

---

---

First published in the *Government Gazette*, Electronic Edition, on 8th July 2011 at 5.00 pm.

**No. S 395**

LEGAL PROFESSION ACT  
(CHAPTER 161)

LEGAL PROFESSION  
(SOLICITORS' ACCOUNTS) (AMENDMENT)  
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) Rules 2011 and shall come into operation on 1st August 2011.

**Amendment of rule 2**

**2.** Rule 2(1) of the Legal Profession (Solicitors' Accounts) Rules (R 8) (referred to in these Rules as the principal Rules) is amended —

(a) by inserting, immediately after the definitions of ““accounting corporation”, “accounting firm” and “accounting LLP””, the following definition:

““anticipatory conveyancing money” has the same meaning as in rule 4(4) of the Conveyancing Rules;”;

(b) by deleting the definitions of ““bank pass book” and “bank statement”” and substituting the following definitions:

““bank pass book” means a pass book issued by a bank in respect of any client account, conveyancing account or conveyancing (CPF) account maintained at such bank, and includes a pass book issued by an approved finance company in respect of a client account maintained at such finance company;

“bank statement” means a statement issued by a bank in respect of any client account, conveyancing account or conveyancing (CPF) account maintained at such bank, and includes a statement issued by an approved finance company in respect of a client account maintained at such finance company;

“Central Provident Fund Board” means the Central Provident Fund Board constituted under the Central Provident Fund Act (Cap. 36);”;

(c) by deleting the definition of “client’s money” and substituting the following definition:

“ “client’s money” means money held or received by a solicitor on account of a person for whom he is acting (in relation to the holding or receipt of such money) either as a solicitor, or in connection with his practice as a solicitor, an agent, a bailee or a stakeholder or in any other capacity, other than —

(a) money held or received on account of the trustees of a trust of which the solicitor is solicitor-trustee;

(b) money to which the only person entitled is the solicitor himself or, in the case of a firm of solicitors, one or more of the partners in the firm; or

(c) conveyancing money or anticipatory conveyancing money;”;

(d) by deleting the definitions of “ “conveyance” and “land” ” and “conveyancing money” and substituting the following definitions:

“ “conveyance” has the same meaning as in the Conveyancing and Law of Property Act (Cap. 61);

“conveyancing account”, “conveyancing (CPF) account” and “conveyancing money” have the same meanings as in rule 2(2) of the Conveyancing Rules;

“Conveyancing Rules” means the Conveyancing and Law of Property (Conveyancing) Rules 2011 (G.N. No. S 391/2011);

“land” has the same meaning as in rule 2(2) of the Conveyancing Rules;”;

- 
- 
- (e) by deleting the definition of “solicitor” and substituting the following definition:
- ““solicitor” means an advocate and solicitor of the Supreme Court, and includes a Singapore law practice;” and
- (f) by inserting, immediately after the words “client’s money” in the definition of “trust money”, the words “or conveyancing money”.

### **Amendment of rule 3**

#### **3. Rule 3 of the principal Rules is amended —**

- (a) by inserting, immediately after paragraph (1), the following paragraphs:
- “(1A) A solicitor shall not hold or receive conveyancing money except in accordance with the applicable provisions of these Rules and the Conveyancing Rules.
- (1B) A solicitor shall not hold or receive any anticipatory conveyancing money belonging to another person.”;
- (b) by inserting, immediately after paragraph (2), the following paragraphs:
- “(3) Any solicitor may keep one conveyancing account or as many such accounts as he thinks fit.
- (4) Any solicitor appointed to act for the Central Provident Fund Board in a conveyancing transaction may keep one conveyancing (CPF) account or as many such accounts as he thinks fit.
- (5) Every conveyancing account or conveyancing (CPF) account kept by a solicitor under paragraph (3) or (4) shall be maintained by the solicitor in accordance with the Conveyancing Rules.
- (6) No money shall be withdrawn from a conveyancing account or conveyancing (CPF) account except in accordance with the Conveyancing Rules.”; and
- (c) by inserting, immediately after the word “accounts” in the rule heading, the words “, conveyancing accounts and conveyancing (CPF) accounts”.

---

---

**Amendment of rule 4**

4. Rule 4 of the principal Rules is amended —

- (a) by deleting the word “and” at the end of paragraph (c);
- (b) by deleting “5” in paragraph (d) and substituting “5(3)”; and
- (c) by deleting the full-stop at the end of paragraph (d) and substituting a semi-colon, and by inserting immediately thereafter the following paragraphs:

“(e) any money provided to the solicitor under rule 5(3) of the Conveyancing Rules, if the solicitor satisfies the condition referred to in that provision; and

(f) any money withdrawn by the solicitor from his conveyancing account under rule 5(4) of the Conveyancing Rules, if the solicitor satisfies the condition referred to in that provision.”.

