

Commodity Futures Trading Commission

§ 14.2

(b) Notwithstanding the provisions of paragraph (a) of this section, in any case in which the General Counsel believes it appropriate, the General Counsel or their designee may submit the matter to the Commission for its consideration.

(c) Within seven (7) days after service of a ruling issued pursuant to this §12.408, a party may file with the Commission a petition for reconsideration of the ruling. Unless the Commission orders otherwise, the filing of a petition for reconsideration shall not operate to stay the effective date of such ruling.

[49 FR 6621, Feb. 22, 1984; 49 FR 15070, Apr. 17, 1984; 49 FR 17750, Apr. 25, 1984, as amended at 57 FR 20638, May 14, 1992; 59 FR 9638, Mar. 1, 1994; 64 FR 43071, Aug. 9, 1999; 78 FR 1145, Jan. 8, 2013; 86 FR 64361, Nov. 18, 2021]

PART 13—PROCEDURES FOR PETITIONS FOR RULEMAKING

Sec.

13.1 Petition for issuance, amendment, or repeal of a rule.

13.2 [Reserved]

AUTHORITY: 7 U.S.C. 2(a)(12).

SOURCE: 84 FR 68789, Dec. 17, 2019, unless otherwise noted.

§13.1 Petition for issuance, amendment, or repeal of a rule.

Any person may file a petition with the Secretariat of the Commission, by mail or electronically through the Commission website, for the issuance, amendment or repeal of a rule of general application. The petition shall be directed to Secretariat, at the Commission's Washington, DC headquarters, and shall set forth the text of any final rule or amendment or shall specify the rule the repeal of which is sought. The petition shall further state the nature of the petitioner's interest and may state arguments in support of the issuance, amendment or repeal of the rule. The Secretariat shall acknowledge receipt of the petition, refer it to the Commission for such action as the Commission deems appropriate, and notify the petitioner of the action taken by the Commission. Except in affirming a prior denial or when the denial is self-explanatory, notice of a denial in whole or in part of a petition

shall be accompanied by a brief statement of the grounds of denial.

[84 FR 68789, Dec. 17, 2019, as amended at 89 FR 71809, Sept. 4, 2024]

§ 13.2 [Reserved]

PART 14—RULES RELATING TO SUSPENSION OR DISBARMENT FROM APPEARANCE AND PRACTICE

Sec.

14.1 Scope.

14.2 Definitions of appearance and practice.

14.3 Hearings.

14.4 Violation of Commodity Exchange Act.

14.5 Criminal conviction.

14.6 Disbarment or suspension by licensing authority.

14.7 Finding of violation of Commodity Exchange Act or Federal securities laws in another proceeding.

14.8 Lack of requisite qualifications, character and integrity.

14.9 Duty to file information concerning adverse judicial or administrative action.

14.10 Reinstatement.

AUTHORITY: Pub. L. 93-463, sec. 101(a)(11), 88 Stat. 1391, 7 U.S.C. 4a(j).

SOURCE: 41 FR 28472, July 12, 1976, unless otherwise noted.

§ 14.1 Scope.

The rules of this part describe the circumstances under which persons may be denied, either temporarily or permanently, the privilege of appearing or practicing before the Commission as an attorney or accountant. An attorney may also be excluded from further participation in a particular adjudicatory proceeding in accordance with the provisions of §10.11(b) of this chapter or from further participation in a particular investigatory proceeding in accordance with the provisions of §11.7(c)(2) of this chapter.

§ 14.2 Definitions of appearance and practice.

(a) *Appearance.* For the purpose of this part, "appearance" refers to the representation of a person by another who appears in his behalf at any adjudicatory, investigatory or rulemaking proceeding conducted before the Commission, including but not limited to those proceedings encompassed in parts 10 through 13 of the Commission's rules.