



Self-Assessment Checklist

Legal Profession Act 2006 and Legal Profession Regulations 2007

To be provided to the External Examiner

The purpose of the Self Assessed Check List is as an oversight and risk audit tool for principals of firms to ensure that moneys received by the law practice are handled in accordance with the requirements of the *Legal Profession Act 2006* and *Legal Profession Regulations 2007*. Responsibility for compliance ultimately rests with the principal irrespective of knowledge or actual supervision. The checklist is then provided to the External Examiner for the purpose of facilitating the annual external examination.

To complete the checklist you should conduct an audit of at least 2-5 files that are representative of the period under review. When reviewing the files it is best to check the source records of trust account transactions. If you find evidence of trust account monies not being recorded correctly you should consider if this is an isolated incident or a systemic issue. You should endeavour to resolve issues identified by the self-assessment *and are encouraged to discuss them with the External Examiner or the Society*. You may be required to report certain irregularities to the Society (s256).

Name of law practice _____
Completed by _____
Position in law practice _____
Completed on _____ / _____ / _____
For trust account year 01 / 04 / 20_____ to 31 / 03 / 20_____

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Division 1: TRUST MONEY

Section 1. KEEPING OF TRUST RECORDS			
OBJECTIVE: is to ensure the law practice has maintained records in accordance with the Regulations and has complied with the requirements of the Act and the Regulations during the period covered by the examination.			
Regulation(s)	Item		Yes No N/A
69(2)	1.1	Are Trust Records retained for seven years?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Section 2. COMPUTERISED ACCOUNTING SYSTEMS			
OBJECTIVE: is to ensure that law practice computer system complies with the requirements of the Regulations.			
Regulation(s)	Item		Yes No N/A
	2.1	Are Trust Records maintained by means of a computer system?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		If "no", go to item 3 on page 3.	
39(5)	2.2	Does the program allow entries to be amended otherwise than by recording a separate transaction?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
39(6)	2.3	Does the program require input in field of a data entry screen?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	2.4	Is a record kept of all changes (by creation, amendment or deletion) to:	
38(1)(a)		client name,?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
38(1)(b)		client address,?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
38(1)(c)		matter reference,?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
38(1)(d)		matter description,? or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
38(1)(e)		ledger account number (if different from matter reference)?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
38(2)	2.5	Is the record retained by the law practice?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
39(1)	2.6	Does the program accept an entry of a transaction resulting in a debit balance to any ledger account?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
39(2)(a)	2.7	Does the program allow a trust ledger account to be deleted unless the balance is zero and all outstanding cheques have been presented?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
39(2)(b)		Is a copy of deleted trust ledger accounts kept in permanent form?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	2.8	Are all permanent records:	
39(3)		Produced in chronological sequence?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
39(4)		Sequentially numbered?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
40(a)	2.9	Is a back-up copy of all records made at least once per month?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
40(c)		Is the most recent back-up copy kept in a separate location so that any incident that may adversely affect the records would not also affect the back-up copy?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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Section 3. TRUST ACCOUNT STATEMENTS - TRUST MONEY			
OBJECTIVE: is to ensure that Trust Accounts Statements are sent for all Trust Money received			
Regulation(s)	Item		Yes No N/A
64(1)		Note: The provisions relating to the furnishing of Trust Account Statements do not apply to an institutional client to the extent to which the client directs the law practice not to provide trust account statements.	
	3.1	Are trust account statements issued:	
63(6)(a)		on completion of matters?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
63(6)(b)		upon reasonable request?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
63(6)(c)	3.2	Are trust account statements sent after 30 June each year? If statements were not sent for certain accounts,	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
63(7)(a)		were the accounts open for less than six months? or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
63(7)(b)		where the balance of the ledger account or record is zero and no transaction has taken place within the previous 12 months? or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
63(7)(c)		a trust account statement has been furnished within the previous 12 months and there have been no subsequent transactions affecting the ledger account or record ?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
63(2) - 63(3)	3.3	Are separate statements issued for each trust ledger account and each controlled money account?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	3.4	Do trust account statements disclose:	
63(5)(a)		the same detail as required by regulations 51 or 61(3) & 61(4)?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
63(5)(b)		the remaining balance (if any) of the money ?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
63(8)	3.5	Are copies of trust account statements retained?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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Section 4. WITHDRAWING TRUST MONEY FOR LEGAL COSTS

OBJECTIVE: is to ensure the law practice is complying with the Act and Regulations in regard to the withdrawal of money from a trust or controlled money account for legal costs.

