

BANKING
DEPARTMENT OF BANKING AND INSURANCE
DIVISION OF BANKING

General Provisions

Readoption with Amendments: N.J.A.C. 3:6

Proposed: June 19, 2006 at 38 N.J.R. 2552(a).

Adopted: October 26, 2006 by Steven M. Goldman, Commissioner, Department of Banking and Insurance

Filed: October 26, 2006 as R.2006 d.406, without change.

Authority: N.J.S.A. 17:1-8, 8.1 and 15, 17:9A-24, 24b.1, 28.2, 31, 43, 62H, 71 to 74, 182.1, 195, 256A, 333 and 334.

Effective Date: October 26, 2006, Readoption;
December 4, 2006, Amendments.

Expiration Date: October 26, 2011

Summary of Public Comments and Agency Responses:

The Department received written comments from James Silkensen, CAE, President, New Jersey League of Community Bankers.

COMMENT: The commenter stated that his organization has no objections to the proposal.

RESPONSE: The Department appreciates the expression of support for the proposal.

COMMENT: The commenter suggested that the Department review, and consider for future amendment, the rule at N.J.A.C. 3:6-3.1 concerning loans by a bank to an executive officer.

RESPONSE: As part of the review process for this readoption, the Department analyzed the issue in N.J.A.C. 3:6-3,1, Loans by a bank to an executed officer. This review determined there was no need for a change to the rule at this time, therefore, no amendment to it was proposed. However, the Department notes the comment and suggestion for future consideration.

Federal Standards Statement

The readopted rules and adopted amendments do not contain standards or requirements that exceed standards or requirements imposed by Federal law. These rules continue to apply to New Jersey financial institutions certain Federal standards, set forth at 12 CFR 32.2(j)(1)(vi), 32.3(a) and 215. In addition, pursuant to the parity provisions in Subchapter 12, banks and savings banks may choose to engage in activities pursuant to the Federal standards. While those Federal standards cannot be identified at this time, in almost all respects they will be more liberal than the State standards. In any event, they are a choice of the regulated entity, not a State regulatory requirement.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 3:6.

Full text of adopted amendments follows:

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