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This section contains the captions that appear in § 1.402(g)-1.

§ 1.402(g)-1 Limitation on exclusion for elective deferrals.

(a) In general.
(b) Elective deferrals.
(c) Certain one-time irrevocable elections.
(d) Applicable limit.
   (1) In general.
   (2) Special adjustment for elective deferrals with respect to a section 403(b) annuity contract.
   (3) Special adjustment for elective deferrals with respect to a section 403(b) annuity contract for certain long-term employees.
   (4) Example.
   (e) Treatment of excess deferrals.
      (1) Plan qualification.
      (i) Effect of excess deferrals.
      (ii) Treatment of excess deferrals as employer contributions.
      (iii) Definition of excess deferrals.
      (2) Correction of excess deferrals after the taxable year.
      (3) Correction of excess deferrals during taxable year.
      (4) Plan provisions.
      (5) Income allocable to excess deferrals.
         (i) General rule.
         (ii) Method of allocating income.
         (iii) Alternative method of allocating income.
         (iv) Safe harbor method of allocating gap period income.
         (6) Coordination with distribution or recharacterization of excess contributions.
         (7) No employee or spousal consent required.
         (8) Tax treatment.
            (i) Corrective distributions on or before April 15 after close of taxable year.
            (ii) Special rule for 1987 and 1988 excess deferrals.
            (iii) Distributions of excess deferrals after correction period.
            (9) No reduction of required minimum distribution.
            (10) Partial correction.
            (11) Examples.
(f) Community property laws.
(g) Effective date.
   (1) In general.
   (2) Deferrals under collective bargaining agreements.
   (3) Transition rule.
   (4) Partnership cash or deferred arrangements.

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acknowledge receipt, review, and comprehension of the summary. Under Plan C’s system for processing such transactions, the participant’s distribution will be made no more than 90 days and no fewer than 30 days after the participant requests the distribution and receives the summary of the section 402(f) notice (unless the participant waives the 30-day period).

(ii) In this Example 3, Plan C does not fail to satisfy the notice requirement of section 402(f) merely because Plan C provides a summary of the section 402(f) notice or merely because the summary is provided to the participant other than through a written paper document.

Example 4. (i) Same facts as Example 3, except that, pursuant to Plan C’s system for processing such transactions, a participant who so requests is transferred to a customer service representative whose conversation with the participant is recorded. The customer service representative provides the summary of the section 402(f) notice by reading from a prepared text.

(ii) In this Example 4, Plan C does not fail to satisfy the notice requirement of section 402(f) merely because Plan C provides a summary of the section 402(f) notice or merely because the summary is provided to the participant other than through a written paper document.

Example 5. (i) Same facts as Example 3, except that Plan C does not provide the section 402(f) notice in the summary plan description. Instead, the automated telephone system reads the section 402(f) notice to the participant.

(ii) In this Example 5, Plan C does not satisfy the notice requirement of section 402(f) because oral delivery alone of the section 402(f) notice through the automated telephone system is not sufficient.

Example 6. (i) The facts are the same as in Example 1, except that Participant D requested a distribution by e-mail, then terminated employment, and, following the termination, no longer has reasonable access to Plan A e-mail.

(ii) In this Example 6, Plan A does not satisfy the notice requirement of section 402(f) because the electronic medium through which the notice is provided is not reasonably accessible to Participant D. Plan A must provide the section 402(f) notice to Participant D in a written paper document or by an electronic means that is reasonably accessible to Participant D.