

## **Sec. 1464. - Federal savings associations**

### **(d) Regulatory authority**

#### **(7) Regulation and examination of savings association service companies, subsidiaries, and service providers**

##### **(A) General examination and regulatory authority**

A service company or subsidiary that is owned in whole or in part by a savings association shall be subject to examination and regulation by the Director to the same extent as that savings association.

##### **(B) Examination by other banking agencies**

The Director may authorize any other Federal banking agency that supervises any other owner of part of the service company or subsidiary to perform an examination described in subparagraph (A).

##### **(C) Applicability of section 8 of the Federal Deposit Insurance Act**

A service company or subsidiary that is owned in whole or in part by a saving association shall be subject to the provisions of section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818) as if the service company or subsidiary were an insured depository institution. In any such case, the Director shall be deemed to be the appropriate Federal banking agency, pursuant to section 3(q) of the Federal Deposit Insurance Act (12 U.S.C. 1813(q)).

##### **(D) Service performed by contract or otherwise**

Notwithstanding subparagraph (A), if a savings association, a subsidiary thereof, or any savings and loan affiliate or entity, as identified by section 8(b)(9) of the Federal Deposit Insurance Act (12 U.S.C. 1818(b)(9)), that is regularly examined or subject to examination by the Director, causes to be performed for itself, by contract or otherwise, any service authorized under this chapter or, in the case of a State savings association, any applicable State law, whether on or off its premises -

##### **(i)**

such performance shall be subject to regulation and examination by the Director to the same extent as if such services were being performed by the savings association on its own premises; and

##### **(ii)**

the savings association shall notify the Director of the existence of the service relationship not later than 30 days after the earlier of -

##### **(I)**

the date on which the contract is entered into; or

##### **(II)**

the date on which the performance of the service is initiated.

##### **(E) Administration by the Director**

The Director may issue such regulations and orders, including those issued pursuant to section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818), as may be necessary to enable the Director to administer and carry out this paragraph and to prevent evasion of this paragraph.