
STATUTORY INSTRUMENTS

2017 No. 1035

The Court of Protection Rules 2017

PART 10

APPLICATIONS WITHIN PROCEEDINGS

Security for costs other than from the applicant

10.8.—(1) The respondent may seek an order against a person other than the applicant, and the court may make an order for security for costs against that person, if—

- (a) it is satisfied, having regard to all the circumstances of the case, that it is just to make such an order; and
- (b) one or more of the conditions in paragraph (2) applies.

(2) The conditions are that the person—

- (a) has assigned the right to the substantive matter to the applicant with a view to avoiding the possibility of a costs order being made against the person; or
- (b) has contributed or agreed to contribute to the applicant's costs in return for a share of any money or property which the applicant may recover or be awarded in the proceedings; and

is a person against whom a costs order may be made.

(Rule 19.12 makes provision about costs orders against non-parties.)