
STATUTORY INSTRUMENTS

2007 No. 1745

The Court of Protection Fees Order 2007

Application fee

4.—(1) An application fee shall be payable by the applicant on making an application under Part 9 of the Rules (how to start proceedings) in accordance with the following provisions of this article.

(2) Where permission to start proceedings is required under Part 8 of the Rules (permission), the fee prescribed by paragraph (1) shall be payable on making an application for permission.

(3) The fee prescribed by paragraph (1) shall not be payable where the application is made under—

(a) rule 67 of the Rules (applications relating to lasting powers of attorney) by—

(i) the donee of a lasting power of attorney, or

(ii) a person named in a statement made by the donor of a lasting power of attorney in accordance with paragraph 2(1)(c)(i) of Part 1 of Schedule 1 to the Act,

and is solely in respect of an objection to the registration of a lasting power of attorney; or

(b) rule 68 of the Rules (applications relating to enduring powers of attorney) by—

(i) a donor of an enduring power of attorney,

(ii) an attorney under an enduring power of attorney, or

(iii) a person listed in paragraph 6(1) of Part 3 of Schedule 4 to the Act,

and is solely in respect of an objection to the registration of an enduring power of attorney.

(4) The fee prescribed by paragraph (1) shall not be payable where the application is made by the Public Guardian.

(5) Where a fee has been paid under paragraph (1) it shall be refunded where P dies within five days of the application being filed.