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SCHEDULE

FORMS

FORM A:FIRST APPLICATION FOR THE APPOINTMENT OF A RECEIVERCOURT OF PROTECTION

19

Rule 5

IN THE MATTER OF
..... A PATIENT
I
of.....

Notes

Complete EITHER paragraph 1. OR paragraph 2. Delete the one which does not apply.

apply to the Court of Protection for:
1. my own appointment as receiver for the patient
 a. I am not related to the patient*
 b. I am the of the patient (state relationship)*
2. the appointment of
of..... as receiver for the patient
 a. He/She is the of the patient (state relationship)*

* Delete whichever does not apply.

DO NOT DELETE paragraph 3.

OR

3. the appointment of some other suitable person.

Where any other order in addition to that at paragraphs 1, 2 and 3 is sought, a general form of application should be used.

Applicant's signature

Date

OR Solicitors for the applicant:

of:

TO BE COMPLETED BY THE COURT, :

THE COURT WILL CONSIDER THIS APPLICATION ON THE DAY OF 19 AT O'CLOCK

FORM B:GENERAL FORM OF APPLICATIONCOURT OF PROTECTION

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19 no

Rule 8

IN THE MATTER OF
A PATIENT

NOTES

I
of

Where the application is one to which rules 17, 19 or 20 applies give details of your authority to make the application e.g. Receiver, Trustee, etc.

apply to the Court of Protection for an order that:

Give details of the order you are asking the court to make

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.
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.
.
.
.
.

and for any directions which are necessary as a result of my application.

Applicant's signature

Date

OR Solicitors for the applicant:

of

TO BE COMPLETED BY THE COURT, +

THE COURT WILL CONSIDER THIS APPLICATION ON THE DAY
OF 19 AT O'CLOCK

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Rule 50

..... 19 no

IN THE MATTER OF

..... A PATIENT

To

of

.....

You are ordered to attend before

.....

at

.....

on the day of 19

at, o'clock, to:

a. give evidence in this matter

b. bring with you and produce at the hearing the documents listed below:

.....

.....

.....

.....

.....

.....

Date

THIS SUMMONS WAS ISSUED AT THE REQUEST OF

.....

..... SOLICITORS FOR

THE

of

.....

FORM D:NOTICE OF APPEALCOURT OF PROTECTION

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19 no

Rule 57

IN THE MATTER OF
..... A PATIENT

NOTES

I
of

wish to appeal to a Judge against the order/decision* of the Court
made in this matter on the day of
19 that:

If you are appealing against only part
of the order/decision write down
which part.

.....
.....
.....
.....
.....

*Delete whichever does not apply.

I intend to ask that the order/decision* may be:

- a. discharged*
- b. varied in the following way:*

Give details of new order/decision
you are asking to be made.

.....
.....
.....
.....

**YOU WILL BE SENT NOTICE OF THE TIME, DATE AND PLACE
OF THE HEARING OF THIS APPEAL.**

Signed Appellant

Date

..... Solicitors for the

Appellant of:

.....
.....

APPENDIX

COURT OF PROTECTION FEES

Rule 78

Column 1 Item	Column 2 Fee
<i>Commencement fee</i> (rule 79)	
1. On the first application for the appointment of a receiver or other originating process.	£100
<i>Annual Administration fee</i> (rule 80)	
2. On a certificate issued by the court.	In accordance with Table 1
<i>Transaction fee</i> (rule 81)	
3. —	£50.00 or, in a “special case”, 1/4% of the pecuniary consideration as defined in rule 81 if greater than £50.00.
(1) On any order (or as the case may be, on any approval given by the court under an order) made by the court in the exercise of powers conferred by:—	
(i) section 96(1):	
(d) (settlement or gift of property)	
(h) (carrying out of contract) or	
(k) (exercise of powers as guardian or trustee) of the Act;	
(ii) section 100 of the Act (vesting of stock in curator appointed outside England and Wales);	
(iii) section 36(9) of the Trustee Act 1925 (appointment of trustees)	£100.00
(iv) section 54 of the Trustee Act 1925 (concurrent jurisdiction with High Court over trusts);	
(v) section 1(3) of the Variation of Trusts Act 1958 (variation of trusts for the benefit of patient); provided that no fee under this item shall be taken if the property is worth less than £50.00 and no such fee shall exceed £500.00.	
(2) On the making by the court of any order or authority under section 96(1)(e) of the Act (execution of will).	
<i>Taxation</i> (rule 82)	£0.05
4. On the taxation of a bill of costs, for every £1 or fraction of £1 allowed.	

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Column 1 Item	Column 2 Fee
<i>Receivership fees (rule 83)</i>	
5. On the appointment of officer of the court as receiver, except where it appears that the patient's clear annual income is less than £1,000.	£250.00
6. On passing an account.	In accordance with Table 2
<i>Winding up fee (rule 84)</i>	
7. On the death of a patient where the Public Trustee had been appointed receiver.	£250 on the date of cessation of receivership and £100 on each anniversary of such date until the matter is completed.

TABLE 1 (Fee No. 2)

Clear Annual Income

Income Band	Exceeding	Not Exceeding	Fee
(i)	£1,000	£50	
(ii)	£1,000	£2,000	£70
(iii)	£2,000	£3,000	£130
(iv)	£3,000	£5,000	£200
(v)	£5,000	£7,000	£350
(vi)	£7,000	£10,000	£550
(vii)	£10,000	£15,000	£800
(viii)	£15,000		£800 plus 5% of income exceeding £15,000

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TABLE 2 (Fee No. 6)

Clear Annual Income

Income Band	Exceeding	Not Exceeding	Fee
(i)	£1,000	£100	
(ii)	£1,000	£2,000	£250
(iii)	£2,000	£3,000	£525
(iv)	£3,000	£5,000	£800
(v)	£5,000	£7,000	£1,300
(vi)	£7,000	£10,000	£1,800
(vii)	£10,000	£15,000	£2,800
(viii)	£15,000		£2,800 plus 5% of income exceeding £15,000

NOTE

In relation to fees 2 and 6, and their corresponding Tables, where income exceeds the lower limit of a band by less than the difference between the fees for that band and the next lower band, the fee charged shall be the fee for the lower band plus the amount by which the income exceeds the upper limit of that band. For example, in calculating fee 2 on a clear annual income of £2,050 (which exceeds the lower limit (£2,000) on Band (iii) by less than the difference (£60) between the fee (£130) on Band (iii) and the fee (£70) on Band (ii), the fee payable is—

£70 (the fee on Band (ii))

+£50 (the amount by which the income exceeds £2,000)

£120