**Regulatory Report 2: Agreed-upon procedures engagement performed in respect of an application by a legal practitioner firm for a refund of bank charges and audit fees**

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| **Notes to this report:**The illustrative agreed-upon procedures report is based on the application form prescribed by the Legal Practitioners Fidelity Fund (LPFF) to be used for claims for refunds of bank charges and audit fees that can be downloaded from the LPFF website <https://www.fidfund.co.za/>. The utilization of the attached agreed-upon procedures report is required in terms of a directive of the LPFF [https://www.fidfund.co.za/wp-content/uploads/2023/11/LPFF-Directive.pdf](https://protect-za.mimecast.com/s/9LlACk5j83skgOOzi23vdN?domain=fidfund.co.za).The application for a refund must be made by the legal practitioner firm by not later than the end of the calendar year after that in which the financial year in question ends, failing which such application will not be considered, except in exceptional cases (these exceptional cases must be motivated/approved by the Legal Practice Council.)The LPFF requires the agreed-upon procedures engagement to be performed by the auditor of the legal practitioner firm who performed the assurance engagement on the trust accounts of the legal practitioner firm. For context, reference is made to the assurance report on the legal practitioner’s trust accounts in the cover letter accompanying the agreed-upon procedures report.This agreed-upon procedures report is illustrative in nature. Editorial changes may be made to the report, where necessary, to meet particular audit firm reporting policies or preferences, provided the changes are consistent with ISRS 4400 (Revised), *Agreed-Upon Procedures Engagements,* the purpose of the engagement and the terms of the engagement.It is important to note, however, that the LPFF and Legal Practice Council (LPC) have acknowledged that the procedures in this illustrative report are appropriate for the engagement. As such, substantive changes to the illustrative procedures may result in application forms for the refund of bank charges and audit fees not being accepted by the LPFF and LPC.The agreed-upon procedures report is effective for agreed-upon procedures engagements beginning on or after 1 November 2023.Early application of the report is permitted. |

# *Audit Firm Letterhead*

*The Legal Practitioner Firm*

*[Insert address of Legal Practitioner Firm]*

Dear *[Sir/Madam],*

***AGREED-UPON PROCEDURES REPORT IN RESPECT OF SECTIONS A TO D OF THE COMPLETED APPLICATION FORM IN RESPECT OF A REFUND OF BANK CHARGES AND AUDIT FEES BY [NAME OF LEGAL PRACTITIONER FIRM] FOR THE FINANCIAL [PERIOD FROM [insert date] TO [insert date] / YEAR ENDED [insert date] (the Application Form)]***

As the auditor of [insert name of legal practitioner firm] (the Legal Practitioner Firm), we are issuing the accompanying agreed-upon procedures report for use by yourselves, the Legal Practitioners Fidelity Fund (LPFF) and Legal Practice Council (LPC). We previously issued our assurance report on the legal practitioner’s trust accounts. This letter summarises the terms under which we have performed these engagements, which are set out in the engagement letters with respect to each engagement.

***Assurance engagement on the legal practitioner’s trust account***

We completed our assurance engagement on the legal practitioner’s trust accounts of the Legal Practitioner Firm for the financial [period from *[insert date]* to *[insert date]* / year ended *[insert date]*]*.* Our assurance engagement was performed in accordance with the International Standard on Assurance Engagements (ISAE) 3000 (Revised), *Assurance Engagements Other Than Audits or Reviews of Historic Financial Information*, for the purpose of complying with our obligation to report to the LPC under rule 54 of the South African Legal Practice Council Rules (the “Rules”), made under the authority of Sections 95(1),95(3) and 109(2) of the Legal Practice Act, No.28 of 2014 (the “Act”). Further details with respect to this engagement are set out in our reasonable assurance report on the legal practitioner’s trust accounts, dated [*insert date*].

