

Office of Thrift Supervision

TB 48-7a was rescinded 5/30/92 by TB 48-8. Click [HERE](#) to link to TB 48-8.

Handbook: Application Processing
Subject: Application Fee Schedule

Section: 071
TB 48-7a

December 23, 1991

Guidelines for Implementation of 12 CFR Parts
502, 563, 563a, and 563g Pertaining to Assessments
RESCINDED

Summary: This Bulletin is published in the last quarter of each year and sets forth all fees to be charged by the Office of Thrift Supervision ("OTS") for the following calendar year. The Bulletin, covering fees for 1992, was initially published on November 29, 1991. Due to vendor error, however, the Bulletin was published with the Assessment Schedule as its attachment. The Bulletin is reissued now with the correct attachment and supersedes the Application and Publication Fee Schedules in TB 48-2, dated November 30, 1990, the technical amendments contained in TB 48-4 and its attachments, dated June 7, 1991, and TB 48-7 and its attachments, dated November 29, 1991. These fees shall stay in effect unless or until they are superseded. TBs 48-2, 48-4, and 48-7 are hereby rescinded.

For Further Information Contact: Your Regional Office, the Corporate Activities Division or the Corporate and Securities Division of the Office of Thrift Supervision, Washington, DC.

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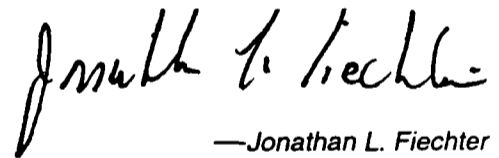
Attached are the revised Application and Publication Fee Schedules for the calendar year 1992. These schedules supersede the Application and Publication Fee Schedules set forth in TB 48-2, dated November 30, 1990, and TB 48-7, dated November 29, 1991.

The 1992 Application Fee Schedule has been expanded to incorporate one new application type and fee, one securities filing inadvertently left off the 1991 Application Fee Schedule, and one new securities filing. Based on 1991 processing experience, the Release from Registration application has been added to the fee schedule with a fee of \$1000. The OTS has also added the Form 11-K securities filing with a fee of \$250. The securities filing on Form 5 is a new Securities and Exchange Act of 1934 filing that does not require a fee.

To parallel the recent fee increase made by the SEC, the Form OC filing fee has been raised from 1/40th of one percent to 1/32nd of one percent. The daily examination fee for work requested by the Justice Department on criminal referrals has been increased from \$400 to \$425 for the calendar year 1992 based on an annual inflation rate of 6 percent.

Attachments

Application Fee Schedule for 1992
Publication Fee Schedule



—Jonathan L. Fiechter
Deputy Director for
Washington Operations

Application Fee Schedule for 1992

THE OFFICE OF THRIFT SUPERVISION DOES NOT GRANT WAIVERS OF FEES IN INDIVIDUAL CASES

MAJOR APPLICATION CATEGORIES

Branch (*de novo*)

Interstate	\$2,400
Intrastate	\$1,900

Change of Control \$12,400(P)(Q)(E)

Mutual to Stock Conversion-Part 563b (P)

Standard Conversion

Form AC	\$6,400
Forms OC/PS.....	(A)

Modified Conversion

Form AC	\$15,700(E)
Forms OC/PS.....	(A)

Voluntary Supervisory Conversion \$18,700(G)(H)

Merger Conversion (Section 563b.10(c))

Form AC	\$17,400(B)
Forms OC/PS.....	(A)

Holding Company with Conversion \$18,700(C)

Form H-(e)1-S with Conversion \$8,400(F)

Charter Conversion

State to Federal.....	\$1,400
OAKAR	\$5,700(F)
SASSER	\$5,700

Holding Company

.....	(P)
Form H-(e)1	\$18,100(E)
Form H-(e)2	\$18,100(E)
Form H-(e)3	\$18,100(E)(X)
Form H-(e)4	\$1,000
Form H-(e)1-S	\$2,000(F)(Z)

Mutual Holding Company Reorganization (12 U.S.C. 1467a(o))

Form MHC-1	\$10,000(D)
Form MHC-2, Private Placement.....	\$6,400
Form MHC-2, Public Offering	(A)

Merger, Consolidation, Transfer of Assets, Assumption of Liabilities (P)(U)

Voluntary.....	\$5,200
Supervisory.....	\$5,700

Purchase or Sale of Office \$5,000(R)

