

Report data to calculate deposit insurance assessments and monitor the condition, performance, and risk profile of individual banks and the banking industry. Reporting banks must also submit annually such information on small business and small farm lending as the FDIC may need to assess the availability of credit to these sectors of the economy. The report forms and instructions can be obtained from the Division of Supervision and Consumer Protection (DSC), FDIC, Washington, DC 20429.

(Approved by the Office of Management and Budget under control number 3064-0052)

(b) Report of Assets and Liabilities of U.S. Branches and Agencies of Foreign Banks, Form FFIEC 002. Pursuant to section 7(a) of the Federal Deposit Insurance Act (12 U.S.C. 1817(a)), every insured U.S. branch of a foreign bank is required to file a Report of Assets and Liabilities of U.S. Branches and Agencies of Foreign Banks in accordance with the instructions for the report. All assets and liabilities, including contingent assets and liabilities, must be reported in, or otherwise taken into account in the preparation of the report. The FDIC uses the reported data to calculate deposit insurance assessments and monitor the condition, performance, and risk profile of individual insured branches and the banking industry. Insured branches must also submit annually such information on small business and small farm lending as the FDIC may need to assess the availability of credit to these sectors of the economy. Because the Board of Governors of the Federal Reserve System collects and processes this report on behalf of the FDIC, the report forms and instructions can be obtained from Federal Reserve District Banks or through the web site of the Federal Financial Institutions Examination Council, <http://www.ffiec.gov/>.

(Approved by the Office of Management and Budget under control number 7100-0032)

(c) Summary of Deposits, Form FDIC 8020/05. Form 8020/05 is a report on the amount of deposits for each authorized

office of an insured bank with branches; unit banks do not report. Reports as of June 30 of each year must be submitted no later than the immediately succeeding July 31. The report forms and the instructions for completing the reports will be furnished to all such banks by, or may be obtained upon request from, the Division of Supervision and Consumer Protection (DSC), FDIC, 550 17th Street, NW., Washington, DC 20429.

(Approved by the Office of Management and Budget under control number 3064-0061)

(d) Notification of Performance of Bank Services, Form FDIC 6120/06. Pursuant to Section 7 of the Bank Service Company Act (12 U.S.C. 1867), as amended, FDIC supervised banks must notify the agency about the existence of a service relationship within thirty days after the making of the contract or the performance of the service, whichever occurs first. Form FDIC 6120/06 may be used to satisfy the notice requirement. The form contains identification, location and contact information for the bank, the servicer, and a description of the services provided. In lieu of the form, notification may be provided by letter. Either the form or the letter containing the notice information must be submitted to the regional director—Division of Supervision and Consumer Protection (DSC) of the region in which the bank's main office is located.

(Approved by the Office of Management and Budget under control number 3064-0029)

PARTS 305-306 [RESERVED]

PART 307—NOTIFICATION OF CHANGES OF INSURED STATUS

Sec.

307.1 Certification of assumption of deposit liabilities.

307.2 Notice to be given when deposit liabilities are not assumed.

AUTHORITY: Sec. 2, Pub. L. 797, 64 Stat. 879, 880 as amended by secs. 202, 204, Pub. L. 89-694, 80 Stat. 1046, 1054, and sec. 6(c)(14), Pub. L. 95-369, 92 Stat. 618 (12 U.S.C. 1818(a), 1818(o)); sec. 304, Pub. L. 95-630, 92 Stat. 3676 (12 U.S.C. 1818(q)); sec. 9, Pub. L. 797, 64 Stat. 881 (12 U.S.C. 1819).

§ 307.1

§ 307.1 Certification of assumption of deposit liabilities.

Whenever the deposit liabilities of an insured bank or insured branch of a foreign bank are assumed by another insured bank (whether by merger, consolidation, or other statutory assumption, or by contract), the assuming or resulting bank shall certify to the FDIC that it has agreed to assume the deposit liabilities of the bank whose deposits were assumed. The certification shall be made within 30 days after the assumption takes effect and shall state the date the assumption took effect. This certification shall be considered satisfactory evidence of the assumption.

[48 FR 24031, May 31, 1983]

§ 307.2 Notice to be given when deposit liabilities are not assumed.

Any insured bank or insured branch of a foreign bank whose insured status is voluntarily terminated, but whose deposit liabilities are not assumed shall give notice to each of its depositors of the date of the termination of its insured status under the Federal Deposit Insurance Act. The notice to depositors shall be given in a form, in a manner and at a time approved by the appropriate FDIC Regional Director. The FDIC may require the bank to take other steps that it considers necessary for the protection of depositors.

[48 FR 24031, May 31, 1983]

PART 308—RULES OF PRACTICE AND PROCEDURE

Subpart A—Uniform Rules of Practice and Procedure

- Sec.
- 308.1 Scope.
 - 308.2 Rules of construction.
 - 308.3 Definitions.
 - 308.4 Authority of Board of Directors.
 - 308.5 Authority of the administrative law judge.
 - 308.6 Appearance and practice in adjudicatory proceedings.
 - 308.7 Good faith certification.
 - 308.8 Conflicts of interest.
 - 308.9 Ex parte communications.
 - 308.10 Filing of papers.
 - 308.11 Service of papers.
 - 308.12 Construction of time limits.
 - 308.13 Change of time limits.

12 CFR Ch. III (1–1–06 Edition)

- 308.14 Witness fees and expenses.
- 308.15 Opportunity for informal settlement.
- 308.16 FDIC's right to conduct examination.
- 308.17 Collateral attacks on adjudicatory proceeding.
- 308.18 Commencement of proceeding and contents of notice.
- 308.19 Answer.
- 308.20 Amended pleadings.
- 308.21 Failure to appear.
- 308.22 Consolidation and severance of actions.
- 308.23 Motions.
- 308.24 Scope of document discovery.
- 308.25 Request for document discovery from parties.
- 308.26 Document subpoenas to nonparties.
- 308.27 Deposition of witness unavailable for hearing.
- 308.28 Interlocutory review.
- 308.29 Summary disposition.
- 308.30 Partial summary disposition.
- 308.31 Scheduling and prehearing conferences.
- 308.32 Prehearing submissions.
- 308.33 Public hearings.
- 308.34 Hearing subpoenas.
- 308.35 Conduct of hearings.
- 308.36 Evidence.
- 308.37 Post-hearing filings.
- 308.38 Recommended decision and filing of record.
- 308.39 Exceptions to recommended decision.
- 308.40 Review by Board of Directors.
- 308.41 Stays pending judicial review.

Subpart B—General Rules of Procedure

- 308.101 Scope of Local Rules.
- 308.102 Authority of Board of Directors and Executive Secretary.
- 308.103 Appointment of administrative law judge.
- 308.104 Filings with the Board of Directors.
- 308.105 Custodian of the record.
- 308.106 Written testimony in lieu of oral hearing.
- 308.107 Document discovery.

Subpart C—Rules of Practice Before the FDIC and Standards of Conduct

- 308.108 Sanctions.
- 308.109 Suspension and disbarment.

Subpart D—Rules and Procedures Applicable to Proceedings Relating to Disapproval of Acquisition of Control

- 308.110 Scope.
- 308.111 Grounds for disapproval.
- 308.112 Notice of disapproval.
- 308.113 Answer to notice of disapproval.