# Special Situations –

**What Applies**

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  | Is it client money? | Subject to reconciliations? | Keep books? | Retain statements? | Subject to accountant’s report? | Produce records to SRA? | Interest? | Retain records generally? | Central records? | Subject to reporting accountant’s comparisons? |
| 1 | R.15.1(a) a/cs in practice name (not client a/c) | Yes | Yes | Yes – r.29.1(a) and 29.2 | Yes – r.29.17 | Yes | Yes | Yes – r.22 | Yes – r.29.17 | Statements or register – r.29.19Bills – r.29.15 | Yes – r.39.1(f) |
| 2 | R.15.1(b) a/cs in name of client – not operated by practice | No | No | No – record receipt and payment only | No | No | No | No – all interest earned for client – r.22, guidance note (i)(i) | No – except record of receipt and payment | Bills – r.29.15 | No |
| 3 | R.15.1(b) a/cs in name of client – operated by practice | No | No | No – record receipt and payment only | Yes – r.30 | Limited – r.39.1(n) | Yes – r.10 | No – all interest earned for client – r.22, guidance note (i)(i) | No – except record of receipt and payment | Statements – r.30Bills – r.29.15 | No |
| 4 | Liquidators, trustees in bankruptcy and Court of Protection deputies | Yes – r.8 | No – r.8 | Modified – statutory records – r.8 | Yes – r.8 and r.29.17(c) | Limited – r.39.1(l) | Yes – r.8 | No – r.8 – comply with statutory rules (but see r.8.4 and r.22, guidance note (iv)(a)) | Yes – modified r.29.17(c) | Yes – r.29.20 Bills – r.29.15 | No – r.8 |
| 5 | Trustees of occupational pension schemes | Yes – r.8 | No – r.8 | Modified – statutory records – r.8 | Yes – r.8 and r.29.17(c) | Limited – r.39.1(l) | Yes – r.8 | No – r.8 – comply with statutory rules (but see r.8.4 and r.22, guidance note (iv)(a)) | Yes – modified r.29.17(c) | Yes – r.29.20 Bills – r.29.15 | No – r.8 |
| 6 | Joint accounts – r.9 | Yes – r.9 | No – r.9 | No – r.9 | Yes – r.9 and 29.17(b)(ii) | Limited – r.39.1(m) | Yes – r.9 | No. For joint a/c with client, all interest to client (r.22, guidance note (v)(a)); for joint a/c with another practice or other third party, depends on agreement | No – r.9 | Statements – r.29.21Bills – r.29.15 | No – r.9 |
| 7 | Acting under power of attorney | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Bills – r.29.15 | Yes |
| 8 | Operating client’s own a/c e.g. under power of attorney – r.10 | No | No | No | Yes – r.30 | Limited – r.39.1(n) | Yes – r.10 | No – all interest earned for client (r.22, guidance note (i)(i)) | No – r.10 | Statements – r.30Bills – r. 29.15 | No |
| 9 | Exempt persons under r.5 | No | No | No | No | No | No | No | No | No | No |
| 10 | Non-SRA regulated activities of an MDP | No – out-of-scope money – r.12 | No | No – but see guidance note (xi) to r. 29 | No | No | Yes – r.31 – only to extent needed to check rule compliance | No | No – but see guidance note (xi) to r. 29 | No | No |

**Appendix 2 – Special situations – What applies**

**1 – R.15.1(a) a/cs in practice name (not client a/c)**

**Is it client money?**

Yes

**Subject to reconciliations?**

Yes

**Keep books?**

Yes – r.29.1(a) and 29.2

**Retain statements?**

Yes – r.29.17

**Subject to accountant's report?**

Yes

**Produce records to SRA?**

Yes

**Interest?**

Yes – r.22

**Retain records generally?**

Yes – r.29.17

**Central records?**

Statements or register – r.29.19
Bills – r.29.15

**Subject to reporting accountant's comparisons?**

Yes – r.39.1(f)

**2 – R.15.1(b) a/cs in name of client - not operated by practice**

**Is it client money?**

No

**Subject to reconciliations?**

No

**Keep books?**

No–record receipt and payment only

**Retain statements?**

No

**Subject to accountant's report?**

No

**Produce records to SRA?**

No

**Interest?**

No – all interest earned for client – r.22, guidance note (i)(i)

