



Solicitors (Scotland) Act 1980

1980 CHAPTER 46

PART III

PROFESSIONAL PRACTICE, CONDUCT AND DISCIPLINE OF SOLICITORS

Accounts rules

36 Interest on client's money

- (1) Accounts rules shall make provision for requiring a solicitor, in such cases as may be prescribed by the rules, either—
 - (a) to keep in a separate deposit or savings account at a bank, or on a separate deposit receipt at a bank, for the benefit of the client money received for or on account of a client; or
 - (b) to make good to the client out of the solicitor's own money a sum equivalent to the interest which would have accrued if the money so received had been kept as mentioned in paragraph (a).
- (2) The cases in which a solicitor may be required to act as mentioned in subsection (1) may be defined among other things by reference to the amount of any sum received or balance held or the period for which it is or is likely to be retained or held or both; and the rules may include provision for enabling a client (without prejudice to any other remedy) to require that any question arising under the rules in relation to the client's money be referred to and determined by the Society.
- (3) Except as provided by the rules, a solicitor shall not be liable by virtue of the relation between solicitor and client to account to any client for interest received by the solicitor on monies lodged in an account, or on deposit receipt, at a bank, being monies received or held for or on account of his clients generally.
- (4) Nothing in this section or in the rules shall affect any arrangement in writing whenever made between a solicitor and his client as to the application of the client's money or interest on it.