§ 211.11 Advisory opinions under Regulation K.

(a) Request for advisory opinion. Any person may submit a request to the Board for an advisory opinion regarding the scope of activities permissible under any subpart of this part.

(b) Form and content of the request. Any request for an advisory opinion under this section shall be:

   (1) Submitted in writing to the Board;

   (2) Contain a clear description of the proposed parameters of the activity, or the service or product, at issue; and

   (3) Contain a concise explanation of the grounds on which the submitter contends the activity is or should be considered by the Board to be permissible under this part.

(c) Response to request. In response to a request received under this section, the Board shall:

   (1) Direct the submitter to provide such additional information as the Board may deem necessary to complete the record for a full consideration of the issue presented; and

   (2) Provide an advisory opinion within 45 days after the record on the request has been determined to be complete.

§ 211.12 Lending limits and capital requirements.

(a) Acceptances of Edge corporations.

(1) Limitations. An Edge corporation shall be and remain fully secured for acceptances of the types described in section 13(7) of the FRA (12 U.S.C. 372), as follows:

   (i) All acceptances outstanding in excess of 200 percent of its tier 1 capital; and

   (ii) All acceptances outstanding for any one person in excess of 10 percent of its tier 1 capital.

(2) Exceptions. These limitations do not apply if the excess represents the international shipment of goods, and the Edge corporation is:

   (i) Fully covered by primary obligations to reimburse it that are guaranteed by banks or bankers; or

   (ii) Covered by participation agreements from other banks, as described in 12 CFR 250.165.

(b) Loans and extensions of credit to one person.

(1) Loans and extensions of credit defined. Loans and extensions of credit has the meaning set forth in §211.2(q) of this part and, for purposes of this paragraph (b), also include:

   (i) Acceptances outstanding that are not of the types described in section 13(7) of the FRA (12 U.S.C. 372);

   (ii) Any liability of the lender to advance funds to or on behalf of a person

*In the case of a foreign government, these includes loans and extensions of credit to the foreign government’s departments or agencies deriving their current funds principally from general tax revenues. In the case of a partnership or firm, these include loans and extensions of credit to its members and, in the case of a corporation, these include loans and extensions of credit to the corporation’s affiliates, where the affiliate incurs the liability for the benefit of the corporation.