

AFFIRMATION

Having been duly sworn, I hereby affirm that I have reviewed the information submitted to the Tennessee Department of Financial Institutions relative to application of _____ to form a private trust company under the Tennessee Banking Act, Tenn. Code Ann. §§ 45-2-101, *et seq.*, and that all of the information contained therein is true and correct to the best of my knowledge, information and belief.

BY:

Signature

Printed Name

Title

Sworn to and subscribed before me this ____ day of _____, 20 ____

Notary Public

My commission expires: _____

The Department carefully considers each requested exemption on a case-by-case basis and recommends that each applicant request exemptions only from statutes and rules that are relevant to the applicant or its activities.

Subject to the exceptions set forth below, Tenn. Code Ann. Title 45, Chapters 1 and 2 and the rules thereof apply to Tennessee private trust companies. The Department recommends that each applicant review the chart below in determining its requests for exemption.

The chart is divided into three categories:

1. Statutes and rules that are generally inapplicable or have been repealed (generally, no requests for exemption are necessary);
2. Statutes and rules with respect to which the Department generally does not grant exemptions; and
3. Statutes and rules with respect to which the Department commonly grants exemptions.

CATEGORY 1: Statutes and rules that are generally inapplicable or repealed (generally, no requests for exemption are necessary):

Inapplicable pursuant to Tenn. Code Ann. § 45-2-2101	
§ 45-2-106	§ 45-2-401
§ 45-2-107	§ 45-2-402 (a) through (c)
§ 45-2-201 through 45-2-207	§ 45-2-403
§ 45-2-212 through 45-2-214	Title 45, Chapter 2, Parts 5, 7 and 8
§ 45-2-215(a)	§§ 45-2-1401 through 45-2-1407
§ 45-2-216	§ 45-2-1412
§ 45-2-302 through 45-2-304	Title 45, Chapter 2, Part 19
	Rule 0180-07-.10
Generally inapplicable to Tennessee private trust companies	
§ 45-1-126	Rules 0180-07-.02 through 0180-07-.04
§ 45-2-618	Rule 0180-07-.06
§ 45-2-620	Rule 0180-07-.09
Title 45, Chapter 2, Part 9	Chapters 0180-09 through 0180-12
§ 45-2-1408 through § 45-2-1411	Chapters 0180-16 through 0180-18
§ 45-2-1807	Chapter 0180-21
§ 45-2-1808	Chapters 0180-24 through 29
Chapter 0180-05	Chapters 0180-31 through 33
Repealed statutes and rules	
§ 45-1-110	§ 45-2-615
§ 45-1-128	§ 45-2-617
§ 45-2-101	§ 45-2-1312
§ 45-2-102	Chapter 0180-01
§ 45-2-209	
§ 45-2-210	
§ 45-2-301	

Repealed statutes and rules (continued)	
§ 45-2-305	Chapter 0180-03 Chapter 0180-04

CATEGORY 2: The Department generally does not grant exemptions from the following statutes and rules:

§§ 45-1-101 through 45-1-109	§ 45-2-1601
§§ 45-1-111 through 45-1-123	§ 45-2-1603
§ 45-1-129	Title 45, Chapter 2, Part 17
§ 45-1-130	§ 45-2-1801
§ 45-2-104	§ 45-2-1803
§ 45-2-105	§ 45-2-1804
§ 45-2-217	§ 45-2-1806
§ 45-2-219	Title 45, Chapter 2, Part 20
§ 45-2-220	§ 45-2-2101
§ 45-2-1002	§ 45-2-2109
§ 45-2-1009	Rule 0180-07-.01
§ 45-2-1010	Rule 0180-07-.07
§ 45-2-1012 (a)	Rule 0180-07-.08
§ 45-2-1015	Chapter 0180-20
§ 45-2-1016	Chapter 0180-30

CATEGORY 3: When requested, the Department commonly grants exemptions (with limitations or other conditions in certain cases) from the following statutes and rules:

Title 45, Chapter 1, Part 2	§ 45-2-1019
§ 45-2-208	§ 45-2-1602
§ 45-2-218	§ 45-2-1604
§ 45-2-404	§ 45-2-1805
§ 45-2-604	Rule 0180-02-01
§ 45-2-607	Rule 0180-07-.05
§ 45-2-611	Chapter 0180-13
§ 45-2-1004	Chapter 0180-15
§ 45-2-1008	Chapter 0180-19
§ 45-2-1012(b)	Chapter 0180-22
§ 45-2-1013	

The chart contains general suggestions. Notwithstanding any statements contained within the chart, the Department considers each request for exemption on a case-by-case basis. Each provision of Tenn. Code Ann., Title 45, Chapters 1 and 2 and the rules thereof not listed in the chart may apply to applicants and/or their activities. Applicants may request exemption from any provision of Tenn. Code Ann., Title 45, Chapters 1 and 2 and the rules thereof, regardless of whether listed in the chart.