

Serial Number 1951/260

**THE SOLICITORS AUDIT REGULATIONS 1938,
AMENDMENT NO. 3**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 14th day of
November 1951

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Law Practitioners Act 1931, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Solicitors Audit Regulations 1938, Amendment No. 3, and shall be read together with and deemed part of the Solicitors Audit Regulations 1938* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of January 1952.

2. Regulation 6 of the principal regulations is hereby amended by omitting from subclause (6), as substituted by paragraph (c) of regulation 7 of the Solicitors Audit Regulations 1938, Amendment No. 2, the words " Within the first fourteen days of each month except January and within the first twenty-one days in January ", and substituting the words " In each month, not later than the tenth day on which the offices of solicitors in the district of the District Law Society are normally open for business during that month, ".

3. Regulation 8 of the principal regulations is hereby amended by inserting, after subclause (3), the following subclause :—

" (3A) Where a solicitor actually receives any moneys of a trust either by himself or his servants, a receipt shall be issued in accordance with subclause (7) of regulation 7 hereof."

4. Regulation 9 of the principal regulations is hereby amended by omitting from subclause (3) the words " the report to be delivered to the Secretary of the District Law Society pursuant to clause (9) of regulation 5 hereof, and shall in that case ", and substituting the words " a report to be delivered forthwith to the Secretary of the District Law Society, and shall at the same time ".

T. J. SHERRARD,
Clerk of the Executive Council.

* Statutory Regulations 1938, Serial number 1938/37, page 199.
Amendment No. 1 : Statutory Regulations 1941, Serial number 1941/195, page 599.
Amendment No. 2 : Statutory Regulations 1943, Serial number 1943/25, page 36.

EXPLANATORY NOTE

[*This note is not part of the regulations, but is intended to indicate their general effect.*]

These regulations amend the Solicitors Audit Regulations 1938 in the following respects :—

- (a) The monthly lists of trust account balances are to be sent to the auditor not later than the tenth day on which solicitors' offices are open in each month. The existing rule prescribes the first twenty-one days of January and the first fourteen days of every other month :
- (b) It is made clear that a trust receipt must be issued by a solicitor who receives money as a trustee, although the moneys are not paid into his trust account :
- (c) An auditor who discovers irregularities in the keeping of a solicitor's trust account is to report them to the District Law Society and the New Zealand Law Society forthwith, instead of waiting for his annual report.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette* : 15th day of November 1951.

These regulations are administered in the Department of Justice.