

## **THE LEGAL PROFESSION (CANONS OF PROFESSIONAL ETHICS) (AMENDMENT) RULES 2019**

In exercise of the power conferred on the General Legal Council by section 12 (7) of the Legal Profession Act and of every other power hereunto enabling, the following Rules are hereby made:

1. These Rules may be cited as the Legal Profession (Canons of Professional Ethics) (Amendment) Rules 2019 and shall be read and construed as one with the Legal Profession (Canons of Professional Ethics) Rules (hereafter referred to as the Principal Rules) and all amendments thereto:
2. Canon 1 of the Principal Rules is hereby amended by inserting next after paragraph (g) the following paragraphs:
  - (h) An attorney who carries on practice as a sole practitioner shall put in place arrangements to protect client property in event of the death or incapacity of the attorney. The aforesaid arrangements to protect client property should ensure:-
    - i) that the client's files and other property are returned to clients in event of the attorney's death or incapacity;
    - ii) that clients are duly notified within a reasonable time of the attorney's death or incapacity and of the arrangements to return their files and other property.
  - (i) The arrangements to protect client property should be made in writing and may take the following forms:
    - (i) An appointment by power of attorney to take effect in event of the attorney's physical incapacity.

- (ii) By directions made to an executor appointed under the provisions in the attorney's will to take effect in event of the attorney's death.
  - (iii) By an agreement in writing made between the attorney and a person who will assume the obligations to protect their client property.
- (j) Attorneys should ensure that any person nominated to protect client property in event of the attorney's death or incapacity is aware of the obligations to deal with client property as hereinbefore set out and has agreed to assume such obligations in the event of the attorney's death or incapacity.
- (k) Attorneys shall notify the Secretary of the General Legal Council in writing of the arrangements made to protect client property.

Dated the 27<sup>th</sup> day of March 2019

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Chairman  
General Legal Council

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Secretary  
General Legal Council