



OCC BULLETIN

Comptroller of the Currency
Administrator of National Banks

Subject: Amendment to Part 5

Description: Final Rule

TO: Chief Executive Officers and Compliance Officers of All National Banks, Federal Branches and Agencies, Department and Division Heads, and All Examining Personnel

The Office of the Comptroller of the Currency (OCC) published the attached final rule in the *Federal Register* on January 2, 2004, amending its rules, policies, and procedures for corporate activities. The final rule adopts without change an interim rule that was published on April 14, 2003. Because the *Federal Register* did not repeat the regulation text, a copy is attached for your convenience. The effective date of the final rule is February 2, 2004.

Electronic Filings

The final rule amends 12 CFR 5.2 to expressly provide that the OCC may permit national banks to make any class of filings electronically and refers national banks to the Comptroller's Licensing Manual to find information about the filings that are available for electronic submission.

Through the OCC's National BankNet Web site, national banks may submit electronically certain types of corporate filings to the OCC for approval. Currently those filings include separate applications to: establish a branch, relocate a branch, relocate a main office within a 30-mile radius (*within* current city, town, or village limits), and relocate a main office within a 30-mile radius (*outside* current city, town, or village limits). Five notices were added earlier this year, including notification of change of corporate title; notification of change of main office address; official 90-day advance branch closing and downgrade notice; final branch closing, consolidation, relocation, or downgrade notice; and notification of main office relocation to an existing branch.

Other Changes to Part 5

The final rule amends section 5.2(b), which provides that, after giving appropriate notice to the applicant and, at the OCC's discretion, to others, the OCC may adopt materially different procedures for a particular filing, or a class of filings, in exceptional circumstances, such as natural disasters or unusual transactions. The example of natural disasters may be misleading and has been removed. Thus, section 5.2(b) simply permits the OCC to adopt materially different procedures in exceptional circumstances or for unusual transactions. The final rule also makes technical changes to section 5.2 to reflect the recent replacement of the Comptroller's Corporate Manual with the Comptroller's Licensing Manual and to inform national banks that the manual is available on the OCC's Internet Web site.

For further information, contact Jean Campbell, attorney, Legislative and Regulatory Activities Division at (202) 874-5090; or Darrell Sheets, licensing data manager, Licensing, Policy and Systems Division at (202) 874-5060.

Julie L. Williams
First Senior Deputy Comptroller and Chief Counsel

Attachments – [69 FR 1](#)
<http://www.occ.treas.gov/fr/fedregister/69fr1.pdf>

For text of regulation, see:
<http://www.occ.treas.gov/fr/fedregister/68fr17890.pdf>