

## *Qualified Retirement Plans*

### *Practice Alert*

*January 2010*

#### **Electronic Filing – Form 5500 (EFAST2)**

Effective for the 2009 plan year the Department of Labor requires retirement and welfare plans to submit their annual reports (Form 5500) electronically. Although the form will be filed electronically a signed paper copy must be kept on file. For defined benefit plans the Board of Actuaries has decided that the actuary must provide an actual signature for the Schedule B. The signed Schedule B must be attached to the electronic filing in a PDF format. For plans that only file a form 5500-EZ paper filing will still be accepted. To confirm that the electronic filing was accepted it will be possible to sign on to the DOL website twenty-four hours after transmitting the filing.

In order for a Third Party Administrator to submit a form 5500 on behalf of the plan sponsor the person that would normally sign the form 5500 must set up their electronic signing credentials. The Third Party Administrator, e.g. APS Pension Services Inc., cannot set up the signer credentials it must be done by the individual that would normally sign the form. The process to set up signer credentials has several steps and requires an e-mail address. The person setting up the credentials should allow 15 to 30 minutes for the process. As of this writing the steps are as listed below but may be altered by the DOL as the process develops.

1. Go to <http://www.efast.dol.gov> and select the link to register
2. You will be asked to read and sign a privacy statement
3. Complete your profile including name, address, e-mail and user type. User type is “filing signer”
4. Select a challenge question and answer. It will be used to secure a UserID and PIN number.
5. Confirm the e-mail address and click on the link provided
6. Answer the challenge question
7. Sign the PIN agreement as directed
8. Accept the signature agreement
9. A UserID and Password will be provided (this page should be printed for your records)
10. Create a password that will be assigned to the UserID and PIN. Retain a copy of the Password, User ID and PIN for your records.

**It is imperative that every plan sponsor subject to electronic filing establishes signing credentials. Without those credentials it will be impossible for the Third Party Administrator to submit the 2009 form 5500. SUBSTANTIAL PENALTIES WILL APPLY IF THE FILING IS LATE.**

**Please encourage your clients to follow the steps above as soon as possible to avoid late filings.**

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