

## Qualified Plan Pre-Adoption Questionnaire

For VIP Plus Money Purchase, Profit Sharing, SIMPLE 401(k) or 401(k) other than Individual(k) Prototype Plans

### General Information

Through its Versatile Investment Program (“VIP”) Basic and Plus products, Morgan Stanley Smith Barney LLC (“Morgan Stanley”) offers IRS-approved prototype plan documents that can be used by sole proprietors, partnerships, corporations and other plan sponsors to establish or maintain a retirement plan. Morgan Stanley and FIS Relius, our qualified plan prototype document service provider and a leader in the employee benefits industry, have compiled this *Qualified Plan Pre-Adoption Questionnaire* to gather information regarding your current or desired plan provisions. FIS Relius will prepare your plan’s new adoption agreement based upon the information you supply in this Questionnaire along with the applicable Plan Design Assumptions and Elections as further described below. The Plan Design Assumptions reflect plan options that are frequently selected by employers, but you may be able to specify alternative selections, as indicated in the Questionnaire. You, as plan sponsor, are responsible for selecting plan provisions that are most appropriate for you and your business, and for ensuring that all “protected benefits” are preserved as required by law. As a result, we recommend that you consult with your legal and tax advisors to review and select your plan provisions. Morgan Stanley and its Financial Advisors and Private Wealth Advisors cannot provide you with tax or legal advice.

This Questionnaire may be used to establish a VIP Plus Money Purchase, Profit Sharing, 401(k) or SIMPLE 401(k) prototype plan through Morgan Stanley. Do not use this Questionnaire for VIP Basic Money Purchase or Profit Sharing plans or VIP Plus Individual(k) plans; instead, please use the *Qualified Plan Pre-Adoption Questionnaire for Small Businesses*.

**In addition, if the provisions contained in this Questionnaire do not satisfy your plan design requirements, you should instead use the Qualified Plan Pre-Adoption Questionnaire with Alternatives Selections available from your Financial Advisor or Private Wealth Advisor.**

VIP Plus plan sponsors may design their plans to allow plan loans and select other provisions not available under VIP Basic. Morgan Stanley does not provide Internal Revenue Service (“IRS”) Form 1099-R tax reporting, or processing and reporting of Federal or state tax withholding, with respect to VIP Plus distributions; such withholding and reporting is the responsibility of the plan trustees/plan sponsor and their designated agents. Under VIP Basic, Morgan Stanley reports distributions to recipients and to the IRS using IRS Form 1099-R and is responsible for the processing and reporting of Federal and state tax withholding related to the distribution of such benefits. However, the VIP Basic product does not allow loans and there may be other limitations on plan provisions, such as contribution formulas, to reflect the provisions that are typically utilized by sole proprietorships and partnerships, as opposed to businesses with employees.

**Please note that you are responsible for ensuring that your Morgan Stanley product choice (i.e., VIP Basic or VIP Plus), as well as the employer, plan design and other information provided on this Qualified Plan Pre-Adoption Questionnaire are consistent with the information provided on your *VIP Account Application and Agreement*.**

### Steps required for obtaining a signature-ready prototype plan through Morgan Stanley

- Complete the attached *Qualified Plan Pre-Adoption Questionnaire* and return it to your Financial Advisor or Private Wealth Advisor. The Questionnaire is not an Adoption Agreement. Under IRS regulations, you must sign and date an Adoption Agreement in order to establish or amend and restate a qualified plan.
- Your Financial Advisor or Private Wealth Advisor will forward the Questionnaire to FIS Relius, who will create plan documents including a pre-completed Adoption Agreement, Basic Plan Document and, if applicable, a Summary Plan Description.
- **You will receive an email from FIS Relius (email address: [dms.morganstanley@fisglobal.com](mailto:dms.morganstanley@fisglobal.com)) with the plan documents for review and approval by you and your legal and tax advisors. Once executed, please forward a copy of the Adoption Agreement to your Financial Advisor or Private Wealth Advisor.**
- You must also complete a *VIP Account Application and Agreement*, available from your Financial Advisor or Private Wealth Advisor. This should be returned to your Financial Advisor or Private Wealth Advisor.

Please contact your Financial Advisor or Private Wealth Advisor for information on making any amendments to the plan documents.

QUALIFIED PLAN PRE-ADOPTION QUESTIONNAIRE  
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