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STATUTORY INSTRUMENTS

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**2011 No. 1734**

The Court Funds Rules 2011

PART 4

Payment out from a fund in court

**Documents required for payment**

**22.**—(1) The general rule is that the Accountant General shall make a payment from a fund in court if provided with a payment schedule signed and authenticated by a court.

(2) The general rule does not apply if a payment is made under one of the following paragraphs in this rule.

(3) Subject to paragraphs (6) and (7), where a deputy has been appointed, the Accountant General shall only make a payment from a fund in court if provided with:

- (a) a written request from the deputy; and
- (b) a sealed copy of the court order authorising the payment.

(4) Where an enactment requires specific authority for payment, the Accountant General shall only make a payment from a fund in court if provided with:

- (a) a written request; and
- (b) any authority required to permit payment under the enactment.

(5) Where a court has ordered that a person may apply directly to the Court Funds Office for payment of a fund in court on or after reaching their majority, the Accountant General shall only make a payment from the fund in court if provided with a written request from that person.

(6) Where the Court of Protection is satisfied that a person no longer lacks capacity in relation to a fund in court to which that person is entitled, the Accountant General shall only make a payment from the fund in court if provided with:

- (a) a written request; and
- (b) a sealed copy of the court order.

(7) Where the Court of Protection has ordered a payment from a fund in court be made to a person other than the person entitled to the fund in court or a deputy, the Accountant General shall only make a payment from the fund in court if provided with:

- (a) a payment schedule signed and authenticated by the court; or
- (b) (i) a written request; and  
(ii) a sealed copy of the court order authorising the payment.