**Deletion and substitution of rule 5**

5. Rule 5 of the principal Rules is deleted and the following rule substituted therefor:

**“Splitting of moneys**

5.—(1) Subject to paragraph (2), a solicitor shall not hold or receive any sum of money which consists of a mixture of conveyancing money and any other money.

(2) Where any sum of money held or received by a solicitor subsequently becomes a mixture of conveyancing money and any other money, the solicitor shall —

- (a) split the conveyancing money from the other money; and
- (b) deal with the conveyancing money as if he had received the conveyancing money as a separate sum of money.

(3) Subject to paragraphs (1) and (2), where a solicitor holds or receives any sum of money which consists of a mixture of client’s money, or trust money of one or more trusts, or both, and any other money —

- (a) he may where practicable split the money and, if he does so, he shall deal with each part thereof as if he had received a separate sum of money in respect of that part; or

- (b) if he does not split the money, he shall, if any part thereof consists of client's money, and may, in any other case, pay the money into a client account.”.

### **Amendment of rule 6**

6. Rule 6 of the principal Rules is amended by deleting the words “3, 4 and 5” in paragraph (1) and the rule heading and substituting in each case the words “3(1), 4 and 5(3)”.

### **Amendment of rule 7**

7. Rule 7(1) of the principal Rules is amended by deleting “5(b)” in sub-paragraph (c) and substituting “5(3)(b)”.

### **Amendment of rule 9**

8. Rule 9(3) of the principal Rules is amended by deleting “5” and substituting “5(3)”.

### **Deletion and substitution of rule 10**

9. Rule 10 of the principal Rules is deleted and the following rule substituted therefor:

#### **“Transfers between accounts**

10. No sum shall be transferred from the ledger account of one client to that of another, except in circumstances in which —

- (a) it would have been permissible under these Rules to have withdrawn from a client account the sum transferred from the first client and to have paid into a client account the sum so transferred to the second client; or
- (b) it would have been permissible under the Conveyancing Rules to have withdrawn from a conveyancing account the sum transferred from the first client and to have paid into a conveyancing account the sum so transferred to the second client.”.

### **Amendment of rule 11**

10. Rule 11 of the principal Rules is amended —

- (a) by deleting sub-paragraphs (i) and (ii) of paragraph (1)(a) and substituting the following sub-paragraphs:

- 
- 
- “(i) client’s money received, held or paid by him through a client account;
  - (ii) conveyancing money received, held or paid by him through a conveyancing account or conveyancing (CPF) account; and
  - (iii) any other money dealt with by him through a client account;”;
- (b) by deleting the words “any client’s account” in paragraph (6)(b) and substituting the words “each client’s account, conveyancing account and conveyancing (CPF) account”.

### **Amendment of rule 11A**

**11.** Rule 11A(8) of the principal Rules is amended —

- (a) by deleting the words “client’s account bank statements” in sub-paragraph (a) and substituting the words “bank statements for all or any of the solicitor’s client accounts, conveyancing accounts or conveyancing (CPF) accounts”; and
- (b) by deleting sub-paragraph (c) and substituting the following sub-paragraph:
  - “(c) the solicitor has received, held or authorised the withdrawal of client’s conveyancing money in contravention of the applicable provisions of these Rules or the Conveyancing Rules, or both;”.

### **Deletion of rule 11B**

**12.** Rule 11B of the principal Rules is deleted.

### **Transitional and savings provisions**

**13.—**(1) Notwithstanding anything in these Rules, a solicitor may hold any conveyancing money or anticipatory conveyancing money that is deposited into his client account before 1st August 2011, for a period of 5 months beginning on that date.

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

- (a) rules 2 to 12 of these Rules 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 the principal Rules in force immediately before 1st August 2011 shall continue to apply to that solicitor, in respect of that holding by him of that conveyancing money or anticipatory conveyancing money referred to in paragraph (1), as if rules 2 to 12 of these Rules had not been made.

(3) In this rule —

“anticipatory conveyancing money” has the same meaning as in rule 4(4) of the Conveyancing and Law of Property (Conveyancing) Rules 2011 (G.N. No. S 391/2011);

“client account” has the same meaning as in rule 2(1) of the principal Rules in force immediately before 1st August 2011;

“conveyancing money” has the same meaning as in rule 2(2) of the Conveyancing and Law of Property (Conveyancing) Rules 2011;

“solicitor” means an advocate and solicitor of the Supreme Court, and includes a Singapore law practice.

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

Made this 6th day of July 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).