

G.S. 150B-21.3A Report for 04 NCAC 16, Savings Institutions												
Agency - Office of the Commissioner of Banks												
Comment Period - February 26, 2024 - April 26, 2024												
Date Submitted to APO - November 26, 2024												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 16A - GENERAL PROVISIONS	SECTION .0100 - GENERAL	04 NCAC 16A .0103	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16A .0105	RESTRICTIONS: PAYMENT OF DIVIDENDS AND REPURCHASE OF STOCK	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 16C - APPLICATIONS	SECTION .0300 - APPLICATION TO CHANGE LOCATION OF BRANCH OFFICE OR PRINCIPAL OFFICE	04 NCAC 16C .0304	TEMPORARY CLOSING OF OFFICE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 16E - OPERATION OF SAVINGS INSTITUTIONS	SECTION .0100 - DIRECTORS, BYLAWS AND CHARTER	04 NCAC 16E .0103	BOARD OF DIRECTORS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16E .0104	BYLAWS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 - RECORDS AND POLICIES	04 NCAC 16E .0301	GENERAL POLICIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16E .0302	RETENTION, REPRODUCTION AND DISPOSITION OF RECORDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 - LOANS	04 NCAC 16E .0401	SERVICING LOANS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16E .0403	RECORDS WITH RESPECT TO LOANS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0500 - DEPOSIT ACCOUNTS	04 NCAC 16E .0502	HOLDING OF CERTIFICATE OR PASSBOOK	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 16F - SERVICE CORPORATIONS AND FINANCE SUBSIDIARIES		04 NCAC 16F .0101	PERMITTED ACTIVITIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16F .0102	INVESTMENT LIMITATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16F .0103	DEBT LIMITATION FOR WHOLLY-OWNED SERVICE CORPORATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16F .0105	AMENDMENTS TO ARTICLES OF INCORPORATION OR BYLAWS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 16G - MUTUAL TO STOCK CONVERSIONS	SECTION .0100 - SCOPE	04 NCAC 16G .0103	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16G .0104	GENERAL REQUIREMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16G .0106	CONFIDENTIAL INFORMATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 - GENERAL PRINCIPLES FOR CONVERSIONS	04 NCAC 16G .0311	REQUIRED PROVISIONS IN PLAN OF CONVERSION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16G .0312	OPTIONAL PROVISIONS IN PLAN OF CONVERSION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		04 NCAC 16G .0313	RECORD DATES FOR QUALIFYING DEPOSITS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16G .0315	MANIPULATIVE AND DECEPTIVE DEVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 - NOTICE OF FILING: PUBLIC STATEMENTS: CONFIDENTIALITY SECTION .0500 - SOLICITATION OF PROXIES: PROXY STATEMENT	04 NCAC 16G .0405	NOTICE OF FILING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16G .0509	SOLICITATIONS TO WHICH RULES APPLY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16G .0510	USE OF PROXY SOLICITING MATERIAL TO BE AUTHORIZED	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16G .0511	INFORMATION TO BE FURNISHED TO MEMBERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16G .0512	REQUIREMENTS AS TO PROXY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16G .0513	MATERIAL REQUIRED TO BE FILED	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16G .0515	FALSE OR MISLEADING STATEMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16G .0516	PROHIBITION OF CERTAIN SOLICITATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0700 - PRICING AND SALE OF SECURITIES	04 NCAC 16G .0712	GENERAL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16G .0713	DISTRIBUTION OF OFFERING MATERIALS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16G .0715	PROHIBITED REPRESENTATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16G .0717	PRICING MATERIALS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16G .0718	ORDER FORMS FOR PURCHASE OF CAPITAL STOCK	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16G .0720	PERIOD FOR COMPLETION OF SALE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16G .0722	EXTENSIONS OF TIME TO COMPLETE OFFERINGS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0800 - PROCEDURAL REQUIREMENTS	04 NCAC 16G .0823	ADDITIONAL FILING REQUIREMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 16H - SUPERVISORY ACTIONS		04 NCAC 16H .0101	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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SUBCHAPTER 16I - ACQUISITION OF CONTROL	SECTION .0700 - GENERAL	04 NCAC 16H .0103	NOTICE TO SAVINGS INSTITUTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16H .0104	ADOPTION OF PLAN	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16H .0105	APPROVAL BY COMMISSIONER OF BANKS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16H .0108	WAIVER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0800 - ACQUISITIONS	04 NCAC 16I .0702	DEFINITIONS AND OTHER TERMS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16I .0703	STANDARDS FOR APPROVAL OF ACQUISITION: DUTIES AND CONDUCT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16I .0801	PRIOR WRITTEN APPROVAL REQUIRED	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16I .0802	APPLICATION FEES: FILINGS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0900 - REORGANIZING STOCK ASSOCIATION INTO HOLDING COMPANY	04 NCAC 16I .0803	CONFIDENTIAL INFORMATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16I .0901	REQUIRED APPLICATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16I .0902	ACQUISITION PROCEDURE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16I .1001	REQUIRED APPLICATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .1000 - ACQUISITIONS OF STOCK ASSOCIATIONS	04 NCAC 16I .1002	FOREIGN APPLICANTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16I .1003	ACQUISITION PROCEDURE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .1100 - REGISTRATION: SUPERVISION: REPORTS: FILINGS: BOOKS AND RECORDS	04 NCAC 16I .1102	SUPERVISION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16I .1103	ANNUAL REPORTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16I .1104	FILING AND APPROVAL: AMENDMENTS TO ARTICLES AND BYLAWS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16I .1105	REPORTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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	SECTION .1300 - HOLDING COMPANY ACQUISITIONS	04 NCAC 16i .1301	REQUIRED APPLICATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16i .1302	ACQUISITION PROCEDURE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 16K - TRUST POWERS		04 NCAC 16K .0101	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16K .0102	APPLICATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16K .0103	CONSOLIDATION OR MERGER OF TWO OR MORE SAVINGS INSTITUTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16K .0104	ADMINISTRATION OF TRUST POWERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16K .0105	BOOKS AND ACCOUNTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16K .0106	AUDIT OF TRUST DEPARTMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16K .0107	FUNDS AWAITING INVESTMENT OR DISTRIBUTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16K .0108	INVESTMENT OF FUNDS HELD AS FIDUCIARY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16K .0109	SELF-DEALING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16K .0110	CUSTODY OF INVESTMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16K .0111	COMPENSATION OF SAVINGS INSTITUTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16K .0112	COLLECTIVE INVESTMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16K .0117	REPORTS AND FEES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 16L - VOLUNTARY DISSOLUTION		04 NCAC 16L .0102	DISPOSITION OF ASSETS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16L .0103	RESCISSION AND CANCELLATION OF DISSOLUTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 16L .0104	WAIVER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt