



NEW SOUTH WALES
BAR ASSOCIATION

LEGAL PROFESSION
Uniform Law

External Examiner's Report – Barrister (2020)

Clause 15 – Legal Profession Uniform Law Application Regulation 2015

EXAMINATION REPORT DATES ¹	Start date	D	D	/	M	M	/	Y	Y	Y	Y
	End date	D	D	/	M	M	/	Y	Y	Y	Y

BARRISTER DETAILS ²	
Name of Barrister	
Practice Address	

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 as to the Barrister's compliance with Clause 15 of the <i>Legal Profession Uniform Law Application Regulation 2015</i> ('the LPULAR').

TRUST MONEY ACCOUNT PARTICULARS ³
<p><u>Trust money account particulars</u></p> <p>The details of the trust money account examined are set out follows:</p> <p>Account Name:</p> <p>BSB:</p> <p>Account Number:</p>

1. OPINION - EXAMINATION OF RECORDS		
I have conducted an examination of the records relating to the trust money account (including the records referred to in clause 15 of the LPULAR of the Barrister based on appropriate examination and sample techniques for the year ending 31 March XXXX. If NO, please disclose in item 4 – Opinion - Final Comments	Yes	No

¹ Insert dates

² Insert details of the barrister

³ Insert details if more than one trust money account was examined.



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2. OPINION - PRODUCTION OF RECORDS

I am of the opinion that all necessary trust records were produced to me as requested for the purpose of the external examination and the records were kept in a way that enables them to be conveniently externally examined.

Yes

No

If NO, please disclose in item 4 – Opinion - Final Comments

3. OPINION - EXAMINATION OF RECORDS

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:

(i) the requirements of clause 15(2)(a) of the LPULAR	Have	Have Not	Not Applicable
(ii) the requirements of clause 15(2)(b) of the LPULAR	Have	Have Not	Not Applicable
(iii) the requirements of clause 15(2)(c) of the LPULAR	Have	Have Not	Not Applicable
(iv) the requirements of clause 15(2)(d) of the LPULAR	Have	Have Not	Not Applicable
(v) the requirements of clause 15(2)(e) of the LPULAR	Have	Have Not	Not Applicable
(vi) the requirements of clause 15(2)(f) of the LPULAR	Have	Have Not	Not Applicable
(vii) the requirements of clause 15(2)(g) of the LPULAR	Have	Have Not	Not Applicable

been complied with in accordance with the provisions of the LPULAR.

If any of the answers above are “have not” or “not applicable” please disclose in item 4 – Opinion - Final Comments

4. OPINION - FINAL COMMENTS

Is there any information, which has not been included in any of the schedules that needs to be drawn to the attention of the Bar Council (or its delegate)?

Yes

No

If YES, please provide further information below.

5. OPINION - DISCLAIMER

☐ I acknowledge that the Bar Council (or its delegate) will rely on the information contained in this External Examiner's Report. I disclaim any assumption of responsibility for any reliance on this External Examiners report by any person other than the Bar Council (or its delegate) or any purpose other than that for which it was prepared.



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SCHEDULE 1 – BREACHES OF LEGISLATION				
Section No of Act/Rule	Description of Act/Rule	Extent of Breach	Explanation	Outcome

Note: A description of the breach/es should include the following particulars:

- the relevant client name/s
- the matter/s to which the payments related
- the sum/s involved in each transaction
- the date of deposit of the relevant payment/s
- the bank account/s the payments were deposited to
- the date on which the payment/s were transferred to the trust money account or elsewhere as applicable
- how and when the breach/es occurred, any explanation/s provided by the barrister with respect to the breach/es, and any outcomes and/or changes to the barrister's practices as a result of the breach/es being identified in this report



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CERTIFICATION – EXTERNAL EXAMINER

I confirm that I am:

_____ - External Examiner Name

_____ - Accounting Firm Name

_____ - External Examiner ID #

_____ - External Examiner Address

_____ - External Examiner Telephone Number

_____ - External Examiner Email Address

who meets the criteria for appointment as an External Examiner within the meaning of rule 65 of the Uniform Rules and:		
has successfully completed a course of education approved by the Legal Services Council	Yes	No
is a member of CPA Australia holding a current Public Practising Certificate;	Yes	No
is a member of Chartered Accountants Australia and New Zealand holding a current Certificate of Public Practice;	Yes	No
is a member of Institute of Public Accountants holding a current Professional Practice Certificate;	Yes	No
is a person registered as an Auditor under Part 9.2 of the Corporations Act;	Yes	No
is an employee or agent of the Designated Local Regulatory Authority (or its delegate);	Yes	No

By submitting⁴ this completed External Examiner's Report – Barrister including Schedule 1 – Breaches of Legislation, I certify that the answers in the certification are true to the best of my knowledge and belief.

Date of Certification:

⁴ **Completed examination reports for barristers should be submitted to the NSW Bar Association** by the External Examiner by email to pcd@nswbar.asn.au or sent to the Bar Association by post at 'NSW Bar Association, B/174 Phillip Street, Sydney NSW 2000' or DX 1204. A completed copy of this report and any report documentation should be retained by the External Examiner as part of their work papers.