

notices to recipients with respect to retirement plans.

(2) \* \* \* The consent described in paragraphs (c)(2) and (3) of this section must be given on a written paper document. However, see § 1.401(a)-21 of this chapter for rules permitting the use of electronic media to make participant elections with respect to retirement plans.

■ Par. 8. Section 1.417(a)(3)-1 is amended by adding a sentence to the end of the text of paragraph (a)(3) to read as follows:

§ 1.417(a)(3)-1 Required explanation of qualified joint and survivor annuity and qualified preretirement survivor annuity.

(a) \* \* \*
(3) \* \* \* But see § 1.401(a)-21 of this chapter for rules permitting the use of electronic media to provide applicable notices to recipients with respect to retirement plans.

\* \* \* \* \*

■ Par. 9. Section 1.7476-2 is amended by revising paragraph (c)(2) to read as follows:

§ 1.7476-2 Notice to interested parties.

\* \* \* \* \*

(c) \* \* \*
(2) If the notice to interested parties is delivered using an electronic medium under an electronic system that satisfies the applicable notice requirements of § 1.401(a)-21 of this chapter, the notice is deemed to be provided in a manner that satisfies the requirements of paragraph (c)(1) of this section.

\* \* \* \* \*

PART 35—EMPLOYMENT TAX AND COLLECTION OF INCOME TAX AT SOURCE REGULATIONS UNDER THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982

■ Par. 10. The authority citation for part 35 continues to read, in part, as follows:

Authority: 26 U.S.C. 7805 \* \* \*

■ Par. 11. Section 35.3405-1 is amended by:

- (1) Revising d-35, A.
■ (2) Removing d-36, Q&A.

The revision reads as follows:

§ 35.3405-1 Questions and answers relating to withholding on pensions, annuities, and certain other deferred income.

\* \* \* \* \*

d-35. \* \* \*

A. A payor may provide the notice required under section 3405 (including the abbreviated notice described in d-27 of § 35.3405-1T and the annual notice described in d-31 of § 35.3405-1T) to a

payee on a written paper document. However, see § 1.401(a)-21 of this chapter for rules permitting the use of electronic media to provide applicable notices to recipients with respect to retirement plans and individual retirement plans.

PART 54—PENSION EXCISE TAXES

■ Par. 12. The authority citation for part 54 continues to read, in part, as follows:

Authority: 26 U.S.C. 7805 \* \* \*

■ Par. 13. Section 54.4980F-1, Q&A-13, is amended as follows:

(1) Revising paragraph A-13 (c)(1)(ii) and (iii).

(2) Revising the introductory text to paragraph A-13 (c)(2).

(3) Removing paragraph A-13 (c)(3).

The revisions read as follows:

§ 54.4980F-1 Notice requirements for certain pension plan amendments significantly reducing the rate of future benefit accrual.

\* \* \* \* \*

A-13. \* \* \*

(c) \* \* \*

(1) \* \* \*

(ii) The section 204(h) notice is delivered using an electronic medium (other than an oral communication or a recording of an oral communication) under an electronic system that satisfies the applicable notice requirements of § 1.401(a)-21.

(iii) Special effective date. For plan years beginning prior to January 1, 2007, Q&A-13 of this section, as it appeared in the April 1, 2006 edition of 26 CFR part 1, applies.

(2) \* \* \* The following examples illustrate the requirement in paragraph (c)(1)(i) of this Q&A-13. In these examples, it is assumed that the notice satisfies the requirements in paragraphs (c)(1)(ii) of this section. The examples are as follows:

\* \* \* \* \*

Mark E. Matthews, Deputy Commissioner for Services and Enforcement.

Approved: October 10, 2006.

Eric Solomon, Acting Deputy Assistant Secretary of the Treasury (Tax Policy).

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 9287]

RIN-1545-BD00

Attained Age of the Insured Under Section 7702; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction to final regulations.

SUMMARY: This document corrects the final regulation (TD 9287) that was published in the Federal Register on Wednesday, September 13, 2006 (71 FR 53967), explaining how to determine the attained age of an insured for purposes of testing whether a contract qualifies as a life insurance contract for Federal income tax purposes.

DATES: Effective Date: This correction is effective September 13, 2006.

FOR FURTHER INFORMATION CONTACT: Ann H. Logan, (202) 622-3970 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The final regulation (TD 9287) that is the subject of this correction is under section 7702 of the Internal Revenue Code.

Need for Correction

As published, TD 9287 contains an error that may prove to be misleading and is in need of clarification.

Correction of Publication

■ Accordingly, the publication of the final regulation (TD 9287) that was the subject of FR. Doc. E6-15117, is corrected as follows:

■ On page 53967, column 3, in the heading, the RIN number "RIN 1545-BE53" is corrected to read "RIN 1545-BD00".

Guy R. Traynor, Federal Register Liaison, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).

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