

## § 5.25

though such provisions were expressly set forth in this part.

### § 5.25 Applicability of the Act.

Except as otherwise specified in this part and unless the context otherwise requires, the provisions of Sections 4b, 4c(b), 4f, 4g, 4k, 4m, 4n, 4o, 6(c)–(e), 6b, 6c, 8(a)–(e), 8a and 12(f) of the Act shall apply to retail forex transactions that are subject to the requirements of this part as though such provisions were set forth herein and included specific references to retail forex transactions and the persons defined in § 5.1 of this part.

## PART 7—REGISTERED ENTITY RULES ALTERED OR SUPPLEMENTED BY THE COMMISSION

AUTHORITY: 7 U.S.C. 7a–2(c) and 12a(7), as amended by Title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, Pub. L. 111–203, 124 Stat. 1376 (2010).

SOURCE: 77 FR 66332, Nov. 2, 2012, unless otherwise noted.

### Subpart A—General Provisions

#### § 7.1 Scope of rules.

This part sets forth registered entity rules altered or supplemented by the Commission pursuant to section 8a(7) of the Act.

### Subparts B–C [Reserved]

## PART 8 [RESERVED]

## PART 9—RULES RELATING TO REVIEW OF EXCHANGE DISCIPLINARY, ACCESS DENIAL OR OTHER ADVERSE ACTIONS

### Subpart A—General Provisions

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- 9.9 Waiver of rules; delegation of authority.

### Subpart B—Notice and Effective Date of Disciplinary Action or Access Denial Action

- 9.10 [Reserved]
- 9.11 Form, contents and delivery of notice of disciplinary or access denial action.
- 9.12 Effective date of disciplinary or access denial action.
- 9.13 Publication of notice.
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### Subpart C—Initial Procedure With Respect to Appeals

- 9.20 Notice of appeal.
- 9.21 Record of exchange proceeding.
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### Subpart D—Commission Review of Disciplinary, Access Denial or Other Adverse Action

- 9.30 Scope of review.
- 9.31 Commission review of disciplinary or access denial action on its own motion.
- 9.32 Oral argument.
- 9.33 Final decision by the Commission.

AUTHORITY: 7 U.S.C. 1a, 2, 6b–1, 6c, 7, 7a–2, 7b–3, 8, 9, 9a, 12, 12a, 12c, 13b, 16a, 18, 19, and 21.

SOURCE: 52 FR 25366, July 7, 1987, unless otherwise noted.

### Subpart A—General Provisions

#### § 9.1 Scope of rules.

(a) *Matters included.* This part governs the review by the Commission, pursuant to section 8c of the Act, as amended, of any suspension, expulsion, disciplinary or access denial action, or other adverse action by an exchange.

(b) *Matters excluded.* This part does not apply to and the Commission will not accept notices of appeal, or petitions for stay pending review, of:

- (1) Any arbitration proceeding, regardless of whether the proceeding involved a controversy between members of an exchange;
- (2) Except as provided in §§ 9.11(a), (b)(3)(i) through (v), and (c), and 9.12(a)