

New York Life Investments SIMPLE IRA



INVESTMENTS

New York Life Investments SIMPLE IRA Employer Kit

March 2025

Overnight Mail Address Change Supplement

SIMPLE IRA Employer Guide

SIMPLE IRA Fact Sheet

SIMPLE IRA Employer Set-Up Instructions

SIMPLE IRA Employer Adoption Form

IRS Form 5304-SIMPLE

SIMPLE IRA Procedures for Withdrawal

“New York Life Investments” is both a service mark, and the common trade name, of certain investment advisors affiliated with New York Life Insurance Company.



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Effective December 1, 2024, the overnight mailing addresses for most New York Life Investment Funds forms and applications will be:

Overnight Mailing Address:

New York Life Investments
801 Pennsylvania Ave, Suite 219003
Kansas City, MO 64105-1307

The regular mailing address will remain:

Regular Mailing Address:

New York Life Investments
P.O. Box 219003
Kansas City, MO 64121-9000

Securities distributed by NYLIFE Distributors LLC, 30 Hudson Street, Jersey City, NJ 07302.

New York Life Investments SIMPLE IRA

Retirement plan for small businesses



INVESTMENTS



New York Life Investments

With \$740 billion in Assets Under Management¹ as of December 31, 2024, New York Life Investments is comprised of the affiliated global asset management businesses of our parent company, New York Life Insurance Company (New York Life). We offer clients access to specialized, independent investment teams through our family of affiliated boutiques. We remain committed to our clients through a combination of the diverse perspectives of our boutiques and a long-lasting focus on sustainable relationships.

New York Life Insurance Company

New York Life Insurance Company is one of the largest and oldest mutual life insurance companies in the United States. New York Life has the highest ratings for financial strength currently awarded to any life insurer by the four major ratings agencies (including a AAA rating²) and has consistently paid annual dividends* to our policyholders since 1854.

*Dividends are not guaranteed. Please refer to Page No. 4 of this Guide for footnotes #1 and #2.

Benefits of offering a retirement plan

Small businesses who offer a retirement plan to their employees have a competitive advantage over those who do not, especially when it comes to recruiting and employee retention. There are numerous benefits that a retirement plan can provide to your employees as participants, and some secondary benefits you will enjoy as a business owner.



Benefits of a retirement plan to you, the employer

- ✓ Competitive advantage over other employers
- ✓ Assists in recruiting and retaining of employees
- ✓ Tax advantages
- ✓ Protection from creditors if bankruptcy occurs (if in a qualified plan)
- ✓ Boosts morale



Benefits of a retirement plan to your employees

- ✓ Contributions can be made pre-tax
- ✓ Opportunity for tax-deferred growth
- ✓ Advantage of using payroll deduction
- ✓ Variety of professionally managed investment options
- ✓ Builds retirement savings
- ✓ Protection from creditors for participant balances

One of the most popular retirement plans is a SIMPLE IRA. A SIMPLE IRA plan is simple to set up and to manage on an ongoing basis.

The details of a SIMPLE IRA^{3, 4}

- Mandatory employer contributions (must select one)
 - 3% Employer-matching contribution (may reduce to as low as 1% two out of every five years)
- OR
- 2% Non-elective contribution*
- Immediate vesting for employee contributions and employer-match contributions
- No IRS approval, reporting or annual testing
- Loans are not allowed
- Low annual cost

*Please refer to the fact sheet for the 2% non-elective contribution maximum compensation amount limit.

3. As of 2024, the SECURE 2.0 Act of 2022 generally permits employers to make additional non-elective contributions to SIMPLE IRA plans of up to 10% of pay, not to exceed \$5,000 (indexed for inflation).

4. As of 2024, in the case of an employer with 25 or fewer employees, the SECURE 2.0 Act of 2022 increases the limits on employee contributions and catch-up contributions to a SIMPLE IRA plan to 110% of the limits that would otherwise apply for 2024. The 110% amounts will be adjusted for inflation. SIMPLE IRA plans with 26 employees or more may elect to apply the higher limits above but would be required to provide an increased matching of up to 4% (instead of 3%) or a non-elective contribution of up to 3% (instead of 2%).

What is a SIMPLE IRA Plan?

A SIMPLE IRA plan is a retirement program designed to meet the needs of small businesses. Offering many of the features of a big-company retirement plan like a 401(k), but made simple, easy and affordable. SIMPLE IRA plans are appropriate for companies with no more than 100 employees that want to allow employee contributions.

Advantages of a SIMPLE IRA Plan

Unlike other retirement programs, a SIMPLE IRA takes little time to administer and maintain. We provide everything you need to set up your plan quickly and easily.

- Low cost
- Easy setup and administration
- No complex government reporting
- No plan tax filings with the IRS
- No complicated testing requirements
- Employees can contribute on a pre-tax basis to their own accounts
- Employer contribution is flexible and is generally tax deductible
- No Annual Nondiscrimination Testing required

A closer look

- You may establish a SIMPLE IRA if your company has no other retirement plan in place and has 100 or fewer employees. The plan may be terminated at the end of any calendar year without cost.
- Employees are eligible if they earned at least \$5,000 during any two preceding years (whether or not consecutive), and are expected to earn at least \$5,000 in the current calendar year. The employer may reduce or eliminate the earnings requirement for prior years and/or the current year.
- There are no annual testing or IRS filing requirements and very little bookkeeping. There is no charge to set up or administer your plan, and our web-based service center will make your SIMPLE IRA easy to maintain. Depending on how your payroll is administered, you may incur costs for setting up or maintaining salary deferrals. Consult your payroll administrator for details.
- The employer will be a fiduciary to the SIMPLE IRA plan under the Employee Retirement Income Security Act of 1974 (ERISA). Employers should consult with their own tax and legal advisors before establishing a SIMPLE IRA plan.

Certain considerations - A SIMPLE IRA may not be suitable if the employer does not want to match their employees' contributions or is looking for a loan option in the plan. SIMPLE IRAs require immediate 100% vesting.

1. Assets under management (AUM) includes assets of the investment advisers affiliated with New York Life Insurance Company, other than Kartesia Management and Tristan Capital Partners, as of 12/31/2024. As of 12/31/2022, New York Life Investments changed its AUM calculation methodology, and AUM now includes certain assets, such as non discretionary AUM, external fund selection and overlay services, including ESG screening services, advisory consulting services, white-labeling investment management services and model portfolio delivery services that do not qualify as Regulatory Assets Under Management, as defined in the SEC's Form ADV. AUM is reported in USD. AUM not denominated in USD is converted at the spot rate as of 12/31/2024. This total AUM figure is less than the sum of the AUM of each affiliated investment adviser in the group because it does not count AUM where the same assets can be counted by more than one affiliated investment adviser.

2. New York Life has received the highest financial strength ratings currently awarded to any U.S. life insurer by Standard & Poor's (AA+); A.M. Best (A++); Moody's (Aaa); and Fitch (AAA). Source: Individual Third-Party Ratings Reports as of 10/4/2024. Source: thirdparty reports. Dividends are not guaranteed.

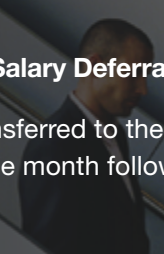
The financial strength of New York Life Insurance Company applies only to its insurance products and not to investment products, which are subject to market risk and fluctuation in value.



Employee Contributions

A SIMPLE IRA offers many attractive features for you and your employees.

- Participants can elect to defer part of their salary on a pre-tax basis via convenient payroll deduction.⁵
- Salary deferrals provide a disciplined approach to saving for retirement that is easy and convenient.
- Pre-tax contributions lower participants' current taxable income.
- Tax-deferred compounding of earnings helps participant investments grow faster.
- Participants direct their own investments to accommodate their individual needs and objectives.
- SIMPLE IRAs allow larger contributions than traditional IRAs.



Contribution Limits: Maximum Annual Salary Deferral Contributions⁶

Employees' salary deferrals must be transferred to their SIMPLE IRA accounts no later than the 30th day of the month following the month that they are withheld from pay.

Employees who participate in a SIMPLE IRA are considered active participants for purposes of determining the deductibility of a regular IRA contribution. Depending on the employee's income level, this may limit the amount of the employee's traditional IRA contribution that is deductible.

Please ask your registered representative for the SIMPLE IRA Fact Sheet, which has the current contribution limits.

5. The SECURE 2.0 Act, which was enacted into law on December 29, 2022, allows for SIMPLE IRA plans to offer elective deferrals on either a pre-tax or after-tax Roth basis. However, New York Life Investments' SIMPLE IRA currently only accepts employee pre-tax deferrals.

6. Maximum deferral amounts are subject to change by the IRS annually, based on inflation.



Rollovers

At any time, a participant's account assets may be rolled over tax free from one SIMPLE IRA to another. After two years of participation in a company's SIMPLE IRA, a participant's account assets may be rolled over tax free from a SIMPLE IRA to a traditional IRA, to an employer's qualified plan or converted to a Roth IRA. Please consult with your tax professional regarding your own personal circumstance. As a reminder, all IRAs, regardless of type, are subject to one rollover per 12 months.

Distributions

Distributions from SIMPLE IRAs are generally included in income and taxed in the year received. Withdrawals prior to age 59½ are generally subject to a 10% penalty tax. However, if a distribution is made within the first two years of plan participation, the penalty tax is increased to 25%. Please be aware that SIMPLE IRA accounts are subject to the Required Minimum Distribution rules set by the IRS.

Loans are not permitted from SIMPLE IRAs.

Required Employer Contributions

Employer contributions made to participant accounts are flexible and generally tax deductible.

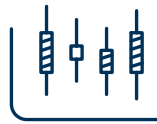
- Required employer contributions are a dollar-for-dollar match on employee salary deferrals up to 3% of pay.⁷
- Two out of every five years, the match can be reduced as low as 1%.
- Alternatively, the company can contribute 2% for all eligible employees regardless of who has made salary deferrals.
- Company contributions are based on W-2 earnings or self-employment income plus salary deferrals.
- SIMPLE IRAs run on a calendar year. Company contributions can be made with each payroll, at convenient intervals (e.g., monthly, quarterly), or all at once, by the due date of the company's tax return for the year, including extensions. These contributions are deductible for the SIMPLE IRA calendar year ending within the company's tax year.

