External Examiner's Report



Queensland | Legal Profession Regulation 2017 | section 66

QLS FORM 5 (LPR) | version 12

Please Note: All questions and schedules must be completed or marked NOT APPLICABLE. Failure to do so will result in the report being returned.

Introduction

The External Examiner's Report (hereinafter referred to as 'Form 5') contains three schedules:

Schedule 1 Breaches of Legislation

Schedule 2 Law Practice Declaration and Trust Money Statement

(QLS Form 4 (LPR))

Part A Law Practice Declaration
Part B Trust Money Statement

Schedule 3 Certificate regarding EFT payments **only** (not OSR/PEXA DD's) All law practices with an office in Queensland are required to complete Part A, irrespective of whether they have received, or held, trust money.

Prescribed form

Form 5 is a prescribed form the approval of which has been notified in the *Queensland Government Gazette*.

As a prescribed form, the only changes that are permissible are changes to the lightly shaded areas (appears as blue shading when viewed on a computer screen) of the form to complete the form.

Lodgement

The completed External Examiner Report (QLS Form 5 (LPR)), along with the Law Practice Declaration and Trust Money Statement (QLS Form 4 (LPR)), are to be lodged with the Society within 60 days after the end of the financial period.

External examiner's report				
The period covered by this report is:				
From:		To:		
(dd/mm/yy)		(dd/mm/yy)		
Name of trust accou	nt:			
BSB:	Account No.:			
Name of trust accou	Name of trust account:			
BSB:	Account No.:			
Name of trust accou	nt:			
BSB:	Account No.:			
Name of law practice	Э			
Address of law practice				
		Postcode		

Scope

The procedures to be adopted by the External Examiner to complete this report are to be sufficient to enable the External Examiner to form an opinion in accordance with the relevant Act and Regulations regulating the maintenance of trust records and the receipting and disbursement of trust money by the law practice.

Opinion 1

I have conducted an examination of the trust records of the law practice based on appropriate examinations and sample techniques for the period ended ______/ _______/ ______.

Opinion 2

I have received and examined the Law Practice Declaration and Trust Money Statement (Schedule 2 of this Report) provided to me by the law practice in accordance with s61 of the *Legal Profession Regulation 2017*. Subject to the following exceptions,* nothing has come to my attention that the information recorded in the law practice's Part B Trust Money Statement is not true:

*Attach additional details if space is insufficient.

Opinion 3

After reviewing the breaches noted in Schedule 1 of this report and based on the results of my examination, I am of the opinion that the trust records for the:

Have Have not Not applicable

General Trust Accounts		
Controlled Money Accounts		
Trust money subject to specific power		
Written Direction Money Accounts		

Register of Investments of
Trust Money Accounts

been properly kept in accordance with the provisions of the Legal Profession Act 2007 and Legal Profession Regulation 2017.

If any of the answers in the above box are 'HAVE NOT' please provide details at Opinion 7 of this report.

Opinion 4

Subject to any exceptions noted in Opinion 7 of this report, I am of the opinion that all necessary trust records were produced to me as requested for the purpose of the external examination and that the records were kept in a way that enables the records to be conveniently externally examined.

5. Overdrawn Trust ledgers report							
In respect to items 3, 4, 8 and 11 of Part B of the as detailed below.*	In respect to items 3, 4, 8 and 11 of Part B of the Trust Money Statement I am of the opinion that the overdrawing was restored promptly except as detailed below.*						
Type of Account (Trust Ledger Account, General Trust ADI Account, Controlled Money Account, Register of Investments of Trust Money or Approved ADI Trust Account). If ledger provide matter number.	Date of overdraw	Amount \$	Date rectified	Reason for overdraw			
*Attach additional details if space is insufficient	*Attach additional details if space is insufficient.						
Opinion 6							
In my opinion the law practice has breached the Legand the receipting and disbursement of trust money							
Opinion 7 In my opinion the following information,* which has not be a second or control of the second or control or	not been included in ar	ny of the attached S	Schedules needs to b	be drawn to the attention of Queensland Law			
Society Incorporated.	Society Incorporated.						

*Attach additional details if space is insufficient.

Opinion 8

I acknowledge that Queensland Law Society Incorporated will rely on the information contained in this External Examiner's Report. I disclaim any assumption of responsibility for any reliance on this External Examiner's Report to any person other than Queensland Law Society Incorporated, or for any purpose other than that for which it was prepared.

Opinion 9			
I confirm that I am a member of and hold a practising certificate issued by:	CPA Australia		
	☐ CA ANZ		
	☐ IPA		
	Registered Company Auditor in public practice		

Signed	
Dated	
Full Name	
Accounting Practice Name	
Postal Address	
	Postcode
Facsimile Number	
Email Address	

Privacy

Queensland Law Society ('the Society') is authorised to collect your personal information under the *Legal Profession Act 2007* and the *Legal Profession Regulation 2017*, and may use the personal information you have provided in this form for a number of purposes including carrying out the Society's statutory obligations and duties.

The information may be provided to various organisations, such as the Legal Services Commission and corresponding interstate and overseas authorities, in accordance with the *Legal Profession Act 2007*. It may also be provided to the person or entity with whom the external examiner is registered or a member or, as appropriate, to the Chief Executive, Department of Justice and Attorney-General.

Further details about the Society's Privacy Statement, Plan and Code of Practice and the collection of personal information may be found on the Society's website, **qls.com.au**.

Schedule 1: Breaches of legislation				
Legislation*	Description and Extent of Breach*			
*Attach additional details if space is insuffici	ont .			
Breaches recorded in this table do not necessar	rily indicate that the records have not been maintained in accordance with the Legal Profession Regulation 2017.			
If no breaches, insert NIL.				

QLS FORM 5 (LPR) version 12

Schedule 3: External Exa	miner Certificate			
Certificate from External E	Examiner as to whether law p	ractice has complied with Qu	ueensland Law Society's Elec	tronic Funds Transfers
Guidelines for trust accour	nt operations ('the guidelines	;')		
	the enterned	de la Cilia de la companione		
l,	, the external	examiner of the law practice,		, certify that:
1 The law practice appears t	to have complied with the guideli	ince in respect of all FET trust na	remants noted during the externs	Novamination: Type Tho
	to have complied with the guideli lease provide details as follows:	TIES ITTESPECTOLAILELT TUGST PA	yments noted during the externo	ii examination yesno
Name of trust account	Date of payment	EFT payment ref no	Amount	Details of non-compliance
payment made from	Date of paymont	Li i paymont for no	Amount	Details of Horr compilation
	ayments were noted during the e		to have been made in accordance	ce with the guidelines
(list no more than 5 EF I tr	rust payments; if less than 5 were	e noted, list all that were noted):		
Name of trust account	Date of payment	EFT payment ref no	Amount	Payee
payment made from				
Signature				
Name of external examiner				
Date				