
STATUTORY INSTRUMENTS

2017 No. 1035

The Court of Protection Rules 2017

PART 9

HOW TO START AND RESPOND TO
PROCEEDINGS, AND PARTIES TO PROCEEDINGS

The parties to the proceedings

Application to be joined as a party

9.15.—(1) Any person with sufficient interest may apply to the court to be joined as a party to the proceedings.

(2) An application to be joined as a party must be made by filing an application notice in accordance with Part 10, which must—

- (a) state the full name and address of the person seeking to be joined as a party to the proceedings;
- (b) state that person's interest in the proceedings;
- (c) state whether that person consents to the application;
- (d) state whether that person opposes the application and, if so, set out the grounds for doing so;
- (e) state whether that person proposes that an order different from that set out in the application form should be made and, if so, set out what that order is;
- (f) provide an address for service, which must be within the jurisdiction of the court; and
- (g) be signed by that person or that person's legal representative.

(3) Subject to rules 15.2 and 15.5 (restriction on filing an expert's report and court's power to restrict expert evidence), a person's application to be joined must be accompanied by—

- (a) a witness statement containing evidence of that person's interest in the proceedings and, if that person proposes that an order different from that set out in the application form should be made, the evidence on which that person intends to rely; and
- (b) a sufficient number of copies of the application notice to enable service of the application on every other party to the proceedings.

(4) The court must serve the application notice and any accompanying documents on all parties to the proceedings.

(5) The court must consider whether to join a person applying under this rule as a party to the proceedings and, if it decides to do so, must make an order to that effect.

Changes to legislation:

There are currently no known outstanding effects for the The Court of Protection Rules 2017, Section 9.