7. Maximum deferral amounts are subject to change by the IRS annually, based on inflation.

Investments: The Jargon

A common issue we see is people not understanding the jargon. The three main terms of jargon in investing are stocks, bonds and cash.

Assets = Stocks + Bonds + Cash



Stocks

- Equities
- Aggressive



Bonds

- Fixed Income
- Moderate



Cash

- Conservative

This example is for illustrative purposes only and does not represent an actual investment. The solutions presented are not appropriate for all investors.

Stocks are sometimes called equities. A stock represents direct ownership of a company.

Generally, the more a portfolio is weighted toward equities, the more aggressive it is.

Bonds are also known as fixed income, and a bond is a loan.

The third asset is **cash**, which is very conservative. This is usually in a bank account or money market account.

Types of Asset Allocation

- Conservative – fewest stocks
- Moderately Conservative
- Moderate/Balance
- Moderately Aggressive
- Aggressive/Growth – most stocks

When you think about asset allocation, think about pies; there are certain pies for certain situations. It's important for you to pick the right asset pie for your goals.

When your employees invest in the New York Life Investments SIMPLE IRA, they have the option to invest in our pre-constructed portfolios that offer complete diversification within a single fund. With exposure to equities in varying levels, they provide a great way for investors to get into the equity market.

When selecting a pre-constructed portfolio, your employees can be assured their money is actively managed and rebalanced with the best weightings at any given time. Although participants remain responsible for their investment choices, our investment specialists, averaging over 20 years of experience, oversee asset class exposure in the funds.

Investment Capabilities

New York Life Investments[†] Funds

We understand the complexities of investing for retirement. Through NYLI Funds, we provide plan participants with investment options designed to make retirement investing easy.

The NYLI Diversified Portfolio Series and the NYLI Asset Allocation Funds offer professional diversification and ongoing portfolio rebalancing all in one easy, convenient investment. These funds enable participants to select an investment based on the amount of risk they feel comfortable taking. Each of these funds invests primarily in a distinct mix of investment products. Please refer to the SIMPLE IRA Fact Sheet:^{*} for the funds under the NYLI Diversified Portfolio Series and the NYLI Asset Allocation Funds.

Following enrollment, participants will have the opportunity to purchase additional NYLI Funds once they meet the applicable investment minimums. Please refer to the fact sheet^{*} and prospectuses for additional details concerning the funds.

These funds enable participants to select an investment based on the amount of risk they feel comfortable taking.

^{*} Please ask your registered representative for the SIMPLE IRA Fact Sheet for details.

[†] Effective 8/28/24, the MainStay mutual fund family name was renamed the NYLI family of funds.

Experienced hands at the helm

New York Life Investments' Multi-Asset Solutions team (MAS) oversees the day-to-day portfolio management services for the Funds.

The team's process prioritizes risk mitigation and consistent performance through strategic asset allocation and portfolio construction. The team controls style drift, manages various risks and provides thorough diversification, all while emphasizing those underlying investments with the most compelling current return opportunities.

The MAS team manages the New York Life Investments Diversified Portfolio Series through a robust investment process as described below:



Investment Managers

The investment managers in the Multi-Asset Solutions team are seasoned investment professionals bringing an average of over 20 years of industry experience to the helm of the NYLI Diversified Portfolio Series and the NYLI Asset Allocation Funds.



Jae Yoon, CFA
Chief Investment Officer,
New York Life Investment
Management



Jonathan Swaney
Managing Director,
Senior Portfolio
Manager



Poul Kristensen, CFA
Managing Director,
Economist, Portfolio
Manager



Amit Soni, CFA
Director,
Portfolio Manager

Client Service

Customer service is more than important. It's integral to our business. We strive to provide service to all of our clients and plan participants.

- The Employer SIMPLE Setup Instructions will help guide you through the plan setup and annual maintenance.
- Our web site provides an easy-to-use interface to help administer your plan and send contributions. It also provides plan participants with round-the-clock account access.
- Our service center provides you with toll-free access to account information and a knowledgeable staff ready to answer any account-related questions.

Plan Services for Participants

Employee communications are another hallmark of our commitment to quality service. Each eligible employee receives an Employee Enrollment Kit containing important information and guidance on setting up a SIMPLE IRA account. Our web site, quarterly statements and newsletters keep participants well-informed. In addition, employees can call our toll-free number to speak with a representative.



Next Steps

It's easy to set up

Follow the Employer Setup Guide. It contains everything you need to establish and maintain a SIMPLE IRA plan. You'll find step-by-step instructions to guide you through each stage of your plan. Refer to the fact sheet for details on the New York Life Investments SIMPLE IRA Plan.

Get started today

Refer to our web site for a list of investment options available. Online account access:
newyorklifeinvestments.com/accounts

Call our toll-free number to speak with a representative

1-800-624-6782, option 2

Weekdays from 8:30 am to 5 pm EST

**Call your financial professional to set up your
SIMPLE IRA plan today**

The New York Life Investments Difference

Focus on delivering ongoing value for our clients



8. The products and services of New York Life Investments' boutiques are not available in all jurisdictions or regions where such provision would be contrary to local laws or regulations. New York Life Investments does not offer insurance nor annuity products, both of which are available through our parent, New York Life Insurance Company and one of its insurance affiliates.

Before you invest

About risk

Before considering an investment in the Funds, you should understand that you could lose money.

All mutual funds are subject to market risk, including possible loss of principal. Diversification cannot assure a profit or protect against loss in a declining market.

The Funds' performance depends on the subadvisor's skill in determining the asset class allocations and the mix of underlying Funds, as well as the performance of those underlying Funds. The underlying Funds' performance may be lower than the performance of the asset class that they were selected to represent. The Funds are indirectly subject to the investment risks of each underlying Fund held. The Funds may invest more than 25% of its assets in one underlying Fund, which may significantly affect the NAV of the Funds.

The principal risks of investing in the Fund are summarized below.

Asset Allocation Risk: Although allocation among different asset classes generally limits the Fund's exposure to the risks of any one class, the risk remains that New York Life Investments may favor an asset class that performs poorly relative to the other asset classes. For example, deteriorating economic conditions might cause an overall weakness in corporate earnings that reduces the absolute level of stock prices in that market. Under these circumstances, if the Fund, through its holdings of Underlying ETFs, was invested

primarily in stocks, it would perform poorly relative to a portfolio invested primarily in bonds. The Underlying ETFs selected by New York Life Investments may underperform the market or other investments. Moreover, because the Fund has set limitations on the amount of assets that normally may be allocated to each asset class, the Fund has less flexibility in its investment strategy than mutual funds that are not subject to such limitations. In addition, the asset allocations made by the Fund may not be ideal for all investors and may not effectively increase returns or decrease risk for investors.

Exchange-Traded Fund ("ETF") Risk: The risks of owning an ETF generally reflect the risks of owning the underlying securities they are designed to track, although lack of liquidity in an ETF's shares could result in the market price of the ETF's shares being more volatile than the value of the underlying portfolio of securities. Disruptions in the markets for the securities underlying ETFs purchased or sold by the Fund could result in losses on the Fund's investments in ETFs. ETFs also have management fees that increase their costs versus the costs of owning the underlying securities directly.

Principal Risks of the Underlying ETFs

Equity Securities Risk: Investments in common stocks and other equity securities are particularly subject to the risk of changing economic, stock market, industry and company conditions, and the risks inherent in the portfolio managers' ability to anticipate such changes that can adversely affect the value of a Fund's holdings.

Debt Securities Risk: Funds that invest in bonds are subject to interest rate risk and can lose principal value when interest rates rise. Bonds are also subject to credit risk which is the possibility that the bond issuer may fail to pay interest and principal in a timely manner.

Derivatives Risk: Derivatives often involve a high degree of financial risk in that a relatively small movement in the price of the underlying security or benchmark may result in a disproportionately large movement, unfavorable as well as favorable, in the price of the derivative instrument. Investments in derivatives may increase the volatility of a fund's net asset value and may result in a loss to the fund.

Foreign Securities Risk: Foreign securities can be subject to greater risks than U.S. investments, including currency fluctuations, less liquid trading markets, greater price volatility, political and economic instability, less publicly available information, and changes in tax or currency laws or monetary policy. These risks are likely to be greater for emerging markets than in developed markets.

High Yield Risk: High yield securities (junk bonds) have speculative characteristics and present a greater risk of loss than higher quality debt securities. These securities can also be subject to greater price volatility.

About Fees and Expenses

The term "fund of funds" is used to describe mutual funds that pursue their investment objectives by investing in other types of funds. By investing in the Fund, you will indirectly bear fees and expenses charged by the underlying funds in which the Fund invests, in addition to the Fund's direct fees and expenses. Your cost of investing in the Fund, therefore, may be higher than the cost of investing in a mutual fund that invests directly in individual stocks and bonds. Additionally, the use of a fund-of-funds structure could affect the timing, amount and character of distributions to you and therefore may increase the amount of taxes payable by you. You should consult your tax and financial professionals regarding these matters.

New York Life and its affiliates do not render tax, legal, or accounting advice. Please consult your financial professional regarding your own personal circumstances.

**New York Life and its affiliates do not provide legal, tax or accounting advice.
Before considering a SIMPLE IRA plan, you should consult with your own professional
legal and tax advisors regarding your individual circumstances.**

For more information about New York Life Investments Funds, call 800-624-6782 for a prospectus or summary prospectus. Investors are asked to consider the investment objectives, risks, and charges and expenses of the investment carefully before investing. The prospectus or summary prospectus contains this and other information about the investment company. Please read the prospectus or summary prospectus carefully before investing.

For more information

800-624-6782

newyorklifeinvestments.com/agency



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New York Life Insurance Company, and its affiliates and representatives do not provide legal, tax or accounting advice. Clients should consult their own legal and tax advisors. New York Life Trust Company ("NYLTC"), an indirect, wholly-owned subsidiary of New York Life Insurance Company. Securities distributed by NYLIFE Distributors LLC, 30 Hudson Street, Jersey City, NJ 07302, Member FINRA/SIPC.



New York Life Investments SIMPLE IRA

A **SIMPLE IRA** (Savings Incentive Match Plan for Employees) Plan is a type of employer-sponsored retirement plan that allows for employee contributions into the plan to grow on a tax-deferred basis. This means the employees will not pay taxes on earnings or ordinary income for pre-tax contributions until they make a withdrawal from the plan.

