



Bureau of Consumer Financial Protection Issues Interim Final Rule Transferring EFT Regulations from the Federal Reserve Board, as Required by Dodd-Frank

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On Tuesday, December 27, 2011, the new Bureau of Consumer Financial Protection (the "Bureau") issued an interim final rule and a request for public comment in connection with the transfer of rulemaking authority for the Electronic Fund Transfers Act (the "EFT Act") from the Federal Reserve Board (the "Board") to the Bureau. The interim final rule is effective December 30, 2011. Comments must be received by February 27, 2012.

Title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act (the "Act") transferred rulemaking authority for several consumer protection laws to the Bureau. The Bureau is currently in the process of republishing these transferred regulations to implement the transfer and to make such substantive changes to the existing regulations as may be required by the Act.

The notice published in the *Federal Register* of December 27, 2011 concerns the Board's Regulation E, found at 12 CFR Part 205. The EFT Act generally requires accurate and complete disclosure of the nature and costs associated with electronic fund transfer services to consumers, such as automated teller machine services and preauthorized bill payment services, but also contains several substantive

requirements, such as the consumer's rights in the event of unauthorized withdrawals. Rulemaking authority for this law has now been transferred to the Bureau and is being republished as the Bureau's Regulation E (12 CFR Part 1005).

The above interim rule does not impose any additional substantive regulatory requirements on persons subject to the existing Board regulation.

Those engaged in the above financial services and other interested persons may comment, and should do so if they think that this interim rule, or the specifics of the implementation of this interim rule as published in the notice, will have an adverse effect on their businesses. According to the notice of proposed rulemaking, there are various methods for the submission of comments, including e-mail, hand delivery and US Mail. Please see the notice in the *Federal Register* for this information. Those commenting should reference Docket No. CFPB-2011-0021 or RIN 3170-AA06.

If you have any questions about the information in this Alert, please contact Ed Harlee at eharlee@williamsmullen.com

Related People

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