

# RECENT LICENSING DECISIONS

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## **Change in Bank Control Notices**

On March 27, 2003, the OCC posed no objection to a Notice of Change in Bank Control (notice) filed by HSBC Holdings plc (HSBC), London, England, to acquire Household Bank (SB) National Association, Las Vegas, Nevada. The OCC noted in its decision that while it received several public comments on the notice, performance under the Community Reinvestment Act is not one of the statutory factors upon which the OCC may disapprove a notice. [Corporate Decision No. 2003-2; April 2003]

On January 31, 2003, the OCC conveyed its intent not to disapprove the Notice of Change in Bank Control file by LPL Holdings, Inc. to acquire 100 percent of PTC Holdings, Inc., which in turn, owns 100 percent of The Private Trust Company, subject to the condition that LPL comply with its commitments to the OCC. The commitments generally related to maintaining certain capital levels and entering into a formal agreement with the OCC to not deviate from the proposed business plan. [Conditional Approval No. 576, February 2003]

## **Charters**

On January 27, 2003, the OCC conditionally approved Morgan Stanley's application to charter a national CEBA trust bank with the title of "Morgan Stanley Trust, National Association," Wilmington, Delaware. Besides the routine charter conditions, the conditions required the bank to maintain certain capital levels and to seek the OCC's no objection to changes in the bank's business plans or operations. [Conditional Approval No. 575, February 2003]

On February 4, 2003, the OCC conditionally approved The Charles Schwab Corporation's application to charter a national bank with the title of "Charles Schwab Bank, National Association," Reno, Nevada. Besides the conditions normally imposed on charters, the conditions also related to an independent audit function, a risk management function, and lending and investment activity outside the Reno assessment area. [Conditional Approval No. 577, February 2003]

## **CRA Decisions**

On February 11, 2003, the OCC approved an application filed by First National Bank & Trust Company, Beloit, Wisconsin, to purchase certain assets and assume certain liabilities of three Clinton and Darien, Wisconsin, branch offices of Amcore Bank, National Association, Rockford, Illinois. The OCC received one comment after the end of the comment period in connection with the transaction. However, the OCC investigated the concerns and found the proposed transaction was not anti-competitive and was consistent with the Community Reinvestment Act. [CRA Decision No. 115, March 2003]

## **Operating Subsidiaries**

On February 27, 2003, the OCC conditionally approved an application filed by Bank of America, N.A., North Carolina, for its wholly owned operating subsidiary, Banc of America Capital Management, LLC, to hold for limited periods of time limited interests in certain private investment funds for which it serves as investment manager. The conditions related to ensuring proper controls by the bank and supervision by the OCC. [Approval No. 578, March 2003]

On March 17, 2003, the OCC approved an application filed by Bank One, N.A., Chicago, Illinois, to establish an operating subsidiary that will purchase and then sell or license data-processing software that performs functions regarding the charges and payments on a corporate credit card. Specifically, the software enables corporate credit card customers to automatically collect information on corporate card use and then merge the data to generate invoices, and to approve and make payments. [Corporate Decision No. 2003-6, April 2003]