***Agreed-upon procedures engagement***

The agreed-upon procedures engagement is performed in accordance with the International Standard on Related Services (ISRS) 4400 (Revised), *Agreed-Upon Procedures Engagements*. In terms of this standard, we state our findings resulting from the procedures agreed with the Legal Practitioner Firm, and the users of the report are required to draw their own conclusions based on the findings presented. We do not express any assurance opinion or conclusion with respect to this engagement.

Furthermore, in completing the Application Form, the Legal Practitioner Firm has extracted information relating to interest on trust monies and recoverable bank charges from the Legal Practitioner Firm’s Annual Statement on Trust Accounts (the “Annual Statement”) submitted to the LPC on [insert date]. The scope of our agreed-upon procedures engagement did not extend to performing procedures on the accuracy and completeness of the information included in the Annual Statement.

The accompanying agreed-upon procedures report is for the purpose of assisting the [legal practitioner / partner(s) / director(s)] of the Legal Practitioner Firm, the LPFF and the LPC in evaluating whether or not the information in sections A to D of the completed Application Form agrees with the accounting records of the Legal Practitioner Firm.

Neither of the engagements referenced above extend to the Annual Statement and, accordingly, we do not express any assurance opinion or findings thereon.

**Restriction on use and distribution**

Our agreed-upon procedures report is intended solely for the purpose set out above and for no other purpose. It should not be distributed to or used by parties other than the [legal practitioner / partner(s) / director(s)] of the Legal Practitioner Firm, the LPFF and LPC.

Should you wish to discuss the contents of the agreed-upon procedures report in any further detail, please contact [Partner’s name and telephone number].

Yours faithfully

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*[Auditor’s Signature]*

*[Name of the individual registered auditor]*

*[Capacity, if not a sole practitioner*

*e.g. Director/Partner]*

*Registered Auditor*

*[Date of the auditor’s report]*

*[Auditor’s address]*

**INDEPENDENT AUDITOR’S AGREED-UPON PROCEDURES REPORT IN RESPECT OF SECTIONS A TO D OF THE COMPLETED APPLICATION FORM IN RESPECT OF A REFUND OF BANK CHARGES AND AUDIT FEES BY [*NAME OF LEGAL PRACTITIONER* *FIRM*] FOR THE FINANCIAL [PERIOD FROM [*insert date*] TO [*insert date] / YEAR ENDED [insert date]* ]**

To the [Legal Practitioner / Partner(s) / Director(s)] of [*insert name of legal practitioner firm*]

**Purpose of this Agreed-Upon Procedures (AUP) Report and Restriction on Use and Distribution**

Our report is provided solely for the purpose of providing the [legal practitioner / partner(s) / director(s)] of *[insert name of legal practitioner firm]* (the Legal Practitioner Firm), the Legal Practitioners Fidelity Fund (LPFF) and the Legal Practice Council (LPC) with relevant information to be used in evaluating whether or not the information in sections A to D of the attached completed Application for Refund of Bank Charges and Audit Fees for the financial [period from [*insert date*] to [*insert date] / year ended [insert date]* ] (the Application Form) (together referred to as the “subject matter” of our engagement) agrees with the accounting records and the business bank account details of the Legal Practitioner Firm. Our report may not be suitable for another purpose.

This report is intended solely for the [legal practitioner / partner(s) /director(s)] of the Legal Practitioner Firm, the LPFF and the LPC and should not be used by, or distributed to, any other parties.

**Responsibilities of the [Legal Practitioner / Partner(s) / Director(s)] of the Legal Practitioner Firm, the LPFF and the LPC**

The [legal practitioner / partner(s) / director(s)] of the Legal Practitioner Firm, the LPFF and LPC have acknowledged that the agreed-upon procedures are appropriate for the purpose of the engagement.

The [legal practitioner / partner(s) / director(s)] of the Legal Practitioner Firm are responsible for the subject matter on which the agreed-upon procedures are performed.

