

**PART V - III      PROFESSIONAL PRACTICE – POWERS OF ATTORNEY**

No changes have been made to the 1997 Accounts Rules. Please note that the book-keeping entries are dealt with under Rule 8(2) in Part II of these Rules.

**(Rule 23)**

*Do I need to keep a list of Powers of Attorney?*

Yes – the Designated Cashroom Partner must keep an up-to-date list of active and dormant Powers of Attorney in the name of any solicitor for submission with the Accounts Certificate.

**(Rules 8(2) and 23)**

*What records do I have to keep to operate a Power of Attorney?*

A clear record of money paid in or out of the client's own bank account should be kept in a client ledger and cash book. Where you have exclusive control of the client's bank account then that bank balance should be treated as client funds which should be included in invested funds held for named clients.

*What effect does the Adults with Incapacity (Scotland) Act 2000 have?*

If you are dealing with a continuing Power of Attorney, you must ensure that client funds are treated as client monies and are recorded in the invested funds records and reconciled.