

## § 334.80–334.82

SOURCE: 69 FR 77618, Dec. 28, 2004, unless otherwise noted.

EFFECTIVE DATE NOTE: At 69 FR 77618, Dec. 28, 2004, the authority citation for part 334 and a new subpart I were added, effective July 1, 2005. For the convenience of the user, the added text is set forth as follows:

### Subparts A–H—[Reserved]

### Subpart I—Duties of Users of Consumer Reports Regarding Identity Theft

#### § 334.80–334.82 [Reserved]

#### § 334.83 Disposal of consumer information.

(a) *In general.* You must properly dispose of any consumer information that you maintain or otherwise possess in accordance with the Interagency Guidelines Establishing Information Security Standards, as set forth in appendix B to part 364 of this chapter, prescribed pursuant to section 216 of the Fair and Accurate Credit Transactions Act of 2003 (15 U.S.C. 1681w) and section 501(b) of the Gramm-Leach-Bliley Act (15 U.S.C. 6801(b)), to the extent the Guidelines are applicable to you.

(b) *Rule of construction.* Nothing in this section shall be construed to:

(1) Require you to maintain or destroy any record pertaining to a consumer that is not imposed under any other law; or

(2) Alter or affect any requirement imposed under any other provision of law to maintain or destroy such a record.

## PART 335—SECURITIES OF NONMEMBER INSURED BANKS

Sec.

335.101 Scope of part, authority and OMB control number.

335.111 Forms and schedules.

335.201 Securities exempted from registration.

335.211 Registration and reporting.

335.221 Forms for registration of securities and similar matters.

335.231 Certification, suspension of trading, and removal from listing by exchanges.

335.241 Unlisted trading.

335.251 Forms for notification of action taken by national securities exchanges.

335.261 Exemptions; terminations; and definitions.

## 12 CFR Ch. III (1–1–05 Edition)

335.301 Reports of issuers of securities registered pursuant to section 12.

335.311 Forms for annual, quarterly, current, and other reports of issuers.

335.321 Maintenance of records and issuer's representations in connection with required reports.

335.331 Acquisition statements and acquisitions of securities by issuers.

335.401 Solicitations of proxies.

335.501 Tender offers.

335.601 Requirements of section 16 of the Securities Exchange Act of 1934.

335.611 Initial statements of beneficial ownership of securities (Form 3).

335.612 Statement of changes in beneficial ownership of securities (Form 4).

335.613 Annual statement of beneficial ownership of securities (Form 5).

335.701 Filing requirements, public reference, and confidentiality.

335.801 Inapplicable SEC regulations; FDIC substituted regulations; additional information.

335.901 Delegation of authority to the Director (DSC) and to the associate directors, regional directors and deputy regional directors to act on matters with respect to disclosure laws and regulations.

AUTHORITY: 15 U.S.C. 78l(i).

SOURCE: 62 FR 6856, Feb. 14, 1997, unless otherwise noted.

#### § 335.101 Scope of part, authority and OMB control number.

(a) This part is issued by the Federal Deposit Insurance Corporation (the FDIC) under section 12(i) of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78) (the Exchange Act) and applies to all securities of FDIC insured banks (including foreign banks having an insured branch) which are neither a member of the Federal Reserve System nor a District bank (collectively referred to as nonmember banks) that are subject to the registration requirements of section 12(b) or section 12(g) of the Exchange Act (registered nonmember banks). The FDIC is vested with the powers, functions, and duties vested in the Securities and Exchange Commission (the Commission or SEC) to administer and enforce the provisions of sections 10A(m), 12, 13, 14(a), 14(c), 14(d), 14(f), and 16 of the Securities Exchange Act of 1934, as amended (the Exchange Act) (15 U.S.C. 78l, 78m, 78n(a), 78n(c), 78n(d), 78n(f), and 78(p)), and sections 302, 303, 304, 306, 401(b), 404, 406, and 407 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7241, 7242,