

Instructions and Sample Public Notice

The notice should contain the following information:

Names of depository institutions—All notices should be published in the joint names of all depository institutions involved in the transaction. If a bank is operating under more than one name or under a name not substantially similar to its legal name, the public notices should contain both the legal name of the bank and the name(s) the bank uses in the community in which the publication circulates.

Type of transaction—Notices must state whether the application is for a merger, consolidation, or purchase and assumption and whether it involves an interim bank charter application.

- C Branch closings—If the proposal involves the closing of a branch office(s), refer to the relevant Interagency Policy Statement and 12 USC 1831r-1 for branch closure and public notice requirements. Notices must state whether any branches of the combining institutions will cease to operate as a result of the transaction. At the time of filing, the applicant may realize that branches will close or consolidate, but be unable to identify the number and location of those closings. In this situation, the notice should state that an as yet undetermined number of offices will cease to operate. Later, when the exact locations are determined, the bank must follow established branch closing procedures.
- C Related transactions—If the filer publishes one public notice for multiple transactions, it must explain in the notice how the transactions are related. Although publication requirements under 12 CFR 5.8 normally do not apply to conversions, it is usually appropriate to include charter conversions related to affiliated business combinations in the public notice. Upon request, the OCC may determine that a public notice required by another federal agency satisfies the OCC's public notice requirements. The OCC also may accept publication of a single joint notice containing the information required by both the OCC and the other federal agency.

Sample Notice

(If application is being made for an interim bank charter)

Notice is hereby given that application has been made to the Comptroller of the Currency, (insert address of the appropriate district office) to form

(Exact corporate name of interim national bank)

(city or town) (state) (ZIP)

for the purpose of (describe the purpose of the transaction).

(For all mergers, consolidations, and whole-bank purchase and assumptions)

Notice is (also) hereby given that application has been made to the Comptroller of the Currency, (address of the appropriate district office) for consent to (merge/consolidate/purchase the assets and assume the liabilities of)

(exact corporate name¹ of target institution)

(city or town) (state)

(into/with/by)

(exact corporate name² of bank)

(city or town) (state)

It is contemplated that the main offices and branch offices of the above-named banks

¹If a bank is operating under more than one name or under a name not substantially similar to its legal name, the public notices of any application published in accordance with 12 CFR 5 should contain both the legal name of the bank and that name(s) the bank uses in the community in which the publication circulates.

²Ibid.

