

## 4. The date the Department accepted the application.

(e) An application involving only an internal reorganization shall be required to contain only the information listed in (a)1 and 2 above. The application may be submitted in letter form and shall be deemed to be approved 10 days from receipt by the Department unless the Department notifies the applicant otherwise. In evaluating an application, the Commissioner shall disapprove the application if, in his or her judgement, the internal reorganization negatively affects the safety and soundness of the bank, bank holding company or any affiliate.

New Rule, R.1996 d.483, effective October 7, 1996.

See: 28 N.J.R. 2661(a), 28 N.J.R. 4417(b).

Former N.J.A.C. 3:13-1.2, "Definitions", recodified to 3:13-1.1.

Amended by R.1997 d.70, effective February 18, 1997.

See: 28 N.J.R. 4831(a), 29 N.J.R. 547(a).

Amended by R.2002 d.244, effective August 5, 2002.

See: 34 N.J.R. 815(a), 34 N.J.R. 2781(a).

Rewrote (b).

Amended by R.2003 d.53, effective February 3, 2003.

See: 34 N.J.R. 3152(a), 35 N.J.R. 607(a).

In (a), substituted "except as provided in (e) below" for "by a person" and inserted "information on a form provided by the Department" following "following" in the introductory paragraph, deleted 1, recodified existing 2 through 4 as 1 through 3 and 5 through 7 as 4 through 6; added (e).

Amended by R.2004 d.50, effective February 2, 2004.

See: 35 N.J.R. 4350(a), 36 N.J.R. 647(a).

In (b), inserted a reference to the Department's website.

Amended by R.2006 d.233, effective June 19, 2006.

See: 38 N.J.R. 5(a), 38 N.J.R. 2671(a).

Inserted "if the requester is not subject to assessment pursuant to N.J.A.C. 3:5 but no fee shall be charged if the requester is subject to assessment" in (a)6.

**3:13-1.3 (Reserved)**

Amended by R.1992 d.40, effective January 21, 1992.

See: 23 N.J.R. 2904(a), 24 N.J.R. 229(a).

Repealed by R.1996 d.483, effective October 7, 1996.

See: 28 N.J.R. 2661(a), 28 N.J.R. 4417(b).

Section was "Initial registration".

**3:13-1.4 (Reserved)**

Repealed by R.1996 d.483, effective October 7, 1996.

See: 28 N.J.R. 2661(a), 28 N.J.R. 4417(b).

Section was "Annual registration".

**3:13-1.5 (Reserved)**

Repealed by R.1996 d.483, effective October 7, 1996.

See: 28 N.J.R. 2661(a), 28 N.J.R. 4417(b).

Section was "Notification of change".

**3:13-1.6 (Reserved)**

Repealed by R.1996 d.483, effective October 7, 1996.

See: 28 N.J.R. 2661(a), 28 N.J.R. 4417(b).

Section was "Registration fee".

## SUBCHAPTER 2. BANK HOLDING COMPANY REPORTING

**3:13-2.1 Purpose and scope**

This subchapter requires filing of financial reports by all persons or companies controlling New Jersey banks or New Jersey bank holding companies. This subchapter will enable the Commissioner to monitor the activities of individuals and companies that control New Jersey banks or New Jersey bank holding companies.

Amended by R.1996 d.483, effective October 7, 1996.

See: 28 N.J.R. 2661(a), 28 N.J.R. 4417(b).

**3:13-2.2 Definitions**

The words and terms defined at N.J.A.C. 3:13-1.1 when used in this subchapter, shall have the meanings set forth in N.J.A.C. 3:13-1.1, unless the context clearly indicates otherwise.

New Rule, R.1992 d.40, effective January 21, 1992.

See: 23 N.J.R. 2904(a), 24 N.J.R. 229(a).

Old section 3:13-2.2, "Reporting for bank holding companies", recodified to 3:13-2.3 without change.

Amended by R.1996 d.483, effective October 7, 1996.

See: 28 N.J.R. 2661(a), 28 N.J.R. 4417(b).

**3:13-2.3 Reporting for bank holding companies**

(a) Each bank holding company or person that controls a New Jersey bank or a New Jersey bank holding company which is required to file with the Federal Reserve System form FR Y-9C entitled "Consolidated Financial Statements for Bank Holding Companies with total consolidated assets of \$150,000,000 or more or with more than one subsidiary bank," shall concurrently file a copy of its June 30 and December 31 report with the Commissioner.

(b) Each bank holding company or person that controls a New Jersey bank or a New Jersey bank holding company which is required to file with the Federal Reserve System form FR Y-9LP entitled "Parent Company Only Financial Statements for Bank Holding Companies with total consolidated assets of \$150,000,000 or more or with more than one subsidiary bank," shall concurrently file a copy of its June 30 and December 31 report with the Commissioner.

(c) Each bank holding company or person that controls a New Jersey bank or a New Jersey bank holding company which is required to file with the Federal Reserve System form FR Y-9SP entitled "Parent Company Only Financial Statements for One Bank Holding Companies" with total consolidated assets of \$150,000,000" shall concurrently file a copy of this report with the Commissioner.

