
First published in the *Government Gazette*, Electronic Edition, on 25th November 2011 at 5.00 pm.

No. S 631

LEGAL PROFESSION ACT
(CHAPTER 161)

LEGAL PROFESSION
(SOLICITORS' ACCOUNTS) (AMENDMENT NO. 2)
RULES 2011

In exercise of the powers conferred by section 72(1) of the Legal Profession Act, the Council of the Law Society of Singapore, with the approval of the Chief Justice, hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Legal Profession (Solicitors' Accounts) (Amendment No. 2) Rules 2011 and shall come into operation on 25th November 2011.

Amendment of rule 3

2. Rule 3(1B) of the Legal Profession (Solicitors' Accounts) Rules (R 8) (referred to in these Rules as the principal Rules) is amended by deleting the word "A" and substituting the words "Subject to rule 17, a".

Amendment of rule 4

3. Rule 4 of the principal Rules is amended by deleting the words "withdrawn by the solicitor from his conveyancing account" in paragraph (f) and substituting the words "received by the solicitor".

Amendment of rule 7

4. Rule 7(1) of the principal Rules is amended by inserting, immediately after the words "client's money" in sub-paragraph (a), the words " , any money paid into the client account under rule 4(e) or (f), or any conveyancing money or anticipatory conveyancing money deposited into the client account before 1st August 2011 which continues to be held in the client account under rule 17(1)(a)".

Amendment of rule 11

5. Rule 11(6) of the principal Rules is amended by deleting the word “client’s” in sub-paragraph (b) and substituting the word “client”.

New rule 17

6. The principal Rules are amended by inserting, immediately after rule 16, the following rule:

“Transitional and savings provisions for conveyancing money or anticipatory conveyancing money deposited into client account before 1st August 2011

17.—(1) Notwithstanding anything in these Rules or in Part II of the Conveyancing Rules, a solicitor may continue to hold any conveyancing money or anticipatory conveyancing money that is deposited into his client account before 1st August 2011 —

- (a) in any case where the money is unclaimed conveyancing money, in accordance with these Rules, until the money is drawn from the client account; or
- (b) in any other case, for a period of 5 months beginning on 1st August 2011.

(2) For a period of 5 months beginning on 1st August 2011 —

- (a) rules 2(1), 3 to 6, 7(1), 9(3), 10, 11 and 11A(8) of these Rules in force on or after 1st August 2011 shall not apply to a solicitor in respect of any holding by him of any conveyancing money or anticipatory conveyancing money referred to in paragraph (1); and
- (b) rules 2(1), 3 to 6, 7(1), 9(3), 10, 11, 11A(8) and 11B of these Rules in force immediately before 1st August 2011 shall continue to apply to that solicitor, in respect of that holding by him of the money.

(3) In this rule, “unclaimed conveyancing money” means any conveyancing money or anticipatory conveyancing money deposited into a solicitor’s client account before 1st August 2011 which the solicitor is unable to pay to the person entitled to be paid the money by reason that —

- (a) the solicitor is unable to ascertain —
 - (i) whether that person exists; or
 - (ii) the address of that person;

-
-
- (b) the solicitor has tendered to that person, but that person has not accepted, the money;
 - (c) the solicitor has tendered the money to that person by a cheque, but that person has not encashed the cheque; or
 - (d) despite the making of reasonable efforts, the solicitor is unable to tender the money to that person.”.

*[G.N. Nos. S 466/2001; S 109/2004; S 660/2006; S 206/2007;
S 207/2007; S 478/2008; S 468/2009; S 395/2011]*

Made this 22nd day of November 2011.

WONG MENG MENG
President,
Council of the Law Society of Singapore.

[LS/10/CVP2/Gen/11-09/AC; AG/LLRD/SL/161/2010/11 Vol. 1]

(To be presented to Parliament under section 131 of the Legal Profession Act).