**Auditor’s Responsibilities**

We have conducted the agreed-upon procedures engagement in accordance with the International Standard on Related Services (ISRS) 4400 (Revised), *Agreed-Upon Procedures Engagements*. An agreed-upon procedures engagement involves us performing the procedures that have been agreed with the [legal practitioner / partner(s) / director(s)] of the Legal Practitioner Firm and reporting the findings, which are the factual results of the agreed-upon procedures performed. We make no representation regarding the appropriateness of the agreed-upon procedures.

This agreed-upon procedures engagement is not an assurance engagement. Accordingly, we do not express an opinion or an assurance conclusion.

Had we performed additional procedures, other matters might have come to our attention that would have been reported.

**Professional ethics and quality management**

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| **Insert the following paragraph where the auditor has determined that there are no legal, regulatory other professional requirements or conditions of a contract, program or arrangement relating to the agreed-upon procedures engagement that specify requirements pertaining to independence, and the auditor has not agreed with the Legal Practitioner Firm to comply with independence requirements for the agreed-upon procedures engagement.**We have complied with the ethical requirements of the Code of Professional Conduct for Registered Auditors issued by the Independent Regulatory Board for Auditors (IRBA Code). The IRBA Code is founded on fundamental principles of integrity, objectivity, professional competence and due care, confidentiality and professional behaviour; and it is consistent with the corresponding sections of the International Ethics Standards Board for Accountants’ *International Code of Ethics for Professional Accountants (including International Independence Standards*). For the purpose of this engagement, there are no independence requirements with which we are required to comply. |

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| --- |
| **Insert the following paragraph where the auditor has determined that there are no legal, regulatory other professional requirements or conditions of a contract, program or arrangement relating to the agreed-upon procedures engagement that specify requirements pertaining to independence, but the auditor agreed with the Legal Practitioner Firm to comply with independence requirements in the performance of the agreed-upon procedures engagement. This illustrative paragraph assumes that the auditor agreed to comply with the independence requirements in part 4B of the IRBA Code to the agreed-upon procedures engagement.**We have complied with the ethical requirements of the Code of Professional Conduct for Registered Auditors issued by the Independent Regulatory Board for Auditors (IRBA Code) and the independence requirements in Part 4B - *Independence for Assurance Engagements Other than Audit and Review Engagements* of the IRBA Code. The IRBA Code is founded on fundamental principles of integrity, objectivity, professional competence and due care, confidentiality and professional behaviour; and it is consistent with the corresponding sections of the International Ethics Standards Board for Accountants’ *International Code of Ethics for Professional Accountants (including International Independence Standards*).  |

Our firm applies International Standard on Quality Management 1, *Quality Management for Firms that Perform Audits or Reviews of Financial Statements, or Other Assurance or Related Services Engagements*,which requires the firm to design, implement and operate a system of quality management, including policies or procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements.

# **Procedures and Findings**

We have performed the procedures described in the table below, which were agreed upon with the [legal practitioner / partner(s) / director(s)] of the Legal Practitioner Firm in respect of the attached Application Form, which we have initialed for identification purposes only.

