**Section 310.310 When Greater Capital Requirements May Be Necessary**

a) Greater capital requirements may be required by the Commissioner if the condition and operations or the proposed scope of operations of the proposed or existing trust company require additional capital to achieve or maintain a safe and sound condition. Instances when additonal capital may be required include but are not limited to those situations where the business plan contemplates high risk activity or where the trust company incurs significant organizational expenses.

b) If the Commissioner determines that the proposed or existing trust company requires capital in addition to the minimum organization capital requirements set forth in Section 310.300, the trust company shall be informed by the Office of Banks and Real Estate and afforded the opportunity to amend the related application.