

Publications

IRS Announces Fiduciary Rule Excise Tax Relief

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SERVICES

Yesterday, the Internal Revenue Service (“IRS”) released Announcement 2017-04 (the “Announcement”), describing a temporary prohibited transaction excise tax “non-applicability” policy intended to dovetail with the Department of Labor’s (“DOL”) similar non-enforcement policy as described by Field Assistance Bulletin 2017-01. As further described below, this IRS action helps to address a widespread industry concern related to the current uncertainty about the timing of the applicability date under the DOL’s “Definition of the Term ‘Fiduciary’; Conflict of Interest Rule—Retirement Investment Advice.” 81 Fed. Reg. 20946 (April 8, 2016) and related prohibited transaction exemption grants and amendments (collectively, the “Fiduciary Rule”). Please see the attached memo for further information.