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## 29 C.F.R. § 2550.407d-6

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### Definition of the term “employee stock ownership plan”.

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(a) *In general*—(1) *Type of plan*. To be an “ESOP” (employee stock ownership plan), a plan described in section 407(d)(6)(A) of the Employee Retirement Income Security Act of 1974 (the Act) must meet the requirements of this section. See section 407(d)(6)(B).

(2) *Designation as ESOP*. To be an ESOP, a plan must be formally designated as such in the plan document.

(3) *Retroactive amendment*. A plan meets the requirements of this section as of the date that it is designated as an ESOP if it is amended retroactively to meet, and in fact does meet, such requirements at any of the following times:

(i) 12 months after the date on which the plan is designated as an ESOP;

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