



PRIVATE AND CONFIDENTIAL

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Our ref: 2024.5

By Email

Date: 14th October 2024

Dear ██████████

I refer to your e-mail of 16/09/24 in which you requested the following information:

I would like to enquire how much is collected by The King's and Lord Treasurer's Remembrancer from law firms sending their residual (unclaimed) client balances on an annual basis.

From your 2022/23 accounts I surmise that these balances are Non-company, non-property BV. Unfortunately I have not been able to find any definition of "BV". However, this is a guess on my part and I would appreciate your help.

This request will be managed by The King's and Lord Treasurer's Remembrancer (KLTR) under the Freedom of Information Act (Scotland) 2002 (FOISA).

I am able to provide you with the following information in relation to your queries.

I will start by clarifying the definition of BV, which stands for Bona Vacantia, which is Latin for ownerless property. This covers a wide range of things stretching from property without a title holder, to treasure finds. This is basis for the KLTR's work, as the crown is responsible for ownerless property. This is described in detail here: [Our Policies | KLTR](#)

You have correctly ascertained that the residual client balances you are looking for are included in the heading "Non-company, non-property BV". This heading covers a wide range of funds, including those from law firms. This also covers funds that come to us from other institutions such as local authorities and banks.

Unfortunately due to the way this information is held within our case management system we cannot easily retrieve the amounts of any specific categories within the "Non-company, non-property BV" heading.

We previously contacted you to see if we could narrow down your query, and you requested information from the last two years. However interrogating our CMS

<http://www.kltr.gov.uk>

system for even one financial year would be a significant undertaking.

As such I am afraid that we are forced to reject this freedom of information request under the section 12 exemption of the Freedom of Information Act relating to requests where the costs of compliance exceed the appropriate limit. This limit is currently set at £450 for public bodies.

We have looked at the number of cases that could be included, and in the year 2023/24 there were 283. The casework manager estimates it would take 5 minutes to access each case and gather the required information. We estimate that this would take 23.5 hours to complete. The Freedom of Information act requests us to calculate the cost of labour at £25 per hour which gives us a total of £587.50. As this total exceeds the appropriate limit the KLTR must decline this request.

If you are dissatisfied with the KLTR response to your FOI request, you have the right to ask us to review it. Your review request should be made within 40 working days of receipt of this letter; please e-mail enquiries@kltr.gov.uk and we will reply within 20 working days of receipt.

The review will be undertaken by a member of the KLTR FOI team who was not involved in the original consideration of your request.

Under section 47(1) of FOISA if the KLTR position is unchanged following a review you have the right to appeal to the Scottish Information Commissioner within six months of receiving the review.

Yours sincerely

Ciaran O'Sullivan
Policy, Communications
and Stakeholder Relations
KLTR