Permission to Organize (P)

Original Submission	\$16,400
Compliance	\$4,300

RTC Transactions..... (O)(H)

OTHER APPLICATION CATEGORIES

Affiliated Transaction (Section 563.43)	\$3,500(T)
Agency Office	\$1,400(Y)
Approval of Director and Officer (Per Individual)	\$600(P)
Bylaw Amendment (Non-preapproved)	\$1,400
Capital	
Dividend Notification (Form H-(f))	\$250
Mandatorily Redeemable Preferred Stock	\$4,000
Capital Distribution Notice (Section 563.134(c))	\$250
Capital Distribution (Section 563.134(e)(1))	\$1,500
Repurchase of Stock (Section 563b.3(g)(4))	\$1,000
Release of Dividend Agreement (Section 563.134(e)(3))	\$2,700
Subordinated Debt	\$5,300
Charter Amendment (Non-preapproved)	\$1,400
Charter Certificate	\$100(V)
Change of Location (excludes short distance relocation)	\$900
Direct Sales of Securities at an Office (Section 563g.17)	\$800
Divestiture of Control (Form DV) (Section 567.13)	\$1,000
Extension of Time	\$300(S)
Finance Subsidiary	\$6,650
Interim (Federal)	\$2,400(W)
Investment in Office Building	\$2,600
Liability Growth	\$3,200
Liquidity Penalty	\$250
LTOB Special Rule and Transitional Rule (includes Certification 1516)	\$2,500
Management Interlock	\$2,600
Modification of Condition of Approval	\$2,700
Non-residential Lending Exception	\$2,500
Notice of New Activity (Section 545.74(b)(7) & 563.37(c))	\$1,000
Permissible Bank Holding Company Activities of Savings and Loan Holding Companies (Section 584.2-2)	\$150

Application Fee Schedule—3

Form H-(c)1 (Section 584.2-1)	\$150
Rebuttal of Concerted Action	\$5,600
Rebuttal of Control	\$5,600
Regulatory Exception	\$2,500
Release from Registration as a Holding Company (Section 584.1(d))	\$1,000
Service Corporation (Section 545.74(c))	\$6,700
Securities Brokerage Notice (Section 545.74(c)(4))	\$5,000
Section 563b.3(i)	\$4,700(P)
Securities Offerings-Part 563g	(A) (I)
Trust Powers	\$4,200
Voluntary Dissolution (Section 546.4)	\$1,000

SECURITIES EXCHANGE ACT OF 1934 FILINGS

FOR ANY OTHER SECURITIES FILINGS NOT LISTED, THE OFFICE OF THRIFT SUPERVISION GENERALLY WILL CHARGE THE SAME FEE AS THE SECURITIES AND EXCHANGE COMMISSION

Proxy Statement	(J)
Proxy Statement/Contest	(K)
Merger Proxy Statement.....	(L)
Form 3	no fee
Form 4	no fee
Form 5	no fee
Form 8	no fee, but see below
Form 8-A.....	\$250
Form 8-B.....	\$250
Form 8-K.....	no fee
Form 10.....	\$250
Form 10-C.....	no fee
Form 10-K.....	\$250
Form 10-Q.....	no fee, but see below
Form 11-K.....	\$250
Form 12b-25	no fee
Form 15.....	no fee
Schedule 13D.....	\$100
Schedule 13G.....	\$100
Schedule 13E-3.....	(M)
Schedule 13E-4.....	(M)
Schedule 14D-1	(N)
Schedule 14D-9	no fee
Schedule 14B.....	no fee

Amendments to the following forms and schedules when required by the Office of Thrift Supervision:

Form 10-K (Amend on Form 8)	\$250
Form 10-Q (Amend on Form 8)	\$250
Schedule 13D.....	\$100
Schedule 13G.....	\$100

EXAMINATION FEES (per day)

