

## Comptroller of the Currency, Treasury

## § 5.2

In addition, a senior examiner who accepts compensation as described in § 4.74 may be subject to other administrative, civil or criminal remedies or penalties as provided in law.

[60 FR 57322, Nov. 15, 1995, as amended at 76 FR 43564, July 21, 2011]

### PART 5—RULES, POLICIES, AND PROCEDURES FOR CORPORATE ACTIVITIES

Sec.

5.1 Scope.

#### Subpart A—Rules of General Applicability

- 5.2 Rules of general applicability.
- 5.3 Definitions.
- 5.4 Filing required.
- 5.5 Fees.
- 5.6 [Reserved]
- 5.7 Investigations.
- 5.8 Public notice.
- 5.9 Public availability.
- 5.10 Comments.
- 5.11 Hearings and other meetings.
- 5.12 Computation of time.
- 5.13 Decisions.

#### Subpart B—Initial Activities

- 5.20 Organizing a bank.
- 5.24 Conversion.
- 5.26 Fiduciary powers.

#### Subpart C—Expansion of Activities

- 5.30 Establishment, acquisition, and relocation of a branch.
- 5.32 Expedited procedures for certain reorganizations.
- 5.33 Business combinations.
- 5.34 Operating subsidiaries.
- 5.35 Bank service companies.
- 5.36 Other equity investments.
- 5.37 Investment in bank premises.
- 5.39 Financial subsidiaries.

#### Subpart D—Other Changes in Activities and Operations

- 5.40 Change in location of main office.
- 5.42 Corporate title.
- 5.46 Changes in permanent capital.
- 5.47 Subordinated debt issued by a national bank.
- 5.48 Voluntary liquidation.
- 5.50 Change in bank control; reporting of stock loans.
- 5.51 Changes in directors and senior executive officers.
- 5.52 Change of address.
- 5.53 Change in asset composition.

#### Subpart E—Payment of Dividends

- 5.60 Authority, scope, and exceptions to rules of general applicability.
- 5.61 Definitions.
- 5.62 Date of declaration of dividend.
- 5.63 Capital limitation under 12 U.S.C. 56.
- 5.64 Earnings limitation under 12 U.S.C. 60.
- 5.65 Restrictions on undercapitalized institutions.
- 5.66 Dividends payable in property other than cash.
- 5.67 Fractional shares.

#### Subpart F—Federal Branches and Agencies

- 5.70 Federal branches and agencies.

AUTHORITY: 12 U.S.C. 1 *et seq.*, 93a, 215a–2, 215a–3, 481, and section 5136A of the Revised Statutes (12 U.S.C. 24a).

SOURCE: 61 FR 60363, Nov. 27, 1996, unless otherwise noted.

#### § 5.1 Scope.

This part establishes rules, policies and procedures of the Office of the Comptroller of the Currency (OCC) for corporate activities and transactions involving national banks. It contains information on rules of general and specific applicability, where and how to file, and requirements and policies applicable to filings. This part also establishes the corporate filing procedures for Federal branches and agencies of foreign banks.

#### Subpart A—Rules of General Applicability

##### § 5.2 Rules of general applicability.

(a) *General.* The rules in this subpart apply to all sections in this part unless otherwise stated.

(b) *Exceptions.* The OCC may adopt materially different procedures for a particular filing, or class of filings, in exceptional circumstances or for unusual transactions, after providing notice of the change to the applicant and to any other party that the OCC determines should receive notice.

(c) *Additional information.* The “Comptroller’s Licensing Manual” (Manual) provides additional guidance, including policies, procedures, and sample forms. The Manual is available on the OCC’s Internet Web page at