| **No.** | **Procedures** | **Findings** |
| --- | --- | --- |
| **1** | **General**  |  |
| 1.1 | Obtain from [*insert name and designation of individual at the Legal Practitioner Firm*] the completed Application Form. | We obtained the completed Application Form from [*insert name and designation of individual at the Legal Practitioner Firm*].  |
| 1.2 | Obtain from [*insert name and designation of the individual at the Legal Practitioner Firm*] the Legal Practitioner’s Annual Statement on Trust Accounts reported to the Legal Practitioners Fidelity Fund for the financial [period from [*insert date*] to [*insert date] /* year ended *[insert date]*] (the Annual Statement).  | We obtained the Annual Statement from [*insert name and designation of the individual at the Legal Practitioner Firm*]. |
| **2** | **Procedures relating to the firm’s VAT registration** |  |
| 2.1 | Inquire from [*insert name and designation of individual at the Legal Practitioner Firm*] whether or not the Legal Practitioner Firm is registered as a VAT vendor. Document the response. | We inquired from [*insert name and designation of individual at the Legal Practitioner Firm*] whether or not the Legal Practitioner Firm is registered as a VAT vendor. [*Insert name of individual at the Legal Practitioner Firm*] indicated that the Legal Practitioner Firm [is / is not] registered as a VAT vendor. |
| 2.2 | If the Legal Practitioner Firm is registered as a VAT vendor, as indicated in the findings related to procedure 2.1 above, obtain the VAT registration number from [*insert name and designation of individual at the Legal Practitioner Firm*], document the VAT registration number and perform the following procedures: | [*Insert name and designation of individual at the Legal Practitioner Firm*] provided the following VAT registration number: [*Insert VAT registration number*]. We performed the following procedures:OR Not applicable as [*Insert name and designation of individual at the Legal Practitioner Firm*] indicated in finding 2.1 that the Legal Practitioner Firm is not registered as a VAT vendor. |
| 2.2.1 | Visit the SARS e-filing VAT vendor search website (https://secure.sarsefiling.co.za/vatvendorsearch.aspx) and select the option ‘Verify a VAT registration number (VAT registration number required)’. Document the date on which the site was visited. | We visited the SARS e-filing VAT vendor search website (https://secure.sarsefiling.co.za/vatvendorsearch.aspx) on [*insert date that the site was visited*]. We selected the option ‘Verify a VAT registration number (VAT registration number required)’. |
| 2.2.2 | Insert the VAT registration number obtained in procedure 2.2 above into the ‘VAT number’ section of the website and select “Search”.  | We inserted VAT registration number [*insert number obtained in finding 2.2*] into the ‘VAT number’ section of the website and selected “Search”. |
| 2.2.3 | Document the VAT trading name that results from the search. | The following VAT trading name resulted from the search: [*Document VAT trading name that resulted from the search*]. |
| 2.3 | If the firm is not registered as a VAT vendor, as indicated in the finding to procedure 2.1, obtain a written representation from [*insert name and designation of individual at the Legal Practitioner Firm*] acknowledging that the firm is not registered as a VAT vendor. | We obtained a written representation from [*insert name and designation of individual at the Legal Practitioner Firm*] acknowledging that the firm is not registered as a VAT vendor.*OR*Not applicable as [*insert name and designation of individual at the Legal Practitioner Firm*] indicated in finding 2.1 that the Legal Practitioner Firm is registered as a VAT vendor. |
| **3.** | **Section A - Interest on trust monies** |  |
| 3.1 | **Total columns**Recalculate the “Net interest earned on trust moneys paid to the Fund during the financial period in respect of which the claim is made ((i) minus (ii)) (only total amount required)” in Section A “Interest on trust moneys” of the Application Form by cross-casting the lines i) “Gross interest” and ii) “Less: recoverable bank charges deducted from trust interest” and casting the “Total” column.  Document any differences. | We recalculated the “Net interest earned on trust moneys paid to the Fund during the financial period in respect of which the claim is made ((i) minus (ii)) (only total amount required)” in Section A “Interest on trust moneys”. Our recalculated “Net interest earned on trust moneys paid to the Fund during the financial period in respect of which the claim is made ((i) minus (ii)) (only total amount required)” amount [agreed /did not agree] to the amount per the Application Form. [*Insert the following to illustrate a difference noted, if applicable.*]We noted the following difference(s):

|  |  |
| --- | --- |
| **i) Gross interest**  | **R** |
| Recalculated total:  |  |
| Total as per the Application Form: |  |
| Difference |  |

|  |  |
| --- | --- |
| **ii) *Less*: recoverable bank charges deducted from trust interest**  | **R** |
| Recalculated total  |  |
| Total as per the Application Form: |  |
| Difference |  |

