
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 21

CHILDREN AND PROTECTED PARTIES

[^{F1}Scope of this Part

21.1.—(1) This Part—

- (a) contains special provisions which apply in proceedings involving children and protected parties;
- (b) sets out how a person becomes a litigation friend; and
- [^{F2}(c) does not apply to—
 - (i) proceedings under Part 75;
 - (ii) enforcement of specified debts by taking control of goods; or
 - (iii) applications in relation to enforcement of specified debts by taking control of goods, where one of the parties to the proceedings is a child.]

(2) In this Part—

- (a) ‘the 2005 Act’ means the Mental Capacity Act 2005;
- (b) ‘child’ means a person under 18;
- (c) ‘lacks capacity’ means lacks capacity within the meaning of the 2005 Act;
- (d) ‘protected party’ means a party, or an intended party, who lacks capacity to conduct the proceedings;
- (e) ‘protected beneficiary’ means a protected party who lacks capacity to manage and control any money recovered by him or on his behalf or for his benefit in the proceedings[^{F3}.];
- [^{F4}(f) “specified debts” has the same meaning as in rule 75.1(2)(e); and
- (g) “taking control of goods” means using the procedure to take control of goods contained in Schedule 12 to the Tribunals, Courts and Enforcement Act 2007.]

([^{F5}Rules 6.13 and 6.25 contain] provisions about the service of documents on children and protected parties.)

(Rule [^{F6}46.4] deals with costs where money is payable by or to a child or protected party.)]

Textual Amendments

- F1** Pt. 21 substituted (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rule 1, [Sch. 2](#)

Status: Point in time view as at 01/10/2017. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 21.1. (See end of Document for details)

- F2** Rule 21.1(1)(c) substituted (6.4.2014) by The Civil Procedure (Amendment) Rules 2014 (S.I. 2014/407), rules 2(3), **12(a)** (with rule 41)
- F3** Rule 21.1(2)(e): semicolon substituted for full stop (6.4.2014) by The Civil Procedure (Amendment) Rules 2014 (S.I. 2014/407), rules 2(3), **12(b)(i)** (with rule 41)
- F4** Rule 21.1(2)(f)(g) inserted (6.4.2014) by The Civil Procedure (Amendment) Rules 2014 (S.I. 2014/407), rules 2(3), **12(b)(ii)** (with rule 41)
- F5** Words in rule 21.1 substituted (1.10.2008) by The Civil Procedure (Amendment) Rules 2008 (S.I. 2008/2178), rules 1(2), **15(a)**
- F6** Word in rule 21.1 substituted (1.10.2013) by The Civil Procedure (Amendment No.7) Rules 2013 (S.I. 2013/1974), rules 2, **9(a)**

Status:

Point in time view as at 01/10/2017. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 21.1.