
STATUTORY INSTRUMENTS

2017 No. 1035

The Court of Protection Rules 2017

PART 5

COURT DOCUMENTS

Public Guardian to be supplied with court documents relevant to supervision of deputies

5.12.—(1) This rule applies in any case where the court makes an order—

- (a) appointing a person to act as a deputy; or
- (b) varying an order under which a deputy has been appointed.

(2) Subject to paragraphs (3) and (6), the Public Guardian is entitled to be supplied with a copy of qualifying documents if the Public Guardian reasonably considers that it is necessary to have regard to them in connection with the discharge of the Public Guardian's functions under section 58 of the Act in relation to supervision of deputies.

(3) The court may direct that the right to be supplied with documents under paragraph (2) does not apply in relation to such one or more documents, or descriptions of documents, as the court may specify.

(4) A direction under paragraph (3) or (6) may be given—

- (a) either on the court's own initiative or on an application made to it; and
- (b) either—
 - (i) at the same time as the court makes the order which appoints the deputy, or which varies it; or
 - (ii) subsequently.

(5) "Qualifying documents" means documents which—

- (a) are filed in court in connection with the proceedings in which the court makes the order referred to in paragraph (1); and
- (b) are relevant to—
 - (i) the decision to appoint the deputy;
 - (ii) any powers conferred on the deputy;
 - (iii) any duties imposed on the deputy; or
 - (iv) any other terms applying to those powers and duties which are contained in the order.

(6) The court may direct that any document is to be provided to the Public Guardian on an edited basis.