

RULES AND REGULATIONS

Title 10—BANKS AND BANKING

Title 64—SECURITIES

DEPARTMENT OF BANKING AND SECURITIES

[10 PA. CODE CHS. 1, 3, 7, 9—11, 13—15, 17, 19, 21, 23, 27—31, 31a, 32—34, 34a, 35—42, 44, 46—49, 55, 61, 63, 65, 67 AND 81]

[64 PA. CODE CHS. 101, 102, 202—211, 301—305, 401—407, 501—511, 513, 601—606, 609, 610, 701, 901 AND 1001]

Transfer of Regulations

The Department of Banking and Securities submits this notice for the purpose of renumbering regulations and statements of policy. This renumbering has been made necessary by the enactment of the act of July 2, 2012 (P. L. 814, No. 86) (Act 86), effective October 1, 2012.

Among other things, Act 86 reorganized the Department of Banking and the Securities Commission into the Department of Banking and Securities. See 42 Pa.B. 7016 (November 10, 2012) for the organization chart approved by the Executive Board effective October 18, 2012.

Act 86 amended the Department of Banking and Securities Code (code) (71 P. S. §§ 733-1—733-1203). Under section 1141-A of the code (71 P. S. § 733-1141-A), a reference to the Securities Commission in a regulation is deemed to be a reference to the Department of Banking and Securities.

Therefore, in recognition of the transfers of functions set forth in Act 86, the Department of Banking and Securities hereby requests the Legislative Reference Bureau to transfer Title 64 of the *Pennsylvania Code* to Title 10 of the *Pennsylvania Code*, to update the definition of “Department” and to make changes to the organizational numbering of the affected regulations and statements of policy as follows:

TITLE 10. BANKING AND SECURITIES

PART I. General Provisions

- Chapter 1. Preliminary Provisions
- Chapter 3. [Reserved]
- Chapter 7. Residential Real Estate Transactions
- Chapter 9. Individual Retirement Accounts
- Chapter 10. Minimum Capital Requirements

PART II. Bureau of Banks

- Chapter 11. [Reserved]
- Chapter 13. Loans
- Chapter 14. [Reserved]
- Chapter 15. Trusts
- Chapter 17. [Reserved]
- Chapter 19. Money Transmitters
- Chapter 21. General Provisions for All State-Chartered Banking Institutions
- Chapter 23. [Reserved]
- Chapter 27. Leeway Investments
- Chapter 28. Savings Banks Service Corporations
- Chapter 29. Borrowings
- Chapter 30. Negotiable Order of Withdrawal Accounts

PART III. Savings Association Bureau

- Chapter 31. Investment Operations
- Chapter 31a. Trust Powers
- Chapter 32. [Reserved]
- Chapter 33. Savings Deposit Accounts
- Chapter 34. NOW Accounts
- Chapter 34a. Consumer Loans, Commercial Paper and Corporate Debt Securities
- Chapter 35. [Reserved]
- Chapter 36. Treasury Tax and Loan Depositories
- Chapter 37. Service Corporations
- Chapter 38. Higher Rate Savings Accounts, Regular Savings Accounts and Serial Installment Accounts
- Chapter 39. Mobile Home Financing
- Chapter 40. Alternate Reserve Requirements

PART IV. Bureau of Consumer Credit Agencies

- Chapter 41. Consumer Discount Companies
- Chapter 42. Registration of Loan Brokers
- Chapter 44. [Reserved]
- Chapter 46. Proper Conduct of Lending and Brokerage in the Mortgage Loan Business
- Chapter 47. Mortgage Loan Modifications—Statement of Policy
- Chapter 48. First Mortgage Loan Business Practices
- Chapter 49. Reverse Mortgages—Statement of Policy
- Chapter 55. Financing Sales of Mobile Homes

PART V. Pawnbrokers

- Chapter 61. General Provisions
- Chapter 63. Charges, Payment and Records
- Chapter 65. Pawn Tickets
- Chapter 67. Sale of Pledge

PART VI. Check Cashers

- Chapter 81. Check Casher Licensing—Statement of Policy

PART VII. Securities

Subpart A. Definitions

- Chapter 101. General Provisions
- Chapter 102. Definitions

Subpart B. Registration of Securities

- Chapter 202. Exempt Securities
- Chapter 203. Exempt Transactions
- Chapter 204. Exemption Proceedings
- Chapter 205. Registration by Coordination
- Chapter 206. Registration by Qualification
- Chapter 207. General Registration Provisions
- Chapter 209. Books, Records, and Accounts
- Chapter 210. Retroactive Registration of Certain Investment Company Securities
- Chapter 211. Federally Covered Securities