NOTE: This clause prescribes, for the purposes of section 254(1)(b) of the Act, the procedure for the withdrawal of trust money held in a general trust account or controlled money account of a law practice for payment of legal costs owing to the practice by the person for whom the trust money was paid into the account.

Regulation(s)	Item		Yes No N/A
68(3)	4.1	The law practice may withdraw the trust money if:	
		(a) (i) it is withdrawn in accordance with a costs agreement that complies with the legislation under which it is made and that authorises the withdrawal, or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) it is withdrawn in accordance with instructions that have been received by the practice and that authorise the withdrawal, or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(iii) if it is owed to the practice by way of reimbursement of money already paid by the practice on behalf of the person, and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
68(3)		(b) if, before effecting the withdrawal, the practice gives or sends to the person:	
		(i) a request for payment, referring to the proposed withdrawal, or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) a written notice of withdrawal.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
68(4)	4.2	The law practice may withdraw the trust money:	
	a)	if the practice has given the person a bill relating to the money, and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	(b) (i)	the person has not objected to the withdrawal of the money within 7 days after being given the bill, or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	(ii)	the person has objected within 7 days after being given the bill but has not applied for a review of the legal costs under the Act within 60 days after being given the bill, or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	(iii)	the money otherwise becomes legally payable.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	4.3	Has the law practice withdrawn from the general trust account or controlled money account in accordance with either clause 68(3) or 68(4)?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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Section 5. NOTIFICATION OF AUTHORISED SIGNATORIES			
Regulation(s)	Item		Yes No N/A
		NOTE: 1 Notification of principals who hold local practising certificates is not required.	
46(3) & 47(2)	5.1	Have person(s) other than principals of the law practice that hold local practising certificates been authorised to sign trust cheques, sign controlled money withdrawals or effect electronic funds transfers from the general trust account or controlled money account?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	5.2	Were the authorised person(s):	
46(3)(b) & 47(3)(b)		(i) an authorised legal practitioner associate, or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
46(3)(b) & 47(3)(b)		(ii) an authorised Australian legal practitioner who holds an unrestricted practising certificate authorising the receipt of trust money, or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
46(3)(b) & 47(3)(b)		(iii) two or more authorised associates jointly.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
55(2)	5.3	Has the law practice given written notice to the Law Society of the:	
55(2)(a)		(i) Appointment of an authorised signatories?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) Termination of an authorised signatories?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
55(2)(b)		(iii) Authorised signatories as at 1st July?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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Signature of principal of practice

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Division 2: GENERAL TRUST ACCOUNT

Section 1. GENERAL TRUST ACCOUNTS			
OBJECTIVE: To ensure a law practice that receives money that is required to be banked into a general trust account maintains a general trust account in this jurisdiction, and that the general trust account is established and maintained in accordance with the Regulations.			
Regulation(s)	Item		Yes No N/A
	1.	Has General Trust Money been received, held or disbursed during the applicable period? (If response is "NO" go to Division 3 on page 14)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
41(2)(a)	1.1	For a trust account opened on or after 1 July 2007:	
		(i) is it established with an approved ADI in this jurisdiction ?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
41(2)(c)	1.2	(ii) does the name of the account include the name of the law practice or the business name under which the law practice engages in legal practice ?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
41(2)(c)	1.3	(iii) does the name of the account include the expression "law practice trust account" or "law practice trust a/c" ?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
77	1.4	Has the law practice notified the Law Society Northern Territory within 14 days of:	
77		(i) opening a general trust account?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
55(3)		(ii) closing general trust account	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
55(4)		(iii) do the account details and branch address agree with statements examined?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
41(2)(a)	1.5	Is the account of a kind that is approved by the Law Society Northern Territory?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Section 2. DEPOSITS			
Objectives: To confirm that each deposit record is made out in duplicate, that completed deposit records are securely retained and the general trust money received has been promptly banked.			
Regulation(s)	Item		Yes No N/A
S246 (1) LPA	2.1	Is money deposited as soon as practicable after it is received ?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
43(2) 43(1)	2.2	Is a deposit record produced to the approved ADI at the time of making the deposit? NOTE: A bank deposit record is not required in the case of money paid into a general trust account by direct deposit.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
43(3)	2.3	Do deposit records include particulars of the following:	
43(3)(a)		the date of deposit?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
43(3)(b)		the amount of deposit?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
43(3)(c)		the form of deposit?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
43(3)(d)		Has for each cheque received included:	
43(3)(d)		(i) name of drawer?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
43(3)(d)		(ii) (a) name of ADI? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
43(3)(d)		(b) branch or BSB number?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
43(3)(d)		(iii) amount?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
43(4)	2.4	Is the deposit record made out in duplicate?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
43(5)	2.5	Is the duplicate deposit record retained in the order in which deposits were made?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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Section 3. TRUST ACCOUNT RECEIPTS			
OBJECTIVE: To ensure that a general trust account receipt is issued promptly in respect general trust money received and the receipt records sufficient information to enable the receipt of the money to be properly recorded in the cashbook and trust ledger.			
Regulation(s)	Item		Yes No N/A
42(2)	3.1	Are trust receipts made out for money that is required to be paid into a general trust account?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
42(4)	3.2	Are they in duplicate? NOTE: The receipt, containing the required particulars, must be made out in duplicate, whether by way of making a carbon copy or otherwise, unless at the time the receipt is made out those particulars are recorded by computer program in the trust account receipts cash book.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
42(7)	3.3	Are the receipts:	
		(i) consecutively numbered?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) issued in consecutive sequence?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
42(5)(g)	3.4	Do the original and duplicate receipts include:	
		(i) the law practice name?, and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the expression "Trust Account" or "Trust A/c"?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	3.5	Do the receipts include:	
42(5)(a)		(i) the date the receipt is made out?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) and if the date the receipt is made out is different the date of the receipt of the money?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
42(5)(b)		the amount of money received?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
42(5)(c)		the form in which the money is received?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
42(5)(d)		the name of the person from whom the money is received?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
42(5)(e)		(i) the name of the client?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the matter description?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(iii) the matter reference?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
42(5)(f)		the purpose for which the money was received?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
42(5)(h)		the name of the person who made out the receipt?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
42(5)(i)		the number of the receipt?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
42(8)	3.6	Does the law practice retain:	
		(i) the original of any cancelled receipt?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the original of any receipt not delivered?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	3.7	Does cash on hand at the time of undertaking this section agree with the issued receipts? Perform cash count.(if Appropriate)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	3.8	List serial numbers of all receipts:	
		(i) issued during the reporting period	
		(ii) used subsequent to the period	
		(iii) unused and on hand at the time of the compliance check	

