

# Melbourne Stage 4 Restrictions Checklist for Trust Accounts and Records

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This checklist should be read in conjunction with Stage 4 Restrictions – [LIV FAQ's for the legal profession](#).

Ultimately, determining whether a particular activity is allowed is a matter of legal interpretation of the relevant [Chief Health Officer directions](#). You will need to read all the new directions and form your own conclusions about whether the detail of the proposed activity is permitted or restricted.

In preparation for the Stage 4 restrictions law practices should consider the following:

## **Manual Trust Account Records**

- Obtain the trust records from the office, including registers
- Make a copy of the records, as a back-up, either electronically scanned or hard copy, and store at a separate location
- Records to be copied/backed up include monthly reconciliations, receipts and payments cash books, ledgers and controlled money listings since 31/3/2020.

## **Computer systems**

- Is the system web-based/cloud based? If so ensure appropriate staff have remote access to the system
- Do staff have appropriate equipment to enable remote access
- If the system is housed in the office consult your IT service provider to establish remote access
- As a back-up save the monthly reconciliations, receipts and payments cash books, ledgers and controlled money listings since 31/3/2020. Safely store at a separate location

## **Banking systems**

- Does the practice have access to its trust bank account via an online banking system?
- Consult your banking relationship manager to set up an online banking facility.
- Ensure that EFT payment authorisation, through the online banking system, is consistent with Uniform General Rule 43.

That is EFTs should be authorised by the principal of the law practice, if that person is not available:

- an authorised legal practitioner associate, or
- an authorised Australian legal practitioner who holds a PC with trust, or two or more authorised associates jointly
  
- Ensure best practice in confirming bank account details
- Bank branches will still be open so you should still be able to conduct basic banking like deposits for any cheques received
- Consult your banking relationship manager in respect of EFTPOS terminal access
- Don't forget to take any security dongles or RSA Keys for transaction authorisations

### **Cheque Books**

- Remove the cheque book from the office and best be kept by the principal of the law practice with adequate security.
- Review cheque preparation and authorisation processes.
- Consider minimising the number of cheque payments throughout this period.