

**APPLICATION OF A FOREIGN BANK CORPORATION FOR AN  
INITIAL LICENSE TO ESTABLISH AN AGENCY OR BRANCH  
IN THE STATE OF TEXAS**

All information submitted to the Texas Department of Banking is presumed to be public information unless it is deemed confidential under the Texas Open Records Act. Any document in the application for which you request confidential treatment must be segregated and reference the Texas Open Records Act exception supporting the request. Final determination as to the confidentiality of any information will rest with the Banking Commissioner. Inquiries concerning the preparation and filing of this or any other application with the Department should be directed to the Corporate Activities Division of the Texas Department of Banking, 2601 North Lamar Boulevard, Austin, Texas 78705-4294 (512/475-1322).

TO: Banking Commissioner of Texas  
Department of Banking  
2601 North Lamar Boulevard  
Austin, Texas 78705-4294

\_\_\_\_\_, a foreign bank corporation  
duly incorporated and existing under the laws of \_\_\_\_\_, hereby makes  
application for a license to establish a (*choose one*)  foreign bank agency or  foreign bank  
branch in the State of Texas for the purpose of transacting such business as is authorized by the  
laws of the State of Texas.

***Please address the following as properly numbered and indexed attachments to the application.***

1. For an initial application, include a non-refundable check made payable to the Texas Department of Banking for the applicable filing fee prescribed in Title 7 of the Texas Administrative Code §15.3.
2. Address of principal office in country of domicile of the foreign bank corporation filing the application.
3. Proposed or actual street and post office address of the foreign bank agency or branch.
4. Provide the name, title and qualifications of each officer and director of the foreign bank corporation who will have control of all or part of the business and affairs at the foreign bank agency or branch.
5. Certified copy of a duly adopted resolution of (1) the Board of Directors of the foreign bank corporation, or (2) managing director, or (3) other empowered executive committee, evidencing its support of this application and evidencing the names and titles of all persons authorized to sign and deliver this application and any related documents, as well as certified incumbency certificates with regard to such persons.
6. A detailed financial statement of the foreign bank corporation as of a date not greater than 360 days before the date of the application.

7. An authenticated copy of the foreign bank corporation's certificate of formation and bylaws (or other equivalent constitutive documents). If these documents are in a language other than English, a translation of all such documents, under the oath of the translator, must be attached to the authenticated copy.
8. A certification by the chartering agency in the country in which the foreign bank corporation is domiciled stating that the foreign bank corporation has complied with the laws of that country. If certification is not available from such chartering agency, the foreign bank corporation may substitute an opinion of acceptable legal counsel licensed to practice law in the country in which the foreign bank corporation is domiciled, to the effect that (1) the bank chartering agency in such country will not furnish such a certificate and (2) that the foreign bank corporation has complied with the laws of such country.
9. Provide a copy of the filed document from the Texas Secretary of State evidencing compliance with Section 201.102 of the Texas Finance Code. Attach document.
10. A statement indicating the extent to which the proposed foreign bank agency or branch will serve the needs of the community in which it will be located. Attach document.
11. Copies of any other applications filed with other state or federal agencies in connection with the establishment of this agency or branch office. Attach document.
12. Provide a detailed description of the types of business to be conducted and the types of services to be offered at the proposed branch or agency. Provide details of any deposit taking activities not described in item #16 below.
13. Provide estimated start-up costs, projected balance sheets, income statements, and contingent liabilities for the proposed branch or agency for the first three years of operation, including assumptions made in formulating projections.
14. Provide a description of management and staffing of the agency or branch. Such description should include the number of persons to be employed, in what capacities, and the names, titles, and brief biographies of key personnel.
15. Provide a description of the projected competitive effect of the proposed agency or branch on existing banking facilities in Texas.
16. For a foreign bank branch application only, please indicate if the branch will accept deposits of less than \$100,000 from citizens or residents of the United States, other than credit balances that are incidental to or arise out of its exercise of other lawful powers. If the branch is proposed to accept such deposits, please furnish information which indicates the Federal Deposit Insurance Corporation has determined that specific deposit taking activities of less than \$100,000 by the branch would not constitute domestic retail deposit activities requiring deposit insurance protection within the meaning of Section 6, International Banking Act (12 U.S.C. Section 3104).
17. If the entity will accept deposits, public notice in a newspaper of general circulation of the proposed foreign bank agency or branch is required pursuant to Section 204.101 of the Texas Finance Code and 7 TAC §15.5.

I certify that the preceding application and the attached supporting documents are true and correct to the best of my knowledge.

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*(Foreign Bank Corporation)*

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*(Name)*

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*(Title)*

Dated: \_\_\_\_\_

**ACKNOWLEDGEMENT**

City of \_\_\_\_\_, SS.: \_\_\_\_\_

Country of \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me personally came \_\_\_\_\_, to me known, who being by me duly sworn, deposes and says that he/she resides at \_\_\_\_\_; that he/she is \_\_\_\_\_ of \_\_\_\_\_, the foreign bank corporation described in the foregoing instrument; and that he/she executed the foregoing instrument on behalf of such corporation with due authorization of the Board of Directors of such corporation and as the act of such corporation and in his/her official capacity as \_\_\_\_\_ for such corporation.

[L.S.]

\_\_\_\_\_

Title of Acknowledging Officer: \_\_\_\_\_

Note: This acknowledgement may be made outside of the United States and its territories by a minister, a commissioner, a charge d'affairs, a consul-general, a consul, a vice-consul, a commercial agent, a vice-commercial agent, a deputy consul or a consular agent of the United States, resident and accredited in the country where the acknowledgement is made. The seal of his/her office or the seal of the consulate or legation to which he/she is attached should be affixed.