|  |  |
| --- | --- |
| **iii) Net interest earned on trust moneys paid to the Fund during the financial period in respect of which the claim is made ((i) minus (ii)) (only total amount required)** | **R** |
| Recalculated total  |  |
| Total as per the Application Form: |  |
| Difference |  |

 |
| 3.2 | **i) Gross interest**Compare the “Gross interest” amounts in the “Trust interest from Section 86(2)”, “Trust interest from Section 86(3)” and “5% of trust interest earned from Section 86(4) trust investments” columns on the Application Form to the amounts reflected on the Annual Statement. Document any differences. | We compared the “Gross interest” amounts in the “Trust interest from Section 86(2)”, “Trust interest from Section 86(3)” and “5% of trust interest earned from Section 86(4) trust investments” columns on the Application Form to the amounts reflected on the Annual Statement. The amounts per the Application form [agreed/ did not agree] to the amounts per the Annual Statement.[*Insert the following to illustrate differences noted, if applicable.*]We noted the following differences:

|  |  |
| --- | --- |
| **Trust interest from Section 86(2)**  | **R** |
| Total amount per the Application Form |  |
| Amount on the Annual Statement |  |
| Difference |  |

|  |  |
| --- | --- |
| **Trust interest from Section 86(3)**  | **R** |
| Total amount per the Application Form |  |
| Amount on the Annual Statement |  |
| Difference |  |

|  |  |
| --- | --- |
| **5% of trust interest earned from Section 86(4) trust investments**  | **R** |
| Total amount per the Application Form |  |
| Amount on the Annual Statement |  |
| Difference |  |

 |
| 3.3 | **(ii) Less: recoverable bank charges deducted from trust interest**Compare the “Less: recoverable bank charges deducted from trust interest” amounts in the “Trust interest from Section 86(2)“ and “Trust interest from Section 86(3)” columns of the Application Form to the amounts reflected on the Annual Statement. Document any differences. | We compared the “Less: recoverable bank charges deducted from trust interest” amounts in the “Trust interest from Section 86(2)“ and “Trust interest from Section 86(3)” columns on the Application Form to the amounts reflected on the Annual Statement. The amounts per the Application Form [agreed/ did not agree] to the amounts per the Annual Statement. [*Insert the following to illustrate differences noted, if applicable.*] We noted the following differences:

|  |  |
| --- | --- |
| **Trust interest from Section 86(2)**  | **R** |
| Total amount per the Application Form |  |
| Amount on the Annual Statement |  |
| Difference |  |

|  |  |
| --- | --- |
| **Trust interest from Section 86(3)**  | **R** |
| Total amount per the Application Form |  |
| Amount on the Annual Statement |  |
| Difference |  |

 |
|  **4.** | **Section B – Recoverable bank charges on trust current banking accounts** |  |
| 4.1 | Recalculate the “Total” column of Section B “Recoverable bank charges on trust current banking accounts” of the Application Form by cross-casting the column amounts and compare this recalculated total to the “Total” amount per the Application Form. Document any differences. | We recalculated the “Total” column of Section B “Recoverable bank charges on trust current banking accounts” of the Application Form by cross-casting the column amounts. Our recalculated total amount [agreed /did not agree] to the “Total” amount per the Application Form. [*Insert the following to illustrate a difference noted, if applicable.*]We noted the following difference:

|  |  |
| --- | --- |
|  | **R** |
| Recalculated total  |  |
| Total as per the Application Form |  |
| Difference |  |

 |
| 4.2 | Obtain from [*insert name and designation of individual at the Legal Practitioner Firm*] the following:(i) A list of bank accounts which the Legal Practitioner Firm determined to be the accounts required by Section 86(2) and Section 86(3) of the Legal Practice Act 28 of 2014;(ii) A schedule of the actual recoverable bank charges incurred and paid for the period *[insert date]* to *[insert date*] (the “Schedule”) in respect of the list of bank accounts obtained in the previous procedure (the “Schedule”), that includes the following:* Account number of each trust bank account;
* Classification of the Account number above as either Section 86(2) or Section 86(3);
* Recoverable bank charge (excluding VAT) where applicable; and
* VAT on the Recoverable bank charges.

