

Notification of Trust Account Irregularity

This form should be used when trust money has been incorrectly deposited into the firm’s office account

Australian Capital Territory *Legal Profession Act 2006* Section 228(1) and 231(1) and (2).

To:	The Law Society of the ACT, Level 4, 1 Farrell Place, Canberra ACT 2601
Re:	("the law practice")

Contact details:
Name of contact person in relation to this notification
Contact person phone number
Name of authorised person
Signature of authorised person
Date signed

Irregularity details:
Client name and reference
Amount involved
Date funds were deposited into the office account
Date the irregularity was discovered
Date the trust money was transferred to the trust account
Any additional information to explain the irregularity further

Notes:

Section 228(1) of the *Legal Profession Act 2006* states that a law practice must not mix trust money with other money.

Section 231 of the *Legal Profession Act 2006* states:

- (1) A legal practitioner commits an offence if –
 - a. The practitioner is an associate of a law practice; and
 - b. The practitioner becomes aware that there is an irregularity in any of the practice’s trust accounts or trust ledger accounts; and
 - c. The practitioner fails, as soon as practicable after becoming aware of the irregularity, to give written notice of the irregularity to –
 - i. The law society council; and
 - ii. If a corresponding authority is responsible for the regulation of the accounts – the corresponding authority.
- (2) An Australian legal practitioner commits an offence if –
 - a. The practitioner believes, on reasonable grounds, that there is an irregularity in relation to the receipt, recording or disbursement of any trust money received by a law practice; and
 - b. The practitioner is not an associate of the practice; and
 - c. The practitioner fails, as soon practicable after forming the belief, to give written notice of it to –
 - i. The law society council; and
 - ii. If a corresponding authority is responsible for the regulation of the accounts – the corresponding authority.

Send completed forms to:

Lea McLean, Finance & Business Services Manager,
 ACT Law Society, GPO Box 1562, Canberra ACT 2601.
 E. lea.mclean@actlawsociety.asn.au

Enquiries:

Phone 02 6274 0300.

For more information visit actlawsociety.asn.au