

*The Samoa Law Practitioners Order, 1935.*

GALWAY, Governor-General.

## ORDER IN COUNCIL.

At the Government House at Wellington, this 29th day of April, 1935.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

HIS Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and in pursuance of the authority to make laws for the peace, order, and good government of the Territory of Western Samoa conferred on him by the Samoa Act, 1921, and of all other powers and authorities enabling him in that behalf, doth hereby make the following regulations.

## REGULATIONS.

## SHORT TITLE.

1. This Order may be cited as the Samoa Law Practitioners Order, 1935.

## INTERPRETATION.

2. In this Order, unless a contrary intention appears,—
  - “ Auditor ” means a person authorized under this Order to audit trust accounts, and includes any officer of the New Zealand Public Service or the Samoan Public Service appointed by the High Court to make a special audit :
  - “ Solicitor ” includes any person practising or licensed to practise in Samoa as a solicitor, conveyancer, or legal agent :
  - “ Trust Account ” means the account relating to moneys received or held by a solicitor for or on behalf of any other person.

## PART I.—TRUST ACCOUNTS.

*Solicitor's Books.*

3. Every solicitor shall keep such books and accounts as may be necessary to show and distinguish in connection with his practice as a solicitor—

- (a) The moneys received from or on account of and the moneys paid to or on account of each of his clients ; and
- (b) The moneys received and the moneys paid on his own account.

*Solicitor's Trust Bank Account.*

4. Every solicitor who holds or receives money on account of a client (save money hereinafter expressly exempted from the application of this clause) shall, without undue delay, pay such money into a current or deposit account at a bank, to be kept in the name of the solicitor, in the title of which the word “ trust ” shall appear (hereinafter referred to as a trust account). Any solicitor may keep one trust account or as many such accounts as he thinks fit :

Provided that when a solicitor receives a cheque or draft representing in part money belonging to the client and in part money due to the solicitor he may, where practicable, split the cheque or draft and pay to the trust account that part only which represents money belonging to the client. In any other case he shall pay the whole of such cheque or draft into the trust account.