
STATUTORY INSTRUMENTS

2015 No. 548

The Court of Protection (Amendment) Rules 2015

Amendments to the Court of Protection Rules 2007

17. In rule 40—

(a) in paragraph (2), for “If” substitute “Except where rule 41A applies, if”;

(b) after paragraph (3) insert—

“(4) Subject to paragraph (5), where P is a child—

(a) if the person to be notified under this rule is a person with parental responsibility for the child within the meaning of the Children Act 1989⁽¹⁾ or, if there is no such person, a person with whom the child resides or in whose care the child is;

(b) all references to “P” in this Part, except that in paragraph (2), are to be read as referring to the person notified in accordance with sub-paragraph (a).

(5) Paragraph (4) does not apply, and there is no requirement to notify P, where the person referred to in paragraph (4)(a) has already been served or notified of the relevant matter in accordance with another rule or practice direction.”.