



Instructions to External Examiners

Section 370 Notice – Production of Records

1. The external examiner must ensure that they receive a written notice of appointment upon being appointed by the law practice. A sample notice of appointment is provided as Annexure A.
2. The external examiner must contact the relevant authorised ADI to enquire where the notice should be served. It is common that a specific legal department is allocated by the Authorised ADI to deal with such legal notices.
3. The examiner may contact the Authorised ADI should any information be required during the course of the external examination by serving the Authorised ADI with a Notice. The Notice pursuant to Section 370 of the Legal Profession Uniform Law should be accompanied by a covering letter under the external examiner's letterhead providing contact details, a copy of the external examiner's appointment (Annexure A) and a copy of Section 370 of the Legal Profession Uniform Law.
4. A sample notice is provided in Annexure B for guidance only. In regard to the place of production this is a matter for the external examiner to determine together with the date. When determining the date of production, a reasonable period is required to be given to the Authorised ADI, which is usually 14 or 21 days from the date the Notice is signed.
5. It must be noted that Section 149(4) of the Legal Profession Uniform Law prohibits the person or Authorised ADI from charging the external examiner for complying with the Notice.

[*law practice letterhead*]

Appointment of External Examiner

(Section 156 Legal Profession Uniform Law)

On [*insert date*], [*insert name of law practice*] appointed [*insert name of the external examiner*] (a specimen of whose signature appears below) to externally examine this law practice’s trust records pursuant to Section 155(1) of the Legal Profession Uniform Law.

This appointment authorises the external examiner to examine the affairs of this practice for the purposes of and in connection with an examination of the trust records.

Dated [*insert date*]

signature

.....

[*insert principal’s name*]

Principal

[*insert name of law practice*]

signature

.....

[*insert name of the external examiner*]

[*insert name of the examiner’s firm (if applicable)*]

LEGAL PROFESSION UNIFORM LAW - SECTION 370

NOTICE REQUIRING ACCESS TO DOCUMENTS AND INFORMATION

*From: [Name of External Examiner
Name of Accounting Firm
Address]*

To: The Proper Officer
[name of Authorised ADI]
[address]

In relation to: **[name of law practice & address]**

Take notice that I, **[name of external examiner]**, am an external examiner appointed by **[name of law practice]** pursuant to Section 155 of the Legal Profession Uniform Law. I attach a copy of my appointment.

You are notified that under Section 370(1) of the Legal Profession Uniform Law ("the Act") you are required to provide access to the documents particularised in SCHEDULE ONE hereunder relating to the affairs of the law practice of **[name of law practice]** to **[name of external examiner]**

This notice requires you to deliver the records named in the SCHEDULE ONE of this Notice by post to **[name of external examiner]** by close of business on **[date see instructions to external examiner above]** at **[address of external examiner]**

SCHEDULE ONE
of
NOTICE REQUIRING ACCESS TO DOCUMENTS AND INFORMATION

Name of Law Practice: **[full name of the law practice]**
Account Name: **[full name of the account]**
Account Number: **[account number including BSB]**
Account Branch: **[branch]**

1. A photocopy of the front and back of the following cheques paid from the above account:

Date Drawn	Cheque Number	Payee	Amount (\$)	Date Presented

2. ...[Insert any additional information/documents required]

Signature of External Examiner

Dated

Attached Copy of Notice of Appointment of **[External Examiner]**
 Copy of Section 370 Legal Profession Uniform Law