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Section 4. TRUST PAYMENTS			
OBJECTIVE: To ensure that sufficient information has been recorded on the relevant cheque butt, or cheque requisition, or other initiating disbursement document to enable details of disbursements to be properly recorded in the cashbook and trust ledger.			
Regulation(s)	Item		Yes No N/A
4A		TRUST CHEQUES	
45(1)	4A.1	Have all funds drawn from the trust account been by way of:	
		(a) Trust cheque?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(b) Electronic funds transfer?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	4A.2	Do cheques include:	
46(2)(a)		(i) a direction to pay to the order of a person and not to bearer or cash	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
46(2)(b)		(ii) crossed 'not negotiable'	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
46(2)(c)		(iii) the law practice name?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(iv) the expression "law practice trust account" or "law practice trust a/c"? (only applicable after 1 July 2007)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
46(4)	4A.3	Is a written record of the payment by cheque retained by the law practice? NOTE: A written record of the required particulars (which may be in the form of a cheque butt) must be kept of each payment made by cheque, whether by way of making a carbon copy or otherwise, unless at the time the cheque is issued those particulars are recorded by computer program in the trust account payments cash book.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
46(6)	4A.4	Do the written records include:	
46(6)(a)		(i) the date of issue?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the number of the cheque ?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
46(6)(b)		the amount ?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
46(6)(c)		the name of the person to whom the payment is made ?or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		in the case of a cheque made payable to an ADI,	
		(i) the name of the ADI? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the name of the person receiving the benefit of the payment?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
46(6)(d)		(i) the name of the person on whose behalf the payment was made? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the matter reference?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
46(6)(e)		details identifying the ledger account to be debited?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
46(6)(f)		the purpose of the payment?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
46(7)	4A.5	Are written records relating to payments by cheque stored in the order in which the cheques were issued?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4B		ELECTRONIC FUNDS TRANSFERS	
47(3)	4B.1	Is a written record kept evidencing the Electronic Funds Transfer?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	4B.2	Do the records kept evidencing an electronic funds transfer include:	
47(5)(a)		(i) the date of the transaction?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the number of the transaction?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
47(5)(b)		the amount transferred?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
47(5)(c)		(i) the name of the account to which the amount was transferred?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the number and BSB of the account to which the amount was transferred?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
47(5)(d)		the name of the person to whom the payment was made? or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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Section 4. TRUST PAYMENTS			
OBJECTIVE: To ensure that sufficient information has been recorded on the relevant cheque butt, or cheque requisition, or other initiating disbursement document to enable details of disbursements to be properly recorded in the cashbook and trust ledger.			
Regulation(s)	Item		Yes No N/A
		in the case of a payment to an ADI, are the following details recorded	
		(i) the name or BSB number of the ADI? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the name of the person receiving the benefit of the payment?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
47(5)(e)		(i) details identifying the name of the person on whose behalf the payment was made?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the matter reference?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
47(5)(f)		details clearly identifying the ledger account to be debited?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
47(5)(g)		the purpose for which the payment was made?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
47(6)	4B.3	Are written records of payments by electronic funds transfers stored in the order in which the transfers were effected?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	4B.4	Have a number of paid cheques been selected for review?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		Does the payee on the paid cheque agree with the information in the cash book and trust ledger account?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		Have the cheques been signed by persons authorised to sign trust cheques?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Section 5. TRUST ACCOUNT RECEIPTS AND PAYMENTS CASH BOOK			
OBJECTIVE: To ensure that trust account cash books have been properly kept.			
Regulation(s)	Item		Yes No N/A
	5A	TRUST ACCOUNT RECEIPTS AND PAYMENTS CASH BOOK GENERAL	
53(2)(b)		Have the trust account receipts books been totalled for each month? As part of End of Month Reconciliations (within 15 working days)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		Have the trust account payments books been totalled for each month?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	5B	TRUST ACCOUNT RECEIPTS CASH BOOK	
49(1)	5B.1	Are the following particulars recorded in the Trust Account Receipts Cash Book for each receipt of trust money	
49(1)(a)		(i) the date a receipt was made out for the money? and,	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) if the date a receipt was made out for the money is different the date of receipt of the money?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
49(1)(b)		the receipt number?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
49(1)(c)		the amount of money received?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
49(1)(d)		the form in which the money was received?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
49(1)(e)		the name of the person from whom the money was received?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
49(1)(f)		(i) the name of the client in respect of whom the money was received?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the matter description?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(iii) the matter reference?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
49(1)(g)		particulars sufficient to identify the purpose of the receipt?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
49(1)(h)		the ledger account to be credited?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
49(2)		(i) the date of each deposit?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the amount of each deposit?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
49(3)	5B.2	Are receipts recorded in the order in which they are made out?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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Section	5.	TRUST ACCOUNT RECEIPTS AND PAYMENTS CASH BOOK	Yes No N/A
49(4)	5B.3	Are details of receipts recorded in the cash receipts book within 5 working days from the day the receipt was made out?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	5C	TRUST ACCOUNT PAYMENTS CASH BOOK	
50(1)	5C.1	Are the following particulars recorded in the Trust Account Payments Cash Book for each payment of trust money by cheque	
50(1)(a)		(i) the date of the cheque?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the number of the cheque?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
50(1)(b)		the amount ordered to be paid by the cheque?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
50(1)(c)		(i) The name of the person to whom the payment is to be made? or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		in the case of a cheque made payable to an ADI,	
		(i) the name or BSB number of the ADI? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the name of the person receiving the benefit of the payment?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
50(1)(d)		(i) the name of the person on whose behalf the payment was made?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the matter reference?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
50(1)(e)		details clearly identifying the ledger account to be debited?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
50(1)(f)		Particulars sufficient to identify the purpose of the payment?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	5C.2	For payments by electronic funds transfer, are the following recorded:	
