



IRVIN D. PARKER  
ADMINISTRATOR

# The State of South Carolina

## Department of Consumer Affairs

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Administrative Interpretation No. 6.201-7805

A SAVINGS AND LOAN ASSOCIATION IS SUBJECT TO THE NOTIFICATION AND FEE PROVISIONS OF THE CONSUMER PROTECTION CODE IF THE ASSOCIATION MAKES CONSUMER LOANS OTHER THAN OR IN ADDITION TO "SHARE LOANS."

You have asked whether a state chartered savings and loan association which makes loans secured by a savings account or savings certificate, sometimes referred to as "share loans," that also fall within the Consumer Protection Code's definition of "consumer loan," is subject to Part 2 of Article 6 of the Consumer Protection Code [S.C. Code Ann. §§37-6-201 to 37-6-203 (Cum. Supp. 1977)]. Your question arises due to language in South Carolina Code §34-31-30, Cumulative Supplement 1977, the last sentence of which reads as follows: "Such loans [those made by a savings and loan association to its depositors or holders of time or savings deposits, savings accounts or savings certificates secured by such deposits or accounts] shall not be subject to the provisions of §§37-6-201 to 37-6-203." (Emphasis added)

That language, added by Act 659 of 1976, specifically refers to loans rather than lenders. It is the opinion of this Department that a state chartered savings and loan association which makes consumer loans other than or in addition to share loans as defined in Act 659 above, is subject to Part 2 of Article 6 covering notification and fees and therefore is required to file notification with the Administrator of the Department of Consumer Affairs and pay the appropriate fee.

  
Irvin D. Parker  
Administrator

BY   
Kathleen Goodpasture Smith  
Counsel to the Administrator

KGS:aac

TELEPHONES (AREA CODE 803)

ADMINISTRATION	CONSUMER COMPLAINTS	CONSUMER EDUCATION	NOTIFICATION	ENFORCEMENT
758-3017	758-2040	758-7546	758-8587	758-5864

WATTS 1-800-922-1594