
STATUTORY INSTRUMENTS

2017 No. 1035

The Court of Protection Rules 2017

PART 8

PERMISSION

Where the court's permission is not required

- 8.2.** The permission of the court is not required—
- (a) where an application is made by—
 - (i) the Official Solicitor; or
 - (ii) the Public Guardian;
 - (b) where the application concerns—
 - (i) P's property and affairs;
 - (ii) a lasting power of attorney which is, or purports to be, created under the Act; or
 - (iii) an instrument which is, or purports to be, an enduring power of attorney;
 - (c) where an application is made under section 21A of the Act⁽¹⁾;
 - (d) where an application is made for an order under section 16(2)(a) of the Act, which is to be relied on to authorise the deprivation of P's liberty pursuant to section 4A(3) of the Act⁽²⁾;
 - (e) where an application is made in accordance with Part 10;
 - (f) where a person files an acknowledgment of service or notification in accordance with this Part or Part 9, for any order proposed that is different from that sought by the applicant; or
 - (g) in any other case specified for this purpose in a practice direction.

⁽¹⁾ Section 21A was inserted by the Mental Health Act 2007 (c. 12), section 50(7), Schedule 9, paragraphs 1 and 2.

⁽²⁾ Section 4A was inserted by the Mental Health Act 2007 (c. 12), section 50(1) and(2).