HM Courts &
Tribunals Service

COP**44**

Court of Protection – fees

Part A — About this leaflet

This leaflet sets out the fees payable for applications to the Court of Protection from 30 September 2021 .

Part B — Fees payable from 30 September 2021

- **Application fee – £371:** payable on making an application to start court proceedings or on making an application for permission to start proceedings.
- **Appeal fee – £234:** payable on filing an appellants notice appealing a court decision or seeking permission to appeal a court decision.
- **Hearing fee – £494:** payable where the court has held a hearing to decide the application and has made a final order, declaration or decision.
- **Copy of document fee – £5:** payable on requesting a copy of a document filed during court proceedings.

Applications and hearings relating to objections to the registration of enduring powers of attorney (EPA) and lasting powers of attorney (LPA) will not incur a fee; if the applicant is an attorney, or a person entitled to receive notice of the application for registration. If you are person entitled to receive notice, you will have received either an LP3 notice or an EP1PG notice (EPA).

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Part C — Fees questions and answers

Who is responsible for paying fees?

- **Application fee, Appeal fee and Hearing fee:** payable by the person making the application or appeal – unless you are applying for a fee exemption or remission, you must send the fee with the application, even if you intend to recover the fee from the person the application is about.
- **Copy of document fee:** payable by the person requesting the copy document.

How should fees be paid?

Fees are payable by cheque. Cheques should be made payable to HM Courts & Tribunals Service and an accompanying letter should include case number (if known) and your contact details.

Can I recover the fee from the person the application is about?

This will depend on the type of application. If your application relates to the person's property and affairs, then you can recover the fee from the person the application is about. If your application relates to a personal welfare matter, then you must pay the fee yourself. However, if you are already the deputy or attorney for the person, you may recover any expenses incurred from carrying out your duties, which includes court fees, even if your application relates to a personal welfare matter.

The court may decide not to allow the applicant to recover the fee and costs from the person the application is about; or it may decide that another party to the court application should pay the fees and costs. If you need the court to make a decision about payment of fees or costs, you should request it in your application.

Are fees payable if the person the application is about dies?

- **Application fee and Appeal fee:** if the person the application is about dies within five days of the application or appeal being lodged, the fee will be refunded.
- **Court hearing fee:** if the person the application is about dies, the hearing will not take place and no fee is payable.

What if I or the person the application is about cannot afford to pay the fee?

You might not have to pay a court fee because of your financial situation. The application form 'COP44A – Apply for help with Court of Protection fees' is available from the Court of Protection or online at www.gov.uk/court-and-tribunal-forms

Part D — Useful Contacts

Court of Protection

www.gov.uk/apply-to-the-court-of-protection

Citizens Advice

www.adviceguide.org.uk/ or check the Yellow Pages for your local office

HM Courts & Tribunals Service

www.gov.uk/make-court-claim-for-money/overview

Disclaimer

Court staff can assist you on court procedures and help you complete the form, but they cannot tell you what to write or give you legal advice.