Early withdrawal penalties of 10% may also apply if money is withdrawn prior to attaining age 59½. The penalty may be increased to 25% if the withdrawal is done within the first two years of SIMPLE IRA participation. Please be aware that SIMPLE IRA accounts are subject to the Required Minimum Distribution rules set by the IRS. At age 73,¹ SIMPLE IRA accounts are subject to the same minimum distribution requirements as Traditional IRAs.

Under IRS rules, employers who sponsor SIMPLE IRA Plans must elect to provide either a match of up to 3% of employee compensation or a 2% non-elective contribution to all eligible employees regardless of their participation in the plan.² The employer may reduce the 3% limit to a lower percentage, but not lower than 1%. The employer may not lower the 3% limit for more than two calendar years out of the five-year period ending with the calendar year the reduction is effective. (For more information regarding IRS plan rules, see: <https://www.irs.gov/retirement-plans/operating-a-simple-ira-plan>)

In 2025, SIMPLE IRA Plans allow for a maximum employee deferral amount of \$16,500 (plus \$3,500 for a catch-up contribution if age 50 or over).^{3,4}

For plan participants

The amount of money needed to retire comfortably is increasing due in large part to rising health care costs and longevity risk — the risk of running out of money too soon because people are living longer.

For many people, retirement plan assets represent the largest portion of their savings. It is important to consider participating in your employer-sponsored retirement plan (such as a SIMPLE IRA plan) and to get started as soon as you can — *the sooner you start, the more opportunity you have to grow your retirement savings.*

The money in SIMPLE IRAs are held tax deferred, which means:

1. taxes are not paid on any earnings until the money is withdrawn and
2. all contributions have the opportunity to compound more quickly.

The New York Life Investments SIMPLE IRA Plan may be a convenient and flexible way to help you save for retirement.



INVESTMENTS

Employee eligibility requirements

Employees are eligible to participate if they:

- Earned at least \$5,000 in any two years preceding the current year (whether or not consecutive).
- Are expected to earn at least \$5,000 in the current calendar year.

Employer can reduce or eliminate earnings requirements for prior years and/or the current year.

Maximum deferrals^{3,4}

Year	Amount
2024	\$16,000
2025	\$16,500

Catch-up contributions^{3,4}

(participants age 50 and older)

Year	Amount
2024	\$3,500
2025	\$3,500

1. For distributions required to be made after December 31, 2022, the age when required minimum distributions must begin is now based on your "applicable age" as defined in the Internal Revenue Code. Your applicable age is 75 if you were born on or after January 1, 1960, age 73 if you were born on or after January 1, 1951 and prior to January 1, 1960, age 72 if you were born on or after July 1, 1949 and prior to January 1, 1951 and age 70½ if you were born prior to July 1, 1949.
2. Your employer who set up the SIMPLE IRA is required by law to match your contributions up to 3% of compensation (if the employer does not make non-elective contributions), and their contributions belong to you immediately. You can take them with you should you leave your employer. As of 2024, the SECURE 2.0 Act of 2022 generally permits employers to make additional non-elective contributions to SIMPLE IRA plans of up to 10% of pay, not to exceed \$5,000 (indexed for inflation).
3. Maximum deferral amounts are subject to change by the IRS annually, based on inflation.
4. As of 2024, in the case of an employer with 25 or fewer employees, the SECURE 2.0 Act of 2022 increased the limits on employee contributions and catch-up contributions to a SIMPLE IRA plan to 110% of the limits that would otherwise apply for 2024. The 110% amounts will be adjusted for inflation. SIMPLE IRA plans with 26 employees or more may elect to apply the higher limits above but would be required to provide an increased matching of up to 4% (instead of 3%) or a non-elective contribution of up to 3% (instead of 2%).
5. The SECURE 2.0 Act, which was enacted into law on December 29, 2022, allows for SIMPLE IRA plans to offer elective deferrals on either a pre-tax or after-tax Roth basis. However, New York Life Investments' SIMPLE IRA currently only accepts employee pretax deferrals.
6. Maximum compensation on which 2025 contribution can be based is \$350,000 (\$345,000 for 2024).

For employers

A SIMPLE IRA can be established by a company that:

- Has no more than 100 employees who earned at least \$5,000 in compensation from the company during the prior calendar year.
- Maintains no other qualified plans.
- Wants a retirement vehicle allowing employee contributions.

SIMPLE IRA specifics

- No set-up costs (Depending on how your payroll is administered, there may be costs for setting up or maintaining salary deferrals).
- No IRS approval or annual Form 5500 reporting required (certain disclosures and notification must be provided to employees annually and to new employees).
- No minimum number of participants required.
- Plan may be terminated at the end of any calendar year without cost.
- Eligible employees may, but are not required to, contribute a portion of their compensation, up to the annual Maximum Deferral amount (with additional Catch-Up Contributions if eligible).⁵

Required employer contributions

Companies must select from one of the following options:

- Matching contribution: 100% of salary deferral up to 3% of an employee's compensation (may be reduced to no less than 1% in two out of five years).
- Non-elective contribution: 2% of each eligible employee's compensation⁶ (subject to IRS limits) regardless of whether they are deferring salary.

Any contributions made on behalf of plan participants are generally tax deductible by the employer.

For employers and plan participants

The power of a diversified portfolio

New York Life Investments SIMPLE IRA offers an array of investment options. Our SIMPLE IRA offers professional diversification and ongoing portfolio rebalancing all in one simple, convenient investment through our NYLI[†] Asset Allocation Funds, and NYLI Diversified Portfolio Series.

Investment Options

New participants may select from Asset Allocation Funds.

NYLI Diversified Portfolio Series	NYLI Asset Allocation Funds
NYLI Conservative ETF Allocation Fund	NYLI Conservative Allocation Fund
NYLI Moderate ETF Allocation Fund	NYLI Moderate Allocation Fund
NYLI Growth ETF Allocation Fund	NYLI Growth Allocation Fund
NYLI Equity ETF Allocation Fund	NYLI Equity Allocation Fund

Asset Allocation Funds offer professional diversification and ongoing portfolio rebalancing all in one easy, convenient investment. See the prospectus for more information.

Following enrollment, participants have access to additional NYLI Funds once the minimum balance is attained.

The NYLI Funds listed below are available in the new SIMPLE IRA plans, effective August 31, 2020. The Funds are available in Simple (SI) shares class:

Asset Allocation Funds/ Mixed Asset Fund	Equity Funds
NYLI Conservative ETF Allocation Fund	NYLI MacKay S&P 500 Index Fund
NYLI Moderate ETF Allocation Fund	NYLI Winslow Large Cap Growth Fund
NYLI Growth ETF Allocation Fund	NYLI Epoch U.S. Equity Yield Fund
NYLI Equity ETF Allocation Fund	Fixed Income Funds/ Money Market
NYLI Conservative Allocation Fund	NYLI Short Term Bond Fund
NYLI Moderate Allocation Fund	NYLI MacKay High Yield Corporate Bond Fund
NYLI Growth Allocation Fund	NYLI MacKay Total Return Bond Fund
NYLI Equity Allocation Fund	NYLI Floating Rate Fund
NYLI Income Builder Fund	NYLI Money Market Fund

[†] Effective 8/28/24, the MainStay mutual fund family name was renamed the NYLI family of funds."

5. The SECURE 2.0 Act, which was enacted into law on December 29, 2022, allows for SIMPLE IRA plans to offer elective deferrals on either a pre-tax or after-tax Roth basis. However, New York Life Investments' SIMPLE IRA currently only accepts employee pre-tax deferrals.

6. Maximum compensation on which 2024 contribution can be based is \$345,000 (\$330,000 for 2023).

Plans opened prior to 8/31/20 Class A/Investor (INV) Class shares available	Plans opened on and after 8/31/20 Simple (SI) Class shares available
New York Life Investments SIMPLE IRAs for plans established prior to August 31, 2020 and newly added plan participants to such plans will remain in their existing share class arrangement.	New York Life Investments SIMPLE IRAs for plans established on or after August 31, 2020 must utilize the new Simple (SI) Class. Class A and Investor Class are not available.
Investor Class will convert to Class A once minimums are met. Once converted, Class A will not convert back to Investor Class.	Simple Class will convert to Class A or Investor Class after being invested for 10 years, depending on the balance in each fund that you own. New plan contributions will continue to purchase Simple Class and will follow the 10-year conversion schedule.
<ul style="list-style-type: none"> > \$20 annual custodial fee > \$20 low balance fee for accounts with less than \$1,000 after the first year of participation. The fee will be applied twice per year in increments of \$10 > No small account fee for participant balances invested in the NYLI Asset Allocation ETF Funds 	<ul style="list-style-type: none"> > \$20 annual custodial fee > \$20 low balance fee for accounts with less than \$1,000 after the first year of participation. The fee will be applied twice per year in increments of \$10 > No small account fee for participant balances invested in the NYLI Asset Allocation ETF Funds

Fees

- No employer fees
- Annual fee is \$20 and deducted from participant balances in December
- After one year of participation, a small account fee of \$20 applies to each fund maintained with a balance under \$1,000 for the NYLI Asset Allocation Funds. The NYLI Asset Allocation ETF Funds is not subject to the small account fee.



Plan services for participants

- **Toll-free telephone access:**
1-800-624-6782, option 2
- **Online account access:**
newyorklifeinvestments.com
- Quarterly statements

Plan enrollment and education materials

Employer Enrollment Kit

New York Life Investments SIMPLE IRA Employer Guide

New York Life Investments SIMPLE IRA Fact Sheet

New York Life Investments Employer Set-Up Instructions

New York Life Investments SIMPLE IRA Employer Adoption Form

IRS Form 5304-SIMPLE

New York Life Investments Procedures for Withdrawals

Employee Enrollment Kit

New York Life Investments SIMPLE IRA Fact Sheet

New York Life Investments SIMPLE IRA Plan Highlights

New York Life Investments SIMPLE IRA Custodial Agreement and Disclosure Statement

New York Life Investments SIMPLE IRA Application and Investor Profile

New York Life Investments Procedures for Withdrawals

New York Life Investments SIMPLE IRA Transfer/Rollover Form

You could lose money by investing in the NYLI Money Market Fund. Although the Fund seeks to preserve the value of your investment at \$1.00 per share, it cannot guarantee it will do so. The Fund may impose a fee upon sale of your shares or temporarily suspend your ability to sell shares if the Fund's liquidity falls below required minimums of market conditions or other factors. An investment in the Fund is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. The Fund's sponsor has no legal obligation to provide financial support to the Fund, and you should not expect that the sponsor will provide financial support to the Fund at any time.