Perform the following procedures: | We obtained the following from [*insert name and designation of individual at the Legal Practitioner Firm*]:(i) A list of bank accounts which the Legal Practitioner Firm determined to be the accounts required by Section 86(2) and Section 86(3) of the Legal Practice Act 28 of 2014;(ii) A schedule of the actual recoverable bank charges incurred and paid for the period [*insert date*] to [*insert date*] in respect of the list of bank accounts obtained in the previous procedure, that included the following:* Account number of each trust bank account;
* Classification of the Account number above as either Section 86(2) or Section 86(3);
* Recoverable bank charge (excluding VAT) where applicable; and
* VAT on the Recoverable bank charges.

We performed the following procedures: |
| 4.2.1 | Recalculate the mathematical accuracy of the Schedule obtained in 4.2(ii) above by casting and cross casting all totals included in the Schedule. | We recalculated the mathematical accuracy of the Schedule obtained in procedure 4.2(ii) by casting and cross casting all totals included in the Schedule. Our recalculated totals [agreed /did not agree] to the totals per the Schedule. [*Insert the following to illustrate a difference noted, if applicable.*]We noted the following difference(s):[*Indicate differences]* |
| 4.2.2 | Compare the total recoverable bank charges (including VAT if the practitioner is not a registered VAT vendor) as per the Schedule, obtained in procedure 4.2(ii) above, with the amounts recorded as “From Section 86(2)” and “From Section 86(3)” recoverable bank charges on the Application Form. Document any differences. | We compared the total recoverable bank charges (including VAT if the practitioner is not a registered VAT vendor) as per the Schedule, obtained in procedure 4.2(ii) above, with the amounts recorded as “From Section 86(2)” and “From Section 86(3)” recoverable bank charges on the Application Form. The amounts per the Schedule [agreed/ did not agree] to the amounts per the Application Form.[*Insert the following to illustrate differences noted, if applicable.*]We noted the following difference(s):

|  |  |
| --- | --- |
| **Section 86(2) recoverable bank charges** | R |
| Total amount per the Schedule |  |
| Amount on the Application Form |  |
| Difference |  |

|  |  |
| --- | --- |
| **Section 86(3) recoverable bank charges** | R |
| Total amount per the Schedule |  |
| Amount on the Application Form |  |
| Difference |  |

