

(I) A CONTRACT FOR THE PURCHASE OR SALE OF A COMMODITY FOR FUTURE DELIVERY ON, OR SUBJECT TO THE RULES OF, A BOARD OF TRADE DESIGNATED AS A CONTRACT MARKET BY THE COMMODITY FUTURES TRADING COMMISSION UNDER THE FEDERAL COMMODITY EXCHANGE ACT OR BOARD OF TRADE OUTSIDE THE UNITED STATES;

(II) AN AGREEMENT THAT IS:

1. SUBJECT TO REGULATION UNDER § 19 OF THE FEDERAL COMMODITY EXCHANGE ACT; AND

2. COMMONLY KNOWN TO THE COMMODITIES TRADE AS A MARGIN ACCOUNT, MARGIN CONTRACT, LEVERAGE ACCOUNT, OR LEVERAGE CONTRACT; OR

(III) AN AGREEMENT OR TRANSACTION THAT IS:

1. SUBJECT TO REGULATION UNDER § 4C(B) OF THE FEDERAL COMMODITY EXCHANGE ACT; AND

2. COMMONLY KNOWN TO THE COMMODITIES TRADE AS A COMMODITY OPTION.

(3) "CONTRACTUAL RIGHT" MEANS ANY RIGHT, WHETHER OR NOT EVIDENCED IN WRITING, ARISING UNDER:

(I) STATUTORY LAW, COMMON LAW, OR LAW MERCHANT;

(II) A RULE OR BYLAW OF A NATIONAL SECURITIES EXCHANGE, NATIONAL SECURITIES CLEARING ORGANIZATION, OR SECURITIES CLEARING AGENCY; OR

(III) A RULE, BYLAW, OR RESOLUTION OF THE GOVERNING BODY OF A CONTRACT MARKET OR ITS CLEARING ORGANIZATION.

(4) "FORWARD CONTRACT" MEANS A CONTRACT, OTHER THAN A COMMODITY CONTRACT, FOR THE PURCHASE, SALE, OR TRANSFER OF:

(I) A COMMODITY, AS DEFINED IN § 1 OF THE FEDERAL COMMODITY EXCHANGE ACT; OR

(II) ANY SIMILAR GOOD, ARTICLE, SERVICE, RIGHT, OR INTEREST THAT PRESENTLY IS OR IN THE FUTURE BECOMES THE SUBJECT OF DEALING IN THE FORWARD CONTRACT TRADE, OR A PRODUCT OR BY-PRODUCT THEREOF, WITH A MATURITY DATE MORE THAN 2 DAYS AFTER THE DATE THE CONTRACT IS ENTERED INTO, INCLUDING, BUT NOT LIMITED TO, A REPURCHASE TRANSACTION, REVERSE REPURCHASE TRANSACTION, CONSIGNMENT, LEASE, SWAP, HEDGE TRANSACTION, DEPOSIT, LOAN, OPTION, ALLOCATED TRANSACTION, UNALLOCATED TRANSACTION, OR A COMBINATION OF THESE OR AN OPTION ON ANY OF THEM.

(5) (I) "NETTING AGREEMENT" MEANS A CONTRACT OR AGREEMENT, INCLUDING TERMS AND CONDITIONS INCORPORATED BY REFERENCE IN THE CONTRACT OR AGREEMENT, THAT: