice.)
12/15/10	**Summary Annual Reports**	Distribute 2009 SAR to participants, if due date was extended by a timely filed IRS Form 5558
12/31/10	**Corrective Distributions and QNECs**	Process corrective distributions to correct a failed 2009 ADP/ACP test for excess 401(k)/(m) plan contributions and allocable income to maintain qualified status (10% excise tax applies); also, final date to make a qualified nonelective contribution (QNEC) to cure a failed 2009 "current year method" ADP/ACP test
12/31/10	**Safe Harbor, QACA, or EACA Elections**	Amend existing 401(k) or 403(b) plan to be a safe harbor plan or to add a QACA or EACA, if desired for 2011 (Note: This is the deadline for the amendment to the plan; however, notices to participants should be made prior to the end of the plan year, as indicated in "Safe Harbor Notices" and "Automatic Enrollment Notices" above.)
12/31/10	**Required Minimum Distributions**	Recurring age 70-1/2 RMDs to participants due
12/31/10	**Participant Notices**	If not included in an SPD, provide notices to participants, if applicable, about individual account plans that allow participant-directed investments that plan sponsor is relieved of liability for certain losses resulting from the participant's exercise of his/her rights, and about the availability of any investment advice services
12/31/10	**Self-Employed Partner Elections**	2010 401(k) deferral election deadline for self-employed partners (last day of partnership tax year)
12/31/10	**HEART Amendments**	Deadline to amend plan for the Heroes Earnings Assistance and Relief Tax Act of 2008 (HEART)
12/31/10	**EESA Amendments**	For plans that allowed qualified disaster recovery assistance distributions and/or loans to qualified individuals affected by the 2008 Midwest Storms, adopt retroactive amendment for the Emergency Economic Stabilization Act of 2008 (EESA)
12/31/10	**Discretionary Plan Amendments**	Deadline to amend plan for discretionary changes implemented during 2010
12/31/10	**Remove Safe Harbor Feature**	Deadline to amend plan to remove an existing safe harbor plan feature for 2011

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