50(2)(a)		(i) the date of the transaction? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the number of the transaction?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
50(2)(b)		the amount transferred?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
50(2)(c)		(i) the name of the account to which the amount was transferred, and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the relevant account number and BSB number?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
50(2)(d)		the name of the person to whom the payment was made? or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		in the case of a payment to an ADI,	
		(i) the name or BSB number of the ADI? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the name of the person receiving the benefit of the payment?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
50(2)(e)		(i) details identifying the name of the person on whose behalf the payment was made? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the matter reference?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
50(2)(f)		the ledger account to be debited?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
50(2)(g)		the purpose for which the payment was made?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
50(3)	5C.3	Are payments recorded in the order in which they are made?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
50(4)	5C.4	Are details of payments recorded in the cash payments book within 5 working days from the day payment was made?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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Section	6. RECONCILIATION OF GENERAL TRUST ACCOUNT		Yes	No	N/A
OBJECTIVE: To ensure that the trust records of each general trust account are reconciled within 15 working days of the end of each month and errors and deficiencies are identified					
Regulation(s)	Item				
	6A	RECONCILIATION STATEMENTS			
53(1)	6A.1	Have reconciliation statements been prepared for each month?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53(2)(a)	6A.2	(i) Do the reconciliation statements accurately reflect the reconciliation of the balance(s) of the general trust (Approved ADI) statement(s) with the balance(s) of the cash book(s)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		(ii) Is the date that each reconciliation statement was prepared shown?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53(3)	6A.3	Are reconciliation statements prepared within 15 working days after the end of each month?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53(2)	6A.4	Do the reconciliation statements disclose the month to which they refer?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53(4)	6A.5	Are reconciliation statements retained?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	6A.6	Have all outstanding deposits been promptly banked?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	6A.7	Are there any stale cheques (over 15 months old) recorded on the March unpresented cheques listing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	6A.8	(i) Have you confirmed the general trust account balance as at 31 March?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		(ii) Have you confirmed the general trust account balance as at the date of closure of the account?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	6A.9	(i) Does the Approved ADI statement balance agree with the Approved ADI statement balance shown on the reconciliation statement as at 31 March? or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		(ii) As at the date of closure of the account?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	6B	TRUST TRIAL BALANCE STATEMENTS			
53(2)(b)(i)	6B.1	Have trust trial balances been prepared for each month?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	6B.2	Do the trust trial balances disclose:			
53(2)(b)(ii)		the month to which they refer?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53(2)(b)(iii)		the date of preparation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53(2)(b)(ii)		the account name?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53(2)(b)(ii)		the reference number or identification?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53(2)(b)(ii)		the balance of each account at month end?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53(2)(b)(i)		the total of all balances at month end?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53(2)(b)(i)	6B.3	the comparison between the total of the trial balance and the reconciled cash book balance as at the same date?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53(3)	6B.4	Is the date of preparation within 15 working days of the end of the month to which the trial balance relates?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53(4)	6B.5	Are trial balance statements retained?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	6B.6	Have any discrepancies in item 6.B3 above been satisfactorily noted, explained and subsequently adjusted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	6B.7	Have all debit balances (excluding the Approved ADI account and any statutory deposit account) listed on any trust trial balance statement been rectified as soon as practicable after the time when the debit balance should have become apparent?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		If "no" go to item 6B.8:			
	6B.8	Are details of the ledger accounts concerned and the duration of the debit balances and the method of restoration (if applicable), viewed as acceptable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Section 7. TRUST JOURNAL			
OBJECTIVE: To ensure that there are no transfers without the use of the trust journal and the required details is recorded for each trust journal.			
Regulation(s)	Item		Yes No N/A
52(1)(b)	7.1	Have the journal transfers been authorised in writing by an appropriately authorised person(s)?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	7.2	Are the following particulars recorded for each journal transfer:	
52(3)(a)		the date of the transfer?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
52(3)(b)		the trust ledger account from which the money is transferred?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
52(3)(c)		the trust ledger account to which the money is transferred?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
52(3)(d)		the amount transferred ?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
52(3)(e)		(i) the purpose of the transfer?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the matter reference ?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(iii) the matter description ?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
52(4)	7.3	Are journal pages or entries consecutively numbered?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
52(5)	7.4	Are particulars of the authorisation for each transfer kept?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Section 8. TRUST LEDGER ACCOUNTS			
OBJECTIVE: To ensure that the trust ledger accounts have been properly kept and details of money received, disbursed and transferred are recorded in a trust ledger account kept for each persons on whose behalf money is held.			
Regulation(s)	Item		Yes No N/A
51(1)	8A.1	Is a separate ledger account opened for each matter for which trust money has been received?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	8A.2	Does each ledger account include in the title:	
51(2)(a)		the name of the person?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
51(2)(b)		the person's address?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
51(2)(c)		(i) matter reference?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) matter description?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
51(3)	8A.3	Are details of any changes to the title of a trust ledger recorded?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	8A.4	Are the following particulars recorded in the trust ledger account for receipts, payments or journal transfers:	
51(4)(a)		(i) the date the receipt, payment voucher or journal transfer was made out?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) For receipts if the date of the receipt is different to the date of receipt of the money, is the date of the receipt of the money also recorded?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
51(4)(b) & 51(7)(c)		the receipt, cheque or journal transfer number?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
51(4)(c) & 51(7)(b)		the amount received, paid or transferred?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
51(4)(d) & 51(7)(d)		the name of the person the money was received, paid or transferred?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
51(4)(e) & 51(7)(e)		the reason the money was received, paid or transferred?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		NOTE: the above question represents an amalgamation of clauses 51(4), 51(5), 51(6) and 51(7). If a no response is entered the particular breach should be recorded in Schedule 4, ie 51(4)(a) date of receipt not shown.	

