

However, two types of deposits, U.S. Treasury checks and “on us” checks, must receive next-day availability even if the deposit is not made at a staffed teller station. Other next-day check deposits, and cash deposits, that are not made at staffed teller stations must be available for withdrawal on the second business day after the day of deposit under §229.10(a)(2) and §229.10(c)(2).

Additional Rules

Under §229.10(c)(1)(iv-v), for state and local government checks to receive next-day availability, the depository bank must be located in the same state as the governmental unit issuing the check. Further, under §229.10(c)(3), the depository bank may require special deposit slips or envelopes for these deposits, as well as for cashier’s, certified and teller’s check deposits. If the depository bank requires the use of special deposit slips, it must either provide the slips or inform customers how they may be obtained.

For “on us” checks to receive next-day availability, the checks must be drawn on the same or another branch of the bank where the check is deposited. In addition, both branches must be located in the same state or check processing region.

\$100 Rule

Section 229.10(c)(1)(vii) of the regulation contains a special \$100 rule for check deposits not subject to next-day availability. Under the rule, the depository bank must make available for withdrawal the lesser of \$100 or the aggregate amount deposited to all accounts, including individual and joint accounts, held by the same customer on any one banking day. The \$100 rule does not apply to deposits received at nonproprietary Automated Teller Machines (ATMs).

Availability Schedule – §229.12

The permanent availability schedule became effective on September 1, 1990. (See Permanent Funds Availability Schedule-Figures A & B on the following pages.) Under this schedule, local check deposits must be made available no later than the second business day following the banking day of deposit. Deposits of nonlocal checks must be made available no later than the fifth business day following the banking day of deposit. Funds, including cash and all checks, deposited at nonproprietary ATMs must be made available no later than

the fifth business day following the banking day on which the funds were deposited.

Checks that would normally receive next-day availability are treated as local or non-local check deposits if they do not meet all the criteria for next-day availability under §229.10(c). (As mentioned earlier, certain checks generally deposited at a staffed teller station and into an account held by the payee of the check receive next-day availability. However, state, local government and certain “on us” checks are subject to additional rules.)

U.S. Treasury checks and U.S. Postal Money orders that do not meet all the requirements for next-day or second day availability as outlined in §229.10(c) receive funds availability as if they were “local” checks. Cashiers, certified, teller’s, state and local government, and checks drawn on the Federal Reserve or Federal Home Loan Banks that do not meet all the requirements in §229.10(c) receive funds availability as either local or non-local checks, according to the location of the bank on which they are drawn.

Cash Withdrawals

Special rules apply to cash withdrawals from local and non-local check deposits. While §229.12 (d) allows the depository bank to extend the availability schedule for cash or similar withdrawals by one day, the customer must still be allowed to withdraw the first \$100 of any check deposit not subject to next-day availability on the business day following the day of deposit. In addition to the first \$100, a customer must also be allowed to withdraw \$400 of the deposited funds (or the maximum amount that can be withdrawn from an ATM, but not more than \$400) no later than 5 p.m. on the day funds become available for check withdrawals. The remainder of deposited funds would be available for cash withdrawal on the following business day.

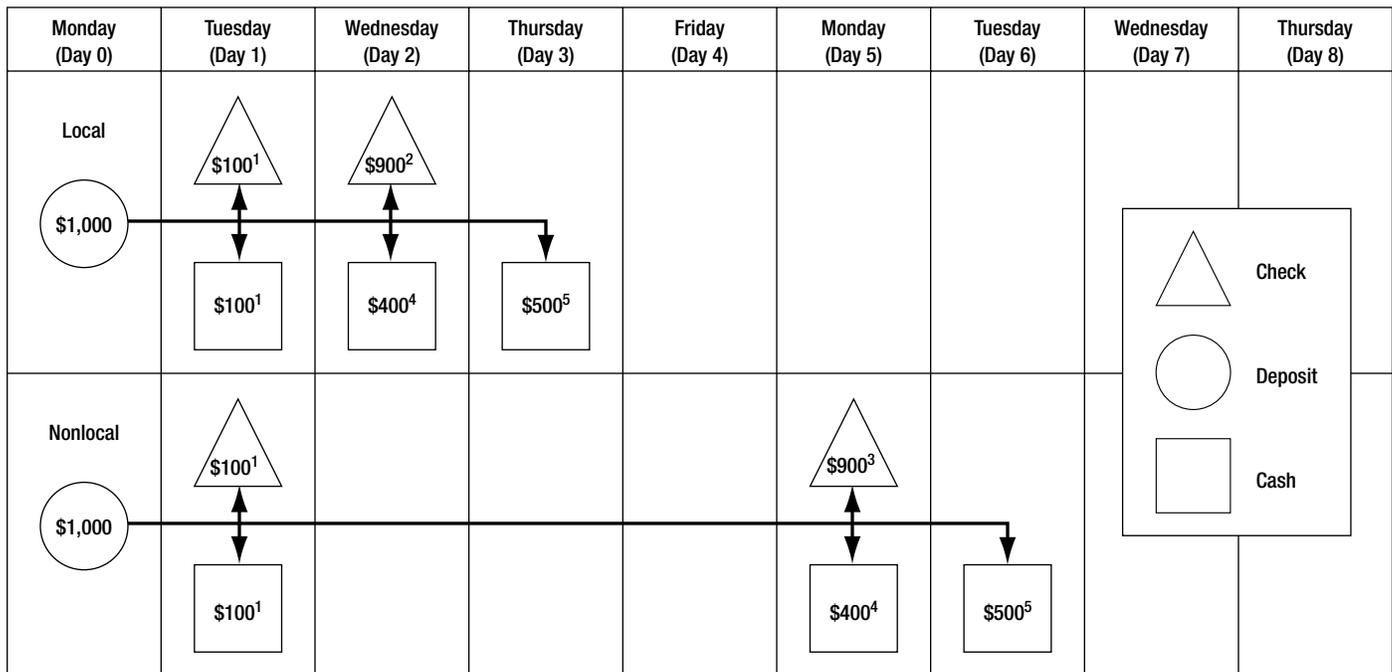
Extension of the Schedule for Certain Deposits