Mutual Funds are subject to market risk and will fluctuate in value.

New York Life and its affiliates do not provide legal, tax or accounting advice. Before considering a SIMPLE IRA plan, you should consult with your own professional legal and tax advisors regarding your individual circumstances.

For more information about New York Life Investments Funds, call 800-624-6782 for a prospectus or summary prospectus. Investors are asked to consider the investment objectives, risks, and charges and expenses of any investment carefully before investing. The prospectus or summary prospectus contains this and other information about the investment company. Please read the prospectus or summary prospectus carefully before investing.

For more information

800-624-6782

newyorklifeinvestments.com



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New York Life Investments SIMPLE IRA

Employer set-up instructions

Retirement plan options

For small businesses with 100 or fewer employees

This SIMPLE IRA guide is everything you need to establish and maintain your SIMPLE IRA. You'll find step-by-step instructions to guide you through each stage of your plan.

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Set up

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INVESTMENTS

1

Set up

Complete Form 5304-SIMPLE:

Read carefully and complete pages 1 and 2 to select the requirements for your plan. Complete page 3, the *Model Notification to Eligible Employees*, with the same requirements as you did on page 1. Retain the completed original for your permanent tax records. If you use an outside payroll vendor, contact them now to allow time to set up pre-tax payroll deductions for a retirement plan.

Do you prefer to complete Form 5304-SIMPLE online? The form can be accessed and completed via the IRS website, www.irs.gov. To find the form, enter “5304-SIMPLE” in the search bar, then follow the appropriate link to the editable pdf form. Complete and save the form, then distribute it to employees via email or print copies for distribution.

Form 5304-SIMPLE tips

- To complete the first field in the *Model Notification to Eligible Employees* section, enter the full name of your business, as you did on the top of page 1.
- By law, employees may change their salary reduction election at least annually, at the beginning of each year. If you complete the form to permit changes more often to give employees greater flexibility, it also means more payroll and remittance changes for you to track.
- In the *Model Salary Reduction Agreement* section, employees establishing SIMPLE IRA accounts with New York Life Investments should complete section IV as follows:

Name of financial institution: New York Life Trust Company

Address of financial institution: 30 Hudson Street, Jersey City, NJ 07302

SIMPLE IRA Employer Adoption Form:

Follow the completion instructions provided on the *Employer Adoption Form*, then return it to your registered representative with a copy of pages 1 and 2 of your completed *Form 5304-SIMPLE*.

2

Enroll

Follow these simple steps to enroll employees**1. Annual notice to eligible employees**

The IRS requires employers to provide an annual notice to eligible employees informing them of their opportunity to make salary reduction contributions to the plan and describing the employer contribution and administrative procedures for the year. For this purpose, the IRS provides the *Model Notification to Eligible Employees*, which you completed on the top of page 3 of *Form 5304-SIMPLE*.

2. Determine which employees are eligible to participate in your plan

Provide them with a copy of pages 1-3 of your completed *Form 5304-SIMPLE* and New York Life Investments' SIMPLE IRA *Procedures for Withdrawal*. If employees have established accounts elsewhere, contact that institution for their withdrawal procedures for distribution to employees.

For the first plan year, eligible employees must be given at least 60 days to decide if they will make salary deferral contributions. Instruct employees to make their salary deferral election and designate their financial institution on the *Model Salary Reduction Agreement* for Eligible Employees found on the bottom of page 3 of the *Form 5304-SIMPLE* you provided to them.

After the initial enrollment period, if you completed Article II, section 2b of *Form 5304-SIMPLE* to allow employees to make or modify salary reduction elections more frequently than annually (e.g., monthly, quarterly, etc.), then you must accept election forms as they are submitted to you and see to it that requests are implemented timely for each election period. Refer to the Tips box.

3. Schedule employee meeting(s)

Your registered representative can help you determine whether to hold group or individual employee meetings to introduce your New York Life Investments SIMPLE IRA. Set and announce the date(s) for the meeting(s). At the meeting(s), your registered representative will provide each eligible employee with a SIMPLE IRA Employee Enrollment Kit that contains everything employees need to enroll.

4. Collect forms

Ask employees to complete and return the following to you by the 60-day due date, retaining copies for their records:

- *Salary Reduction Agreement*
- New York Life Investments *SIMPLE IRA Application & Investor Profile* (found in the Employee Enrollment Kit)
- If applicable, the New York Life Investments *SIMPLE IRA Transfer Form* (used to move SIMPLE IRA funds from another institution into a New York Life Investments SIMPLE IRA account).

5. Send to your registered representative

- New York Life Investments *SIMPLE IRA Applications*
- New York Life Investments *SIMPLE IRA Transfer Forms*

Do not send any money at this time.

6. Retain for your permanent files

- All employee *Salary Reduction Agreements* for use in setting up employee salary deferral elections on your payroll

3

Remit

1. Notify your payroll administrator or vendor

Once you have collected your employees' completed *Salary Reduction Agreements*, notify your payroll administrator or vendor that you are ready to set up payroll deductions.

2. Establish online access

To send plan contributions to us, you will need to establish online access to your plan. After we receive your completed *Employer Adoption Form*, we will call you so that we may provide you with your User ID for accessing the plan sponsor website. In addition, approximately two weeks following our establishing your plan on our system, a Welcome Letter with the User ID will be sent to the primary contact designated on the SIMPLE IRA *Employer Adoption Form*. For your protection, the password will be sent under separate cover. To access the site, visit newyorklifeinvestments.com/accounts.

3. Review for accuracy

By clicking on the **Plan Information** heading, which is the first section appearing under **Plan Details**, you will also see **Company Information**, **Bank Information** and **Shareholders**. Click on **Company Information** and confirm your contact information (plan sponsor) is correct. Please remember to always keep us notified of changes in contact information, including your business address. Confirm the list of employees who indicated that they want their contributions to go New York Life Investments by clicking on the **Shareholders** heading, which is the 4th section appearing under **Plan Information**. The names of employees whose New York Life Investments SIMPLE IRA applications were processed will be listed within this view. Contact your registered representative if there are any employees missing from the list after a reasonable period of time. Questions or corrections? Contact us at 800-624-6782, Option 2.

4. Set up and process your first payroll remittance

Each time that you want to send us employee or employer contributions for investment, you'll use a multi-step process:

1. Select **Access Roster** on the plan sponsor website, which will take you to the **Roster Detail** page, then select **New Roster** which will take you to the **New Roster Wizard** page.
2. The **Roster Wizard** is a 4-step process that will authorize the electronic funds transfer from your designated bank account to us to fund the contributions from the roster you created.

To use a previously created Roster: Go to the **Roster Selection** page, select the **Access Roster** link in the row of the roster you wish to use.

- Once you select the **Access Roster** link on the appropriate roster it will take you to the **Roster Detail** page. After you have verified that you have selected the correct roster, you would then use the **Model Roster** link at the top of the page. This will bring you to the **Copy Roster Wizard** page.

- When completing the **Roster Wizard** process, you will see that the information is prefilled with what was entered when the selected roster was created.
- During the **Roster Wizard** process, you can make changes to the roster. You will be able to add/remove shareholders from the roster as well as change any contribution amounts.
- The system will total the amounts for you. After your edits are made, you'll be prompted to verify the shareholder roster as well as the bank account from which the roster will be funded. You'll then be able to **Submit** your roster. If you have any questions or if you ever need to change your bank account information for future payrolls, please contact us at 800-624-6782, Option 2.

Roster processing tips

- To save your work without transmitting funds, click **Save for Later** on the **Verify Roster** step to save it as a **Work in Progress**.
- To receive a **Roster Transmission Notification** after transmitting a roster, enter your e-mail address in the box provided.
- To print a copy for your records, click the **Print This Page** button on the confirmation page.
- To edit a **Work In Progress** or **Held** roster, select the applicable roster line and click **Access Roster**. This will allow you to edit this roster prior to transmitting it for processing.

Timely remittance of contributions is IMPORTANT

Employee contributions

You are required by law to remit employees' salary deferrals to their SIMPLE IRA financial institution as soon as administratively possible, but no later than 30 days after the end of the month in which deductions are made from employee compensation.

Employer contributions

Employer contributions can be made with each payroll, at convenient intervals (e.g., monthly, quarterly), or all at once, by the due date of the company's tax return for the year, including extensions. Contributions are deductible for the SIMPLE IRA calendar year ending within the company's tax year.

4

Maintain

Repeat the set up and enroll steps each year using the following calendar

Note, if you completed Article II, section 2b of *Form 5304-SIMPLE* to allow employees to make or modify salary reduction elections more frequently than annually, then you will need to run through the notification, enrollment, and account establishment steps of this maintenance process each election period.

September

Plan changes: For the upcoming calendar year, decide if you will make any changes to plan requirements for employee eligibility and salary reduction elections or the type or amount of employer contributions.

Eligible employees: Identify all eligible employees, taking into consideration any changes to eligibility requirements. Determine if you will have any newly eligible employees and contact your financial professional for enrollment materials and to schedule enrollment meetings.

Notification and summary document requirement: To fulfill IRS requirements, you must annually provide eligible employees with a copy of your *Form 5304-SIMPLE* (pages 1-3) and their financial institution's *Procedures for Withdrawal*. To assist you with this requirement, each September we will send you the New York Life Investments SIMPLE IRA Investments *Procedures for Withdrawal* and a new *Form 5304-SIMPLE* for completion.

- If you have decided to change any plan requirements, you are required to complete and sign a new *Form 5304-SIMPLE*, which will be effective the following January 1.
- If the IRS has revised Form 5304, you are required to complete and sign a new *Form 5304-SIMPLE*. Otherwise, if you are not making any changes to your plan, continue using the form completed the prior year.

October

Distribute to all eligible employees by October 31, copies of pages 1-3 of the *Form 5304-SIMPLE* for the next calendar year and the *Procedures for Withdrawal*. Remember to keep a copy of the annual notice that you provided to your employees for your records.

