



NATIONAL CREDIT UNION ADMINISTRATION

WASHINGTON, D.C. 20456

LS/SRB:cch

3238

AUG 01 1985

Charles L. Williams, III, Esq.
Blalack & Williams
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Dallas, TX 75244

Dear Mr. Williams:

This is in response to your letter dated July 16, 1985, to Ms. Gilmore of this Office concerning the Federal Reserve's Regulations E (Electronic Fund Transfers) and Z (Truth-In-Lending). You seek our opinion as to the applicability of Regulation E to the issuance of Mastercard gold cards that "may be used at various automated teller machines for the sole purpose of obtaining a cash advance against the Mastercard line of credit." (Emphasis added.)

As you may know, although the National Credit Union Administration is named as one of the enforcement agencies for purposes of Federal credit union compliance with Regulation E, it is not authorized to issue either official or unofficial staff interpretations with respect to the regulation. See, 12 C.F.R. §§205.13(a) and (b). I regret that Ms. Gilmore did not make this point clear in her conversation with you.

So that your communication with us is not totally fruitless, I direct your attention to the following sections of Regulation E and Regulation Z which should provide an answer to your question:

- (1) Section 205.2(g)--definition of "Electronic fund transfer";
- (2) Section 205.2(b)--definition of "account";
- (3) Section 205.7--initial disclosure of terms and conditions;
- (4) Section 205.5(c)(2)(i)--those activities governed by Reg Z;
- (5) Section 226.2(a)(15)--definition of "credit card" under Reg Z.

I would strongly recommend that if you are desirous of a more definitive opinion you contact the Federal Reserve.

Sincerely,

STEVEN R. BISKER
Assistant General Counsel

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