

ARTICLE III. FOREIGN CORPORATION MATTERS

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CHAPTER 61. FOREIGN BUSINESS CORPORATIONS

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GENERAL

§ 61.1. Scope.

(a) Chapter 41 of the BCL (relating to foreign business corporations), and this chapter apply to foreign corporations for profit, except the following:

(1) One or more of the following institutions or similar Federally chartered institutions engaged in this Commonwealth in activities similar to those conducted by banking institutions, saving associations or credit unions:

(i) National banking associations organized under The National Bank Act, the act of June 3, 1864 (13 Stat. 99) (12 U.S.C.A. §§ 1—392).

(ii) Federal savings and loan associations and Federal mutual savings banks organized under the Home Owners' Loan Act of 1933 (12 U.S.C.A. §§ 1461—1463b, 1464—1466a, 1467, 1467a and 1468).

(iii) Federal credit unions organized under the Federal Credit Union Act (12 U.S.C.A. §§ 1751, 1752, 1752a—1756, 1757—1761d, 1762—1772c, 1781—1789a, 1790 and 1795—1795k).

(2) Other Federal corporations intended by the Congress to be treated for state law purposes as a domestic corporation of this Commonwealth.

(b) As a result of subsection (a), this chapter governs the qualification of foreign banks and savings associations, all of which are foreign business corpora-

tions within the meaning of the BCL, notwithstanding the fact that none of these types of corporations could be incorporated as a domestic business corporation under the BCL.

**Source**

The provisions of this § 61.1 adopted April 17, 1992, effective April 18, 1992, 22 Pa.B. 1993.

**§ 61.2. General checklist for qualifying foreign business corporations.  
[Reserved]**

**Source**

The provisions of this § 61.2 adopted April 17, 1992, effective April 18, 1992, 22 Pa.B. 1993.

**§ 61.3. Qualification of insurance companies.**

A foreign corporation for profit which engages in the business of writing insurance as principal is a foreign business corporation and, before it does business in this Commonwealth, shall qualify as follows:

(1) If the corporation intends to limit its activities in this Commonwealth to business other than writing insurance as principal, the corporation shall file Form DSCB:15-4124 (Application for a Certificate of Authority-Foreign Corporation).

(2) In other cases, the corporation shall qualify through the Insurance Department. Sections 1103 and 4121(c) of the BCL (relating to definitions; and admission of foreign corporations) provide that a foreign corporation for profit which is qualified to do business in this Commonwealth under The Insurance Department Act of 1921 (40 P. S. §§ 1—297.4), is thereby a qualified foreign business corporation and is not required to procure a separate certificate of authority to do business in this Commonwealth from the Department.

**Source**

The provisions of this § 61.3 adopted April 17, 1992, effective April 18, 1992, 22 Pa.B. 1993.

**FORMS**

**§ 61.101. Official forms.**

The following official forms have been promulgated under this chapter and appear in Appendix A:

Form DSCB:15-4124/6124 (Application for Certificate of Authority-Foreign Corporation).

Form DSCB:15-4126/6126 (Application for an Amended Certificate of Authority-Foreign Corporation).

Form DSCB:15-4127/6127 (Statement of Merger, Consolidation or Division-Qualified Foreign Corporation).

Form DSCB:15-4128/6128 (Certificate of Revocation-Foreign Corporation).

Form DSCB:15-4129/6129 (Application for Termination of Authority-Foreign Corporation).

Form DSCB:15-4130/6130 (Statement of Change of Address by Withdrawn Corporation-Foreign Corporation).

Form DSCB:15-4131/6131 (Application for Registration of Name-Nonqualified Foreign Corporation).

Form DSCB:15-4161/6161 (Articles of Domestication-Foreign Corporation).

**Source**

The provisions of this § 61.101 adopted April 17, 1992, effective April 18, 1992, 22 Pa.B. 1993.

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