

SRA consultation

Overseas Accounts Rules

Response by the Junior Lawyers Division of the Law Society of England and Wales

The Junior Lawyers Division of the Law Society of England and Wales (the 'JLD') represents LPC students, paralegals who have completed the LPC, trainee solicitors, and solicitors up to five years qualified. With a membership of approximately 75,000, it is important that we represent our members in all matters likely to affect them either currently and / or in the future.

The JLD has reviewed the 'Overseas Accounts Rules' consultation, and understands the rationale put forward by the SRA to remove section 7 of the SRA Accounts Rules 2011, and insert a new section 3 into the Overseas Rules.

The JLD would like to highlight a particular concern that it has in relation to the proposed definition of 'client money' in section 5 of the consultation, which we fear lacks any meaning. The JLD would propose the following definition (emphasis added):

Client money (overseas)

Means money belonging to a client, received or held outside of England and Wales which is neither office money nor money which belongs to you or a third party.

The JLD understands that this definition reflects what is meant by '*Client money (overseas)*'. However, if the JLD is incorrect in this understanding, that is all the more reason for the SRA to reconsider the definition proposed in the consultation.

Whilst the JLD considers this an important issue for the SRA to consider, the JLD considers that the 'Overseas Accounts Rules' consultation does not affect its members directly at this present time, and it is understood that other stakeholders and representative bodies are raising these issues on behalf of their members that are directly affected. The JLD feels it is necessary, however, to raise the above concern.

The Junior Lawyers Division

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