

Instructions for Form 5300 and Attachments

In order to file your retirement plan's request for a determination letter with the IRS, you must complete the attached determination letter application package and return it, along with a check payable to the United States Treasury in the amount of \$1,000, to PERAC at 5 Middlesex Avenue, Suite 304, Somerville, MA 02145, attn: Barbara Phillips, General Counsel. **PERAC must receive your completed package by December 2, 2008 in order to timely file the package with the IRS.**

1. **Form 5300:** The majority of questions on the Form 5300 have been pre-completed for you. However, there are a few remaining items that you will need to complete on the Form 5300 based upon the particulars of your plan. Please complete only the following as noted:

- Complete Box 1 (a) — Name of Retirement System and address.
- Complete Box 1 (b) — EIN used by the Retirement System.
- Box 1 (c) does not need further completion by the Retirement Board.
- Complete Box 1 (d) — Telephone number of Retirement System.
- Complete Box 1 (e) — Fax number of Retirement System.
- Box 2 does not need further completion by the Retirement Board.
- Box 3 does not need further completion by the Retirement Board.
- Complete Box 4 (a) — Name of your Retirement System (up to 66 characters).

Note: Box 4 (b) — the IRS starts with 001 for the first retirement plan number. That is why we have shown 001 for this plan. Board need not add any numbers in this field.

Note: Box 4(c) — All retirement systems use a calendar year, so this has already been completed. Board need not add any numbers in this field.

- Complete Box 4 (d) — The original effective date of your Retirement System.
- Complete Box 4 (e) — with the total number of active, inactive and retired members and survivors. Use your most recent annual statement number (filed with PERAC in May).
- At bottom of page 1 — Chairman should sign the form. Print full name and title, sign and date form.

- Box 5 does not need further completion by the Retirement Board.
- Box 6 does not need further completion by the Retirement Board.
- Complete Box 7 (e) — Number of government units that participate in the plan.

If your Retirement System has only one governmental unit, mark NO.

If your Retirement System has more than one participating governmental unit, mark YES and fill in the total number of governmental units that participate.

- Box 8 does not need further completion by the Retirement Board.
- Box 9 does not need further completion by the Retirement Board.
- Box 10 does not need further completion by the Retirement Board.
- Box 11 does not need further completion by the Retirement Board.
- Confirm that the answer "NO" under 12(c) is correct. Note that this question only asks about currently pending matters. Also note that the last point in this question asks only about court cases, not administrative proceedings or administrative appeals. Cases that deal with a single individual's eligibility for a benefit or for service need not be included.

2. **Local Option Worksheet:** Please complete the attached Local Option Worksheet.
3. **Form 2848:** Complete #1 – Taxpayer Information. The EIN and Plan Number should coincide with the information entered on the Form 5300. In the center of page 2, the Board Chairman must sign and date the Form 2848 Power of Attorney (this allows PERAC counsel and federal tax counsel for PERAC to deal directly with the IRS on your filing).
4. **Form 8821:** Complete #1 – Taxpayer Information. The EIN and Plan Number should coincide with the information entered on the Form 5300. In the center of page 2, the Board Chairman must sign and date the Form 8821 (this allows paralegals working with PERAC counsel and federal tax counsel for PERAC to deal directly with the IRS on your filing).
5. **Check for filing fee:** Please include a check payable to the United States Treasury in the amount of \$1,000 to pay the filing fee for the determination letter application (see attached Form 8717 for explanation and verification of filing fee).

6. **Additional Information:** In a separate package enclosed, you will find additional documents that will be included as attachments to the Form 5300 filing. These include various explanations as to critical plan elements and a cumulative list describing various federal tax qualification requirements. These have been reviewed by PERAC as they apply equally to all of the local systems and do not require any specific additional information from you or editing by you. We have included them for your information, because they will be included in the filing package sent to the IRS.

If you have any questions on these forms, please contact Barbara Phillips, General Counsel at PERAC, either by telephone (617) 666-4446, Ext. 902, or by e-mail bphillips@per.state.ma.us.