Affiliates	\$480
Justice Department Criminal Referrals	\$425

FOOTNOTES

- (A) A fee of 1/32nd of one percent of the maximum aggregate price at which the securities are proposed to be offered. See also Rule 457 under the Securities Act of 1933.
- (B) The fee includes related merger application.
- (C) The fee includes related holding company, merger and interim applications (or change of control notice where applicable with respect to a modified conversion).
- (D) If the reorganization application is being filed by more than one savings association, add \$7,000 for each additional association. This fee includes related holding company and merger applications.
- (E) The fee includes related *de novo*, merger and interim application (where applicable).
- (F) The fee includes related *de novo*, holding company, merger and purchase and assumption applications.
- (G) The fee includes the related holding company application, change of control notice, and merger application (where applicable). If the conversion transaction involves the public offering of securities, pay an additional fee of 1/32nd of one percent of the maximum aggregate price at which the securities are proposed to be offered.
- (H) The acquiror(s) must pay all fees; fees cannot be paid by the savings association.
- (I) There is no fee for securities sales reports filed pursuant to Section 563g.12 for offerings under Sections 563g.2 and 563g.4.
- (J) Proxy Statements:
 1. For definitive proxy material relating to a solicitation for which the savings association does not file preliminary proxy material, a fee of \$125. See Rule 14a-6(j) under the Securities Exchange Act of 1934 ("Exchange Act").
 2. For preliminary proxy material that solicits proxies for business for which a stockholder vote is necessary, but apparently no controversy is involved, a fee of \$125. See Rule 14a-6(j) under the Exchange Act.
- (K) For preliminary proxy material where a contest as set forth in Rule 14a-11 under the Exchange Act is involved, a fee of \$4,100 from each party to the controversy.
- (L) For preliminary proxy material involving acquisitions, mergers, consolidations, and reorganizations, a fee of 1/50th of one percent of the proposed cash payment or of the value of the securities and other property to be transferred to securities holders in the transaction. See Rule 14a-6(j) and Rule 0-11 under the Exchange Act. If the transaction involves the filing of a registration statement with the Securities and Exchange Commission for the registration under the Securities Act of 1933 of securities to be issued by a holding company in the transaction, the fee for the preliminary proxy material filed with the Office of Thrift Supervision shall be \$800.
- (M) A fee of 1/50th of one percent of the value of the securities proposed to be acquired by the acquiring person. See Rule 0-11 under the Exchange Act.
- (N) A fee of 1/50th of one percent of the aggregate of the cash or of the value of the securities or other property offered by the bidder. See Rule 0-11 under the Exchange Act.
- (O) The fee for RTC transactions is the same fee required for other transactions. Any application for a *de novo* charter will only be charged the applicable fee for a Change of Control (when the *de novo* will be controlled by an individual(s)) or a Holding Company (when the *de novo* will be controlled by a company) application. Fees for RTC transactions will only be charged to the winning bidder(s). Approvals of RTC transactions will be conditioned upon payment of those fees. Associations in receivership or conservatorship, where the RTC or the FDIC is acting as the receiver or conservator, are exempt from the payment of application fees to the OTS in RTC transactions. Such applications include, but are not limited to, sales of branch offices, purchases of branch offices, transfers of savings accounts, mergers, consolidations, transfers of assets, purchases of assets, and assumptions of liabilities.

Application Fee Schedule—7

- (P) Any application, notice, filing or request that requires an FBI fingerprint background check must submit an additional \$23 per FBI fingerprint background check to cover the FBI processing fee.
- (Q) This fee also will apply to a type of transaction where an individual forms an interim and the interim acquires a thrift. This type of transaction is exempt from the Change in Bank Control Act, but subject to the Bank Merger Act.
- (R) Regardless of whether the institution purchases or sells more than one branch, the fee is \$5,000 per OTS association.
- (S) A fee is required when an applicant requests an extension of the time period set forth in an approval letter or Director's Order.
- (T) A fee is not required for affiliated transactions under \$25,000.
- (U) Fee per association involved in the merger.
- (V) The fee is for associations that request a new or replacement charter certificate. A charter certificate is optional.
- (W) If an interim is used in a transaction, this fee is required in addition to any other fees required unless a footnote specifically states that the interim fee is included in the transaction fee.
- (X) Where a savings association subsidiary of a holding company purchases branches of another association, a holding company application and fee are required only where the branch or branches constitute all or substantially all of the selling association. If the transaction is for less than substantially all of the selling association, the applicant is required to file a purchase of branch office(s) application and submit the appropriate fee for that application. The term "substantially all" is defined as 50 percent or more for purposes of determining the appropriate fee.
- (Y) The fee applies to transactions requiring OTS approval under 12 CFR Section 545.96(b).
- (Z) If an H-(e)1-S application becomes an H-(e)1 application, the difference between the two fees must be paid in order for the H-(e)1 application to be processed.