



Solicitors Act 1974

1974 CHAPTER 47

PART II

PROFESSIONAL PRACTICE, CONDUCT AND DISCIPLINE OF SOLICITORS AND CLERKS

Accounts etc.

34 Accountants' reports

- (1) Every solicitor shall once in each period of twelve months ending with 31st October, unless the Council are satisfied that it is unnecessary for him to do so, deliver to the Society, whether by post or otherwise, a report signed by an accountant (in this section referred to as an "accountant's report") and containing such information as may be prescribed by rules made by the Council under this section.
- (2) An accountant's report shall be delivered to the Society not more than six months (or such other period as may be prescribed by rules made under this section) after the end of the accounting period specified in that report.
- (3) Subject to any rules made under this section, the accounting period for the purposes of an accountant's report—
 - (a) shall begin at the expiry of the last preceding accounting period for which an accountant's report has been delivered;
 - (b) shall cover not less than twelve months; and
 - (c) where possible, consistently with the preceding provisions of this section, shall correspond to a period or consecutive periods for which the accounts of the solicitor or his firm are ordinarily made up.
- (4) The Council shall make rules to give effect to the provisions of this section, and those rules shall prescribe—
 - (a) the qualification to be held by an accountant by whom an accountant's report is given ;
 - (b) the information to be contained in an accountant's report;

Status: This is the original version (as it was originally enacted).

- (c) the nature and extent of the examination to be made by an accountant of the books and accounts of a solicitor or his firm and of any other relevant documents with a view to the signing of an accountant's report;
 - (d) the form of an accountant's report; and
 - (e) the evidence, if any, which shall satisfy the Council that the delivery of an accountant's report is unnecessary and the cases in which such evidence is or is not required.
- (5) Rules under this section may include provision—
 - (a) permitting in such special circumstances as may be defined by the rules a different accounting period from that specified in subsection (3); and
 - (b) regulating any matters of procedure or matters incidental, ancillary or supplemental to the provisions of this section.
- (6) If any solicitor fails to comply with the provisions of this section or of any rules made under it, a complaint in respect of that failure may be made to the Tribunal by or on behalf of the Society.
- (7) A certificate under the hand of the Secretary of the Society shall, until the contrary is proved, be evidence that a solicitor has or, as the case may be, has not delivered to the Society an accountant's report or supplied any evidence required under this section or any rules made under it.
- (8) Where a solicitor is exempt from rules under section 32—
 - (a) nothing in this section shall apply to him unless he takes out a practising certificate ;
 - (b) an accountant's report shall in no case deal with books, accounts or documents kept by him in the course of employment by virtue of which he is exempt from those rules; and
 - (c) no examination shall be made of any such books, accounts and documents under any rules made under this section.