

## § 790.3

of examiners are directed by a Supervisory Credit Union Examiner, each of whom in turn reports directly to the Associate Regional Director for Programs. Special Actions staff also report to the Associate Regional Director.

[58 FR 45431, Aug. 30, 1993, as amended at 59 FR 36042, July 15, 1994; 59 FR 47072, Sept. 14, 1994; 60 FR 31911, June 19, 1995; 61 FR 45876, Aug. 30, 1996; 62 FR 8155, Feb. 24, 1997; 62 FR 37126, July 11, 1997; 62 FR 65197, Dec. 11, 1997; 64 FR 17086, Apr. 8, 1999; 64 FR 57365, Oct. 25, 1999; 65 FR 25267, May 1, 2000; 66 FR 65624, Dec. 20, 2001; 67 FR 30773, May 8, 2002; 69 FR 9201, Feb. 27, 2004; 70 FR 55517, Sept. 22, 2005]

### § 790.3 Requests for action.

Except as otherwise provided by NCUA regulation, all applications, requests, and submittals for action by the NCUA shall be in writing and addressed to the appropriate office described in § 790.2. This will usually be one of the Regional Offices. In instances where the appropriate office cannot be determined, requests should be sent to the Office of Public and Congressional Affairs.

## PART 791—RULES OF NCUA BOARD PROCEDURE; PROMULGATION OF NCUA RULES AND REGULATIONS; PUBLIC OBSERVATION OF NCUA BOARD MEETINGS

### Subpart A—Rules of NCUA Board Procedure

Sec.

791.1 Scope.

791.2 Number of votes required for board action.

791.3 Voting by proxy.

791.4 Methods of acting.

791.5 Scheduling of board meetings.

791.6 Subject matter of a meeting.

### Subpart B—Promulgation of NCUA Rules and Regulations

791.7 Scope.

791.8 Promulgation of NCUA rules and regulations.

### Subpart C—Public Observation of NCUA Board Meetings Under the Sunshine Act

791.9 Scope.

791.10 Definitions.

791.11 Open meetings.

791.12 Exemptions.

791.13 Public announcement of meetings.

## 12 CFR Ch. VII (1–1–06 Edition)

791.14 Regular procedure for closing meeting discussions or limiting the disclosure of information.

791.15 Requests for open meeting.

791.16 General counsel certification.

791.17 Maintenance of meeting records.

791.18 Public availability of meeting records and other documents.

AUTHORITY: 12 U.S.C. 1766, 1789 and 5 U.S.C. 552b.

SOURCE: 53 FR 29647, Aug. 8, 1988, unless otherwise noted.

### Subpart A—Rules of NCUA Board Procedure

#### § 791.1 Scope.

The rules contained in this subpart are the rules of procedure governing how the Board conducts its business. These rules concern the Board's exercise of its authority to act on behalf of NCUA; the conduct, scheduling and subject matter of Board meetings; and the recording of Board action.

#### § 791.2 Number of votes required for board action.

The agreement of at least two of the three Board members is required for any action by the Board.

#### § 791.3 Voting by proxy.

Proxy voting shall not be allowed for any action by the Board.

#### § 791.4 Methods of acting.

(a) *Board meetings*—(1) *Applicability of the Sunshine Act*. The Government in the Sunshine Act (5 U.S.C. 552b, “Sunshine Act”) requires that joint deliberations of the Board be held in accordance with its open meetings provisions (5 U.S.C. 552b (b) through (f)). (Subpart C of this part contains NCUA's regulations implementing the Sunshine Act.)

(2) *Presiding officer*. The Chairman is the presiding officer, and in the Chairman's absence, the designated Vice Chairman shall preside. The presiding officer shall make procedural rulings. Any Board member may appeal a ruling made by the presiding officer. The appeal of a procedural ruling by the presiding officer shall be immediately considered by the Board, and a majority decision by the Board shall decide the procedural ruling.