

RETIREMENT PLAN COMPLIANCE CALENDAR FOR DEFINED CONTRIBUTION PLANS

Retirement plan sponsors are charged with the responsibility for various reporting, disclosure, and notices throughout the year. The following compliance calendar summarizes the major responsibilities for plan sponsors and fiduciaries during each year, along with some items that are not date specific. The dates are based on a calendar year plan, with notes as to the adjusted dates for plans with a fiscal year end.

Due Date	Item	Details
January 1	Adjust Payroll for new 401(k) limits	Adjustments to the next year's 401(k), 403(b) and catch-up limits are announced in the Fall.
January 31	Provide IRS Form 1099-R	Form 1099-R due to participants who received distributions in the previous calendar year.
	Submit Form 945 to the IRS	Reports income tax withholding by a qualified trust during the previous calendar year.
February 28	Submit IRS Forms 1096 and 1099-R	Paper file Form 1096 and 1099-R with IRS to report distributions made in previous calendar year.
March 15	Make Corrective Distributions for prior year Excess Contributions	Deadline for processing corrective distributions for failed 401(k) deferral and match nondiscrimination tests to avoid a 10% excise tax. Due 2.5 months after the plan year end.
	File Corporate Tax Return and Deposit Employer Contributions	Deadline to file Form 1120 and 1120-S unless requesting an extension of time to file. Prior year employer contributions due for <u>corporate</u> entities in order to take tax deduction. Date is 2.5 months after fiscal year end.
April 1	Submit IRS Form 1099-R	Deadline for electronic filing of Form 1099-R for prior year distributions.
	Make Initial Required Minimum Distributions for the prior year	Required beginning date for participants attaining age 70 1/2 or retiring after age 70 1/2 in prior year for taking <u>first</u> required minimum distribution (RMD) under IRC Section 401(a)(9).
April 15	Distribute Excess Deferrals (402(g) Refunds)	Deadline for corrective distributions of 2012 deferrals in excess of the statutory maximum.
	File individual, LLC, LLP and partnership tax returns and Deposit Employer Contributions	Deadline to file Form 1065 and 1040 unless requesting an extension of time to file. Prior year employer contributions due for <u>unincorporated</u> entities in order to take tax deduction.

Due Date	Item	Details
July 29	Distribute Summary of Material Modifications to Update SPDs for 2012 Amendments	Summary of Material Modifications due to participants (due no later than 210 days after the end of the plan year in which the plan change is adopted).
July 31	Submit Form 5500	Form 5500 due (due seven months after plan year), unless extended.
	Submit Form 5558	Application for Extension of Time to File Certain Employer Plan Returns (Form 5500, 5330) - due by normal due date for filing.
	Submit Form 5330	Reporting excise taxes related to employee benefit plans, unless extended.
	Form 8955-SSA	Reporting certain information relating to each participant with a deferred vested benefit, unless extended.
September 15	File Corporate and Partnership Tax Return and Deposit Employer Contributions	Extended deadline to file Forms 1120, 1065 and 1120-S. Final due date to deposit contributions for prior year (8 1/2 months after plan year end).
September 30	Distribute Summary Annual Report (SAR)	Summarized Form 5500 information is due to participants by the later of 9 months after plan year end, or 2 months after extended due date of Form 5500.
October 15	Submit IRS Form 5500	Extended deadline to submit Form 5500 for plans with Form 5558 filing extension.
	File form 1040	Final extended filing and funding date for sole proprietors.
October/November	Distribute Annual 401(k) Plan Safe Harbor Notice for the next year	Provide notice to eligible employees. Notice due 30-90 days before the beginning of the next plan year.
	Distribute Qualified Default Investment Alternative (QDIA) Notice and Auto enrollment notice, if applicable	Provide annual notice to all participants (including alternate payees and beneficiaries) to inform their rights to direct investments and how their accounts will be invested if they do not direct investments. Due 30-90 days prior to beginning of the next year.
December 31	Required Minimum Distributions - Age 70 1/2	Due to participants who have begun receiving minimum distributions.
	Adopt Discretionary Amendments	Deadline for formal adoption of amendments for certain discretionary changes that became effective during the plan year.

Due Date	Item	Details
Recurring Requirements	Initial Participant Fee Disclosure	The initial fee disclosure to newly eligible Participants must be provided on or before the first date they can direct their investments.
	Annual Participant Fee Disclosure	The Annual fee disclosure to active Participants of estimated fees must be provided at least once in any 12 month period.
	Quarterly Participant Fee Disclosure	The quarterly fee disclosure of actual fees charged to accounts must be provided to Participants once every calendar quarter.
	Disclosure of any change in fees	Participants must be notified of any change in fees 30-90 days prior to the effective date of the change.
	PPA Notices	Annual and Quarterly notices for participant directed account holders of rights under the Pension Protection Act.

If you have questions or would like more information regarding the major responsibilities for plan sponsors and fiduciaries, please contact Richard Green at rgreen@windes.com or (562) 435-1191.