

**Robinson+Cole**

Employee Benefits and  
Compensation

EMPLOYEE  
HANDBOOK

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## IRS Issues Guidance to Plan Sponsors on Completing the 2015 Form 5500

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The Internal Revenue Service (IRS) has [announced](#) that plan sponsors should not complete certain questions on the 2015 Form 5500 and Form 5500-SF, the annual report filed by certain employee benefit plans governed by ERISA. Form 5500-SF and three of the Schedules accompanying Form 5500 include new compliance questions, which were not approved by the Office of Management and Budget when the 2015 Form 5500 and Form 5500-SF were published in December 2015. Consequently, the IRS has announced that plan sponsors should not answer these questions for the 2015 plan year. Plan sponsors may find it helpful to review these questions now so that they will be prepared to respond on the 2016 Form 5500.

The new compliance questions were added to Schedule H, Financial Information; Schedule I, Financial Information for Small Plans; and Schedule R, Retirement Plan Information, as well as to Lines 10j, 14c, 14d, and Part IX of Form 5500-SF. The instructions clearly state which questions should not be answered for the 2015 plan year. The new questions relate to specific aspects of plan design and administration, such as:

- whether the plan incurred unrelated business taxable income
- whether in-service distributions were made during the plan year
- contact information for the trustee
- nondiscrimination, coverage, and qualification requirements
- plan amendment history
- the date of the plan's last favorable determination, opinion, or advisory letter

Form 5500-SF also added a new question regarding whether required minimum distributions were made to 5 percent owners who have attained age 70½.

We anticipate that the IRS will clarify these new questions on the 2016 Form 5500.

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If you have any questions with respect to the new IRS announcement or completing your 2015 Form 5500, please contact any of the following lawyers in Robinson+Cole's [Employee Benefits and Compensation Group](#).

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