

prescribed by the OCC as an appropriate means of carrying out the purposes of paragraph (b) of Rule G-7 of the Board, "Information Concerning Associated Persons."

(2) On and after October 31, 1977, no bank municipal securities dealer shall permit a person to be associated with it as a municipal securities principal or municipal securities representative unless:

(i) An application on Form MSD-4, "Uniform Application for Municipal Securities Principal or Municipal Securities Representative Associated with a Bank Municipal Securities Dealer," has been completed and signed in accordance with the instructions which accompany the form, and has been submitted to the bank municipal securities dealer by that person; and

(ii) The bank municipal securities dealer has filed the original and two copies of the Form MSD-4 with the OCC.

(b) *Amendments.* (1) The information reported on Form MSD-4 shall be true, current, complete, and not misleading at the time and in light of the circumstances under which it is reported. Intentional misstatements or omissions of fact may be violations of Federal criminal law.

(2)(i) If any information reported on a Form MSD-4 becomes materially inaccurate or incomplete, the applicant named in the Form MSD-4 shall provide the bank municipal securities dealer with a statement containing corrective information in accordance with paragraph (c) of Rule G-7 of the Board.

(ii) The bank municipal securities dealer, within ten days after receiving such a corrective statement, shall file three copies of the statement with the OCC, accompanied by an original and two copies of a transmittal letter which identifies the bank municipal securities dealer, the affected applicant, and the corrective statements which are being transmitted, and which is signed by a municipal securities principal associated with the bank municipal securities dealer.

(c) *Notice of termination of association with a bank municipal securities dealer.* (1) Within thirty days after a person's association with a bank municipal se-

curities dealer as a municipal securities principal or municipal securities representative is terminated, the bank municipal securities dealer shall prepare and file with the OCC an original and two copies of a notice of that termination on Form MSD-5, "Uniform Termination Notice for Municipal Securities Principal or Municipal Securities Representative Associated with a Bank Municipal Securities Dealer," in accordance with the instructions which accompany the form.

(2) A Form MSD-5 filed in accordance with this paragraph must include such details as may be necessary to make the information contained in the form true, current, complete, and not misleading. Intentional misstatements or omissions of fact may be violations of Federal criminal law.

(d) *Record retention; filings under the Act.* (1) A bank municipal securities dealer shall retain for its own records copies of all its part 10 filings relating to any given associated person for at least three years after that person's association is terminated.

(2) Every Form MSD-4, Form MSD-5, amendment, and related document filed with the OCC in accordance with this part shall constitute a filing with the Commission for purposes of section 17(c)(1) of the Act and a "report," "application," or "document" within the meaning of section 32(a) of the Act.

[42 FR 45510, Sept. 9, 1977; 42 FR 48333, Sept. 23, 1977, as amended at 60 FR 57332, Nov. 15, 1995]

PART 11—SECURITIES EXCHANGE ACT DISCLOSURE RULES

Sec.

- 11.1 Authority and OMB control number.
- 11.2 Requirements under certain sections of the Securities Exchange Act of 1934.
- 11.3 Filing requirements and inspection of documents.
- 11.4 Filing fees.

AUTHORITY: 12 U.S.C. 93a; 15 U.S.C. 78l, 78m, 78n, 78p, and 78w.

SOURCE: 57 FR 46084, Oct. 7, 1992; 57 FR 54499, Nov. 19, 1992.

§ 11.1 Authority and OMB control number.

(a) *Authority.* The Office of the Comptroller of the Currency (OCC) is vested

with the powers, functions, and duties otherwise vested in the Securities and Exchange Commission (Commission) to administer and enforce the provisions of sections 12, 13, 14(a), 14(c), 14(d), 14(f), and 16 of the Securities Exchange Act of 1934, as amended (1934 Act) (15 U.S.C. 78l, 78m, 78n(a), 78n(c), 78n(d), 78n(f), and 78p), regarding national banks and banks chartered in the District of Columbia with one or more classes of securities subject to the registration provisions of sections 12(b) and (g) of the 1934 Act (registered national banks). Further, the OCC has general rule-making authority under 12 U.S.C. 93a, to promulgate rules and regulations concerning the activities of national banks and banks chartered in the District of Columbia.

(b) *OMB control number.* The collection of information contained in this part was approved by the Office of Management and Budget under OMB control number 1557–0106.

[57 FR 46084, Oct. 7, 1992; 57 FR 54499, Nov. 19, 1992, as amended at 60 FR 57332, Nov. 15, 1995]

§ 11.2 Requirements under certain sections of the Securities Exchange Act of 1934.

(a) In general and except as otherwise provided in this part, the rules, regulations, and forms adopted by the Commission pursuant to the sections of the 1934 Act described in § 11.1 of this part apply to the securities issued by registered national banks. References to the “Commission” are deemed to refer to the “OCC” unless the context otherwise requires.

(b) The following list of Commission rules and regulations apply to registered national banks:

(1) Regulations adopted by the Commission under sections 12, 13, 14(a), 14(c), 14(d), and 14(f) of the 1934 Act, as codified at 17 CFR 240.12a–4 up to but not including 17 CFR 240.15a–2; and

(2) Regulations adopted by the Commission under section 16 of the 1934 Act, as codified at 17 CFR 240.16a–1 up to but not including 240.17a–1.

(c) Registered national banks required to file papers with the OCC pursuant to the provisions of the rules and regulations cited in paragraph (b) of this section shall use the forms and schedules adopted by the Commission,

as described in the respective rules and regulations identified in paragraph (b) of this section.

[57 FR 46084, Oct. 7, 1992; 57 FR 54499, Nov. 19, 1992, as amended at 60 FR 57332, Nov. 15, 1995]

§ 11.3 Filing requirements and inspection of documents.

(a) All papers required to be filed with the OCC pursuant to the 1934 Act or regulations thereunder shall be submitted in quadruplicate to the Securities and Corporate Practices Division, Office of the Comptroller of the Currency, 250 E Street, SW., Washington, DC 20219. Material may be filed by delivery to the OCC through the mail or otherwise. The date on which papers are actually received by the OCC shall be the date of filing, if the person or bank filing the papers has complied with all applicable requirements.

(b) Copies of registration statements, definitive proxy solicitation materials, reports, and annual reports to shareholders required by this part (exclusive of exhibits) are available from the Disclosure Officer, Communications Division, Office of the Comptroller of the Currency, at the address listed in paragraph (a) of this section.

[60 FR 57332, Nov. 15, 1995]

§ 11.4 Filing fees.

(a) The OCC may require filing fees to accompany certain filings made under this part before it will accept the filing. The OCC provides an applicable fee schedule for such filings in the “Notice of Comptroller of the Currency Fees” described in 12 CFR 8.8.

(b) Fees must be paid by check payable to the Comptroller of the Currency.

[57 FR 46084, Oct. 7, 1992; 57 FR 54499, Nov. 19, 1992, as amended at 60 FR 57332, Nov. 15, 1995]

PART 12—RECORDKEEPING AND CONFIRMATION REQUIREMENTS FOR SECURITIES TRANSACTIONS

Sec.

- 12.1 Authority, purpose, and scope.
- 12.2 Definitions.
- 12.3 Recordkeeping.
- 12.4 Content and time of notification.
- 12.5 Notification by agreement; alternative forms and times of notification.