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Section	8.	TRUST LEDGER ACCOUNTS	Yes No N/A
	8A.5	Additionally for (i) cheques drawn to an Approved ADI ("bank cheques") does the trust account ledger disclose:	
51(5)(c)		(a) the name or BSB number of the ADI, and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(b) the name of the person receiving the benefit?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) for electronic funds transfers, do the trust account ledgers disclose:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
51(6)(c)		(a) the name and number of the account to which the amount was transferred, and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
51(6)(d)		(b) the name of the person to whom the money was transferred?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
51(8)	8A.6	Are transactions recorded in the trust ledger account in the order in which they occur?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
51(9)	8A.7	Are details of receipts, payments and journals recorded in the trust ledger account within 5 working days from the date the receipt was made out, the payment was made or the transfer was effected?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
51(10)	8A.8	Is the trust ledger account balance recorded after each receipt, payment or transfer?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

8B		TRUST LEDGER ACCOUNT IN NAME OF LAW PRACTICE OR LEGAL PRACTITIONER ASSOCIATE'S NAME	Yes No N/A
Regulation(s)	Item		
54(1)	8B.1	Does the trust ledger contain an account in the name of:	
		(i) the law practice, or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) an associate of the law practice?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		If "yes" go to item 8B.2.	
	8B.2	Is the use restricted to:	
54(2)(a)		a clearing account for transferring legal costs, or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
54(2)(b)		matter(s) in respect of which the legal practitioner associate has a personal and beneficial interest as a vendor, purchaser, lessor, lessee or in another similar capacity?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
54(3)	8B.3	If a clearing account is used have the funds been withdrawn within 1 month of being transferred to the account?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
54(4)	8B.4	If there is an account where the legal practitioner associate had a personal and beneficial interest, have funds been withdrawn at the conclusion of the matter(s)?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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Division 3: CONTROLLED MONEY