November 1 – December 31

Newly eligible employees must complete a Salary Reduction Agreement and SIMPLE IRA Participant Application/Transfer Form.

Participating employees need not complete a new *Salary Reduction Agreement* unless they wish to change their election.

Employees must return all forms to you by December 31 to begin salary deferrals effective January 1 (more frequent election periods are permitted, based on Article II, Section 2b of your *Form 5304-SIMPLE*). Retain employee *Salary Reduction Agreements* for your records.

January 1

To establish new employee accounts, promptly forward all new SIMPLE IRA **Participant Applications** and **Transfer Forms** for New York Life Investments SIMPLE IRA to your registered representative who will submit them for processing.

Notify your payroll vendor of any changes that will become effective for the new year.

First payroll period of the year

Roster updates: Update your roster by deleting employees who will no longer be contributing or will no longer be eligible for employer contributions. Verify that all newly eligible employees who submitted New York Life Investments SIMPLE IRA applications have been added. If employees are missing from the list, contact us or your registered representative.

Retain this brochure and refer to it early each September.

We're here for you.

Your registered representative is available to answer any of your questions or concerns and help you complete the forms to set up your plan. Once your plan is established, if you need assistance, please contact your registered representative or our service center at **800-624-6782**, option 2, weekdays from 8:30 am to 5:00 pm ET.



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New York Life Investments

SIMPLE IRA

Employer Adoption Form



INVESTMENTS



Employer Instructions

1. Complete Sections A, B, and E.
2. Sign Section E, evidencing your acceptance of the Limited Service Agreement in Section D.
3. Return your completed, signed New York Life Investments SIMPLE IRA Adoption Form with a copy of your Form 5304-SIMPLE to your Registered Representative.
4. See The New York Life Investments SIMPLE Set-Up Guide for additional requirements to set up your Plan.

Registered Representative Instructions

1. Check that all information has been completed by the Employer.
2. Complete Section C.
3. Email this Form and a copy of your completed IRS Form 5304-SIMPLE to NYLIfinancialrequests@dstsystems.com. The forms may also be mailed to:

Regular Mail

New York Life Investments SIMPLE IRA
P.O. Box 219003
Kansas City, MO 64121-9000

Overnight Express Mail

New York Life Investments SIMPLE IRA
430 West 7th Street, Suite 219003
Kansas City, MO 64105-1407

A. Business Information (Employer Information)

All the information in this section is required and must be completed to establish your Plan.

If you have applied for a TIN and are waiting for one to be issued, indicate the date the application was made.

1. Please specify intended calendar year for the Plan.

2. Business name

3. Business address

4. Employer Tax Identification Number

5. Type of business

6. Length of time business has been in existence

7. Business structure ☐ *Sole proprietorship* ☐ *C-Corporation* ☐ *S-Corporation*
 ☐ *Partnership (excluding Limited Partnership)* ☐ *Non-profit* ☐ *Other* _____

8. Primary contact person name

9. Title

10. Telephone number

11. Email address

12. Total number of employees in the business (including yourself)

B. Contribution Processing

The information in this section is required in order to establish the ACH electronic funds transfer process and identify the individual authorized to access your Plan data and remit payroll contributions. Your Plan will NOT be established without all of the information requested below.

Payroll Contact: whomever you designate as the Payroll Contact will be authorized and granted the privileges bulleted below. If you do not agree that your Payroll Contact should have these privileges, then the Payroll Contact identified below should be the same individual identified in #8 in Section A of this Form.

- Access to all participant data via the Plan Sponsor website
- Access and authorization to submit payroll files via the Plan Sponsor website
- Authorization to draft money out of the bank account designated below
- Access to our Customer Service Center regarding Plan and Participant account information

1. Payroll contact name

2. Payroll contact telephone number

3. Payroll contact email address

Bank Account Information: All payroll contributions must be processed via ACH and therefore, require you to have internet access. Complete the Bank Account Information below to designate the Bank Account from which you will have ACH electronic transfers made. Attach a voided check for the account.

4. Bank name

5. Bank address

6. Bank City, State, Zip Code

7. Bank ABA Routing Number

8. Bank Account number

Please attach a voided check below

REQUIRED

All payrolls must be remitted and funded electronically through the Plan Sponsor website.

Attach voided check here.



C. Broker-Dealer and Registered Representative Information

This section is to be completed by the Registered Representative.

NYLIFE Securities LLC Registered Representatives only, complete this section. All others, see below.

1. Registered Representative name (print)

2. Registered Representative number

3. G.O. code

4. Telephone number

5. Email address

All other Registered Representatives:

6. Registered Representative(s) name

7. Registered Representative(s) number

8. Telephone number

9. Email address

10. Dealer name

11. Dealer number

12. Branch number

13. Branch street address

14. City, State, Zip code

D. Limited Service Agreement

Agreement among your broker-dealer and its affiliates (“Broker-Dealer”), and New York Life Investments Funds (“New York Life Investments”) and their respective officers, directors/trustees, managers and agents (collectively, “Broker-Dealer/New York Life Investments”), and the Employer named in Section A above (“Employer”). By signing in Section E, Employer agrees that:

1. Broker-Dealer/New York Life Investments shall provide investment accounts pursuant to the provisions of the Application, **the custody agreement between the employee account holder and New York Life Trust Company (the “Custody Agreement”)**, and the then-current New York Life Investments prospectus.
2. Broker-Dealer/New York Life Investments are not fiduciaries (as that term is defined in the Employee Retirement Income Security Act of 1974) of the SIMPLE Plan and shall not perform any Plan Administrator or Trustee or other fiduciary services or activities for the SIMPLE Plan. NYLIFE is not a designated financial institution (within the meaning of Section 408(p)(7) of the Internal Revenue Code of 1986) with respect to the SIMPLE Plan.
3. Broker-Dealer’s/New York Life Investments services are limited to those stated in the Application or New York Life Investments Funds prospectus.
4. Broker-Dealer/New York Life Investments shall not be responsible in any way for the collection of contributions under the Plan; the purpose or propriety of any distribution made under the Plan or any other action taken (or not taken) pursuant to the request of the Employer or a participant; the validity or effect of the Plan, or the examination, administration, or operation of the Plan. Broker-Dealer/New York Life Investments shall not be liable for the payment of any damages, fines, penalties, or other assessments that may occur because of the acts, oversights, or omissions of the Plan Trustee, Administrator, Fiduciary, or Employer. In the event that Broker-Dealer/New York Life Investments are held liable for such acts, oversights, or omissions the Employer shall indemnify Broker-Dealer/New York Life Investments for any damages, fines, penalties, or other assessments imposed upon any of them.
5. Broker-Dealer/New York Life Investments shall not provide any tax or legal advice to the Employer or to any participant or beneficiary in the SIMPLE Plan.
6. Broker-Dealer/New York Life Investments shall not provide advice or recommendations concerning the elections under the SIMPLE Plan selected by the Employer and shall not be held liable for any adverse consequences, financial or otherwise, that may result from such elections.
7. Registered Representatives are not authorized to make any representations or to accept any responsibilities on behalf of Broker-Dealer/New York Life Investments that are not expressly contained in this Agreement, the Application, the Custody Agreement or the New York Life Investments prospectus. Registered Representatives are not authorized to change, alter, or modify any of the New York Life Investments Funds or the terms, provisions, or conditions of this Agreement, the Application, the Custody Agreement or the New York Life Investments prospectus or to waive any of Broker-Dealer’s/New York Life Investments rights or requirements.

E. Signatures

This Employer Adoption Form must be signed and dated by the individual authorized to act for the Plan, evidencing acceptance of the Limited Service Agreement.

I hereby certify that the information above is correct. I affirm that this Form is being completed on behalf of a U.S. company. Under penalties of perjury, I certify that the Taxpayer Identification Number stated in Section A is correct or that if a TIN was not provided, that I have applied for one and am waiting for one to be issued. I authorize electronic debits to be processed from the account listed in Section B to fund Plan payroll contributions or employer contributions. I have read, understood, and agree to the terms and conditions of the Limited Service Agreement above.

1. Business name

2. Name of person authorized to sign on behalf of business

3. Title

4. Signature of authorized person

5. Date

.....

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Keep a copy of this Employer Adoption Form for your records.



For more information
800-624-6782
newyorklifeinvestments.com



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Not FDIC/NCUA Insured	Not a Deposit	May lose value	No Bank Guarantee	Not Insured by Any Government Agency
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**Savings Incentive Match Plan
for Employees of Small Employers (SIMPLE)—Not
for Use With a Designated Financial Institution**

Do not file
with the Internal
Revenue Service

_____ establishes the following SIMPLE
Name of Employer
IRA plan under section 408(p) of the Internal Revenue Code and pursuant to the instructions contained in this form.

Article I—Employee Eligibility Requirements *(complete applicable box(es) and blanks—see instructions)*

- 1 General Eligibility Requirements.** The Employer agrees to permit salary reduction contributions to be made in each calendar year to the SIMPLE IRA established by each employee who meets the following requirements (select either 1a or 1b):
- a** ☐ **Full Eligibility.** All employees are eligible.
- b** ☐ **Limited Eligibility.** Eligibility is limited to employees who are described in both (i) and (ii) below:
- (i) Current compensation.** Employees who are reasonably expected to receive at least \$ _____ in compensation (not to exceed \$5,000) for the calendar year.
- (ii) Prior compensation.** Employees who have received at least \$ _____ in compensation (not to exceed \$5,000) during any _____ calendar year(s) (insert 0, 1, or 2) preceding the calendar year.
- 2 Excludable Employees.**
- ☐ The Employer elects to exclude employees covered under a collective bargaining agreement for which retirement benefits were the subject of good faith bargaining. **Note:** *This box is deemed checked if the Employer maintains a qualified plan covering only such employees.*

Article II—Salary Reduction Agreements *(complete the box and blank, if applicable—see instructions)*

- 1 Salary Reduction Election.** An eligible employee may make an election to have his or her compensation for each pay period reduced. The total amount of the reduction in the employee's compensation for a calendar year cannot exceed the applicable amount for that year.
- 2 Timing of Salary Reduction Elections**
- a** For a calendar year, an eligible employee may make or modify a salary reduction election during the 60-day period immediately preceding January 1 of that year. However, for the year in which the employee becomes eligible to make salary reduction contributions, the period during which the employee may make or modify the election is a 60-day period that includes either the date the employee becomes eligible or the day before.
- b** In addition to the election periods in 2a, eligible employees may make salary reduction elections or modify prior elections _____, _____. If the Employer chooses this option, insert a period or periods (for example, semi-annually, quarterly, monthly, or daily) that will apply uniformly to all eligible employees.
- c** No salary reduction election may apply to compensation that an employee received, or had a right to immediately receive, before execution of the salary reduction election.
- d** An employee may terminate a salary reduction election at any time during the calendar year. ☐ If this box is checked, an employee who terminates a salary reduction election not in accordance with 2b may not resume salary reduction contributions during the calendar year.

