
STATUTORY INSTRUMENTS

2017 No. 1035

The Court of Protection Rules 2017

PART 21

APPLICATIONS AND PROCEEDINGS IN
RELATION TO CONTEMPT OF COURT

SECTION 6 – WRIT OF SEQUESTRATION TO
ENFORCE A JUDGMENT, ORDER OR UNDERTAKING

How to make an application for permission to issue a writ of sequestration

21.25.—(1) An application for permission to issue a writ of sequestration must be made to a Tier 3 Judge.

(2) An application for permission to issue a writ of sequestration must be made by filing an application notice under Part 10.

(3) The application notice must—

(a) set out in full the grounds on which the committal application is made and must identify, separately and numerically, each alleged act of contempt including, if known, the date of each of the alleged acts; and

(b) be supported by one or more affidavits containing all the evidence relied upon.

(4) Subject to paragraph (5), the application notice and the evidence in support must be served personally on the respondent.

(5) The court may—

(a) dispense with service under paragraph (4) if it considers it just to do so; or

(b) make an order in respect of service by an alternative method or at an alternative place.