Section 1. CONTROLLED MONEY ACCOUNTS			
OBJECTIVE: To ensure a law practice that receives controlled money deposits the money in a controlled money account as directed			
Regulation(s)	Item		Yes No N/A
		Has Controlled Money been received, held or disbursed during the applicable period. (If response is "NO" go to Division 4 on page 17)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	1.1	If the controlled money account was opened after 1 July 2007 does the name of the controlled money account include:	
56(1)(a)		the name of the law practice concerned?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
56(1)(b)		the expression "controlled money account", "CMA" or "CMA/c"?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		such particulars as are sufficient to identify:	
56(1)(c)		(i) the purpose of the account ? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) to distinguish the account from any other account maintained by the law practice?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
248(1)LPA	1.2	For controlled money account's opened after 1 July 2007, have written directions been obtained to open the account?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Section 2. CONTROLLED MONEY RECEIPT			
OBJECTIVE: To ensure that a controlled money account receipt is issued promptly in respect of all controlled money received and the required particulars are properly recorded.			
Regulation(s)	Item		Yes No N/A
57(2)	2.1	Does the law practice maintain a single controlled money receipt system for the receipt of controlled money for all its controlled money accounts?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
57(4) & 57(11)	2.2	Is a controlled money receipt made out for the receipt of controlled money excluding interest received into the controlled money account?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
57(5)	2.3	Are the controlled money receipts in duplicate? NOTE: The receipt, containing the required particulars, must be made out in duplicate, whether by way of making a carbon copy or otherwise, unless at the time the receipt is made out those particulars are recorded by computer program in the register of controlled money.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	2.4	Do the receipts include:	
57(6)(h)		(i) the name of the law practice, or the business name under which the law practice engages in legal practice, and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the expression "controlled money receipt"?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	2.5	Do the receipts include the following required particulars:	
57(6)(a)		(i) the date the receipt is made out? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) if the date the receipt is made out is different, the date of receipt of the money?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
57(6)(b)		the amount of money received?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
57(6)(c)		the form in which the money was received?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
57(6)(d)		the name of the person from whom the money was received?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
57(6)(e)		(i) details clearly identifying the name of the person on whose behalf the money was received? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the matter description? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(iii) the matter reference?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
57(6)(f)		particulars sufficient to identify the purpose of the receipt?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
57(6)(g)		the name of and other details identifying the controlled money account to be credited, unless the account has not been	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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Section 1. CONTROLLED MONEY ACCOUNTS			
OBJECTIVE: To ensure a law practice that receives controlled money deposits the money in a controlled money account as directed			
Regulation(s)	Item		Yes No N/A
		established at the time the receipt is made out?	
57(6)(i)		the name of the person who made out the receipt?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
57(6)(j)		the number of the receipt?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
57(7)	2.6	If the controlled money account is not established at the time the receipt is made out, are the details of the controlled money account included on the duplicate receipt?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
57(9)	2.7	Are controlled money receipts:	
		(i) consecutively numbered? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) issued in consecutive sequence?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
57(10)	2.8	Is the original of any receipt that is cancelled or not delivered retained?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Section 3. CONTROLLED MONEY WITHDRAWAL			
OBJECTIVE: To ensure that all withdrawals of controlled money are carried out in accordance with the Regulations and that a written record disclosing the required particulars is kept for each withdrawal of controlled money.			
Regulation(s)	Item		Yes No N/A
59(1)	3.1	Are all controlled money withdrawals made by either:	
		(i) cheque?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) electronic funds transfer?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	3.2	Are all withdrawals from controlled money accounts made under the authority of:	
60(1)(a)		an authorised principal, or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
60(1)(b)		(i) an authorised legal practitioner associate, or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) an authorised legal practitioner associate who holds an unrestricted practicing certificate authorising the receipt of trust money, or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(iii) two or more authorised associates jointly	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
60(2) & 60(3)	3.3	Is a written record kept of each withdrawal?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	3.4	Does the written record contain the following required particulars:	
60(4)(a)		(i) the date? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the number of the transaction?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
60(4)(b)		the amount withdrawn?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
60(4)(c)		in the case of a transfer made by electronic funds transfer –	
		(i) the name? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) number of the account to which the amount was transferred? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(iii) the relevant BSB number?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
60(4)(d)		the name of the person to whom payment is to be made? or, in the case of a payment to an ADI,	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(i) the name or BSB number of the ADI? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the name of the person receiving the benefit of the payment?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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60(4)(e)		details identifying:	
		(i) the name of the person on whose behalf the payment was made? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) the matter reference?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
60(4)(f)		the purpose for which the payment was made?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
60(4)(g)		the person or persons effecting, directing or authorising the withdrawal?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
60(5)	3.5	Are the written records filed in the order in which the payments are recorded?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Section	4	REGISTER OF CONTROLLED MONEY	Yes No N/A
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OBJECTIVE: To ensure that all records relating to controlled money accounts are properly kept in the controlled money register.

