

## **Interim Bank Charter Application**

### **General Information and Instructions**

#### **Preparation and Use**

This application is used to effect a transaction under 12 CFR 5.33(e)(4) to establish an interim national bank or an interim federal savings association (interim bank).

All questions must be answered with complete and accurate information that is subject to verification. If the answer is “none,” “not applicable,” or “unknown,” so state. Answers of “unknown” should be explained.

The questions in the application are not intended to limit the applicant’s presentation nor are the questions intended to duplicate information supplied on another form or in an exhibit. For such information, a cross-reference to the information is acceptable. Any cross-reference must be made to a specific cite or location in the documents, so the information can be found easily. Supporting information for all relevant factors, setting forth the basis for the applicant’s conclusions, should accompany the application. The regulatory agency may request additional information.

This application form collects information that the Office of the Comptroller of the Currency (OCC) will need to evaluate an interim bank charter application. The OCC grants conditional preliminary approval to form an interim bank charter when the OCC acknowledges receipt of the related business combination. The OCC grants final approval of an interim bank charter when the related business combination is approved. For information regarding applicable statutory and regulatory requirements, as well as processing procedures and guidelines and any supplemental information that may be required, refer to the OCC’s procedural guidelines in the *Comptroller’s Licensing Manual*. The applicant may contact the OCC directly for specific instruction or visit the OCC’s Web site at [www.OCC.gov](http://www.OCC.gov).

#### **Notice of Publication**

Generally, a separate public notice under 12 CFR 5.8 does not apply to an interim bank application, unless the OCC determines that the application presents a significant or novel policy, supervisory, or legal issue where a public notice is considered necessary. The OCC treats the application to organize an interim bank as part of the related application to engage in a business combination and does not require a separate public notice.

If a notice is required, the applicant must publish notice describing the entire transaction in a newspaper of general circulation in the community or communities in which the applicant proposes to engage in business. The OCC will provide specific requirements for the notice of publication.

## **Submission**

In addition to an original application and the appropriate number of signed copies, submit an electronic copy of the information in the application, especially of the business plan's financial projections, if applicable. For e-mail submissions, contact the OCC for instructions and information about secure transmission of confidential material.

## **Confidentiality**

Any applicant desiring confidential treatment of specific portions of the application must submit a request in writing with the application. The request must discuss the justification for the requested treatment. The applicant's reasons for requesting confidentiality should specifically demonstrate the harm (for example, loss of competitive position, invasion of privacy) that would result from public release of information (5 USC 552 or relevant state law). Information for which confidential treatment is requested should be (1) specifically identified in the public portion of the application (by reference to the confidential section); (2) separately bound; and (3) labeled "Confidential." The applicant should follow the same procedure when requesting confidential treatment for the subsequent filing of supplemental information to the application. Contact the OCC for any further questions regarding requests for confidential treatment.

## Interim Bank Charter Application

Applicant

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Name Charter no.

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Current street address

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City County State Zip code

Parent Company Identifying Information (if applicable)

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Name

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Street

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City State Zip code

Contact Person

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Name Title

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Employer

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Street

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City State Zip code

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Telephone no. Fax no. E-mail address

### 1. Overview

- Indicate the type of interim association being applied for:  
Federal charter
  - \_\_\_\_\_ Resulting
  - \_\_\_\_\_ Non-resulting
  - \_\_\_\_\_ Stock savings association
  - \_\_\_\_\_ Mutual savings association
  - \_\_\_\_\_ National bank

- Provide a copy of the related business combination filing if filed with another regulator and indicate the status of that application.

## 2. Corporate status

- National banks submit for the interim bank:
  - i. Articles of Association – executed
  - ii. Organizing Certificate
  - iii. Oath of Directors for national banks
- Federal savings associations submit for the interim bank:
  - i. Charter
  - ii. Bylaws
  - iii. Oath of Directors for federal savings associations

**OCC CERTIFICATION**

**I certify that the bank’s board of directors, shareholders, or a designated official has authorized the filing of this application.** I certify that the information contained in this application has been examined carefully and is true, correct, complete and current as of the date of this submission. Additionally, I agree to notify the OCC if the facts described in the filing materially change prior to receiving a decision or at any time prior to consummation of the action contemplated herein.

I acknowledge that any misrepresentation or omission of a material fact with respect to this application, any attachments to it, and any other documents or information provided in connection with this application may be grounds for denial of the application or revocation of its approval, and may subject the undersigned to legal sanctions, including the criminal sanctions provided for in Title 18 of the United States Code.

I acknowledge that the approval of this application is in the discretion of the OCC. The activities and communications by OCC employees in connection with the filing, including approval of the application if granted, do not constitute a contract, express or implied, or any other obligation binding upon the OCC, the United States, any agency or entity of the United States, or any officer or employee of the United States, and do not affect the ability of the OCC to exercise its supervisory, regulatory and examination authorities under applicable law and regulations. I further acknowledge that the foregoing may not be waived or modified by any employee or agent of the OCC or the United States.

\_\_\_\_\_  
President or other authorized officer

\_\_\_\_\_  
Typed name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Employer