

Interim Trusteeship of Plans

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This guidance document applies to single-employer pension plans for which PBGC has decided that one or more of the conditions in ERISA Section 4042(a) has been met but is unable to determine whether termination is necessary.

Under ERISA 4042(b)(1), PBGC may seek the appointment of an interim trustee to administer the plan until a decree is issued to terminate the plan pursuant to section 4042(c) or until PBGC determines that termination is unnecessary.

PBGC will seek appointment of an interim trustee (PBGC or another appropriate party) for a plan if it is unable to obtain, or encounters significant difficulty in obtaining, the information (e.g., plan asset information, controlled group information) that it needs to determine whether a termination under section 4042(c) is necessary, and there is an immediate need for someone to administer the plan while it obtains that information. An interim trustee may be appointed, for example, to protect plan participants, plan assets or plan information that is in danger of being lost or of deteriorating.