

**SAMPLE ERISA DISCLOSURE AND ACKNOWLEDGMENT FORM FOR INSURANCE  
AGENT UTILIZING ERISA PTE 84-24**

**FOR IRAS AND RETIREMENT PLANS**

THIS DISCLOSURE IS MADE WITH REGARD TO A PROPOSED SALE OF AN ANNUITY TO THE RETIREMENT PLAN OR IRA ("PLAN FIDUCIARY OR IRA OWNER") IDENTIFIED BELOW AND THE PAYMENT OF COMMISSIONS BY OR ON BEHALF OF THE INSURANCE COMPANY IDENTIFIED BELOW TO \_\_\_\_\_ (THE "INSURANCE AGENT") IN CONNECTION THEREWITH.

**I. PLAN OR IRA ACCOUNT INFORMATION**

NAME OF PLAN OR IRA OWNER CURRENTLY OPEN OR TO BE ESTABLISHED AT INSURANCE COMPANY

\_\_\_\_\_  
ADDRESS:

\_\_\_\_\_  
NAME OF PLAN FIDUCIARY/IRA OWNER (THE "PLAN FIDUCIARY" OR "IRA OWNER"):

\_\_\_\_\_  
NATURE OF PLAN FIDUCIARY'S RELATIONSHIP TO THE PLAN:

☐ EMPLOYER ☐ PLAN ADMINISTRATOR ☐ TRUSTEE ☐ OWNER ☐ OTHER (DESCRIBE BELOW):

**II. DISCLOSURES**

INSURANCE AGENT REPRESENTS THE INSURANCE COMPANY AS THE INSURANCE COMPANY'S APPOINTED AGENT FOR THIS PROPOSED ANNUITY SALE.

THE INSURANCE COMPANY ISSUING THE ANNUITY INVOLVED IN THIS PROPOSED SALE IS:

\_\_\_\_\_  
THE ANNUITY INVOLVED IN THIS TRANSACTION IS:

\_\_\_\_\_  
SALES COMMISSION SCHEDULE: \*\*

The sales commission payable to INSURANCE AGENT in connection with a sale of the annuity is \_\_\_\_\_% of the Purchase Payment.

OTHER FEES: \*\*\*

There are fees and charges associated with this annuity, which include, but are not limited to, mortality and expense risk charges, administrative charges, surrender charges, withdrawal charges, and additional asset based and benefit based charges for optional benefits, including riders. Caps associated with investments of the indexed account options are based on contract features selected. In addition, there may be tax consequences associated with withdrawals and other distributions. A contingent withdrawal charge also may apply. There are separate annual fund operating expenses associated with each of the underlying investment options of the Annuity Account, including management fees, distribution and/or service (12b-1) fees, and other expenses that are deducted from fund assets. For further information, see the product prospectus, which sets forth the fees and expenses separately with respect to each separate investment option.

For further information, see the prospectus applicable to the annuity, including but not limited to the sections entitled "Expense Tables"; "Investments of the Indexed Accounts"; "Investments of the Variable Annuity Account"; "Charges and Other Deductions"; "The Contracts" and "Federal Tax Matters". Described therein are the charges, fees, expenses, discounts, penalties and adjustments which may be imposed in connection with the purchase, holding, exchange, termination or sale of the contract.

For further information on Fixed and Fixed Indexed annuities: please refer to the Annuity Disclosure Statement that describes the key features including fees and charges.

\*\*The sales commission, expressed as a percentage of gross annual premium payments for the first year and for each of the succeeding renewal years, that will be paid by the insurance company to the agent, broker or consultant in connection with the purchase of the contract. Note also that compensation from the insurance company might also include various incentives in addition to standard commissions, including contingent commissions and other awards and bonuses, such as trips, expense allowances, training and education. Incentive or contingent compensation is based upon a variety of factors that may include the level of aggregated premiums written, retention, growth, overall profitability, or other performance measures pre-established by the insurance companies with whom does business. This incentive or contingent compensation is not tied to any individual policyholder, and because it involves prediction of multiple factors, it is difficult to identify a meaningful method to determine in advance the impact that any particular policy has on these payments. As a result we cannot predict the total amount of compensation we may receive from contingent payments.

\*\*\* A description of any charges, fees, discounts, penalties or adjustments which may be imposed under the contract in connection with the purchase, holding, exchange, termination or sale of such contract.

## **FIDUCIARY CERTIFICATIONS**

THE PLAN FIDUCIARY OR IRA OWNER CERTIFIES THAT:

A. IT UNDERSTANDS AND ACKNOWLEDGES THE FOLLOWING: (i) BEFORE PURCHASING, IT HAS CONSIDERED THE INVESTMENT OBJECTIVES, INVESTMENT OPTIONS, RISKS, CHARGES, AND EXPENSES OF THE ANNUITY AND HAS BEEN GIVEN THE OPPORTUNITY TO COMPARE THEM TO DIFFERENT INVESTMENT OPTIONS AND OTHER AVAILABLE ANNUITIES, (ii) GUARANTEES APPLICABLE TO ANNUITY PRODUCTS ARE SUBJECT TO APPLICABLE CONTRACT TERMS, EXCLUSIONS, LIMITATIONS AND THE ABILITY OF THE INSURANCE COMPANY TO PAY CLAIMS, AND (iii) THAT INVESTING IN A VARIABLE OR INDEXED ANNUITY INVOLVES A RISK OF LOSS AND THE INVESTMENT RETURNS AND CERTAIN CONTRACT VALUES ARE NOT GUARANTEED AND WILL FLUCTUATE.

