

## § 10.0

- 10.74 Notice of disbarment or suspension.
- 10.75 Petition for reinstatement.
- 10.76 Expedited suspension upon criminal conviction or loss of license for cause.

### Subpart D—Rules Applicable to Disqualification of Appraisers

- 10.77 Authority to disqualify; effect of disqualification.
- 10.78 Institution of proceeding.
- 10.79 Contents of complaint.
- 10.80 Service of complaint and other papers.
- 10.81 Answer.
- 10.82 Supplemental charges.
- 10.83 Reply to answer.
- 10.84 Proof, variance, amendment of pleadings.
- 10.85 Motions and requests.
- 10.86 Representation.
- 10.87 Administrative Law Judge.
- 10.88 Hearings.
- 10.89 Evidence.
- 10.90 Depositions.
- 10.91 Transcript.
- 10.92 Proposed findings and conclusions.
- 10.93 Decision of the Administrative Law Judge.
- 10.94 Appeal to the Secretary.
- 10.95 Decision of the Secretary.
- 10.96 Final order.
- 10.97 Petition for reinstatement.

### Subpart E—General Provisions

- 10.98 Records.
- 10.100 Saving clause.
- 10.101 Special orders.

AUTHORITY: Sec. 3, 23 Stat. 258, secs. 2–12, 60 Stat. 237 *et seq.*; 5 U.S.C. 301, 500, 551–559, 31 U.S.C. 1026; Reorg. Plan No. 26 of 1950, 15 FR 4935, 64 Stat. 1280, 3 CFR, 1949–1953 Comp., p. 1017.

SOURCE: Department Circular 230, Revised, 31 FR 10773, Aug. 13, 1966, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes affecting this part appear at 57 FR 41095, Sept. 9, 1992.

### § 10.0 Scope of part.

This part contains rules governing the recognition of attorneys, certified public accountants, enrolled agents, and other persons representing clients before the Internal Revenue Service. Subpart A of this part sets forth rules relating to authority to practice before the Internal Revenue Service; subpart B of this part prescribes the duties and restrictions relating to such practice; subpart C of this part contains rules relating to disciplinary proceedings; subpart D of this part contains rules appli-

## 31 CFR Subtitle A (7–1–99 Edition)

cable to disqualification of appraisers; and Subpart E of this part contains general provisions, including provisions relating to the availability of official records.

[59 FR 31526, June 20, 1994]

### Subpart A—Rules Governing Authority To Practice

#### § 10.1 Director of Practice.

(a) *Establishment of office.* There is established in the Office of the Secretary of the Treasury the office of Director of Practice. The Director of Practice shall be appointed by the Secretary of the Treasury.

(b) *Duties.* The Director of Practice shall act upon applications for enrollment to practice before the Internal Revenue Service; institute and provide for the conduct of disciplinary proceedings relating to attorneys, certified public accountants, enrolled agents, enrolled actuaries and appraisers; make inquiries with respect to matters under his jurisdiction; and perform such other duties as are necessary or appropriate to carry out his functions under this part or as are prescribed by the Secretary of the Treasury.

(c) *Acting Director.* The Secretary of the Treasury will designate an officer or employee of the Treasury Department to act as Director of Practice in the event of the absence of the director or of a vacancy in that office.

[31 FR 10773, Aug. 13, 1966, as amended at 51 FR 2878, Jan. 22, 1986]

#### § 10.2 Definitions.

As used in this part, except where the context clearly indicates otherwise:

(a) *Attorney* means any person who is a member in good standing of the bar of the highest court of any State, possession, territory, Commonwealth, or the District of Columbia.

(b) *Certified Public Accountant* means any person who is duly qualified to practice as a certified public accountant in any State, possession, territory, Commonwealth, or the District of Columbia.

(c) *Commissioner* refers to the Commissioner of Internal Revenue.