

## § 742.6

### § 742.6 How can I lose my RegFlex eligibility?

Eligibility may be lost in two ways. First, the credit union no longer meets the RegFlex criteria set forth in § 742.1. When this event occurs, the credit union must cease using the additional authority granted by this rule. Second, the regional director for substantive and documented safety and soundness reasons may revoke a credit union's RegFlex authority in whole or in part. The regional director must give a credit union written notice stating the reasons for this action. The revocation is effective as soon as the regional director's determination has been received by the credit union.

### § 742.7 What is the appeal process?

A credit union has 60 days from the date of the regional director's determination to revoke a credit union's RegFlex authority (in whole or in part) to appeal the action to NCUA's Supervisory Review Committee. The regional director's determination will remain in effect unless the Supervisory Review Committee issues a different determination. If the credit union is dissatisfied with the decision of the Supervisory Review Committee, the credit union has 60 days from the issuance of this decision to appeal to the NCUA Board.

### § 742.8 If I lose my RegFlex authority, will my past actions be grandfathered?

Any action by the credit union under the RegFlex authority will be grandfathered. Any actions subsequent to losing the RegFlex authority must meet NCUA's regulatory requirements. This does not diminish NCUA's authority to require a credit union to divest its investments or assets for substantive safety and soundness reasons.

## PART 745—SHARE INSURANCE AND APPENDIX

### Subpart A—Clarification and Definition of Account Insurance Coverage

Sec.

745.0 Scope.

745.1 Definitions.

## 12 CFR Ch. VII (1–1–05 Edition)

- 745.2 General principles applicable in determining insurance of accounts.
- 745.3 Single ownership accounts.
- 745.4 Revocable trust accounts.
- 745.5 Accounts held by executors or administrators.
- 745.6 Accounts held by a corporation, partnership, or unincorporated association.
- 745.7 [Reserved]
- 745.8 Joint ownership accounts.
- 745.9-1 Trust accounts.
- 745.9-2 IRA/Keogh accounts.
- 745.9-3 Deferred compensation accounts.
- 745.10 Public unit accounts.
- 745.11 Accounts evidenced by negotiable instruments.
- 745.12 Account obligations for payment of items forwarded for collection by depository institution acting as agent.
- 745.13 Notification to members/shareholders.

### Subpart B—Payment of Share Insurance and Appeals

- 745.200 General.
- 745.201 Processing of insurance claims.
- 745.202 Appeal.
- 745.203 Judicial review.

#### APPENDIX TO PART 745—EXAMPLES OF INSURANCE COVERAGE AFFORDED ACCOUNTS IN CREDIT UNIONS INSURED BY THE NATIONAL CREDIT UNION SHARE INSURANCE FUND

AUTHORITY: 12 U.S.C 1752(5), 1757, 1765, 1766, 1781, 1782, 1787, 1789.

SOURCE: 51 FR 37560, Oct. 23, 1986, unless otherwise noted.

### Subpart A—Clarification and Definition of Account Insurance Coverage

#### § 745.0 Scope.

The regulation and appendix contained in this part describe the insurance coverage of various types of member accounts. In general, all types of member share accounts received by the credit union in its usual course of business, including regular shares, share certificates, and share draft accounts, represent equity and are insured. For the purposes of applying the rules in this part, it is presumed that the owner of funds in an account is an insured credit union member or otherwise eligible to maintain an insured account in a credit union. These rules do not extend insurance coverage to persons not entitled to maintain an insured account or to account relationships that have not been approved by the Board as