B. NEITHER THE INSURANCE AGENT, NOR THE INSURANCE COMPANY ISSUING THE ANNUITY DESCRIBED HEREIN, ANY OF THEIR AFFILIATES, OR ANY OF THEIR EMPLOYEES OR OFFICERS IS OR WAS ACTING (i) WITH DISCRETION OR PROVIDING INVESTMENT ADVICE FOR A FEE PURSUANT TO AN AGREEMENT IN CONNECTION WITH (a) THE PURCHASE OF THE ANNUITY DESCRIBED HEREIN; (b) ANY TRANSFER OR ROLLOVER FROM ANY PLAN SUBJECT TO TITLE I OF THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974, AS AMENDED ("ERISA") OR SECTION 4975 OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE "CODE") OR (c) ANY TRANSFER OR ROLLOVER FROM ANY DISCRETIONARY ADVISORY ACCOUNT FOR WHICH YOU HAVE GIVEN INSURANCE AGENT OR ANY OF ITS AFFILIATES INVESTMENT DISCRETION OR (ii) AS A "FIDUCIARY" (WITHIN THE MEANING OF SECTION 3(21) OF ERISA OR SECTION

4975(e)(3) OF THE CODE) WITH RESPECT TO THE ASSETS OF THE PLAN INVOLVED IN THE PURCHASE OF THE ANNUITY DESCRIBED HEREIN.

C. IT IS DULY AUTHORIZED TO APPROVE THE PLAN'S OR IRA'S PURCHASE OF THE ANNUITY DESCRIBED HEREIN, AND IT HAS THE UNDERSTANDING OF THE ANNUITY OFFERED TO MAKE A PRUDENT DECISION WITH RESPECT TO THE PURCHASE OF THE ANNUITY.

D. IT IS NOT AN AGENT, BROKER, PENSION CONSULTANT, INSURANCE COMPANY, REGISTERED REPRESENTATIVE OR PRINCIPAL UNDERWRITER INVOLVED IN THE PLAN'S OR THE IRA'S PURCHASE OF THE ANNUITY DESCRIBED HEREIN AND HAS NOT RECEIVED, AND WILL NOT RECEIVE, ANY COMPENSATION, DIRECTLY OR INDIRECTLY, IN CONNECTION WITH THE PLAN'S OR IRA'S PURCHASE OF SUCH ANNUITY.

E. IT HAS RECEIVED, READ AND FULLY UNDERSTOOD THE PROSPECTUS, AS APPLICABLE AND THE ILLUSTRATION(S) PROVIDED BY INSURANCE AGENT RELATED TO THE ANNUITY DESCRIBED HEREIN AND HAS HAD THE OPPORTUNITY TO REQUEST ADDITIONAL ILLUSTRATIONS IN DIFFERENT MARKET SCENARIOS.

F. IT HAS MADE AN INDEPENDENT DECISION TO APPROVE THE PURCHASE BY THE PLAN OR IRA OF THE ANNUITY AND THE PAYMENT OF THE COMMISSIONS DESCRIBED HEREIN BY OR ON BEHALF OF THE INSURANCE COMPANY TO INSURANCE AGENT AND HAS DETERMINED THAT THEY ARE REASONABLE AND HAS NOT RELIED ON INSURANCE AGENT, INSURANCE COMPANY, OR ANY OF THEIR AFFILIATES OR ANY OF THEIR EMPLOYEES OR OFFICERS AS A PRIMARY BASIS IN MAKING THIS DECISION.

SIGNATURE OF PLAN FIDUCIARY OR IRA OWNER AND DATE:

---

PRINTED NAME OF PLAN FIDUCIARY OR IRA OWNER

---

THIS FORM MUST BE RETURNED TO THE INSURANCE AGENT

***This PTE 84-24 Sample Disclosure is intended as an example of certain disclosures that may or may not be needed by a financial professional for them to meet their obligations under ERISA. Any insurance agent or other financial professional who may utilize this form should consult with their own legal or compliance professionals regarding this disclosure and any legal or regulatory obligations they may have in connection with providing advice or recommendations to retirement investor clients.***

***Lincoln Financial Group affiliates, their distributors, and their respective employees, representatives and/or insurance agents do not provide tax, accounting, or legal advice. Please consult an independent professional as to any tax, accounting or legal information or statements included herein.***

***For verification or questions regarding the compensation amounts received in connection with your insurance product sales please contact your appropriate agency head or upline.***