

Pension Benefit Guaranty Corporation

75-66

August 14, 1975

REFERENCE:

[*1] 4041 Termination by Plan Administrator

OPINION:

This is in response to your request for a letter from the Pension Benefit Guaranty Corporation ("PBGC" or "Corporation") concerning the return of mandatory employee contributions under the provisions of the

It is our understanding that prior to July 31, 1975 benefit accruals, vesting and contributions had not ceased, further, a valid termination notice has not been filed with the PBGC. On the basis of this information, it appears that this plan had not terminated prior to July 31, 1975, for purposes of Title IV of the Employee Retirement Income Security Act of 1974. It appearingd that this plan had not terminated prior to July 31, 1975, PBGC does not object to benefit distributions due and payable under the terms of the plan before such date to beneficiaries entitled thereto.

We emphasize that our opinion is limited to and based upon the facts of this case.

Henry Rose
General Counsel