

~~TITLE 46 – DEPARTMENT OF BANKING AND FINANCE~~

~~CHAPTER 5 – ADVERTISING~~

~~001~~ In connection with any advertising or written material, an industrial loan and investment company must include a statement that it is an industrial loan and investment company.

~~002~~ No advertising or written material used in connection with the certificate of indebtedness shall mention the fidelity bond insurance carried by the industrial loan and investment company, unless the advertising or written material contains a statement explaining the coverage of the fidelity bond and a statement that the certificate of indebtedness is not insured by the fidelity bond.

~~003~~ No advertising or written material of an industrial loan and investment company shall in any way indicate that certificates of indebtedness of the industrial loan and investment company are guaranteed or insured, unless the certificates of indebtedness are, in fact, insured by an entity approved by the Director of Banking and Finance. If the certificates of indebtedness are insured, the insuring entity and the limits of the insurance must be specified.

~~004~~ Form of certificates of indebtedness:

~~004.01~~ Paid-up certificates.

Certificates of indebtedness evidencing the paid-up certificate shall include the following information, but will in no way be limited to the following information:

~~004.01A~~ A statement in bold print that the certificate of indebtedness is not insured, unless the certificate of indebtedness is, in fact, insured by an entity approved by the Director of Banking and Finance. If the certificate of indebtedness is insured, the insuring entity and the limits of the insurance must be specified.

~~004.01B~~ A statement that the certificate of indebtedness is an evidence of indebtedness and is not a deposit or certificate of deposit.

~~004.01C~~ A statement as to whether or not the paid-up certificate is automatically renewed and any terms of notice which must be given by the industrial or certificate holder in order to prevent the certificate of indebtedness from being automatically renewed.

~~004.01D~~ A clear statement of the circumstances under which paid-up certificates of indebtedness may be paid before maturity including the applicable forfeiture of interest penalties, and the discretion the company is allowed in permitting such payment.

~~004.01E~~ The terms of the contract of the certificate of indebtedness, i.e., interest, maturity, payment of interest and principal, etc.

~~004.02~~ Installment certificates.

~~004.02A~~ A statement in bold print that the installment certificate of indebtedness is not insured, unless the installment certificate of indebtedness is, in fact, insured by an entity approved by the Director of Banking and Finance. If the certificate of indebtedness is insured, the insuring entity and the limits of the insurance must be specified.

~~004.02B~~ A statement that the installment certificate of indebtedness is an evidence of indebtedness and is not a deposit or certificate of deposit.

~~004.02C~~ The terms of the contract of the installment certificate of indebtedness, i.e., interest, right to withdrawal, payment of interest and principal, etc.

~~005~~ A certificate of indebtedness which evidences the paid-up certificate or installment certificate should be treated as a contract between the industrial loan and investment company and the certificate holder and it should disclose all terms of that contract.