Article III—Contributions *(complete the blank, if applicable—see instructions)*

- 1 Salary Reduction Contributions.** The amount by which the employee agrees to reduce his or her compensation will be contributed by the Employer to the employee's SIMPLE IRA.
- 2a Matching Contributions**
- (i)** For each calendar year, the Employer will contribute a matching contribution to each eligible employee's SIMPLE IRA equal to the employee's salary reduction contributions up to a limit of 3% of the employee's compensation for the calendar year.
- (ii)** The Employer may reduce the 3% limit for the calendar year in (i) only if:
- (1)** The limit is not reduced below 1%; **(2)** The limit is not reduced for more than 2 calendar years during the 5-year period ending with the calendar year the reduction is effective; and **(3)** Each employee is notified of the reduced limit within a reasonable period of time before the employees' 60-day election period for the calendar year (described in Article II, item 2a).
- b Nonelective Contributions**
- (i)** For any calendar year, instead of making matching contributions, the Employer may make nonelective contributions equal to 2% of compensation for the calendar year to the SIMPLE IRA of each eligible employee who has at least \$ _____, (not more than \$5,000) in compensation for the calendar year. No more than \$250,000* in compensation can be taken into account in determining the nonelective contribution for each eligible employee.
- (ii)** For any calendar year, the Employer may make 2% nonelective contributions instead of matching contributions only if:
- (1)** Each eligible employee is notified that a 2% nonelective contribution will be made instead of a matching contribution; and
- (2)** This notification is provided within a reasonable period of time before the employees' 60-day election period for the calendar year (described in Article II, item 2a).
- 3 Time and Manner of Contributions**
- a** The Employer will make the salary reduction contributions (described in 1 above) for each eligible employee to the SIMPLE IRA established at the financial institution selected by that employee no later than 30 days after the end of the month in which the money is withheld from the employee's pay. See instructions.
- b** The Employer will make the matching or nonelective contributions (described in 2a and 2b above) for each eligible employee to the SIMPLE IRA established at the financial institution selected by that employee no later than the due date for filing the Employer's tax return, including extensions, for the taxable year that includes the last day of the calendar year for which the contributions are made.

* This is the amount for 2012. For later years, the limit may be increased for cost-of-living adjustments. The IRS announces the increase, if any, in a news release, in the Internal Revenue Bulletin, and on the IRS's internet website at **IRS.gov**.

Article IV—Other Requirements and Provisions

- 1 Contributions in General.** The Employer will make no contributions to the SIMPLE IRAs other than salary reduction contributions (described in Article III, item 1) and matching or nonelective contributions (described in Article III, items 2a and 2b).
- 2 Vesting Requirements.** All contributions made under this SIMPLE IRA plan are fully vested and nonforfeitable.
- 3 No Withdrawal Restrictions.** The Employer may not require the employee to retain any portion of the contributions in his or her SIMPLE IRA or otherwise impose any withdrawal restrictions.
- 4 Selection of IRA Trustee.** The Employer must permit each eligible employee to select the financial institution that will serve as the trustee, custodian, or issuer of the SIMPLE IRA to which the Employer will make all contributions on behalf of that employee.
- 5 Amendments To This SIMPLE IRA Plan.** This SIMPLE IRA plan may not be amended except to modify the entries inserted in the blanks or boxes provided in Articles I, II, III, VI, and VII.
- 6 Effects Of Withdrawals and Rollovers**
 - a** An amount withdrawn from the SIMPLE IRA is generally includible in gross income. However, a SIMPLE IRA balance may be rolled over or transferred on a tax-free basis to another IRA designed solely to hold funds under a SIMPLE IRA plan. In addition, an individual may roll over or transfer his or her SIMPLE IRA balance to any IRA or eligible retirement plan after a 2-year period has expired since the individual first participated in any SIMPLE IRA plan of the Employer. Any rollover or transfer must comply with the requirements under section 408.
 - b** If an individual withdraws an amount from a SIMPLE IRA during the 2-year period beginning when the individual first participated in any SIMPLE IRA plan of the Employer and the amount is subject to the additional tax on early distributions under section 72(t), this additional tax is increased from 10% to 25%.

Article V—Definitions

- 1 Compensation**
 - a General Definition of Compensation.** Compensation means the sum of the wages, tips, and other compensation from the Employer subject to federal income tax withholding (as described in section 6051(a)(3)), the amounts paid for domestic service in a private home, local college club, or local chapter of a college fraternity or sorority, and the employee's salary reduction contributions made under this plan, and, if applicable, elective deferrals under a section 401(k) plan, a SARSEP, or a section 403(b) annuity contract and compensation deferred under a section 457 plan required to be reported by the Employer on Form W-2 (as described in section 6051(a)(8)).
 - b Compensation for Self-Employed Individuals.** For self-employed individuals, compensation means the net earnings from self-employment determined under section 1402(a), without regard to section 1402(c)(6), prior to subtracting any contributions made pursuant to this plan on behalf of the individual.
- 2 Employee.** Employee means a common-law employee of the Employer. The term employee also includes a self-employed individual and a leased employee described in section 414(n) but does not include a nonresident alien who received no earned income from the Employer that constitutes income from sources within the United States.
- 3 Eligible Employee.** An eligible employee means an employee who satisfies the conditions in Article I, item 1 and is not excluded under Article I, item 2.
- 4 SIMPLE IRA.** A SIMPLE IRA is an individual retirement account described in section 408(a), or an individual retirement annuity described in section 408(b), to which the only contributions that can be made are contributions under a SIMPLE IRA plan and rollovers or transfers from another SIMPLE IRA.

Article VI—Procedures for Withdrawals *(The Employer will provide each employee with the procedures for withdrawals of contributions received by the financial institution selected by that employee, and that financial institution's name and address (by attaching that information or inserting it in the space below) unless: (1) that financial institution's procedures are unavailable, or (2) that financial institution provides the procedures directly to the employee. See **Employee Notification** in the instructions.)*

Article VII—Effective Date

This SIMPLE IRA plan is effective _____ . See instructions.

* * * * *

Name of Employer

By: _____
Signature

Date

Address of Employer

Name and title

Model Notification to Eligible Employees

I. Opportunity to Participate in the SIMPLE IRA Plan

You are eligible to make salary reduction contributions to the _____ SIMPLE IRA plan. This notice and the attached summary description provide you with information that you should consider before you decide whether to start, continue, or change your salary reduction agreement.

II. Employer Contribution Election

For the _____ calendar year, the Employer elects to contribute to your SIMPLE IRA (*employer must select either (1), (2), or (3)*):

- ☐ **(1)** A matching contribution equal to your salary reduction contributions up to a limit of 3% of your compensation for the year;
- ☐ **(2)** A matching contribution equal to your salary reduction contributions up to a limit of _____ % (*employer must insert a number from 1 to 3 and is subject to certain restrictions*) of your compensation for the year; or
- ☐ **(3)** A nonelective contribution equal to 2% of your compensation for the year (limited to compensation of \$250,000*) if you are an employee who makes at least \$ _____ (*employer must insert an amount that is \$5,000 or less*) in compensation for the year.

III. Administrative Procedures

To start or change your salary reduction contributions, you must complete the salary reduction agreement and return it to _____ (employer should designate a place or individual by _____ (*employer should insert a date that is not less than 60 days after notice is given*)).

IV. Employee Selection of Financial Institution

You must select the financial institution that will serve as the trustee, custodian, or issuer of your SIMPLE IRA and notify your Employer of your selection.

Model Salary Reduction Agreement

I. Salary Reduction Election

Subject to the requirements of the SIMPLE IRA plan of _____ (*name of employer*) I authorize _____ % or \$ _____ (which equals _____ % of my current rate of pay) to be withheld from my pay for each pay period and contributed to my SIMPLE IRA as a salary reduction contribution.

II. Maximum Salary Reduction

I understand that the total amount of my salary reduction contributions in any calendar year cannot exceed the applicable amount for that year. See instructions.

III. Date Salary Reduction Begins

I understand that my salary reduction contributions will start as soon as permitted under the SIMPLE IRA plan and as soon as administratively feasible or, if later, _____. (*Fill in the date you want the salary reduction contributions to begin. The date must be after you sign this agreement.*)

IV. Employee Selection of Financial Institution

I select the following financial institution to serve as the trustee, custodian, or issuer of my SIMPLE IRA.

Name of financial institution

Address of financial institution

SIMPLE IRA account name and number

I understand that I must establish a SIMPLE IRA to receive any contributions made on my behalf under this SIMPLE IRA plan. If the information regarding my SIMPLE IRA is incomplete when I first submit my salary reduction agreement, I realize that it must be completed by the date contributions must be made under the SIMPLE IRA plan. If I fail to update my agreement to provide this information by that date, I understand that my Employer may select a financial institution for my SIMPLE IRA.

V. Duration of Election

This salary reduction agreement replaces any earlier agreement and will remain in effect as long as I remain an eligible employee under the SIMPLE IRA plan or until I provide my Employer with a request to end my salary reduction contributions or provide a new salary reduction agreement as permitted under this SIMPLE IRA plan.

Signature of employee _____ Date _____

* This is the amount for 2012. For later years, the limit may be increased for cost-of-living adjustments. The IRS announces the increase, if any, in a news release, in the Internal Revenue Bulletin, and on the IRS website at **IRS.gov**.

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

Form 5304-SIMPLE is a model Savings Incentive Match Plan for Employees of Small Employers (SIMPLE) plan document that an employer may use to establish a SIMPLE IRA plan described in section 408(p), under which each eligible employee is permitted to select the financial institution for his or her SIMPLE IRA.

These instructions are designed to assist in the establishment and administration of the SIMPLE IRA plan. They are not intended to supersede any provision in the SIMPLE IRA plan.

