

## § 12.1

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AUTHORITY: 7 U.S.C. 4a(j), 12(a)(5), and 18.

SOURCE: 49 FR 6621, Feb. 22, 1984, unless otherwise noted.

## Subpart A—General Information and Preliminary Consideration of Pleadings

### § 12.1 Scope and applicability of rules of practice relating to reparations.

(a) *Part 12 Reparation Rules.* These rules of practice are applicable to rep-

aration applications filed pursuant to section 14 of the Commodity Exchange Act, as amended, 7 U.S.C. section 18. The rules in this part shall be construed liberally so as to secure the just, speedy and inexpensive determination of the issues presented with full protection for the rights of all parties.

(b) *Other rules of practice.* Unless specifically made applicable, other Rules of Practice promulgated under the Commodity Exchange Act, as amended, shall not apply to reparation matters.

(c) *Applicability of these part 12 Reparation Rules.* These rules shall apply in their entirety to all reparation complaints and matters relating thereto.

[49 FR 6621, Feb. 22, 1984, as amended at 59 FR 9635, Mar. 1, 1994]

### § 12.2 Definitions.

For purposes of this part:

*Act* means the Commodity Exchange Act, as amended, 7 U.S.C. 1, *et seq.*;

*Administrative Law Judge* means an administrative law judge appointed pursuant to the provisions of 5 U.S.C. 3105;

*Commission* means the Commodity Futures Trading Commission;

*Commission decisional employee* means an employee or employees of the Commission who are or may reasonably be expected to be involved in the decision-making process in any proceeding, including, but not limited to: A Judgment Officer; members of the personal staffs of the Commissioners, but not the Commissioners themselves; members of the staffs of the Administrative Law Judges, but not an Administrative Law Judge; members of the staffs of the Judgment Officers; members of the Office of the General Counsel; members of the staff of the Office of Proceedings; and other Commission employees who may be assigned to hear or to participate in the decision of a particular matter.

*Complainant* means a person who, individually or jointly with others, has applied to the Commission for a reparation award pursuant to section 14(a) of the Act, but shall not include a cross claimant or any other type of third party claimant. The term “complainant” under these rules applies equally