

Centre, 1155 21st Street, NW., Washington, DC 20581.

[48 FR 49503, Oct. 26, 1983, as amended at 60 FR 49334, Sept. 25, 1995]

APPENDIX A TO PART 1—[RESERVED]

APPENDIX B TO PART 1—FEES FOR CONTRACT MARKET RULE ENFORCEMENT REVIEWS AND FINANCIAL REVIEWS

(a) Within 60 days of the effective date of a final fee schedule for each fiscal year, each board of trade which has been designated as a contract market for at least one actively trading contract shall submit a check or money order, made payable to the Commodity Futures Trading Commission, to cover the Commission's actual costs in conducting contract market rule enforcement reviews and financial reviews.

(b) The Commission determines fees changed fees charged to exchanges based upon a formula which considers both actual costs and trading volume.

(c) Checks should be sent to the attention of the Office of the Secretariat, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581.

[50 FR 930, Jan. 8, 1985, as amended at 52 FR 46072, Dec. 4, 1987; 58 FR 42645, Aug. 11, 1993; 60 FR 49334, Sept. 25, 1995]

**PART 2—OFFICIAL SEAL**

Sec.

2.1 Description.

2.2 Authority to affix seal.

2.3 Prohibitions against misuse of seal.

AUTHORITY: 7 U.S.C. 4a(j), unless otherwise noted.

SOURCE: 41 FR 9552, Mar. 5, 1976, unless otherwise noted.

**§2.1 Description.**

Pursuant to section 2(a)(10) of the Commodity Exchange Act, as amended, 7 U.S.C. 4(i), the Commodity Futures Trading Commission has adopted an official seal (the "Seal"), the description of which is as follows:

(a) An American bald eagle in black and white holding the scales of balanced interests over a black and white wheel of commerce and a farmer's plow, also in black and white. These symbols are enclosed with an inner red octagon and a blue outer octagon representing traditional futures contract trading pits. Around the outside of the

octagons are the words "Commodity Futures Trading Commission" separated by two stars from the year "1975," the first year of the Commission's existence.

(b) The Seal of the Commodity Futures Trading Commission is illustrated as follows:



**§2.2 Authority to affix seal.**

(a) The following officials of the Commodity Futures Trading Commission are authorized to affix the Seal to appropriate documents and other materials of the Commission for all purposes including those authorized by 28 U.S.C. 1733(b) (relating to authenticated copies of agency documents used as evidence): The Chairman and all Commissioners, the General Counsel, the Executive Director, the Directors of Divisions, and the Secretariat.

(b) The officials named in paragraph (a) of this section, may redelegate, and authorize re delegation of this authority, except that the Secretary may redelegate this authority only to the Deputy Secretary.

[41 FR 9552, Mar. 5, 1976, as amended at 51 FR 37177, Oct. 20, 1986]

**§2.3 Prohibitions against misuse of seal.**

(a) Fraudulently or wrongfully affixing or impressing the Seal to or upon any certificate, instrument, document or paper or with knowledge of its fraudulent character, or with wrongful or fraudulent intent, using, buying,

procuring, selling or transferring to another any such paper is punishable under section 1017 of title 18, U.S. Code.

(b) Falsely making, forging, counterfeiting, mutilating, or altering the Seal, or knowingly using a fraudulent or altered Seal or possessing any such Seal knowingly is punishable under section 506 of title 18, U.S. Code.

### PART 3—REGISTRATION

#### Subpart A—Registration

Sec.

- 3.1 Definitions.
- 3.2 Registration processing by the National Futures Association; notification and duration of registration.
- 3.3 [Reserved]
- 3.4 Registration in one capacity not included in registration in any other capacity.
- 3.5—3.9 [Reserved]
- 3.10 Registration of futures commission merchants, introducing brokers, commodity trading advisors, commodity pool operators and leverage transaction merchants.
- 3.11 Registration of floor brokers and floor traders.
- 3.12 Registration of associated persons of futures commission merchants, introducing brokers, commodity trading advisors, commodity pool operators and leverage transaction merchants.
- 3.13—3.20 [Reserved]
- 3.21 Exemption from fingerprinting requirement in certain cases.
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- 3.23—3.29 [Reserved]
- 3.30 Current address for purpose of delivery of communications from the Commission or the National Futures Association.
- 3.31 Deficiencies, inaccuracies, and changes, to be reported.
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#### Subpart B—Temporary Licenses

- 3.40 Temporary licensing of applicants for associated person, floor broker or floor trader registration.
- 3.41 Restrictions upon activities.
- 3.42 Termination.
- 3.43 Relationship to registration.
- 3.44 Temporary licensing of applicants for guaranteed introducing broker registration.
- 3.45 Restrictions upon activities.
- 3.46 Termination.

- 3.47 Relationship to registration.

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- 3.50 Service.
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- 3.55 Suspension and revocation of registration pursuant to section 8a(2) of the Act.
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- 3.57 Proceedings under section 8a(2)(E) of the Act.
- 3.60 Procedure to deny, condition, suspend, revoke or place restrictions upon registration pursuant to sections 8a(2), 8a(3) and 8a(4) of the Act.
- 3.61 Extensions of time for proceedings brought under §3.55, §3.56 and §3.60 of this part.
- 3.62 [Reserved]
- 3.63 Service of order issued by an Administrative Law Judge or the Commission.
- 3.64 Procedure to lift or modify conditions or restrictions.

#### Subpart D—Notice Under Section 4k(5) of the Act

- 3.70 Notification of certain information regarding associated persons.

#### Subpart E—Delegation and Reservation of Authority

- 3.75 Delegation and reservation of authority.

APPENDIX A TO PART 3—INTERPRETIVE STATEMENT WITH RESPECT TO SECTION 8a(2)(C) AND (E) AND SECTION 8a(3)(J) AND (M) OF THE COMMODITY EXCHANGE ACT

AUTHORITY: 5 U.S.C. 552, 552b; 7 U.S.C. 1a, 2, 4, 4a, 6, 6a, 6b, 6c, 6d, 6e, 6f, 6g, 6h, 6i, 6k, 6m, 6o, 6p, 8, 9, 9a, 12, 12a, 13b, 13c, 16a, 18, 19, 21, 23.

SOURCE: 45 FR 80491, Dec. 5, 1980, unless otherwise noted.

#### Subpart A—Registration

##### §3.1 Definitions.

(a) *Principal*. Principal means, with respect to an applicant for registration, a registrant or a person required to be registered under the Act or these regulations:

(1) Any person including, but not limited to, a sole proprietor, general partner, officer, director, branch office manager or designated supervisor, or person occupying a similar status or