Do not file Form 5304-SIMPLE with the IRS. Instead, keep it with your records.

For more information, see Pub. 560, Retirement Plans for Small Business (SEP, SIMPLE, and Qualified Plans), and Pub. 590, Individual Retirement Arrangements (IRAs).

Note. If you used the March 2002, August 2005, or September 2008 version of Form 5304-SIMPLE to establish a model Savings Incentive Match Plan, you are not required to use this version of the form.

Which Employers May Establish and Maintain a SIMPLE IRA Plan?

To establish and maintain a SIMPLE IRA plan, you must meet both of the following requirements:

1. Last calendar year, you had no more than 100 employees (including self-employed individuals) who earned \$5,000 or more in compensation from you during the year. If you have a SIMPLE IRA plan but later exceed this 100-employee limit, you will be treated as meeting the limit for the 2 years following the calendar year in which you last satisfied the limit.

2. You do not maintain during any part of the calendar year another qualified plan with respect to which contributions are made, or benefits are accrued, for service in the calendar year. For this purpose, a qualified plan (defined in section 219(g)(5)) includes a qualified pension plan, a profit-sharing plan, a stock bonus plan, a qualified annuity plan, a tax-sheltered annuity plan, and a simplified employee pension (SEP) plan. A qualified plan that only covers employees covered under a collective bargaining agreement for which retirement benefits were the subject of good faith bargaining is disregarded if these employees are excluded from

participating in the SIMPLE IRA plan. If the failure to continue to satisfy the 100-employee limit or the one-plan rule described in 1 and 2 above is due to an acquisition or similar transaction involving your business, special rules apply. Consult your tax advisor to find out if you can still maintain the plan after the transaction.

Certain related employers (trades or businesses under common control) must be treated as a single employer for purposes of the SIMPLE IRA requirements. These are: (1) a controlled group of corporations under section 414(b); (2) a partnership or sole proprietorship under common control under section 414(c); or (3) an affiliated service group under section 414(m). In addition, if you have leased employees required to be treated as your own employees under the rules of section 414(n), then you must count all such leased employees for the requirements listed above.

What Is a SIMPLE IRA Plan?

A SIMPLE IRA plan is a written arrangement that provides you and your employees with an easy way to make contributions to provide retirement income for your employees. Under a SIMPLE IRA plan, employees may choose whether to make salary reduction contributions to the SIMPLE IRA plan rather than receiving these amounts as part of their regular compensation. In addition, you will contribute matching or nonelective contributions on behalf of eligible employees (see *Employee Eligibility Requirements* below and *Contributions* later). All contributions under this plan will be deposited into a SIMPLE individual retirement account or annuity established for each eligible employee with the financial institution selected by him or her.

When To Use Form 5304-SIMPLE

A SIMPLE IRA plan may be established by using this Model Form or any other document that satisfies the statutory requirements.

Do not use Form 5304-SIMPLE if:

1. You want to require that all SIMPLE IRA plan contributions initially go to a financial institution designated by you. That is, you do not want to permit each of your eligible employees to choose a financial institution that will initially receive contributions. Instead, use Form 5305-SIMPLE, Savings Incentive Match Plan for Employees of Small Employers (SIMPLE)—for Use With a Designated Financial Institution;

2. You want employees who are nonresident aliens receiving no earned income from you that is income from sources within the United States to be eligible under this plan; or

3. You want to establish a SIMPLE 401(k) plan.

Completing Form 5304-SIMPLE

Pages 1 and 2 of Form 5304-SIMPLE contain the operative provisions of your SIMPLE IRA plan. This SIMPLE IRA plan is considered adopted when you have completed all applicable boxes and blanks and it has been executed by you.

The SIMPLE IRA plan is a legal document with important tax consequences for you and your employees. You may want to consult with your attorney or tax advisor before adopting this plan.

Employee Eligibility Requirements (Article I)

Each year for which this SIMPLE IRA plan is effective, you must permit salary reduction contributions to be made by all of your employees who are reasonably expected to receive at least \$5,000 in compensation from you during the year, and who received at least \$5,000 in compensation from you in any 2 preceding years. However, you can expand the group of employees who are eligible to participate in the SIMPLE IRA plan by completing the options provided in Article I, items 1a and 1b. To choose full eligibility, check the box in Article I, item 1a. Alternatively, to choose limited eligibility, check the box in Article I, item 1b, and then insert "\$5,000" or a lower compensation amount (including zero) and "2" or a lower number of years of service in the blanks in (i) and (ii) of Article I, item 1b.

In addition, you can exclude from participation those employees covered under a collective bargaining agreement for which retirement benefits were the subject of good faith bargaining. You may do this by checking the box in Article I, item 2. Under certain circumstances, these employees must be excluded. See *Which Employers May Establish and Maintain a SIMPLE IRA Plan?* above.

Salary Reduction Agreements (Article II)

As indicated in Article II, item 1, a salary reduction agreement permits an eligible employee to make a salary reduction election to have his or her compensation for each pay period reduced by a percentage (expressed as a percentage or dollar amount). The total amount of

the reduction in the employee's compensation cannot exceed the applicable amount for any calendar year. The applicable amount is \$11,500 for 2012. After 2012, the \$11,500 amount may be increased for cost-of-living adjustments. In the case of an eligible employee who is 50 or older by the end of the calendar year, the above limitation is increased by \$2,500 for 2012. After 2012, the \$2,500 amount may be increased for cost-of-living adjustments.

Timing of Salary Reduction Elections

For any calendar year, an eligible employee may make or modify a salary reduction election during the 60-day period immediately preceding January 1 of that year. However, for the year in which the employee becomes eligible to make salary reduction contributions, the period during which the employee may make or modify the election is a 60-day period that includes either the date the employee becomes eligible or the day before.

You can extend the 60-day election periods to provide additional opportunities for eligible employees to make or modify salary reduction elections using the blank in Article II, item 2b. For example, you can provide that eligible employees may make new salary reduction elections or modify prior elections for any calendar quarter during the 30 days before that quarter.

You may use the *Model Salary Reduction Agreement* on page 3 to enable eligible employees to make or modify salary reduction elections.

Employees must be permitted to terminate their salary reduction elections at any time. They may resume salary reduction contributions for the year if permitted under Article II, item 2b. However, by checking the box in Article II, item 2d, you may prohibit an employee who terminates a salary reduction election outside the normal election cycle from resuming salary reduction contributions during the remainder of the calendar year.

Contributions (Article III)

Only contributions described below may be made to this SIMPLE IRA plan. No additional contributions may be made.

Salary Reduction Contributions

As indicated in Article III, item 1, salary reduction contributions consist of the amount by which the employee agrees to reduce his or her compensation. You must contribute the salary reduction contributions to the financial institution selected by each eligible employee.

Matching Contributions

In general, you must contribute a matching contribution to each eligible employee's SIMPLE IRA equal to the employee's salary reduction contributions. This matching contribution cannot exceed 3% of the employee's compensation. See *Definition of Compensation*, below.

You may reduce this 3% limit to a lower percentage, but not lower than 1%. You cannot lower the 3% limit for more than 2 calendar years out of the 5-year period ending with the calendar year the reduction is effective.

Note. If any year in the 5-year period described above is a year before you first established any SIMPLE IRA plan, you will be treated as making a 3% matching contribution for that year for purposes of determining when you may reduce the employer matching contribution.

To elect this option, you must notify the employees of the reduced limit within a reasonable period of time before the applicable 60-day election periods for the year. See *Timing of Salary Reduction Elections* above.

Nonelective Contributions

Instead of making a matching contribution, you may, for any year, make a nonelective contribution equal to 2% of compensation for each eligible employee who has at least \$5,000 in compensation for the year. Nonelective contributions may not be based on more than \$250,000* of compensation.

To elect to make nonelective contributions, you must notify employees within a reasonable period of time before the applicable 60-day election periods for such year. See *Timing of Salary Reduction Elections* above.

Note. Insert "\$5,000" in Article III, item 2b(i) to impose the \$5,000 compensation requirement. You may expand the group of employees who are eligible for nonelective contributions by inserting a compensation amount lower than \$5,000.

Effective Date (Article VII)

Insert in Article VII the date you want the provisions of the SIMPLE IRA plan to become effective. You must insert January 1 of the applicable year unless this is the first year for which you are adopting any SIMPLE IRA plan. If this is the first year for which you are adopting a SIMPLE IRA plan, you may insert any date between January 1 and October 1, inclusive of the applicable year.

Additional Information

Timing of Salary Reduction Contributions

The employer must make the salary reduction contributions to the financial institution selected by each eligible employee for his or her SIMPLE IRA no later than the 30th day of the month following the month in which the amounts would otherwise have been payable to the employee in cash.

The Department of Labor has indicated that most SIMPLE IRA plans are also subject to Title I of the Employee Retirement Income Security Act of 1974 (ERISA). Under Department of Labor regulations at 29 CFR 2510.3-102, salary reduction contributions must be made to each participant's SIMPLE IRA as of the earliest date on which those contributions can reasonably be segregated from the employer's general assets, but in no event later than the 30-day deadline described previously.

Definition of Compensation

"Compensation" means the amount described in section 6051(a)(3) (wages, tips, and other compensation from the employer subject to federal income tax withholding under section 3401(a)), and amounts paid for domestic service in a private home, local college club, or local chapter of a college fraternity or sorority. Usually, this is the amount shown in box 1 of Form W-2, Wage and Tax Statement. For further information, see Pub. 15, (Circular E), Employer's Tax Guide. Compensation also includes the salary reduction contributions made under this plan, and, if applicable, compensation deferred under a section 457 plan. In determining an employee's compensation for prior years, the employee's elective deferrals under a section 401(k) plan, a SARSEP, or a section 403(b) annuity contract are also included in the employee's compensation.

For self-employed individuals, compensation means the net earnings from self-employment determined under section 1402(a), without regard to section 1402(c)(6), prior to subtracting any contributions made pursuant to this SIMPLE IRA plan on behalf of the individual.

