

Other Equity Investments—National Banks Pass-Through Investments—Federal Savings Associations Application

General Information and Instructions

Preparation and Use

This application is used to request approval by a national bank to make various types of equity investments under 12 CFR 5.36(f) and by a federal savings association to make pass-through investments under 12 CFR 5.58(f), when the investments do not qualify for the notice procedures set forth in 5.36(e) or 5.58(e). A national bank or a federal savings association will be referred to as “bank” or “filer.”

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 filer’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 filer’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 application for other equity or pass-through investments. The OCC must consider applicable regulatory requirements when acting on this application. For additional information regarding 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 filer may contact the OCC directly for specific instruction or visit the OCC’s website at www.occ.gov.

Notice of Publication

Generally, public notice under 12 CFR 5.8 does not apply to an application for other equity investments or pass-through investments unless the OCC determines that the application presents a significant or novel policy, supervisory, or legal issue where a public notice is considered necessary. A public notice also may be required where an investment application is accompanied by a second application that requires a publication notice under 12 CFR 5.8. In this instance, a public notice describing the entire transaction may be necessary to ensure the public has a full understanding of the entire transaction.

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

Submission

The OCC requests that the filing be submitted electronically. The OCC's electronic filing system, called the Central Application Tracking System (CATS) is accessed through BankNet, the OCC's secure website for communicating with and receiving information from banks. For more information about filing through CATS, including BankNet registration instructions and CATS user manuals, refer to the Licensing Division home page on the OCC's website.

For email submissions, contact the OCC for instructions and information about secure transmission of confidential material.

Confidentiality

Any filer 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 filer'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 filer 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.

**Other Equity Investments—National Banks
Pass-Through Investments—Federal Savings Associations Application**

Filer

| | | | |
|------------------------|-------------|-------|----------|
| Name | Charter no. | | |
| Current street address | | | |
| City | County | State | Zip code |

Parent Company Identifying Information (if applicable)

| | | | |
|--------|--|-------|----------|
| Name | | | |
| Street | | | |
| City | | State | Zip code |

Contact Person

| | | |
|---------------|---------|----------------|
| Name | Title | |
| Employer | | |
| Street | | |
| City | State | Zip code |
| Telephone no. | Fax no. | E-mail address |

1. Overview

Provide the following information:

- Name of investment enterprise
- Street
- City, state, and zip code
- Proposed date of investment: (mm/dd/yyyy)
- Investment amount: \$
- Percent of total capital: %

- Pro forma aggregate book value of all equity or pass-through investments to total capital:
%
- Investment made
 directly.
 through an operating subsidiary.

2. Will the bank be well capitalized and well managed at the time of its investment?

Yes No

3. Is the application eligible for the expedited review process under 12 CFR 5. for national bank or 12 CFR 5.38(f)(2)(2)36(f) for federal savings associations?

Yes **FORMCHECKBOX** **FORMCHECKBOX**

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