

Pension Benefit Guaranty Corporation

76-10

January 20, 1976

REFERENCE:

[*1] 4043(a). Reportable Events. Requirement of Notice

OPINION:

This is in response to your request to * * * of my staff for my comments on the November 18, 1975 letter from * * * to * * *, a copy of which you gave to * * *. This letter primarily discussed a conversation * * * had with * * * of my staff concerning Section 4043 of the Employee Retirement Income Security Act of 1974 ("the Act").

I understand that * * * indicated to * * * that an event which occurred before the enactment of the Act (September 2, 1974) may still be a "reportable event" under Section 403 of the Act if the plan administrator does not know or have reason to know of such event until after the date of enactment. Although a literal reading of Section 4043(a) of the Act may support such an interpretation, we have taken the position that plan administrators need not report to this Corporation events which occurred before September 2, 1974.

Henry Rose
General Counsel