

## SUBCHAPTER A—PROCEDURE AND RULES OF PRACTICE

### PARTS 300–302 [RESERVED]

### PART 303—FILING PROCEDURES

Sec.

303.0 Scope.

#### Subpart A—Rules of General Applicability

- 303.1 Scope.
- 303.2 Definitions.
- 303.3 General filing procedures.
- 303.4 Computation of time.
- 303.5 Effect of Community Reinvestment Act performance on filings.
- 303.6 Investigations and examinations.
- 303.7 Public notice requirements.
- 303.8 Public access to filing.
- 303.9 Comments.
- 303.10 Hearings and other meetings.
- 303.11 Decisions.
- 303.12 Waivers.
- 303.13 [Reserved]
- 303.14 Being “engaged in the business of receiving deposits other than trust funds.”
- 303.15 Certain limited liability companies deemed incorporated under State law.
- 303.16–303.19 [Reserved]

#### Subpart B—Deposit Insurance

- 303.20 Scope.
- 303.21 Filing procedures.
- 303.22 Processing.
- 303.23 Public notice requirements.
- 303.24 Application for deposit insurance for an interim institution.
- 303.25 Continuation of deposit insurance upon withdrawing from membership in the Federal Reserve System.
- 303.26–303.39 [Reserved]

#### Subpart C—Establishment and Relocation of Domestic Branches and Offices

- 303.40 Scope.
- 303.41 Definitions.
- 303.42 Filing procedures.
- 303.43 Processing.
- 303.44 Public notice requirements.
- 303.45 Special provisions.
- 303.46–303.59 [Reserved]

#### Subpart D—Merger Transactions

- 303.60 Scope.
- 303.61 Definitions.
- 303.62 Transactions requiring prior approval.
- 303.63 Filing procedures.
- 303.64 Processing.
- 303.65 Public notice requirements.
- 303.66–303.79 [Reserved]

#### Subpart E—Change in Bank Control

- 303.80 Scope.
- 303.81 Definitions.
- 303.82 Transactions requiring prior notice.
- 303.83 Transactions not requiring prior notice.
- 303.84 Filing procedures.
- 303.85 Processing.
- 303.86 Public notice requirements.
- 303.87–303.99 [Reserved]

#### Subpart F—Change of Director or Senior Executive Officer

- 303.100 Scope.
- 303.101 Definitions.
- 303.102 Filing procedures and waiver of prior notice.
- 303.103 Processing.
- 303.104–303.119 [Reserved]

#### Subpart G—Activities of Insured State Banks

- 303.120 Scope.
- 303.121 Filing procedures.
- 303.122 Processing.
- 303.123–303.139 [Reserved]

#### Subpart H—Activities of Insured Savings Associations

- 303.140 Scope.
- 303.141 Filing procedures.
- 303.142 Processing.
- 303.143–303.159 [Reserved]

#### Subpart I—Mutual-to-Stock Conversions

- 303.160 Scope.
- 303.161 Filing procedures.
- 303.162 Waiver from compliance.
- 303.163 Processing.
- 303.164–303.179 [Reserved]

#### Subpart J—International Banking

- 303.180 Scope.
- 303.181 Definitions.
- 303.182 Establishing, moving or closing a foreign branch of a state nonmember bank; §347.103.
- 303.183 Investment by insured state nonmember banks in foreign organizations; §347.108.
- 303.184 Moving an insured branch of a foreign bank.
- 303.185 Merger transactions involving foreign banks or foreign organizations.
- 303.186 Exemptions from insurance requirement for a state branch of a foreign bank; §347.206.

**§ 303.0**

**12 CFR Ch. III (1–1–05 Edition)**

- 303.187 Approval for an insured state branch of a foreign bank to conduct activities not permissible for federal branches; § 347.213
- 303.188–303.199 [Reserved]

**Subpart K—Prompt Corrective Action**

- 303.200 Scope.
- 303.201 Filing procedures.
- 303.202 Processing.
- 303.203 Applications for capital distribution.
- 303.204 Applications for acquisitions, branching, and new lines of business.
- 303.205 Applications for bonuses and increased compensation for senior executive officers.
- 303.206 Application for payment of principal or interest on subordinated debt.
- 303.207 Restricted activities for critically undercapitalized institutions.
- 303.208–303.219 [Reserved]

**Subpart L—Section 19 of the FDI Act (Consent to Service of Persons Convicted of Certain Criminal Offenses)**

- 303.220 Scope.
- 303.221 Filing procedures.
- 303.222 Service at another insured depository institution.
- 303.223 Applicant's right to hearing following denial.
- 303.224–303.239 [Reserved]

**Subpart M—Other Filings**

- 303.240 General.
- 303.241 Reduce or retire capital stock or capital debt instruments.
- 303.242 Exercise of trust powers.
- 303.243 Brokered deposit waivers.
- 303.244 Golden parachute and severance plan payments.
- 303.245 Waiver of liability for commonly controlled depository institutions.
- 303.246 Insurance fund conversions.
- 303.247 Conversion with diminution of capital.
- 303.248 Continue or resume status as an insured institution following termination under section 8 of the FDI Act.
- 303.249 Truth in Lending Act—Relief from reimbursement.
- 303.250 Management official interlocks.
- 303.251 Modification of conditions.
- 303.252 Extension of time.
- 303.253–303.259 [Reserved]

**Subpart N [Reserved]**

AUTHORITY: 12 U.S.C. 378, 1813, 1815, 1816, 1817, 1818, 1819, (Seventh and Tenth), 1820, 1823, 1828, 1831e, 1831p–1, 1835a, 3104, 3105, 3108; 3207; 15 U.S.C. 1601–1607.

SOURCE: 67 FR 79247, Dec. 27, 2002, unless otherwise noted.

**§ 303.0 Scope.**

(a) This part describes the procedures to be followed by both the FDIC and applicants with respect to applications, requests, or notices (filings) required to be filed by statute or regulation. Additional details concerning processing are explained in related FDIC statements of policy.

(b) Additional application procedures may be found in the following FDIC regulations:

- (1) 12 CFR part 327—Assessments (Request for review of assessment risk classification);
- (2) 12 CFR part 328—Advertisement of Membership (Application for temporary waiver of advertising requirements);
- (3) 12 CFR part 345—Community Reinvestment (CRA strategic plans and requests for designation as a wholesale or limited purpose institution);

**Subpart A—Rules of General Applicability**

**§ 303.1 Scope.**

Subpart A prescribes the general procedures for submitting filings to the FDIC which are required by statute or regulation. This subpart also prescribes the procedures to be followed by the FDIC, applicants and interested parties during the process of considering a filing, including public notice and comment. This subpart explains the availability of expedited processing for eligible depository institutions (defined in § 303.2(r)). Certain terms used throughout this part are also defined in this subpart.

**§ 303.2 Definitions.**

Except as modified or otherwise defined in this part, terms used in this part that are defined in the Federal Deposit Insurance Act (12 U.S.C. 1811 *et seq.*) have the meanings provided in the Federal Deposit Insurance Act. Additional definitions of terms used in this part are as follows:

- (a) *Act* or *FDI Act* means the Federal Deposit Insurance Act (12 U.S.C. 1811 *et seq.*).
- (b) *Adjusted part 325 total assets* means adjusted 12 CFR part 325 total assets as