

Your guide to Pension Law Internal Revenue Codes (IRC) §401 through §417

IRC §401 Qualified pension, profit-sharing, and stock bonus plans

- (a) Requirements for qualification
 - (4) & (5) General non-discrimination rule
 - (9) Required distributions
 - (10) Plans benefiting owner-employees
 - (11) Requirement for a joint and survivor annuity and pre-retirement survivor annuity
 - (17) Compensation limitations
 - (25) Requirement that actuarial assumptions be specified
 - (26) Additional participation requirements.
 - (27) Profit-sharing plans - Contributions need not be based on profits.
 - (31) Optional direct transfer of eligible rollover distributions.
 - (34) Benefits of missing participants on plan termination.
- (b) Certain retroactive changes in plan
- (c) Definitions and rules relating to self-employed individuals and owner-employees
- (d) Additional requirements for qualification of trusts and plans benefiting owner-employees
- (f) Certain custodial accounts and contracts
- (g) Annuity defined
- (h) Medical, etc., benefits for retired employees and their spouses and dependents
- (i) Certain union-negotiated pension plans
- (k) Cash or deferred arrangements
- (l) Permitted disparity in plan contributions or benefits
- (m) Nondiscrimination test for matching contributions and employee contributions
- (n) Coordination with qualified domestic relations orders

IRC §402 Taxability of beneficiary of employees' trust

- (a) Taxability of beneficiary of exempt trust
- (b) Taxability of beneficiary of nonexempt trust - Failure to meet requirements of section 410(b)
- (c) Rules applicable to rollovers from exempt trusts
- (d) Tax on lump sum distributions
- (e) Other rules applicable to exempt trusts - Alternate payees
- (f) Written explanation to recipients of distributions eligible for rollover treatment
- (g) Limitation on exclusion for elective deferrals
- (h) Special rules for simplified employee pensions

IRC §403 Taxation of employee annuities – Tax Sheltered Annuity Rules

- (a) Taxability of beneficiary under a qualified annuity plan
- (b) Taxability of beneficiary under annuity purchased by section 501(c)(3) organization or public school
 - (2) Exclusion allowance

IRC §404 Deduction for contributions of an employer to trust or annuity plan and compensation under a deferred-payment plan

IRC §408 Individual retirement accounts

- (a) Individual retirement account



- (b) Individual retirement annuity
- (d) Tax treatment of distributions
- (k) Simplified employee pension defined
- (o) Definitions and rules relating to nondeductible contributions to individual retirement plans

IRC §410 Minimum participation standards

- (a) Participation - Minimum age and service conditions
- (b) Minimum coverage requirements

IRC §411 Minimum vesting standards

IRC §412 Minimum funding standards

IRC §413 Collectively bargained plans

IRC §414 Definitions and special rules

- (a) Service for predecessor employer
- (b) Employees of controlled group of corporations
- (g) Plan administrator
- (l) Merger and consolidations of plans or transfers of plan assets
- (m) Employees of an affiliated service group
- (n) Employee leasing
- (p) Qualified domestic relations order defined
- (q) Highly compensated employee
- (r) Special rules for separate line of business
- (s) Compensation
- (t) Application of controlled group rules to certain employee benefits

IRC §415 Limitations on benefits and contributions under qualified plans

- (a) General rule
- (b) Limitation for defined benefit plans
- (c) Limitation for defined contribution plans

IRC §416 Special rules for top-heavy plans

- (b) Vesting requirements
- (c) Plan must provide minimum benefits
- (g) Top-heavy plan defined
- (i) Definition of Key employee

IRC §417 Definitions and special rules for purposes of minimum survivor annuity requirements

- (a) Election to waive qualified joint and survivor annuity or qualified pre-retirement survivor annuity
- (b) Definition of qualified joint and survivor annuity
- (c) Definition of qualified pre-retirement survivor annuity
- (d) Survivor annuities need not be provided if participant and spouse married less than 1 year
- (e) Restrictions on cash-outs