

This rule was filed as FID 75-4, Regulation No. 75-1.

**TITLE 12 TRADE, COMMERCE AND BANKING**  
**CHAPTER 16 BANKING**  
**PART 51 CLASSIFICATION AND RETENTION SCHEDULE FOR RECORDS**

**12.16.51.1 ISSUING AGENCY:** Department of Banking [Regulation and Licensing Department of the Financial Institutions Division]  
[6/20/75; Recompiled 10/15/01]

**12.16.51.2 SCOPE:** [RESERVED]  
[Recompiled 10/15/01]

**12.16.51.3 STATUTORY AUTHORITY:** [Section 48-22-33.5 NMSA 1953]  
[6/20/75; Recompiled 10/15/01]

**12.16.51.4 DURATION:** [Permanent.]  
[Recompiled 10/15/01]

**12.16.51.5 EFFECTIVE DATE:** [June 20, 1975]  
[6/20/75; Recompiled 10/15/01]

**12.16.51.6 OBJECTIVE:** [RESERVED]  
[Recompiled 10/15/01]

**12.16.51.7 DEFINITIONS:** [RESERVED]  
[Recompiled 10/15/01]

**12.16.51.8 CLASSIFICATION AND RETENTION OF PERMANENT AND NONPERMANENT BANK RECORDS:** WHEREAS, by the provisions of Section 48-22-33.5 of the statutes of the state of New Mexico, the undersigned commissioner of banking of the state of New Mexico is required to issue regulations classifying all records kept by the state banks and prescribing the period for which records of each class shall be retained; NOW THEREFORE, pursuant to the authority so vested in me and in conformity with such directive, it is ordered that the Schedule of Periods for the Retention of Permanent and Non-Permanent Bank Records issued October 25, 1967 is hereby repealed and the records kept by New Mexico state banks shall be classified and retained as follows:

A. Permanent records: In accordance with the provisions of law (Section 48-22-33.5) the following are hereby classified as permanent records which shall be retained permanently by all such banks, viz.: the minute books of meetings of executive committee, stockholders and directors, capital stock ledger and capital stock certificate ledger or stubs, general ledger, daily statements of condition, general journal, investment ledger, copies of bank examination reports, FDIC certificates; and charter.

B. Non-permanent records: All records of all such banks not classified hereby as permanent records are hereby classified as non-permanent records; and such non-permanent records shall be retained for the periods specified in the table annexed hereto and may thereafter be destroyed.

C. Applicability to national banks: The provisions of this order of the regulations and classifications hereby adopted shall be applicable to and inure to the benefit of national banks doing business in the state of New Mexico to the full extent permitted by law.

[6/20/75; Recompiled 10/15/01]  
[table]

**12.16.51.9 ORDER NO. 75-1, ADOPTING REGULATION 75-1:**

A. The foregoing regulation is issued pursuant to authority of Section 48-22-33.5 (new section enacted effective June 20, 1975) of the Banking Act of 1963 under date of the 20th day of June 1975, and shall be effective on June 20, 1975. Herbert H. Hughes, Commissioner of Banking.

B. Certificate as to permanent record of this order: I, Herbert H. Hughes, commissioner of banking for the state of New Mexico, hereby certify that the foregoing regulation and the order promulgating said regulation have been entered in the office of the commissioner of banking in a book which is a public record. Herbert H. Hughes, Commissioner of Banking.

C. Certificate as to filing: I, Herbert H. Hughes, commissioner of banking for the state of New Mexico, hereby certify that seven copies of the foregoing regulation and the order promulgating said regulation have been deposited with the records and archives commission of the state of New Mexico, in accordance with the provisions of Chapter 275, Laws of 1967 of the State Rules Act of 1967, on this 20th day of June, 1975. Herbert H. Hughes, Commissioner of Banking.  
[6/20/75; Recompiled 10/15/01]

**HISTORY OF 12.16.51 NMAC:**

Pre-NMAC History. The material in this part was derived from that previously filed with the State Commission of Public Records and Archives:

FID 67-6, Regulation 67-1, Schedule of Retention of Non-permanent Records, 10/25/67;

FID 75-4, Regulation 75-1, Order 75-1, Retention Schedule for Records, 6/20/75.

History of Repealed Material. [RESERVED]