§ 1266.11 Capital stock requirements; redemption of excess stock.

(a) Capital stock requirement for advances. For a Bank that has not converted to the capital structure authorized by the Gramm-Leach-Bliley Act, the aggregate amount of outstanding advance made by the Bank to a member shall not exceed 20 times the amount paid in by such member for capital stock in the Bank.

(b) Unilateral Redemption of excess stock. A Bank that has not converted to the capital structure authorized by the Gramm-Leach-Bliley Act:

1. May, after providing 15 calendar days advance written notice to a member, require the redemption of that amount of the member’s Bank capital stock that exceeds the applicable capital stock requirements in paragraph (a) of this section, provided that the member continues to comply with the minimum stock purchase requirement set forth in §1263.20(a) of this chapter; and

2. May not impose on, or accept from, a member a fee in lieu of redeeming a member’s excess stock.

§ 1266.12 Intradistrict transfer of advances.

(a) Advances held by members. A Bank may allow one of its members to assume an advance held by a non-member, provided the advance was originated by the Bank and provided the assumption complies with the requirements of this part governing the issuance of new advances. A Bank may charge an appropriate fee for processing the transfer.

(b) Advances held by nonmembers. A Bank may allow one of its members to assume an advance held by a non-member, provided the advance was originated by the Bank and provided the assumption complies with the requirements of this part governing the issuance of new advances. A Bank may charge an appropriate fee for processing the transfer.


§ 1266.13 Special advances to savings associations.

(a) Eligible institutions. (1) A Bank, upon receipt of a written request from the Director of the OTS, may make short-term advances to a savings association member.

(2) Such request must certify that the member:

(i) Is solvent but presents a supervisory concern to the OTS because of the member’s financial condition; and

(ii) Has reasonable and demonstrable prospects of returning to a satisfactory financial condition.

(b) Terms and conditions. Advances made by a Bank to a member savings association under this section shall:

1. Be subject to all applicable collateral requirements of the Bank, this part and section 10(a) of the Bank Act (12 U.S.C. 1430(a)); and

2. Be at the interest rate applicable to advances of similar type and maturity that are made available to other members that do not pose such a supervisory concern.


§ 1266.14 Advances to the Savings Association Insurance Fund.

(a) Authority. Upon receipt of a written request from the FDIC, a Bank may make advances to the FDIC for the use of the Savings Association Insurance Fund. The Bank shall provide a copy of such request to the FHFA.

(b) Requirements. Advances to the FDIC for the use of the Savings Association Insurance Fund shall:

1. Bear a rate of interest not less than the Bank’s marginal cost of funds, taking into account the maturities involved and reasonable administrative costs;