Regulation(s)	Item		
61(1)	4.	Does the law practice maintain a register of controlled money?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
61(2)	4.1	Is a separate record made for each controlled money account?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	4.2	Does the header of the record of controlled money movements contain:	
61(3)(a)		the name of the person on whose behalf the controlled money is held?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
61(3)(b)		the person's address?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
61(3)(c)		matter description?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
61(3)(d)		any changes to the name, address or matter description?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	4.3	Do the transactions in the controlled money movements record disclose:	
61(4)(a)		the date the controlled money was received?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
61(4)(b)		the number of the receipt?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
61(4)(c)		the date deposited?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
61(4)(d)		the name and other details identifying the controlled money account?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
61(4)(e)		the amount deposited?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
61(4)(f)		details of the deposit sufficient to identify the deposit?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
61(4)(g)		interest received?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
61(4)(h)		details of any payments including the particulars required to be recorded under clause 60(4)?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
61(7)	4.4	Does the law practice retain all supporting information relating to controlled money?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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Section 5 CONTROLLED MONEY LISTING OF ACCOUNTS			
OBJECTIVE: To ensure that a listing of controlled money is prepared within 15 banking days of each month for the period under review.			
Regulation(s)	Item		Yes No N/A
61(8)	5.1	Have controlled money listing of accounts been prepared for each month?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
61(8)(b)	5.2	Do the controlled money lists show a date of preparation?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
61(8)	5.3	Have they been prepared within 15 working days of month end?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	5.4	Do the controlled money listings contain:	
61(8)(a)(i)		(a) the name of the controlled money account?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(b) the number of the controlled money account?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(c) balance of each account in the register?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
61(8)(a)(ii)		the name of the person on whose behalf the controlled money was held?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
61(8)(a)(iii)		matter description?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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Division 4: TRANSIT MONEY

Section 1. TRANSIT MONEY			Yes	No	N/A
Clause(s)	Item				
		Has the law practice received Transit Money during the applicable period. (If response is "NO" go to Division 5) on this page Note 1: If Transit money is received in cash, it must be deposited to the general trust account in accordance with section 258A of the Legal Profession Act. Note 2: The Trust Accounts Department advises that for settlement money which is not retained, settlement sheets, settlement statements, settlement directions and settlement instructions should be retained in the matter file in order to comply with the Transit Money provision of the legislation. Where cheques come into more permanent possession of the law practice, then a photocopy of the cheque should be taken, and the required details including the purposes for the receipt be appended to it. The record should be retained in the matter file.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
62(2)	1.1	Does the law practice record and maintain records for transit money that disclose:			
		(i) brief particulars sufficient to identify the relevant transaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		(ii) the purpose for which the money was received?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Division 5 TRUST MONEY SUBJECT TO SPECIFIC POWER

