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STATUTORY INSTRUMENTS

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**2017 No. 1035**

**The Court of Protection Rules 2017**

**PART 21**

**APPLICATIONS AND PROCEEDINGS IN  
RELATION TO CONTEMPT OF COURT**

**SECTION 1 – SCOPE AND INTERPRETATION**

**Scope**

**21.1.**—(1) This Part sets out the procedure in respect of—

- (a) committal for any breach of a judgment, order or undertaking to do or abstain from doing an act;
- (b) contempt in the face of the court;
- (c) committal for interference with the due administration of justice;
- (d) committal for making a false statement of truth; and
- (e) sequestration to enforce a judgment, order or undertaking.

(2) So far as applicable, and with the necessary modifications, this Part applies in relation to an order requiring a person—

- (a) guilty of contempt of court; or
- (b) punishable by virtue of any enactment as if that person had been guilty of contempt of the High Court,

to pay a fine or to give security for good behaviour, as it applies in relation to an order of committal.

**Saving for other powers**

**21.2.**—(1) This Part is concerned only with procedure and does not itself confer upon the court the power to make an order for—

- (a) committal;
- (b) sequestration; or
- (c) the imposition of a fine in respect of contempt.

(2) Nothing in this Part affects the power of the court to make an order requiring a person—

- (a) guilty of contempt of court; or
- (b) punishable by virtue of any enactment as if that person had been guilty of contempt of the High Court,

to pay a fine or to give security for good behaviour.

(3) Nothing in this Part affects any statutory or inherent power of the court to make a committal order on its own initiative against a person guilty of contempt of court.

## **Interpretation**

### **21.3. In this Part—**

- (a) “applicant” means a person making—
  - (i) an application for permission to make a committal application;
  - (ii) a committal application; or
  - (iii) an application for a writ of sequestration;
- (b) “committal application” means any application for an order committing a person to prison;
- (c) “respondent” means a person—
  - (i) against whom a committal application is made or is intended to be made; or
  - (ii) against whose property it is sought to issue a writ of sequestration; and
- (d) “undertaking” means an undertaking to the court.