 |
| 4.2.3 | If the Legal Practitioner Firm is registered as a VAT vendor, as indicated in the findings related to procedure 2.1 above, agree all recoverable bank charges excluding VAT as per the Schedule to the amounts included in the Annual Statement. Document any differences. | We compared all recoverable bank charges excluding VAT as per the Schedule to the amounts included in the Annual Statement. The amounts on the Schedule [agreed / did not agree] to the amounts included in the Annual Statement.[*Insert the following to illustrate differences noted, if applicable.*]We noted the following differences:[*Indicate differences*]ORNot applicable as [*insert name and designation of individual at the Legal Practitioner Firm*] indicated in finding 2.1 that the Legal Practitioner Firm is not registered as a VAT vendor. |
| 4.2.4 | If the Legal Practitioner Firm is not registered as a VAT vendor, as indicated in the findings related to procedure 2.1 above, agree all recoverable bank charges including VAT as per the Schedule to the amounts included in the Annual Statement. Document any differences. | We agreed all recoverable bank charges including VAT as per the Schedule to the amounts included in the Annual Statement. The amounts on the Schedule [agreed / did not agree] to the amounts included in the Annual Statement. [*Insert the following to illustrate differences noted, if applicable.*]We noted the following differences:[*Indicate differences*]ORNot applicable as [*insert name and designation of individual at the Legal Practitioner Firm*] indicated in finding 2.1 that the Legal Practitioner Firm is registered as a VAT vendor. |
| 4.2.5 | If the Legal Practitioner Firm is registered as a VAT vendor, as indicated in the findings related to procedure 2.1 above, recalculate the VAT amounts on the “Actual recoverable bank charges incurred and paid by the practitioner (include VAT if the practitioner is not a registered VAT vendor)” (excluding VAT) line on the Application Form by multiplying the amounts in the “From Section 86(2)” and “From Section 86(3)” columns by 15%. Compare these recalculated VAT amounts to the Schedule. Document any differences. | We recalculated the VAT amounts on the “Actual recoverable bank charges incurred and paid by the practitioner (include VAT if the practitioner is not a registered VAT vendor)” (excluding VAT) line on the Application Form by multiplying the amounts in the “From Section 86(2)” and “From Section 86(3)” columns by 15% and compared these recalculated VAT amounts to the Schedule. The recalculated VAT amounts [agreed / did not agree] to the amounts on the Schedule. [*Insert the following to illustrate differences noted, if applicable.*]We noted the following difference(s):[*Indicate differences]**OR* Not applicable as [*insert name and designation of individual at the Legal Practitioner Firm*] indicated that the Legal Practitioner Firm is not registered as a VAT vendor. |
| 4.2.6 | If the firm is not registered as a VAT vendor, as indicated in the findings related to procedure 2.1 above, recalculate the VAT amount included in the “Actual recoverable bank charges incurred and paid by the practitioner (include VAT if the practitioner is not a registered VAT vendor)” (including VAT) line on the Application Form by multiplying the “From Section 86(2)” and “From Section 86(3)” columns per the Application Form by 15/115. Compare these recalculated VAT amounts to the Schedule. Document any differences. | We recalculated the VAT amount included in the “Actual recoverable bank charges incurred and paid by the practitioner (include VAT if the practitioner is not a registered VAT vendor)” (including VAT) line on the Application Form by multiplying the “From Section 86(2)” and “From Section 86(3)” columns per the Application Form by 15/115 and compared these recalculated VAT amounts to the Schedule. The recalculated VAT amounts [agreed / did not agree] to the amounts on the Schedule. [*Insert the following to illustrate differences noted, if applicable.*]We noted the following difference(s):[*Indicate differences*]*OR*Not applicable as [*insert name and designation of individual at the Legal Practitioner Firm*] indicated in finding 2.1 that the Practitioner Firm is registered as a VAT vendor. |
| **5.** | **C. Audit fees in respect of trust audit** |  |
| 5.1 | **(v) Actual audit fees, excluding VAT**If, based on the procedures relating to the Legal Practitioner Firm’s VAT registration performed in procedure 2.1, the Legal Practitioner Firm is a registered VAT vendor:Compare the “Actual audit fees, excluding VAT (attach invoice)” amount per the Application Form with the amount excluding VAT as reflected on the invoice(s) issued by [*insert name of audit firm*] for the assurance engagement on the legal practitioners’ trust accounts of the Legal Practitioner Firm for the financial [period from [*insert date*] to [*insert date] /* year ended *[insert date]* ]. Document any differences. | We compared the “Actual audit fees, excluding VAT (attach invoice)” amount per the Application Form with the amount excluding VAT as reflected on the invoice(s) issued by [*insert name of audit firm*] for the assurance engagement on the legal practitioners’ trust accounts of the Legal Practitioner Firm for the financial [period from [*insert date*] to [*insert date] /* year ended *[insert date]* ]. The amount per the Application Form [agreed/ did not agree] to the amount excluding VAT as reflected on the invoice(s).[*Insert the following to illustrate a difference noted, if applicable.*]We noted the following difference:

|  |  |
| --- | --- |
|   | R |
| Amount per Application Form:  |  |
| Amount per invoice: |  |
| Difference |  |

