

**04 NCAC 16G .0106      CONFIDENTIAL INFORMATION**

An applicant that submits information as part of an application may request that the information be confidential by separately binding and labeling the information as "confidential," and a statement shall be submitted setting forth the grounds on which the information should be treated as confidential pursuant to G.S. 54C-60. Only general reference to the confidential information shall be made in that portion of the application that the applicant requests not to be confidential. The Commissioner of Banks shall review the request of the applicant and determine if the documents are confidential pursuant to G.S. 54C-60. Applications under this Subchapter shall be made available for inspection by the public, except for portions that are bound and labeled "confidential" and that the Commissioner of Banks determines to be confidential pursuant to G.S. 54C-60. Preliminary copies of proxy-soliciting materials shall be confidential regardless of whether they are bound and labeled as "confidential." The applicant shall be advised of any decision by the Commissioner of Banks to make public information designated as "confidential" by the applicant. Notwithstanding the provisions of this Rule and to the extent permitted by G.S. 54C-60, the Commissioner of Banks may comment on the confidential submissions in any public statement in connection with any decision regarding the application without prior notice to the applicant.

*History Note:      Authority G.S. 53C-2-7; 54C-33; 54C-53;  
Eff. January 15, 1992;  
Amended Eff. November 1, 2017;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November  
22, 2018.*