

This rule was filed as 12 NMAC 17.1.

TITLE 12 TRADE, COMMERCE AND BANKING
CHAPTER 17 CREDIT UNIONS
PART 1 GENERAL PROVISIONS

12.17.1.1 ISSUING AGENCY: Financial Institutions Division of the Regulation and Licensing Department, Post Office Box 25101, Santa Fe, New Mexico 87504
[10/31/97; Recompiled 10/15/01]

12.17.1.2 SCOPE: All credit unions chartered by the state of New Mexico.
[10/31/97; Recompiled 10/15/01]

12.17.1.3 STATUTORY AUTHORITY: Section 58-11-3(C) NMSA 1978.
[10/31/97; Recompiled 10/15/01]

12.17.1.4 DURATION: Five years beginning on the effective date.
[10/31/97; Recompiled 10/15/01]

12.17.1.5 EFFECTIVE DATE: October 31, 1997, unless a later date is cited at the end of a section or paragraph.
[10/31/97; Recompiled 10/15/01]
[Compiler's note: The words *or paragraph*, above, are no longer applicable. Later dates are now cited only at the end of sections, in the history notes appearing in brackets.]

12.17.1.6 OBJECTIVE: The objective of this part is to establish definitions of terms used in the Credit Union Act.
[10/31/97; Recompiled 10/15/01]

12.17.1.7 DEFINITIONS:

A. "Director" means the director of the financial institutions division of the regulation and licensing department.

B. "Risk assets" as used in the act means all assets except the following categories:

(1) cash on hand (includes foreign currency converted into U.S. dollar equivalents);
(2) collected deposits or shares in federally insured banks, savings and loan associations and natural person credit unions having a remaining maturity of five years or less and not to exceed \$100,000;

(3) collected deposits or shares in a corporate credit union having a remaining maturity of five years or less, other than membership capital share deposit accounts as defined in NCUA Rules and Regulations Part 704;

(4) assets are insured by, fully guaranteed as to principal and interest by or due from the United States or any agency thereof, this state or any political subdivision thereof, the federal national mortgage association or the government national mortgage association having a maturity of five years or less;

(5) loans to students insured under the provisions of Title IV, Part B of the Higher Education Act of 1965 (20 U.S.C. Section 1071 et seq.) or similar insurance programs of this state;

(6) loans having a remaining maturity of three years or less and are fully or partially insured or guaranteed by the United States, this state or any agency of either;

(7) common trust investments which deal in investments authorized by the Credit Union Act;

(8) prepaid expenses;

(9) accrued interest on non-risk investments;

(10) fixed assets as defined in NCUA Rules and Regulations Section 701.36 (b);

(11) loans fully secured by a pledge of shares in the lending credit union, equal to and maintained to at least the amount of the loan outstanding;

(12) loans purchased from liquidating credit unions and guaranteed by the national credit union administration;

(13) national credit union share insurance fund guaranty accounts established with the authorization of the national credit union administration under the authority of Title II of the Federal Credit Union Act Section 208(a) (1); and

(14) investments in shares of the national credit union administration central liquidity facility.
[10/31/97; Recompiled 10/15/01]

HISTORY OF 12.17.1 NMAC: [RESERVED]