Section 1. TRUST MONEY SUBJECT TO SPECIFIC POWER			Yes	No	N/A
Regulation(s)	Item				
		Has the law practice or an associate of the law practice been given a power to deal with trust money (whether alone or jointly with another persons) during the applicable period. (If response is "NO" go to Division 6 on page 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	1.1	Does the law practice keep:			
66(2)(a)		(i) a record of all dealings with the money to which the practice or associate is a party?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
66(2)(b)		(ii) all supporting information in relation to the dealings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Signature of principal of practice

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Date

Division 6: REGISTER OF POWERS AND ESTATES IN RELATION TO TRUST MONEY

Section 1. REGISTER OF POWERS AND ESTATES			
Regulation(s)	Item		Yes No N/A
		Has the law practice or an associate of the law practice (i) acted or (ii) been entitled to act alone or jointly with the law practice or one or more associates of the practice, in relation to trust money? (If response is "NO" to both questions go to Division 7 on page 19)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
67(1)	1.1	Does the law practice keep a register of powers and estates?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	1.2	Does the register record:	
67(3)(a)		(i) the name?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) address of the donor? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(iii) date of each power?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
67(3)(b)		(i) the name? and	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		(ii) date of death of the deceased in respect of each estate of which the law practice or associate is executor or administrator?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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Signature of principal of practice

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Date

Division 7: INVESTMENT OF TRUST MONEY

Section 1. INVESTMENT OF TRUST MONEY			
Regulation(s)	Item		Yes No N/A
	1.1	<p>Has the law practice invested Trust Money referred to in section 236(3) of the Legal Profession Act?</p> <p>Note 1: Section 236(3) reads: “money that is entrusted to or held by a law practice for investment purposes, whether on its own account or as agent, is not trust money for the purposes of this Act, unless:</p> <p>(a) the money was entrusted to or held by the practice: (i) in the ordinary course of legal practice, and (ii) primarily in connection with the provision of legal services to or at the direction of the client, and</p> <p>(b) the investment is or is to be made: (i) in the ordinary course of legal practice, and (ii) for the ancillary purpose of maintaining or enhancing the value of the money or property pending completion of the matter or further stages of the matter or pending payment or delivery of the money or property to or at the direction of the client.”</p> <p>Note 2: This Division is not required to be completed if the particulars to be recorded in the register of investments have been recorded elsewhere by the law practice for example controlled money. (If response is “NO” go to Division 8 on page 20)</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Regulation(s)	Item	REGISTER OF INVESTMENTS	Yes No N/A
65(2)	1.2	Does the law practice keep a register of investments?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	1.3	Does the register record:	
65(3)(a)		the name in which the investment is held?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
65(3)(b)		the name of the person on whose behalf the investment is made?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
65(3)(c)		the person's address?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
65(3)(d)		particulars sufficient to identify the investment?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
65(3)(e)		the amount invested?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
65(3)(f)		the date the investment was made?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
65(3)(g)		particulars sufficient to identify the source of the investment, including, for example: (i) a reference to the relevant trust ledger, and (ii) a reference to the written authority to make the investment, and (iii) the number of the cheque for the amount to be invested,	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
65(3)(h)		details of any documents evidencing the investment?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
65(3)(i)		details of any interest received from the investment or credited directly to the investment?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
65(3)(j)		details of the repayment of the investment and any interest, on maturity or otherwise?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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Signature of principal of practice

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Date

Division 8: MATTER FILES

MATTER FILES			Yes	No	N/A
Regulation(s)	Item				
	8.1	Are the matter files selected a representative sample of open files and those matter files closed during the period under examination?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	8.2	Have source records been sighted to confirm the accuracy of records in trust account cash receipts and payments book and the trust account ledger?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	8.3	Was there any evidence of trust money not being recorded into the trust records of the law practice?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Division 9: OFFICE ACCOUNT (Intermixing Money)

OFFICE ACCOUNT			Yes	No	N/A
Regulation(s)	Item				
S253	9.1	Has the office account bank statements been reviewed for any unusual transactions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	9.2	Was there any evidence of trust money being deposited into the office account of the law practice?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	9.3	Was there evidence of any delay in paying third party disbursements where the law practice (had been put in funds)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Signature of principal of practice

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Date