Subpart C. Registration of Broker-Dealers, Agents, Investment Advisers and Investment Adviser Representatives and Notice Filings by Federally-Covered Advisers

- Chapter 301. Registration Requirement
- Chapter 302. Exemptions
- Chapter 303. Registration Procedure
- Chapter 304. Postregistration Provisions
- Chapter 305. Denial, Suspension, Revocation and Conditioning of Registration

- Subpart D. Fraudulent and Prohibited Practices
 - Chapter 401. Sales and Purchases
 - Chapter 403. Prohibited Transactions; Broker-Dealers and Agents
 - Chapter 404. Prohibited Activities; Investment Advisers and Investment Adviser Representatives
- Subpart E. Enforcement
 - Chapter 501. Civil Liabilities
 - Chapter 504. Time Limitations on Rights of Action
 - Chapter 513. Rescission Orders
- Subpart F. Administration
 - Chapter 601. Administration
 - Chapter 602. Fees
 - Chapter 603. Administrative Files
 - Chapter 604. Interpretive Opinions of Commission—Statement of Policy
 - Chapter 605. Commissioners and Commission Employees; Relationship with Licensed Persons or Qualified Organizations
 - Chapter 606. Miscellaneous Powers of Commission
 - Chapter 609. Regulations, Forms and Orders
 - Chapter 610. Destruction of Documents and Records
- Subpart G. General Provisions
 - Chapter 701. Service of Process
- Subpart H. Practice and Procedure
 - Chapter 901. Special Rules of Administrative Practice and Procedure
- Subpart I. Takeover Offerors
 - Chapter 1001. Takeover Disclosures

Former Pa. Code Reference

New Pa. Code Reference

Title 64, Chapter 207	Title 10, Chapter 207
Title 64, Chapter 209	Title 10, Chapter 209
Title 64, Chapter 210	Title 10, Chapter 210
Title 64, Chapter 211	Title 10, Chapter 211
Title 64, Chapter 301	Title 10, Chapter 301
Title 64, Chapter 302	Title 10, Chapter 302
Title 64, Chapter 303	Title 10, Chapter 303
Title 64, Chapter 304	Title 10, Chapter 304
Title 64, Chapter 305	Title 10, Chapter 305
Title 64, Chapter 401	Title 10, Chapter 401
Title 64, Chapter 403	Title 10, Chapter 403
Title 64, Chapter 404	Title 10, Chapter 404
Title 64, Chapter 501	Title 10, Chapter 501
Title 64, Chapter 504	Title 10, Chapter 504
Title 64, Chapter 513	Title 10, Chapter 513
Title 64, Chapter 601	Title 10, Chapter 601
Title 64, Chapter 602	Title 10, Chapter 602
Title 64, Chapter 603	Title 10, Chapter 603
Title 64, Chapter 604	Title 10, Chapter 604
Title 64, Chapter 605	Title 10, Chapter 605
Title 64, Chapter 606	Title 10, Chapter 606
Title 64, Chapter 609	Title 10, Chapter 609
Title 64, Chapter 610	Title 10, Chapter 610
Title 64, Chapter 701	Title 10, Chapter 701
Title 64, Chapter 901	Title 10, Chapter 901
Title 64, Chapter 1001	Title 10, Chapter 1001

REGULATIONS NOT TRANSFERRED

The following chapters in Title 64 never contained regulations and will not be transferred to Title 10:

- Title 64, Chapter 208
- Title 64, Chapter 402
- Title 64, Chapter 405
- Title 64, Chapter 406
- Title 64, Chapter 407
- Title 64, Chapter 502
- Title 64, Chapter 503
- Title 64, Chapter 505
- Title 64, Chapter 506
- Title 64, Chapter 507
- Title 64, Chapter 508
- Title 64, Chapter 509
- Title 64, Chapter 510
- Title 64, Chapter 511

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 12-2425. Filed for public inspection December 14, 2012, 9:00 a.m.]

TITLE 64. [Reserved and Renumbered]

TABLE OF REGULATIONS TO BE TRANSFERRED

The following chapters are transferred from Title 64 to Title 10:

Former Pa. Code Reference	New Pa. Code Reference
Title 64, Chapter 101	Title 10, Chapter 101
Title 64, Chapter 102	Title 10, Chapter 102
Title 64, Chapter 202	Title 10, Chapter 202
Title 64, Chapter 203	Title 10, Chapter 203
Title 64, Chapter 204	Title 10, Chapter 204
Title 64, Chapter 205	Title 10, Chapter 205
Title 64, Chapter 206	Title 10, Chapter 206