

SunGard's Relius Documents Amendment and Forms

Relius Documents amendment and forms packages enhance your plan documents with the latest regulatory language. These packages help you save time and resources by eliminating the IRS research and minimize the potential for amendment drafting errors. The packages are in Microsoft Word format for use with any plan documents (*i.e.* it is not limited to Relius Documents plan types).

Read our **Technical Updates** for more information about the latest regulatory changes.

Please select the amendment and forms title below for more information about each one.

Date	Amendment and Forms
11/10/08	<i>Amendment for Terminating Defined Benefit Plans</i>
10/10/08	<i>Defined Contribution Termination Amendment Package</i>
09/04/08	<i>409A Outline</i>
07/15/08	<i>457 Amendment Package</i>
04/09/08	<i>415 Amendment Package for Defined Benefit Plans</i>
11/15/07	<i>415 Amendment Package for Defined Contribution Plans</i>
03/08/06	<i>Final 401(k) and (m) Amendment Package</i>
12/14/05	<i>RASD (Retroactive Annuity Starting Dates)</i>
11/04/05	<i>Roth 401(k) and 403(b)</i>

For more information, contact Client Account Services at 800-326-7235, option 6.

Amendment for Terminating Defined Benefit Plans

SunGard's Relius Documents consultants have created a defined benefit plan termination amendment. This amendment allows employers with terminating defined benefit plans to comply with all laws in effect at the time of termination, including the Pension Protection Act of 2006 (PPA) and the Heroes Earnings Assistance and Relief Tax Act of 2008 (HEART Act).

A terminating plan **must** be amended for laws in effect at the time of termination, such as PPA, regardless of any later remedial amendment period which may apply to ongoing plans. This amendment has not been approved by the IRS. We recommend, therefore, that both the plan and the amendment be submitted to the IRS using Form 5310. This is the only assurance the employer will have that the form of the plan, *including the terminating plan amendment*, satisfies qualification requirements at termination.

This is a "tack-on" amendment that can be used by *any* terminating defined benefit plan (prototype, volume submitter, or individually designed) and is provided in Microsoft® Word format. If you want to override certain "default" features in the amendment, simply place an "X" in those boxes. No special drafting is required. The amendment will save you **hours** of drafting time.

Order Options:

1. **Order** the amendment package for \$295. Should any new IRS guidance require modifications to the amendment, you may purchase the revised package at the then current price.
2. This amendment is also available in **The Pension Library**, a comprehensive ERISA resource. At \$700, the Library on CD is an exceptional value. It includes the ERISA Research Guide, ERISA Current Developments, ERISA Forms, and ERISA Newsletter. When you purchase the Library, you not only have these valuable pension resources, but you also receive, at no additional cost, the ERISA Forms on Disc. All forms on this CD, including the most current PPA Forms/Notices and this amendment, are formatted as Word documents to allow you to customize as you deem appropriate for each client. And, by subscribing to the Library, you receive any IRS required modifications to the contents, such as the amendment, at no additional charge. More information, plus an order form for the Library, is available on our **Web site**.
3. Additionally, you can receive the amendment by purchasing just the **ERISA Forms on CD**. The ERISA Forms is the ERISA Practitioner's "desk book", with answers to everyday plan documentation questions. ERISA Forms contains more than 150 forms developed and refined over more than two decades of qualified plan practice. ERISA Forms provides guidance with respect to every aspect of plan administration, from plan adoption to plan termination. For more information, plus an order form, visit our **Web site**.

For more information, call Client Account Services at 800-326-7235, option 6.

Defined Contribution Termination Amendment Package

SunGard's Relius Documents Defined Contribution Termination Amendment allows employers with terminating defined contribution plans to comply with all laws in effect at the time of termination, including the Pension Protection Act of 2006 (PPA).

A terminating plan must be amended for laws in effect at the time of termination, such as PPA, regardless of any later remedial amendment period which may apply to ongoing plans. This amendment has not been approved by the IRS. Thus, Relius Documents consultants recommend that the plan and amendment be submitted to the IRS using form 5310. This is the only assurance the employer will have that the form of the plan, including the terminating plan amendment, satisfies qualification requirements at termination.

This is a "tack-on" amendment that can be used by any terminating defined contribution plan (prototype, volume submitter, or individually designed) and is provided in Microsoft Word format. If you wish to override certain "default" features in the amendment, simply place an "X" in those boxes. No special drafting is required. Relius Documents consultants have designed this amendment to save you hours of drafting time.

Order Options:

1. Order the amendment package for \$295. Should any new IRS guidance require modifications to the amendment, you may purchase the revised package at the then current price.
2. This amendment is also available in **The Pension Library**, a comprehensive ERISA resource. At \$700, the Library on CD is an exceptional value. It includes the ERISA Research Guide, ERISA Current Developments, ERISA Forms, and ERISA Newsletter. When you purchase the Library, you not only have these valuable pension resources, but you also receive, at no additional cost, the ERISA Forms on Disc. All forms on this CD, including the most current PPA Forms/Notices and this amendment, are formatted as Word documents to allow you to customize as you deem appropriate for each client. And, by subscribing to the Library, you receive any IRS required modifications to the contents, such as the amendment, at no additional charge. More information, plus an order form for the Library, is available on our [Web site](#).
3. Additionally, you can receive the amendment by purchasing just the **ERISA Forms on CD**. The ERISA Forms is the ERISA Practitioner's "desk book", with answers to everyday plan documentation questions. ERISA Forms contains more than 150 forms developed and refined over more than two decades of qualified plan practice. ERISA Forms provides guidance with respect to every aspect of plan administration, from plan adoption to plan termination. For more information, plus an order form, visit our [Web site](#).

