
STATUTORY INSTRUMENTS

2017 No. 1035

The Court of Protection Rules 2017

PART 13

**JURISDICTION, WITHDRAWAL OF PROCEEDINGS,
PARTICIPATION AND RECONSIDERATION**

Disputing the jurisdiction of the court

Procedure for disputing the court's jurisdiction

13.1.—(1) A person who wishes to—

- (a) dispute the court's jurisdiction to hear an application; or
- (b) argue that the court should not exercise its jurisdiction,

may apply to the court at any time for an order declaring that it has no such jurisdiction or should not exercise any jurisdiction that it may have.

(2) An application under this rule must be—

- (a) made by using the form specified in the relevant practice direction; and
- (b) supported by evidence.

(3) An order containing a declaration that the court has no jurisdiction or will not exercise its jurisdiction may also make further provision, including—

- (a) setting aside the application;
- (b) discharging any order made;
- (c) staying the proceedings;
- (d) discharging any litigation friend or rule 1.2 representative.