

Justification for No Material or Nonsubstantive Change to Currently-Approved Collection

AGENCY: Pension Benefit Guaranty Corporation (PBGC)

TITLE: Payment of Premiums (29 CFR Part 4007)

STATUS: OMB control number 1212-0009; expires February 29, 2024

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The Pension Benefit Guaranty Corporation (PBGC) is making non-material changes to the filing instructions for the collection of information relating to the computation and payment of premiums to PBGC under title IV of the Employee Retirement Income Security Act of 1974 (ERISA) for plan years beginning in 2022. The changes from the currently-approved 2021 instructions for the 2022 version are as follows.

- Revised the “What’s New” section to highlight the minor changes and clarifications. (p. 2)
- Modified the “Who Must File” and “Description of Data Elements” sections in response to frequent questions about the rules applicable to plans that elect to have effective dates retroactive to a prior plan year. This election was permitted beginning by 2020 by section 201 of the SECURE Act of 2019. PBGC added information to clarify the initial year filing requirements for these plans. (pp. 3 and 39)
- Modified the definition of “New Plan” in “Appendix 1 – Definitions” section to clarify that a plan with an effective date in a prior year is considered a “new plan,” only for its first year of coverage. (p. 58)
- Modified the content of the “Common Filing Errors” to reflect errors encountered in 2021. (pp. 62, 63 and 64)
- Replaced references to the 2021 premium rates with the rates applicable for 2022 (Note: Premium rates are set by statute.) (throughout the instructions)
- Updated dates to those relevant for 2022 and made wording and editorial changes. (throughout the instructions)