

included, unless it is a weekend or Federal holiday, in which event the period runs until the end of the next day that is not a weekend or Federal holiday.

§ 2628.11 Waivers and Extensions.

The PBGC may waive the requirement to submit information with respect to one or more filers or plans or may extend the applicable due date or dates specified in § 2628.10 of this part. The PBGC will exercise this discretion in appropriate cases where it finds convincing evidence supporting a waiver or extension; any waiver or extension may be subject to conditions. A request for a waiver or extension must be filed in writing with the PBGC at the address provided in § 2628.10(c) no later than 15 days before the applicable date specified in § 2628.10 of this part, and must state the facts and circumstances on which the request is based.

§ 2628.12 Confidentiality of information submitted.

In accordance with § 2603.15(b) of this chapter and section 4010(c) of the Act, any information or documentary material that is not publicly available and is submitted to the PBGC pursuant to this part shall not be made public, except as may be relevant to any administrative or judicial action or proceeding or for disclosures to either body of Congress or to any duly authorized committee or subcommittee of the Congress.

§ 2628.13 Penalties.

If all of the information required under this part is not provided within the specified time limit, the PBGC may assess a separate penalty under section 4071 of the Act against the filer and each member of the filer's controlled group (other than an exempt entity) of up to \$1,000 a day for each day that the failure continues. The PBGC may also

pursue other equitable or legal remedies available to it under the law.

§ 2628.14 OMB control number.

The collection of information requirements contained in this part have been approved by the Office of Management and Budget under OMB Control Number 1212-0049.

Issued on the date set forth above pursuant to a resolution of the Board of Directors authorizing its Chairman to issue this final rule.

Issued in Washington, DC, this 18th day of December 1995.

Robert B. Reich,

Chairman, Board of Directors, Pension Benefit Guaranty Corporation.

James J. Keightley,

Secretary, Board of Directors, Pension Benefit Guaranty Corporation.

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