

- Verify that the costs of the premiums were not averaged by the bank (so to avoid the \$10/ \$20 dollar limitations).
- Verify that the bank did not solicit deposit funds on the premise that they would divide the money into several accounts so that they could pay the depositor more than two premiums within a twelve-month interval (so to avoid the no more than two premiums per deposit in a twelve-month interval limitation).

18. Determine if the bank retained sufficient information to determine that the requirements of Section 329.103 are satisfied.

References

Federal Deposit Insurance Act

<http://www.fdic.gov/regulations/laws/rules/1000-2000.html#1000sec.18g>

NOW Accounts (An Act)

<http://www.fdic.gov/regulations/laws/rules/6500-2530.html#6500now2>

Part 329: Interest on Deposits

<http://www.fdic.gov/regulations/laws/rules/2000-5300.html#2000part329>

Advisory Opinion 95-29: Bank Award of Bonus Points and/or Gift Certificates for Use of a Credit Card Does Not Violate §329 as Long as Credit Card is Not Linked to a Demand Deposit Account

<http://www.fdic.gov/regulations/laws/rules/4000-9590.html#400095-29>

Advisory Opinion 91-86: Deposits of Real Estate Trust Accounts (“RETA”) Program Established by State Statute May, Like IOLTA Deposits, be Held in NOW Accounts

<http://www.fdic.gov/regulations/laws/rules/4000-6850.html#400091-86>

Advisory Opinion 91-79: An Electronic Cooperative is Eligible to Hold a NOW Account Under Revised Federal Reserve Board Regulations (12 CFR §204.130)

<http://www.fdic.gov/regulations/laws/rules/4000-6780.html#400091-79>

Advisory Opinion 91-19: Whether ATM Promotion Constitutes Payment of Interest on Demand Deposits in Violation of 12 CFR §329

<http://www.fdic.gov/regulations/laws/rules/4000-6180.html#400091-19>

Advisory Opinion 91-3: FDIC Defers to Federal Reserve Board’s Interpretation of NOW Accounts (12 CFR §204.130)

<http://www.fdic.gov/regulations/laws/rules/4000-6020.html#400091-3>

Advisory Opinion 87-43: Eligibility of Rural Electric Association Cooperative to Hold Funds in NOW Account

<http://www.fdic.gov/regulations/laws/rules/4000-2730.html#400087-43>

Advisory Opinion 87-19: Business Partnership and NOW Accounts

<http://www.fdic.gov/regulations/laws/rules/4000-2500.html#400087-19>

FIL 18-98: Prohibition Against Payment of Interest on Demand Deposits

<http://www.fdic.gov/news/news/financial/1998/fil9818.html>

FIL 110-97: Prohibition Against Payment of Interest on Demand Deposits

<http://www.fdic.gov/news/news/financial/1997/fil97110.html>

FIL 78-97: Prohibition Against Payment of Interest on Demand Deposits

<http://www.fdic.gov/news/news/financial/1997/fil9778.html>