

1 *a total of 90 days during the taxable year and whose*
2 *compensation for such services does not exceed in the*
3 *aggregate \$3,000.*

4 “(2) *TRADING IN SECURITIES OR COMMODITIES.—*

5 “(A) *STOCKS AND SECURITIES.—*

6 “(i) *IN GENERAL.—Trading in stocks or*
7 *securities through a resident broker, commission*
8 *agent, custodian, or other independent agent.*

9 “(ii) *TRADING FOR TAXPAYER’S OWN*
10 *ACCOUNT.—Trading in stocks or securities for*
11 *the taxpayer’s own account, whether by the tax-*
12 *payer or his employees or through a resident*
13 *broker, commission agent, custodian, or other*
14 *agent, and whether or not any such employee or*
15 *agent has discretionary authority to make deci-*
16 *sions in effecting the transactions. This clause*
17 *shall not apply in the case of a dealer in stocks*
18 *or securities, or in the case of a corporation*
19 *(other than a corporation which is, or but for*
20 *section 542(c)(7) or 543(b)(1)(C) would be,*
21 *a personal holding company) the principal busi-*
22 *ness of which is trading in stocks or securities*
23 *for its own account, if its principal office is in*
24 *the United States.*