For more information, call Client Account Services at 800-326-7235, option 6.

409A Outline

SunGard's Relius Documents has created a comprehensive **409A Outline** for all guidance issued through July of 2008, including the important transitional rules in effect through 2008. This outline consists of over 100 pages of invaluable information to help you understand the complex 409A rules and help you bring your clients' plans into compliance before the deadline of December 31, 2008.

Order your Outline for only \$100.

SunGard Relius Education also offers a **Code Section 409A Workshop**. This full day program will address the final regulations and all of the transition guidance issued over the last year, as well as what employers and employees must do before the end of the year to satisfy the new regulations. By attending this Workshop, you will secure our comprehensive 409A Outline for all guidance issued through July 2008.

However, if you are unable to attend the Workshop, you can still get the Outline for \$100.

For more information, call your sales representative at 800-326-7235, ext. 1100.

457 "Tack-on" Amendment

SunGard Relius Documents has created a "tack-on" amendment that an employer maintaining a 457(b) plan may adopt to update the plan for Pension Protection Act of 2006 and other recent law changes. It is designed for separate adoption by each individual employer, and not at the "sponsor" level. The IRS has not reviewed or approved the amendment as there presently is no pre-approved plan system for 457 plans. As a special bonus, we also have included an updated Special Tax Notice (402(f) notice) which addresses Roth and other provisions currently in effect.

The amendment generally applies both to governmental 457(b) plans and to tax-exempt 457(b) plans, although several of the amendment provisions do not apply to tax-exempt plans. Relius Documents consultants have designed the amendment to permit an employer to "deselect" any provision that is not applicable to the plan.

The 2007 regulatory changes under Code §415 in the definition of post-severance compensation affect compensation available for deferrals in a 457(b) plan. The "tack-on" amendment incorporates the final 415 regulations and permits an employer to elect the post-severance compensation items that apply to the plan. These regulations also modified definitional rules relating to an unforeseeable emergency in a manner similar to the 401(k) final regulatory hardship definition. Also, it incorporates DOL regulations issued in response to a PPA mandate to clarify the QDRO rules. All of these amendment provisions apply to 457(b) plans of both governmental and tax-exempt employers.

Additional provisions of the amendment address the following issues that may apply to a governmental 457(b) plan:

- eligible automatic contribution arrangements ("EACA")
- direct rollover of non-spouse beneficiary distributions
- health and long-term care insurance distributions
- direct rollovers to a Roth IRA
- extension of participant distribution notice period to 180 days
- statutory hurricane relief under KETRA and GOZone legislation

Special statutory deadlines permit a governmental entity to amend its 457 plan by the last day of the 2011 plan year for PPA law changes, and by the last day of the 2009 plan year for statutory hurricane relief provisions. However, many employers have requested amendatory language in order to include the necessary plan provisions. Although the IRS has not issued any guidance regarding the timing of amendments (PPA or otherwise), it is advisable for a tax-exempt employer to make the amendments necessary to update the plan for these law changes.

Order Options:

1. Order the Amendment package for \$550. Should any new IRS guidance require modifications to the amendment, you may purchase the revised package at the then current price.
2. This amendment is also available in **The Pension Library**, a comprehensive ERISA resource. At \$700, the Library on CD is an exceptional value. It includes the ERISA Research Guide, ERISA Current Developments, ERISA Forms, and ERISA Newsletter. When you purchase the Library, you not only have these valuable pension resources, but you also receive, at no additional cost, the ERISA Forms on Disc. All forms on this CD, including the most current PPA Forms/Notices and this amendment, are formatted as Microsoft® Word documents to allow you to customize as you deem appropriate for each client. By subscribing to the Library, you receive any IRS required modifications to the contents, such as the amendment, at no additional charge. More information, plus an order form for the Library, is available on our [Web site](#).

For more information, call Client Account Services at 800-326-7235, option 6.

415 Amendment Package for Defined Benefit Plans

SunGard's Relius Documents have created a 415 Regulation Amendment Package for Defined Benefit Plans. This amendment allows you to conform your Defined Benefit Plans to the Final Section 415 Regulations that were released in April 2007 and the Pension Funding Equity Act of 2004 (PFEA) (as modified by the Pension Protection Act of 2006 (PPA)). You may use this Defined Benefit Amendment Package with any plan documents (i.e., it is not limited to SunGard's Relius Documents plan documents). Also, the amendment may be modified to meet your business needs.

