

## Federal Mutual Association Charter

Federal mutual savings banks should substitute the term “savings bank” for “association” throughout. The term “trustee” may be substituted for the term “director.”

**Section 1: Corporate title.** The full corporate title of the federal savings association is \_\_\_\_\_.

**Section 2: Office.** The home office shall be located in \_\_\_\_\_  
\_\_\_\_\_ [city, state].

**Section 3: Duration.** The duration of the association is perpetual.

**Section 4: Purpose and powers.** The purpose of the association is to pursue any or all of the lawful objectives of a federal mutual savings association chartered under section 5 of the Home Owners’ Loan Act and to exercise all the express, implied, and incidental powers conferred thereby and by all acts amendatory thereof and supplemental thereto, subject to the Constitution and laws of the United States as they are now in effect, or as they may hereafter be amended, and subject to all lawful and applicable rules, regulations, and orders of the Office of the Comptroller of the Currency (OCC).

**Section 5: Capital.** The association may raise capital by accepting payments on savings and demand accounts and by any other means authorized by the OCC.

**Section 6: Members.** All holders of the association’s savings, demand, or other authorized accounts are members of the association. In the consideration of all questions requiring action by the members of the association, each holder of an account shall be permitted to cast one vote for each \$100, or fraction thereof, of the withdrawal value of the member’s account. No member, however, shall cast more than 1,000 votes. All accounts shall be nonassessable.

**Section 7: Directors.** The association shall be under the direction of a board of directors. The authorized number of directors shall not be fewer than five or more than 15, as fixed in the association’s bylaws, except that the number of directors may be decreased to a number less than five or increased to a number greater than 15 with the prior approval of the OCC.

**Section 8: Capital, surplus, and distribution of earnings.** The association shall maintain for the purpose of meeting losses the amount of capital required by section 5 of the Home Owners’ Loan Act and by regulations of the OCC. The association shall distribute net earnings on its accounts on such basis and in accordance with such terms and conditions as may from time to time be authorized by the OCC: **Provided**, that the association may establish minimum-balance requirements for accounts to be eligible for distribution of earnings.

All holders of accounts of the association shall be entitled to equal distribution of assets, **pro rata** to the value of their accounts, in the event of voluntary or involuntary liquidation, dissolution, or winding up of the association. Moreover, in any such event, or in any other situation in which the priority of such accounts is in controversy, all such accounts shall, to the

extent of their withdrawal value, be debts of the association having the same priority as the claims of general creditors of the association not having priority (other than any priority arising or resulting from consensual subordination) over other general creditors of the association.

**Section 9: Amendment of charter.** Adoption of any preapproved charter amendment shall be effective after such preapproved amendment has been approved by the members at a legal meeting. Any other amendment, addition, change, or repeal of this charter must be approved by the OCC before approval by the members at a legal meeting and shall be effective upon filing with the OCC in accordance with regulatory procedures.

Attest: \_\_\_\_\_  
Secretary of the Association

By: \_\_\_\_\_  
President or Chief Executive Officer of the Association

Attest: \_\_\_\_\_  
Deputy Comptroller for Licensing, OCC

By: \_\_\_\_\_  
Comptroller of the Currency

Effective date: \_\_\_\_\_