Employee Notification

You must notify each eligible employee prior to the employee's 60-day election period described above that he or she can make or change salary reduction elections and select the financial institution that will serve as the trustee, custodian, or

*This is the amount for 2012. For later years, the limit may be increased for cost-of-living adjustments. The IRS announces the increase, if any, in a news release, in the Internal Revenue Bulletin, and on the IRS's website at IRS.gov.

issuer of the employee's SIMPLE IRA. In this notification, you must indicate whether you will provide:

1. A matching contribution equal to your employees' salary reduction contributions up to a limit of 3% of their compensation;
2. A matching contribution equal to your employees' salary reduction contributions subject to a percentage limit that is between 1 and 3% of their compensation; or
3. A nonelective contribution equal to 2% of your employees' compensation.

You can use the *Model Notification to Eligible Employees* earlier to satisfy these employee notification requirements for this SIMPLE IRA plan. A *Summary Description* must also be provided to eligible employees at this time. This summary description requirement may be satisfied by providing a completed copy of pages 1 and 2 of Form 5304-SIMPLE (including the information described in *Article VI—Procedures for Withdrawals*).

If you fail to provide the employee notification (including the summary description) described above, you will be liable for a penalty of \$50 per day until the notification is provided. If you can show that the failure was due to reasonable cause, the penalty will not be imposed.

If the financial institution's name, address, or withdrawal procedures are not available at the time the employee must be given the summary description, you must provide the summary description without this information. In that case, you will have reasonable cause for not including this information in the summary description, but only if you ensure that it is provided to the employee as soon as administratively feasible.

Reporting Requirements

You are not required to file any annual information returns for your SIMPLE IRA plan, such as Form 5500, Annual Return/Report of Employee Benefit Plan, or Form 5500-EZ, Annual Return of One-Participant (Owners and Their Spouses) Retirement Plan. However, you must report to the IRS which eligible employees are active participants in the SIMPLE IRA plan and the amount of your employees' salary reduction contributions to the SIMPLE IRA plan on Form W-2. These contributions are subject to social security, Medicare, railroad retirement, and federal unemployment tax.

Deducting Contributions

Contributions to this SIMPLE IRA plan are deductible in your tax year containing the end of the calendar year for which the contributions are made.

Contributions will be treated as made for a particular tax year if they are made for that year and are made by the due date (including extensions) of your income tax return for that year.

Summary Description

Each year the SIMPLE IRA plan is in effect, the financial institution for the SIMPLE IRA of each eligible employee must provide the employer the information described in section 408(l)(2)(B). This requirement may be satisfied by providing the employer a current copy of Form 5304-SIMPLE (including instructions) together with the financial institution's procedures for withdrawals from SIMPLE IRAs established at that financial institution, including the financial institution's name and address. The summary description must be received by the employer in sufficient time to comply with the *Employee Notification* requirements earlier.

There is a penalty of \$50 per day imposed on the financial institution for each failure to provide the summary description described above. However, if the failure was due to reasonable cause, the penalty will not be imposed.

Paperwork Reduction Act Notice. You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete this form will vary depending on individual circumstances. The estimated average time is:

Recordkeeping 3 hr., 38 min.
Learning about the law or the form 2 hr., 26 min.
Preparing the form 47 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can write to the Internal Revenue Service, Tax Products Coordinating Committee, SE:W:CAR:MP:T:M:S, 1111 Constitution Ave. NW, IR-6526, Washington, DC 20224. Do not send this form to this address. Instead, keep it with your records.

New York Life Investments SIMPLE IRA

Procedures for Withdrawal

The following Procedures for Withdrawal are provided by New York Life Trust Company, the Custodian for the New York Life Investments SIMPLE IRA, and represent information you will need to make a withdrawal from your SIMPLE IRA account(s). This information is provided in compliance with the IRS Form 5304-SIMPLE requirements regarding employee notification and is included as an addendum to Article VI on page 2 of IRS Form 5304-SIMPLE. For additional information, please refer to the applicable prospectuses and the SIMPLE IRA Custodial Agreement and Disclosure Statement.

Procedures for Withdrawal

Fund shares may be redeemed from SIMPLE IRA account(s) at their net asset value next determined after a redemption request is received in proper form (as determined by the Transfer Agent), less any applicable sales charges or other fees. Please refer to the applicable prospectus(es) and the SIMPLE IRA Custodial Agreement and Disclosure Statement for more complete information, contingent deferred sales charges (CDSC), and Custodial Fees. Shareholders are responsible for ensuring that a request for redemption is in proper form.

All redemptions from a SIMPLE IRA account will be processed in accordance with Internal Revenue Service regulatory requirements. All redemptions are includible as income when withdrawn. Tax-free rollovers can be made from one SIMPLE IRA account into another SIMPLE IRA account at any time, or into an IRA or an eligible employer plan after 2 years of participation in the SIMPLE IRA plan. Rollovers are permitted once every 12 months (other than trustee-to-trustee transfers and conversions which are unlimited). Early withdrawals generally are subject to a 10% (or 25% within two years) penalty tax. Refer to IRS Publications 590-A and 590-B for information about IRA rules, including those on the tax treatment of distributions, rollovers, required distributions and income tax withholding.

A rollover to an IRA or eligible employer plan can be made tax-free only after a 2-year participation in the SIMPLE IRA plan. A 25% penalty tax for early withdrawal applies if funds are withdrawn within 2 years of beginning participation. When requesting a tax-free rollover, it will be your responsibility, as the SIMPLE IRA participant, to provide the financial institution with information regarding your SIMPLE IRA plan participation history.

Payment of Redemptions

The proceeds of redemption are paid in federal funds within 7 days after receiving a request in proper order. Requests for redemption of shares which were purchased within the previous 10 calendar days may be delayed until it is assured that good payment has been received. In the case of purchases made either by ACH or check, this can take up to 10 days. Payment of redemption is based on the next available price determined for the Fund, less any applicable CDSC and/or Custodial Fees, after receipt of a request in proper form.



INVESTMENTS

Certain requests must include a Medallion

Signature Guarantee:

A Medallion Signature Guarantee may be obtained from certain eligible financial institutions such as a bank, broker, dealer, credit union (if authorized under state law), securities exchange or association, clearing agency, or savings association. A Notary Public cannot provide a signature guarantee. You will need a signature guarantee if any of the following situations apply:

- You wish to redeem, transfer, or rollover more than \$100,000 worth of shares
- The redemption check is being mailed to an address different than the one on your account (address of record)
- The redemption check is being made payable to someone other than the registered account owner
- The redemption proceeds are being wired to a bank account with a different registration than the SIMPLE IRA account owner
- The redemption proceeds are being sent via wire or ACH to bank information that was added or changed within the past 30 days
- The account was designated as a lost shareholder account within 30 days of the redemption request

A signature guarantee is not required if you are requesting a tax-free direct rollover to another SIMPLE IRA account, IRA or an eligible employer plan and the proceeds are payable directly to the receiving Custodian or Trustee.

How to redeem shares

If you wish to sell shares in your SIMPLE IRA account(s) and a signature guarantee is not required, you may do it through one of the following ways:

- By telephone
- By mail
- By establishing a Systematic Withdrawal Plan

Your request must be received by 4:00 PM Eastern time on a day when the New York Stock Exchange is open for normal trading to receive that day's price.

Redemptions by Telephone

To redeem by telephone, call 800-624-6782, option #2. Requests must be made between the hours of 8:30 AM and 5:00 PM EST on a day when the New York Stock Exchange is open for normal trading. Telephone requests which require a signature guarantee are not permitted.

For your protection and to ensure your awareness of possible taxes and penalties you may incur as a result of your redemption request, the Service Agent will ask you to verify certain information regarding your account(s). By signing an application to purchase shares, you are indemnifying the Servicing Agent for following instructions via the phone that they reasonably believe are genuine. When using the SIMPLE IRA's Automatic Voice Response System, you bear the risk of any loss from your errors in using the System, unless the Fund or the Service Agent fails to use established safeguards for your protection. These safeguards are among those currently in place:

- all phone calls are recorded;
- telephone redemptions are not permitted within 30 days of an address change; and
- written confirmation of every transaction is sent to your address of record.

Redemptions by Mail

You may request a redemption of shares from your SIMPLE IRA account(s) by completing the Distribution Direction section of the New York Life Investments SIMPLE IRA Account Service Form, or by completing the New York Life Investments SIMPLE IRA Distribution Form, or by sending a letter of instruction. You can obtain an Account Service Form from your financial professional or by logging into your account at newyorklifeinvestments.com/info/account. A letter of instruction should contain the following information:

- Your name, social security number and date of birth
- Reason for the redemption request
- Federal Income Tax withholding instructions (e.g., Form W4-R)
- Dollar amount or number of shares to be redeemed
- Signature of account owner, exactly as registered
- Signature guarantee, if applicable

The federal tax law requires you to make a choice concerning distributions that you will receive from your SIMPLE IRA account(s). By law, federal income tax will be withheld at a flat rate of 10% from all distributions to you unless you tell us that you do not want any taxes withheld. If you choose not to have taxes withheld, or if the amount withheld is not enough, you may be responsible for paying estimated federal income taxes under IRS rules. When your actual income tax liability for a year is determined, you could incur IRS penalties if your withholding and estimated tax payments were not sufficient.

You can change your choice on having taxes withheld at any time, even if you are not requesting a new distribution at the time. Any questions you may have concerning withholding or distributions should be directed to your tax advisor or the Internal Revenue Service.

You should mail your completed Account Service Form or letter of instruction to:

Regular Mail

New York Life Investments SIMPLE IRA
P.O. Box 219003
Kansas City, MO 64121-9000

Overnight Express Mail

New York Life Investments SIMPLE IRA
430 W 7th Street, Suite 219003
Kansas City, MO 64105-1407

Systematic Withdrawal Plan

If you have reached the IRS required minimum age at which you must begin taking periodic distributions from your retirement account(s), you may establish a systematic schedule of withdrawal(s) from your account(s) by completing an Account Service Form or sending a letter of instruction. You may arrange for automatic redemption of a certain amount on a monthly, quarterly, or annual schedule. Shares will be sold automatically to cover the amount plus any applicable sales charge.

For more information
800-624-6782
newyorklifeinvestments.com



"New York Life Investments" is both a service mark, and the common trade name, of certain investment advisors affiliated with New York Life Insurance Company. New York Life Investments, New York Life Insurance Company, and its affiliates and representatives do not provide legal, tax or accounting advice. Clients should consult their own legal and tax advisors.

For more information
800-624-6782
newyorklifeinvestments.com/agency



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