

**Note: This regulation was repealed in its entirety effective
January 28, 2005.**

209 CMR 16.00: CONTRACTS WITH BANK SERVICE CORPORATIONS

Section

16.01: Definition of Terms

16.02: Bank Service Corporations

16.01: Definition of Terms

Bank service corporation, a corporation or association organized to perform bank services for one or more banks.

Bank services, services such as check and deposit sorting and posting, computation and posting of interest and other credits and charges, preparation and mailing of checks, statements, notices, and similar items, or any other clerical, bookkeeping, accounting, statistical, or similar functions performed for a bank including dedicated banking application software programming services, electronic fund transfer services, and card encoding and embossing services.

Bank or banks, any association or corporation chartered by the Commonwealth as a Savings Bank, Co-operative Bank, Credit Union, or Trust Company or any individuals, association, partnership or corporation incorporated or doing a banking business in the Commonwealth, subject to the supervision of the commissioner under M.G.L. c. 167, § 2.

Commissioner, the Commissioner of Banks.

16.02: Bank Service Corporations

(1) A bank may not cause to be performed, by contract or otherwise, any bank services for itself either on or off its premises unless the bank and the bank service corporation provides written assurances satisfactory to the commissioner that the performance thereof will be subject to regulation and examination by the commissioner to the same extent as if such services were being performed by the bank itself on its own premises. The bank and bank service corporation shall also provide written assurances to the Board of Governors of the Federal Reserve System, the Directors of the Federal Deposit Insurance Corporation, the Directors of the Office of Thrift Supervision and the Board of the National Credit Union Administration, if required.

(2) The provisions of M.G.L. c. 167, §§ 2 and 6, and any regulations issued thereunder, shall apply to a bank service corporation subject to 209 CMR 16.02(1).

REGULATORY AUTHORITY

209 CMR 16.00: M.G.L. c. 167F, § 2, paragraph 10; c. 167, § 6.