**Retain records generally?**

No – except record of receipt and payment

**Central records?**

Bills – r.29.15

**Subject to reporting accountant's comparisons?**

No

**3 – R.15.1(b) a/cs in name of client – operated by practice**

**Is it client money?**

No

**Subject to reconciliations?**

No

**Keep books?**

No – record receipt and payment only

**Retain statements?**

Yes – r.30

**Subject to accountant's report?**

Limited – r.39.1(n)

**Produce records to SRA?**

Yes – r.10

**Interest?**

No – all interest earned for client – r.22, guidance note (i)(i)

**Retain records generally?**

No – except record of receipt and payment

**Central records?**

Statements – r.30
Bills – r.29.15

**Subject to reporting accountant's comparisons?**

No

**4 – Liquidators, trustees in bankruptcy and Court of Protection deputies**

**Is it client money?**

Yes – r.8

**Subject to reconciliations?**

No – r.8

**Keep books?**

Modified – statutory records – r.8

**Retain statements?**

Yes – r.8 and r.29.17(c)

**Subject to accountant's report?**

Limited – r.39.1(l)

**Produce records to SRA?**

Yes – r.8

**Interest?**

No – r.8 – comply with statutory rules (but see rule 8.4 and rule 22, guidance note (iv)(a))

**Retain records generally?**

Yes – modified r.29.17(c)

**Central records?**

Yes – r.29.20
Bills – r.29.15

**Subject to reporting accountant's comparisons?**

No – r.8

**5 – Trustees of occupational pension schemes**

**Is it client money?**

Yes – r.8

**Subject to reconciliations?**

No – r.8

**Keep books?**

Modified – statutory records – r.8

**Retain statements?**

Yes – r.8 and r.29.17(c)

**Subject to accountant's report?**

Limited – r.39.1(l)

**Produce records to SRA?**

Yes – r.8

**Interest?**

No – r.8 – comply with statutory rules (but see rule 8.4 and rule 22, guidance note (iv)(a))

**Retain records generally?**

Yes – modified r.29.17(c)

**Central records?**

Yes – r.29.20
Bills – r.29.15

**Subject to reporting accountant's comparisons?**

No – r.8

**6 – Joint accounts – r.9**

**Is it client money?**

Yes – r.9

**Subject to reconciliations?**

No – r.9

**Keep books?**

No – r.9

**Retain statements?**

Yes – r.9 and 29.17(b)(ii)

**Subject to accountant's report?**

Limited – r.39.1(m)

**Produce records to SRA?**

Yes – r.9

**Interest?**

No. For joint a/c with client, all interest to client (r.22, guidance note (v)(a)); for joint a/c with another practice or other third party, depends on agreement

**Retain records generally?**

No – r.9

**Central records?**

Statements – r.29.21

Bills – r.29.15

**Subject to reporting accountant's comparisons?**

No – r.9

**7 – Acting under power of attorney**

**Is it client money?**

Yes

**Subject to reconciliations?**

Yes

**Keep books?**

Yes

**Retain statements?**

Yes

**Subject to accountant's report?**

Yes

**Produce records to SRA?**

Yes

**Interest?**

Yes

**Retain records generally?**

Yes

**Central records?**

Bills – r.29.15

**Subject to reporting accountant's comparisons?**

Yes

**8 – Operating client's own a/c e.g. under power of attorney – r.10**

**Is it client money?**

No

**Subject to reconciliations?**

No

**Keep books?**

No

**Retain statements?**

Yes – r.30

**Subject to accountant's report?**

Limited – r.39.1(n)

**Produce records to SRA?**

Yes – r.10

**Interest?**

No – all interest earned for client (r.22, guidance note (i)(i))

**Retain records generally?**

No – r.10

**Central records?**

Statements – r.30
Bills – r. 29.15

**Subject to reporting accountant's comparisons?**

No

**9 – Exempt persons under r.5**

**Is it client money?**

No

**Subject to reconciliations?**

No

**Keep books?**

No

**Retain statements?**

No

**Subject to accountant's report?**

No

**Produce records to SRA?**

No

**Interest?**

No

**Retain records generally?**

No

**Central records?**

No

**Subject to reporting accountant's comparisons?**

No

**10 – Non-SRA regulated activities of an MDP**

**Is it client money?**

No – out-of-scope money – r.12

**Subject to reconciliations?**

No

**Keep books?**

No – but see guidance note (xi) to r.29

**Retain statements?**

No

**Subject to accountant's report?**

No

**Produce records to SRA?**

Yes – r.31 – only to extent needed to check rule compliance

**Interest?**

No

**Retain records generally?**

No – but see guidance note (xi) to r. 29

**Central records?**

No

**Subject to reporting accountant's comparisons?**

No