

This Information Sharing Agreement is entered into as of the ____ day of _____, 20____, by and between _____, (“Employer”) and **Assemblies of God Ministers Benefit Association** (“Provider”), and sets forth the terms and conditions for sharing information necessary for compliance with final regulations (“Regulations”) issued by the Internal Revenue Service (“IRS”) regarding the tax-free exchange by employees of Employer after September 24, 2007, of all or some portion of an employee’s tax-sheltered annuity contract or custodial account (“Contract”), issued or established pursuant to § 403(b) of the Internal Revenue Code of 1986, as amended (“Code”) to a Contract with the

1. Representations.

a. The Employer represents that it is an employer eligible to offer Contracts under Code § 403(b).

b. The Employer has established and maintains a program for eligible employees intended to qualify as a tax-sheltered annuity plan under Code § 403(b) within the meaning of the Regulations (“Plan”).

c. The Provider will comply with the terms and conditions of the Plan.

d. The Provider represents to the Employer that the receiving Contract will meet the requirements of Code § 403(b), including requirements for exchanges made after September 24, 2007.

2. Agreements. The Employer and the Provider mutually represent and agree each shall exchange information with the other that is necessary or advisable to comply with Code § 403(b) and the Regulations, including, but not limited to, the following information:

a. Information concerning the participant’s employment and information that takes into account other Code § 403(b) contracts or qualified employer plans (such as whether a severance from employment has occurred for purposes of the distribution restrictions in Treasury Regulation § 1.403(b)-6 and whether the hardship withdrawal rules of Treasury Regulation § 1.403(b)-6(d)(2) are satisfied.)

b. Information necessary for the resulting contract, or any other contract to which contributions have been made by the Employer, to satisfy other tax requirements (such as whether a plan loan satisfies the conditions in Code § 72(p)(2) so that the loan is not a deemed distribution under Code § 72(p)(1)).

c. Information concerning the employee’s or beneficiary’s after-tax employee contributions in order for a Provider to determine the extent to which a distribution is includible in gross income.

d. Other information necessary to ensure compliance with Code § 403(b) and regulations thereunder.