(d) Each bank holding company or person that controls a New Jersey bank or a New Jersey bank holding company which is required to file with the Federal Reserve System form FR Y-6 entitled "Annual Report for Bank Holding Companies" shall concurrently file a copy of this report with

the Commissioner. The copy of FR Y-6 filed with the Commissioner shall include the required copy of the bank holding company's annual report to shareholders or the required copy of form 10K to the Securities and Exchange Commission.

(e) Each bank holding company or person that controls a New Jersey bank or a New Jersey bank holding company which is required to file with the Federal Reserve System form FR Y-6A entitled "Bank Holding Company Report Changes in Investments or Activities" shall concurrently file a copy of this report with the Commissioner.

(f) Each bank holding company or person that controls a New Jersey bank or a New Jersey bank holding company which is required to file with the Federal Reserve System form FR Y-111 entitled "Annual Report of Selected Financial Data for Non-Bank Subsidiaries of Bank Holding Companies" shall concurrently file a copy of this report with the Commissioner.

(g) Each bank holding company or person that controls a New Jersey bank or a New Jersey bank holding company which is required to file with the Federal Reserve System form FR Y-11Q entitled "Combined Federal Statement of Non-Bank Subsidiaries of Bank Holding Companies" shall concurrently file a copy of its June 30 and December 31 report with the Commissioner.

(h) Each bank holding company or person that controls a New Jersey bank or a New Jersey bank holding company which is required to file with the Federal Reserve System form FR Y-11AS entitled "Annual Supplement to the Combined Financial Statements of Non-Bank Subsidiaries of Bank Holding Companies" shall concurrently file a copy of this report with the Commissioner.

(i) Each bank holding company or person that controls a New Jersey bank or a New Jersey bank holding company which is not required to file with the Federal Reserve System shall:

1. If the bank holding company or person that controls a New Jersey bank or a New Jersey bank holding company is required to file a form 10K with the Securities and Exchange Commission, the bank holding company shall concurrently file a copy of this report with the Commissioner; or

2. If the bank holding companies or person that controls a New Jersey bank or a New Jersey bank holding company is not required to file a form 10K with the Securities and Exchange Commission, the bank holding company shall annually, on or before April 30 of each year, file with the Commissioner the following information:

- i. Name and address of the company;
- ii. Names and addresses of principal officers;

iii. Names and addresses of controlling shareholders of the company;

iv. A summary of material business activities and affiliations during the past five years;

v. A description of pending legal or administrative proceedings in which the company is a party; and

vi. A statement of assets and liabilities of the company for each of the five preceding fiscal years, together with related statements of income and sources and applications of funds for each of those fiscal years.

Amended by R.1988 d.149, effective April 4, 1988.

See: 20 N.J.R. 127(b), 20 N.J.R. 777(a).

In (a), (b) and (g), specified June 30 and December 31 reports.

Recodified from 3:13-2.2 by R.1992 d.40, effective January 21, 1992.

See: 23 N.J.R. 2904(a), 24 N.J.R. 229(a).

Amended by R.1997 d.70, effective February 18, 1997.

See: 28 N.J.R. 4831(a), 29 N.J.R. 547(a).

Inserted references to a person controlling a New Jersey Bank or bank holding company throughout.

Amended by R.2006 d.233, effective June 19, 2006.

See: 38 N.J.R. 5(a), 38 N.J.R. xxxx(x).

Deleted "A filing fee of \$50.00 shall accompany the submitted reports." throughout the section; and substituted a period for ";" and" in (i)2vi and deleted (i)3.

### 3:13-2.4 Reporting for persons other than bank holding companies

(a) Each person who controls a New Jersey bank or New Jersey bank holding company that does not file a report with any other bank supervisory agency shall annually file with the Commissioner, on or before April 1 of each year, the following information on forms provided by the Department:

1. Name and address of the person;
2. A resume of material business activities and affiliations during the past five years;
3. A description of pending legal or administrative proceedings in which the person is a party and any criminal indictment or conviction of the individual issued by a state or federal court; and
4. A statement of assets and liabilities of the person for each of the five preceding fiscal years, together with related statements of income and sources and applications of funds for each of those fiscal years.

Recodified from 3:13-2.3 by R.1992 d.40, effective January 21, 1992.

See: 23 N.J.R. 2904(a), 24 N.J.R. 229(a).

Amended by R.1996 d.483, effective October 7, 1996.

See: 28 N.J.R. 2661(a), 28 N.J.R. 4417(b).

Amended by R.1997 d.70, effective February 18, 1997.

See: 28 N.J.R. 4831(a), 29 N.J.R. 547(a).

Amended by R.2006 d.233, effective June 19, 2006.

See: 38 N.J.R. 5(a), 38 N.J.R. 2671(a).

Substituted "1" for "30" in the introductory paragraph of (a), inserted "and" at the end of (a)3, substituted a period for ";" and" at the end of (a)4, and deleted (a)5.