

GAC alert

IRS Form 5558 Signature Required Relief Has Arrived for Form 8955-SSA

The Department of Treasury and Internal Revenue Service (IRS) have issued proposed regulations providing relief from the signature requirement for the Form 5558 (Application for Extension of Time to File Certain Employee Plan Returns) when used to extend the filing deadline for the Form 8955-SSA (Annual Registration Statement Identifying Separated Participants With Deferred Vested Benefits).

IRS Form 5558 is used to extend the deadlines for certain employee plan returns, such as the IRS Form 5500 series and the IRS Form 8955-SSA. Treasury Regulation §1.6081-11 had revised the rules to provide an automatic extension of time to file the Form 5500 series using Form 5558 without a signature. However, the current version of the Form 5558, which was released last year, requires a signature when used to extend the due date for filing Form 8955-SSA.

On November 21, 2011, ASPPA's Government Affairs Committee (GAC) sent a letter to the IRS requesting the elimination of the signature requirement when IRS Form 5558 is filed to extend the due date for filing Form 8955-SSA. ASPPA requested that the exception granted under Treasury Regulation §1.6081-11 for Form 5500 series reports be applied or expanded to include Form 8955-SSA.

The proposed regulations eliminate the signature requirement for the Form 5558 when filed to extend the Form 8955-SSA filing deadline. The proposed regulations indicate that taxpayers may rely on them until final regulations are issued. If the final regulations are more restrictive than the proposed regulations, those provisions of the final regulations will only be applied prospectively. Also it is important to remember that a signature is still required when the Form 5558 is used to extend the filing deadline for Form 5330.

A copy of the proposed regulation is expected to be published in the Federal Register [[Click Here](#)] in the upcoming days.

For more information:

**ASPPA asap No. 12-10, IRS Form 5558 Signature Requirement for Form 8955-SSA
Reportedly Eliminated [[Click Here](#)]**

ASPPA Comment Letter [[Click Here](#)]