Section 229.12(e) provides that banks in Alaska, Hawaii, Puerto Rico, or the Virgin Islands receiving checks drawn on or payable through banks located in another state may extend the availability schedules for local and non-local checks by one day. This exception, however, does not apply to checks drawn on banks in these states or territories and deposited in banks located in the continental U.S.

VI. Deposits — EFA

Figure A: Permanent Funds Availability Schedules

Illustrates availability of different types of checks deposited the *same day*, under the permanent schedules



¹ The first \$100 of a day's deposit must be made available for either cash withdrawal or check writing purposes at the start of the next business day § 229.10(c)(1)(vii).

² Local checks must be made available for check writing purposes by the second business day following deposit § 229.12(b).

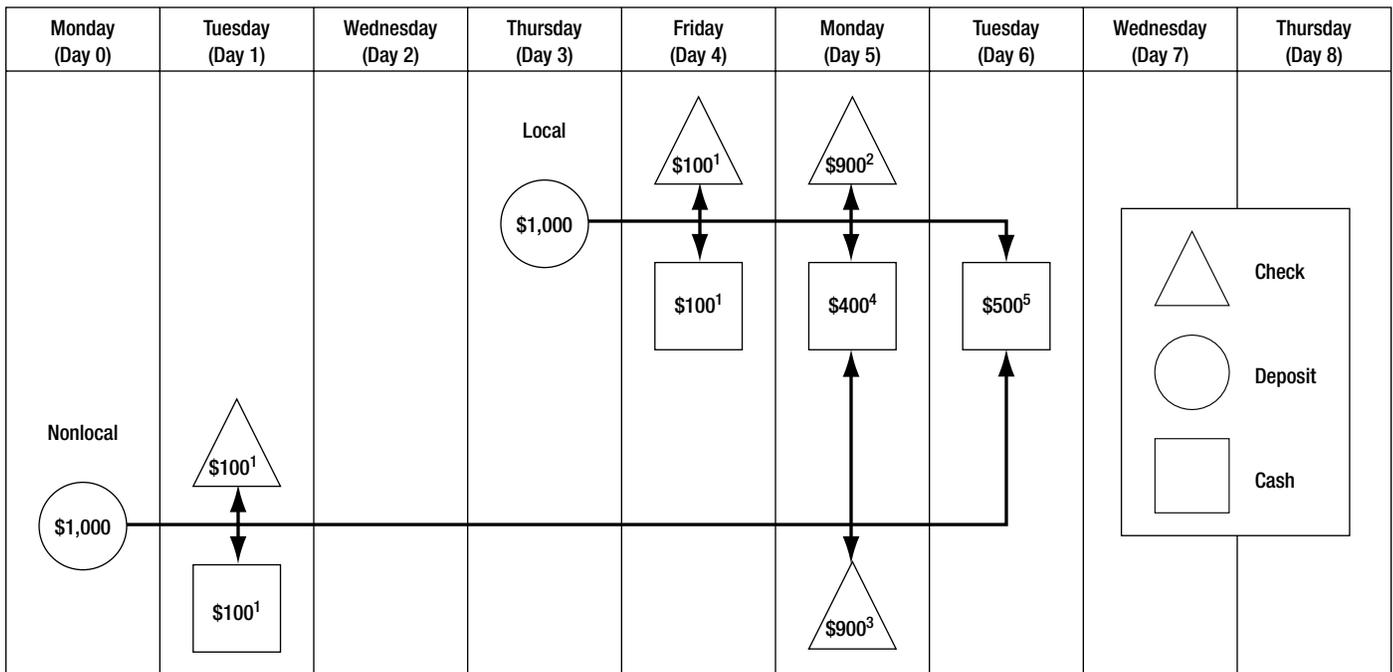
³ Nonlocal checks must be made available for check writing purposes by the fifth business day following deposit § 229.12(c).

⁴ \$400 of the local deposit must be made available for cash withdrawal no later than 5:00 p.m. on the day specified in the schedule. This is in addition to the \$100 that must be made available on the business day following deposit § 229.12(d).

⁵ The remainder of the deposit must be made available for cash withdrawal at the start of business the following day § 229.12(d).

Figure B: Permanent Funds Availability Schedules

Illustrates availability of different types of checks deposited *separate days*, under the permanent schedules



¹ The first \$100 of a day's deposit must be made available for either cash withdrawal or check writing purposes at the start of the next business day § 229.10(c)(1)(vii).

² Local checks must be made available for check writing purposes by the second business day following deposit § 229.12(b).

³ Nonlocal checks must be made available for check writing purposes by the fifth business day following deposit § 229.12(c).

⁴ \$400 of the local deposit must be made available for cash withdrawal no later than 5:00 p.m. on the day specified in the schedule. This is in addition to the \$100 that must be made available on the business day following deposit § 229.12(d).

⁵ The remainder of the deposit must be made available for cash withdrawal at the start of business the following day § 229.12(d).