

§ 934.16

(ii) A binding order to produce the confidential information has become final with all rights of appeal either exhausted or lapsed.

(3) *Nondisclosure to third parties.* Except as provided in paragraph (f)(2) of this section, a Bank shall not disclose confidential information to any third party. A Bank shall refer all third party requests for such confidential information to the Financial Regulatory Agency that released the confidential information to the Bank.

(4) *Disclosure to Board.* (i) Neither this section nor any confidentiality agreement executed between a Bank and a Financial Regulatory Agency shall prevent a Bank from disclosing confidential information in its possession to the Board whenever disclosure is necessary to accomplish the Board's supervision of Bank membership applications or Bank director eligibility issues, or disclosing any confidential information in its possession if such disclosure is made pursuant to an audit conducted pursuant to paragraph (d) of this section or section 20 of the Bank Act.

(ii) The Board shall keep all confidential information received under paragraph (f)(4) of this section in strict confidence.

(g) *Computer data.* This section shall not preclude a bank from arranging with any Financial Regulatory Agency to transmit or allow access to confidential information with the consent of such agency by means of an electronic computer system. Any such arrangement shall insure the security of the computerized data stored in a bank's computer and restrict access to such data in order to preserve confidentiality in a manner agreed upon by the bank and the Financial Regulatory Agency.

[55 FR 50545, Dec. 7, 1990. Redesignated at 60 FR 65516, Dec. 20, 1995, and further redesignated at 62 FR 26922, May 16, 1997]

§ 934.16 Approval of Bank bylaws.

The board of directors of a Bank may prescribe, amend, or repeal bylaws governing the manner in which the Bank administers its affairs without the Board's prior approval provided that the bylaws or amendments are consist-

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ent with applicable statutes, regulations, and Board policies.

[62 FR 65198, Dec. 11, 1997]

EFFECTIVE DATE NOTE: At 62 FR 65198, Dec. 11, 1997, §934.16 was added, effective Jan. 12, 1998.

PART 935—ADVANCES

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AUTHORITY: 12 U.S.C. 1422a(a)(3), 1422(b)(a)(1), 1426, 1429, 1430, 1430b, and 1431.

SOURCE: 58 FR 29469, May 20, 1993, unless otherwise noted.

Subpart A—Advances to Members

§ 935.1 Definitions.

As used in this part:
Act means the Federal Home Loan Bank Act, as amended (12 U.S.C. 1421 *et seq.*).
Actual thrift investment percentage or *ATIP* has the same meaning as used in