

(b) The filing of any amendment to an application for registration as a transfer agent pursuant to paragraph (a) of this section, which registration has not become effective, shall postpone the effective date of the registration until the thirtieth day following the date on which the amendment is filed, unless the Comptroller takes affirmative action to accelerate, deny or postpone the registration in accordance with the provisions of section 17A(c) of the Act.

(c) Within sixty calendar days following the date on which any information reported on Form TA-1 becomes inaccurate, misleading or incomplete, the registrant shall file an amendment on Form TA-1 correcting the inaccurate, misleading or incomplete information.

(d) Every registration and amendment filed pursuant to this section shall constitute a "report" or "application" within the meaning of sections 17, 17A(c) and 32(a) of the Act.

(Secs. 3(a)(34)(B), 17, 17A, and 23 of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(34)(B), 78q, 78q-1, 78w))

[40 FR 50252, Oct. 29, 1975, as amended at 47 FR 57256, Dec. 23, 1982]

**§9.21 Applications for stays of disciplinary sanctions or summary suspensions imposed by a registered clearing agency.**

If any registered clearing agency imposes any final disciplinary sanction pursuant to section 17(b)(3)(G) of the Securities Exchange Act of 1934, or summarily suspends or limits or prohibits access pursuant to section 17A(b)(5)(C) of the Act, any person aggrieved thereby for which the Comptroller of the Currency is the appropriate regulatory agency may file with the Comptroller of the Currency, by telegram or otherwise, a request for a stay of imposition of such action. Such request shall be in writing and shall include a statement as to why such stay should be granted.

(Secs. 17A, 19 and 23 of the Securities Exchange Act of 1934 (15 U.S.C. 78q-1, 78s and 78w))

[42 FR 26969, May 26, 1977]

**§9.22 Applications for review of final disciplinary sanctions, denials of participation, or prohibitions or limitations of access to services imposed by registered clearing agencies.**

(a) Proceedings on an application to the Comptroller of the Currency under section 19(d)(2) of the Securities Exchange Act of 1934 for review of any final disciplinary sanction, denial or conditioning of participation, or prohibition or limitation with respect to access to services offered by a registered clearing agency shall be governed by this rule.

(b) An application for review pursuant to section 19(d)(2) of the Act shall be filed with the Comptroller of the Currency within 30 days after notice thereof was filed pursuant to section 19(d)(1) of the Act and received by the aggrieved person applying for review, or within such longer period as the Comptroller of the Currency may determine. The Comptroller of the Currency shall serve a copy of the application on the registered clearing agency, which shall, within ten days after receipt of the application, certify and file with the Comptroller of the Currency one copy of the record upon which the action complained of was taken, together with three copies of an index to such record. The Comptroller of the Currency shall serve upon the parties copies of such index and any papers subsequently filed.

(c) Within 20 days after receipt of a copy of the index, the applicant shall file a brief or other statement in support of his application which shall state the specific grounds on which the application is based, the particular findings of the registered clearing agency to which objection is taken, and the relief sought. Any application not perfected by such timely brief or statement may be dismissed as abandoned.

(d) Within 20 days after receipt of the applicant's brief or statement the clearing agency may file an answer thereto, and within 10 days of receipt of any such answer the applicant may file a reply. Any such papers not filed within the time provided by paragraphs (b), (c) or (d) of this section will not be received except upon special permission of the Comptroller of the Currency.

(e) On its own motion, the Comptroller of the Currency may direct that the record under review be supplemented with such additional evidence as it may deem relevant. Nevertheless, the registered clearing agency and persons who may be aggrieved by its action shall be obliged to introduce all evidence that they deem relevant in the proceedings before the registered clearing agency, and no such person shall be entitled to introduce additional evidence unless he shows to the satisfaction of the Comptroller of the Currency that such additional evidence is material and that there were reasonable grounds for his failure to introduce such evidence in such proceedings. Any request for leave to introduce additional evidence shall be filed promptly so as not to delay the disposition of the proceeding.

(f) Oral argument before the Comptroller of the Currency or his designated representative may be requested by the applicant or the registered clearing agency as follows: (1) By the applicant with his brief or statement within 10 days after receipt of the registered clearing agency's answer, or (2) by the clearing agency with its answer. The Comptroller of the Currency, in its discretion, may grant or deny any request for oral argument and,