

Queensland

**Legal Profession Act 2007**  
[section 499(2)]**Instrument of Appointment of Person  
Other than QLS Officer as Supervisor**To:  (insert name and address of supervisor)Re:  (insert name and address of law practice) ('the law practice')

The Council of the Queensland Law Society ('the Society') **RESOLVED** on the   
(insert day) of  (insert month and year), pursuant to the provisions of s497   
(insert relevant paragraph) of the *Legal Profession Act 2007* ('the Act'), that the law practice has  (insert  
relevant default provision). The Council of the Society further **RESOLVED** on the   
(insert day) of  (insert month and year), pursuant to s498 (1) of the Act that external  
intervention in the law practice is warranted.

The Council of the Society further **RESOLVED** on the  (insert day) of  
 (insert month and year), pursuant to s498(2)(a) of the Act to commence external  
intervention by appointing you the supervisor of trust money received by the law practice.

You have agreed to accept appointment and are hereby appointed supervisor of trust money of the law  
practice subject to the following terms and conditions:

- 1 You are appointed supervisor of trust money of the law practice until such time as you resign or until you are advised by the Society that your appointment is terminated.
- 2 You are required to submit accounts to the Director, Professional Standards of the Society, relevant to the duties performed by you as supervisor, within twenty-one (21) days of the last day of each month during your appointment. The accounts are to include:
  - 2.1 the date the work was carried out;
  - 2.2 brief details of the work carried out;
  - 2.3 the time taken to complete the work;
  - 2.4 the charge for the work.
- 3 You are required to open a new trust account for the law practice with a financial institution in the name of  (insert name of law practice) Law Practice Trust Account (Supervisor Appointed) ('the supervisor's trust account').
- 4 You are required to withdraw any money deposited by the law practice to a prescribed account under s285 of the *Legal Profession Act 2007* and deposit that money to the law practice general trust account.



- 5 You are required to transfer the balances of the law practice general trust accounts, after completing step 4 above, to the supervisor's trust account by drawing cheques on the law practice general trust accounts for the balances of the money in those accounts (the cash book balances) and banking those cheques into the supervisor's trust account.
- 6 You are required to issue trust account receipts for the receipt of the money from the law practice general trust accounts.
- 7 The receipts can be issued from the law practice trust account receipt book, or a receipt book kept by you exclusively for use in respect of your appointment as the supervisor of trust money of the law practice, or by means of a receipt generated by a computerised accounting system that complies with the requirements of the *Legal Profession Act 2007* and the *Legal Profession Regulation 2007* and that records that it is issued on behalf of the law practice.
- 8 You are required to advise all financial institutions that hold trust money in the name of the law practice, or the principal, or a partner or partners, of the law practice, as trustee for another person or entity, that the money in the account is trust money and can only be withdrawn or transferred from the account by you.
- 9 You are required to comply with the provisions of the *Legal Profession Act 2007* and the *Legal Profession Regulation 2007* including but not limited to the requirements to give notices to the Society, the requirements to issue trust account receipts and controlled money receipts, the requirements in relation to the disbursement of trust money, the requirements in relation to the maintenance of trust accounting records and the requirements for the external examination of trust accounts and trust accounting records.
- 10 You are required to provide to the Director, Professional Standards of the Society ('the Director'), within twenty-one (21) days of the last day of each month during your appointment, copies of the reconciliations of the supervisor's trust account and the law practice trust account, including the following:
  - 10.1 the cash book balance at the beginning of the month;
  - 10.2 the total amount of trust money received during the month;
  - 10.3 the total amount of trust money disbursed during the month;
  - 10.4 the cash book balance at the end of the month;
  - 10.5 the balance of the financial institution account for the trust account at the end of the month;
  - 10.6 details of all trust money received but not banked to the trust account, including the relevant receipt number, the date of issue of the receipt, the amount received and the date the money was banked to the trust account;
  - 10.7 details of all cheques issued on the trust account before the end of the month that have not been presented at the end of the month, including the cheque number, the date of issue of the cheque, the amount of the cheque and the cheque payee;
  - 10.8 listings of trust ledger account balances at the end of the month;
- 11 You are required to provide to the Director, within twenty-one (21) days of the last day of each month during your appointment, listings of controlled money account balances and investment money account balances at the end of the month.

- 12 You are further required to report to the Director, within twenty-one (21) days of the last day of each month during your appointment the following:
- 12.1 whether you are satisfied that a trust account receipt, or a controlled money receipt, has been issued for all trust money received by the law practice since your appointment;
  - 12.2 details of any breaches of the provisions of the *Legal Profession Act 2007* and *Legal Profession Regulation 2007* before and after your appointment that have not previously been reported to the Society;
  - 12.3 any concerns that you have in relation to the manner in which the law practice was operated and that have not previously been reported to the Society;
  - 12.4 whether you have any reason to doubt whether the law practice can pay its debts as and when they fall due;
  - 12.5 any other matters that you consider should be reported to the Society.

signed for and on behalf of the Society by the Society's Secretary,

this  (insert day) day of  (insert month and year).

Please refer to the Queensland Law Society's website, [www.qls.com.au](http://www.qls.com.au), for a copy of its privacy policy.