*OR*Not applicable as [*insert name and designation of individual at the Legal Practitioner Firm*] indicated in finding 2.1 that the Legal Practitioner Firm is not registered as a VAT vendor. |
| 5.2 | **(v) Actual audit fees, excluding VAT**If, based on the procedures relating to the firm’s VAT registration performed in procedure 2.1, the Legal Practitioner Firm is not a registered VAT vendor:Compare the “Actual audit fees, excluding VAT (attach invoice)” amount per the Application Form to the amount **including** VAT as reflected on the invoice(s) issued by [insert name of audit firm] for the assurance engagement on the legal practitioners’ trust accounts of the Legal Practitioner Firm for the financial [period from [*insert date*] to [*insert date] /* year ended *[insert date]*]. Document any differences. | We compared the “Actual audit fees, excluding VAT (attach invoice)” amount per the Application Form with the amount including VAT as reflected on the invoice(s) issued by [*insert name of audit firm*] for the assurance engagement on the legal practitioners’ trust accounts of the Legal Practitioner Firm for the financial [period from [*insert date*] to [*insert date] /* year ended *[insert date]* ]. The amount per the Application Form [agreed/ did not agree] to the amount including VAT as reflected on the invoice(s).[*Insert the following to illustrate a difference noted, if applicable.*]We noted the following difference:

|  |  |
| --- | --- |
|   | R |
| Amount per Application Form:  |  |
| Amount per invoice: |  |
| Difference |  |

*OR*Not applicable as [*insert name and designation of individual at the Legal Practitioner Firm*] indicated in finding 2.1 that the Legal Practitioner Firm is registered as a VAT vendor. |
| **6**. | **D. Payee account details for receipt of electronic payments (business account)** |  |
| 6.1 | Obtain from [*insert name and designation of individual at the Legal Practitioner Firm*] a list of the following details of the bank account in which the Legal Practitioner Firm intends to receive the refund of bank charges and audit fees per the Application Form: * Account name;
* Name of bank and branch;
* Bank code; and
* Business account number.
 | We obtained from [*insert name and designation of individual at the Legal Practitioner Firm*] a list of the following details of the bank account in which the Legal Practitioner Firm intends to receive the refund of bank charges and audit fees per the Application Form: * Account name;
* Name of bank and branch;
* Bank code; and
* Business account number.
 |
| 6.2 | Obtain from [*insert name and designation of individual at the Legal Practitioner Firm*] the bank statement as at [year end] related to the business bank account referred to in procedure 6.1.  | We obtained from [*insert name and designation of individual at the Legal Practitioner Firm*] the bank statement as at [year end] related to the business bank account referred to in procedure 6.1. |
| 6.3 | Compare the following details as per “D. Payee account details for receipt of electronic payments (business account)” of the Application Form to either the details as reflected on the bank details listing obtained in procedure 6.1 (“A”) or the details as reflected on the bank statement obtained in procedure 6.2 (“B”):* Account name - agree to A
* Name of bank and branch - agree to A
* Bank code - agree to A
* Business account number - agree to A and B
 | We compared the following details as per “D. Payee account details for receipt of electronic payments (business account)” of the Application Form to either the details as reflected on the bank details listing obtained in procedure 6.1 (“A”) and/or the details as reflected on the bank statement obtained in procedure 6.2 (“B”):* Account name - agreed to A
* Name of bank and branch - agreed to A
* Bank code - agreed to A
* Business account number - agreed to A and B

The details on the Application Form [agreed / did not agree] to the details as reflected on the bank listing obtained in procedure 6.1 and/or the details as reflected on the bank statement obtained in procedure 6.2.[We noted the following exceptions: *Document exceptions found*]  |

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*[Auditor’s Signature]*

*[Name of the individual registered auditor]*

*[Capacity, if not a sole practitioner*

*e.g. Director/Partner]*

*Registered Auditor*

*[Date of the auditor’s report]*

*[Auditor’s address]*