The package includes:

- Amendment
- Certificate of Adopting Resolution
- Summary of Material Modifications (SMM)

Order Options:

1. **Order the Amendment package \$395.** Should any new IRS guidance require modifications to the amendment, you may purchase the revised package at the then current price.
2. This amendment is also available in **The Pension Library**, a comprehensive ERISA resource. At \$700, the Library on CD is an exceptional value. It includes the ERISA Research Guide, ERISA Current Developments, ERISA Forms on Disc, and ERISA Newsletter. When you purchase the Library, you not only have these valuable pension resources, but you also receive, at no additional cost, the ERISA Forms on Disc. All forms on this CD, including the most current PPA Forms/Notices and this amendment, are formatted as Microsoft® Word documents to allow you to customize as you deem appropriate for each client. By subscribing to the Library, you receive any IRS required modifications to the contents, such as the amendment, at no additional charge. More information, plus an order form for the Library, is available on our **Web site**.

For more information, call Client Account Services at 800-326-7235, option 6.

415 Amendment Package for Defined Contribution Plans

SunGard's Relius Documents has created a good-faith final 415 Regulation Amendment Package for Defined Contribution plans. As indicated in the October 2007 technical update, all plans must be updated to reflect these regulations.

You may use SunGard's Relius Documents amendment with any plan documents (i.e., it is not limited to SunGard's Relius Documents plan documents). Also, the amendment may be modified to meet your business needs. The IRS only requires that the amendment be a good-faith amendment. The adoption of a good-faith amendment will not affect an employer's reliance on a determination letter, advisory letter or opinion letter.

The package includes a sample:

- Good-Faith Amendment
- Corporate Resolution (to adopt the Amendment)
- Summary of Material Modifications (SMM)

Order Options:

1. Order the Amendment package for **\$395**. Should any new IRS guidance require modifications to the amendment, you may purchase the revised package at the then current price.
2. This amendment is also available in **The Pension Library**, a comprehensive ERISA resource. At \$700, the Library on CD is an exceptional value. It includes the ERISA Research Guide, ERISA Current Developments, ERISA Forms on Disc, and ERISA Newsletter. When you purchase the Library, you not only have these valuable pension resources, but you also receive, at no additional cost, the ERISA Forms on Disc. All forms on this CD, including the most current PPA Forms/Notices and this amendment, are formatted as Microsoft Word documents to allow you to customize as you deem appropriate for each client. By subscribing to the Library, you receive any IRS required modifications to the contents, such as the amendment, at no additional charge. More information, plus an order form for the Library, is available on our **Web site**.

For more information, call Client Account Services at 800-326-7235, option 6.

401(k)/401(m) Amendment

SunGard's Relius Documents 401(k) and (m) amendment package includes the language you need to bring your 401(k) plans (or plans that permit after-tax employee contributions or matching contributions that are subject to 401(m) testing) into compliance with the final 401(k) and (m) regulations issued in December 2004. Pursuant to IRS Notice 2005-95, ongoing plans must generally adopt a good-faith amendment by the due date of the tax return for the plan year beginning in 2006. Terminating plans must adopt the amendment at the time of plan termination.

Use this amendment to update **any** of your plans subject to the regulations (i.e., it is not limited to SunGard's Relius Documents plan documents). The amendment is available in a Microsoft Word file and includes:

- A Good-Faith Amendment
- A Sample Corporate Resolution
- A Sample Summary of Material Modifications (SMM)

In addition, the amendment includes a separate amendment for 401(k) plans and for those plans that are subject to Code Section 401(m) but do not include 401(k) provisions (e.g., profit sharing plans with after-tax employee contributions).

Read our **Technical Updates** for more information about this guidance.

Order now.

For more information, call Client Account Services at (800) 326-7235, option 6.

RASD Amendment Package

Pursuant to IRS Notice 2005-95, an interim amendment is required for Defined Benefit plans permitting Retroactive Annuity Starting Date (RASD) distributions. SunGard's Relius Documents has created a RASD Amendment Package you can use to update any of your Defined Benefit plans (i.e., it is not limited to SunGard's Relius Documents plan documents).

The package is available in a Microsoft Word file and includes:

- A Good-Faith Amendment
- A Sample Corporate Resolution
- A Sample Summary of Material Modifications (SMM)

The timing of the adoption of the amendment depends on the provisions of the current plan and when RASD distributions are first permitted by the plan.

Read our [Technical Updates](#) for more information about this guidance.

Order now.

For more information, call Client Account Services at 800-326-7235, option 6.

Roth Amendment Package

Enhance your 401(k) or 403(b) plans with the latest IRS language by adopting SunGard's Relius Documents Roth Amendment Package.

With this package you can update your plans to permit Roth 401(k) and 403(b) contributions, use it with any plan documents (i.e., it is not limited to SunGard's Relius Documents plan documents), and modify it to fit your business needs.

The package includes a sample:

- Good-Faith Amendment
- Corporate Resolution (to adopt the Amendment)
- Summary of Material Modifications (SMM)
- Salary Reduction Agreement
- 401(k) Safe Harbor Plan Notices (to be used for plans providing ADP safe harbor contributions)

Read **Technical Updates** for more information about Roth contributions.

Order now.

For more information, call Client Account Services at 800-326-7235, option 6.