

(iii) *For the benefit of whose shareholders all or substantially all the capital stock of one or more banking institutions is held by trustees.*

Provided that a banking institution doing business under this article which intends to have an affiliate, affiliates, or closely allied corporation or corporations offering services to the public not of a financial, fiduciary or insurance nature or unrelated to the business of banking or to the performance of bank services, shall be permitted to do so only under such regulations as the Bank Commissioner, the Comptroller of the Treasury and the three appointed members of the Banking Board have authorized by majority vote for all such banking institutions as are reasonably required to preserve and protect the welfare of such institutions and the general economy of the State ARE AUTHORIZED BY A MAJORITY VOTE OF THE BANK COMMISSIONER, THE THREE APPOINTED MEMBERS OF THE BANKING BOARD, AND THREE PERSONS, NOT EMPLOYED BY ANY BANKING INSTITUTION, TO BE APPOINTED BY THE GOVERNOR FOR A TWO YEAR TERM. ONE OF WHOM SHALL BE AN ECONOMIST, ONE OF WHOM SHALL BE A CERTIFIED PUBLIC ACCOUNTANT, AND THE THIRD MEMBER SHALL BE A MEMBER OF THE GENERAL PUBLIC. SUCH AUTHORIZATION SHALL BE GIVEN ONLY IF IT IS DEEMED REASONABLY REQUIRED TO PRESERVE AND PROTECT THE WELFARE OF SUCH INSTITUTIONS, THE GENERAL ECONOMY OF THIS STATE, AND WILL NOT BE DETRIMENTAL TO THE PUBLIC INTEREST AND THE STABILITY OF THE INSTITUTION. FURTHERMORE SUCH AUTHORIZATION SHALL BE GIVEN UNDER THE SAME CONDITIONS, LIMITATIONS, RESTRICTIONS AND SAFEGUARDS AS ARE NOW OR SHALL HEREAFTER BE APPLICABLE OR PERMITTED UNDER FEDERAL LAW TO ANY NATIONAL BANKING ASSOCIATION.

Provided that the requirement of such authorization in this section shall not apply to the purchase of shares of stock in a small business investment company as authorized by the Small Business Investment Act of 1958 (Public Law 699, 85th Congress 2nd Session, and Amendments thereto). Such shares shall be eligible for purchase by any banking institution as defined in this article; except that in no event shall any such institution hold shares in any such company where the capitalized value of such shares on the books of the institution exceeds more than 2 percent of its un-impaired capital and surplus.

Provided, however, that nothing in this section shall affect or disturb any such affiliate or closely allied corporation existing on June 1, 1935 [, and provided further that a banking institution, for reorganization purposes and with the consent of the Bank Commissioner may create and have an affiliate or closely allied corporation] .

The Bank Commissioner shall have the same rights and powers to examine into the affairs of all [existing] affiliates and closely allied [banking institutions] AND corporations as he has as to banking institutions whenever he shall deem such examination desirable or necessary, and for making such examinations he shall charge the same fees as for examining banking institutions.