

**MEMO# 1547**

November 21, 1989

# **INSTITUTE REQUEST FOR IRS INFORMATION LETTER CONCERNING REVENUE PROCEDURE 89-52**

November 21, 1989 TO: PENSION COMMITTEE NO. 17-89 RE: INSTITUTE REQUEST FOR IRS  
INFORMATION LETTER CONCERNING REVENUE PROCEDURE 89-52

At its recent meeting, the Pension Committee formed a subcommittee to discuss operational issues raised by IRS Revenue Procedure 89-52 concerning Form 5498 reporting upon the death of the owner. (See Institute Memorandum to Pension Members No. 46- 89, dated October 11, 1989.) Following a meeting of the subcommittee on November 9, the Institute prepared the attached request for an IRS information letter providing further clarification of certain issues. First, the Institute letter seeks clarification that the procedures in Rev. Proc. 89-52 do not apply if the surviving spouse elects to treat the IRA as his or her own. Second, the Institute letter requests an explanation of the reporting procedures that would apply if the trustee receives notice of the owner's death after January 31 of the year following the year of death, but before May 31. Third, the letter asks the IRS to address the impact of the revenue procedure on the general reporting rules for accounts to which no contributions have been made for the applicable year. We will keep you informed of further developments. Kathy D. Ireland Associate General Counsel Attachment

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