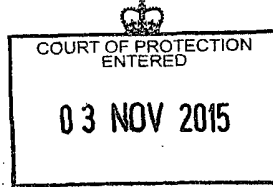


**COURT OF PROTECTION**  
**MENTAL CAPACITY ACT 2005**



No. [REDACTED]

**In the matter of**  
[REDACTED]

**ORDER APPOINTING A DEPUTY FOR  
PROPERTY AND AFFAIRS**

**made by District Judge Mort**  
**at First Avenue House, 42 - 49 High Holborn, London, WC1V 6NP**  
**on 1<sup>st</sup> October 2015**

**UPON** the court being satisfied that [REDACTED] lacks capacity to make various decisions for herself in relation to a matter or matters concerning her property and affairs, and that the purpose for which this order is needed cannot be as effectively achieved in a way that is less restrictive of her rights and freedom of action.

**AND UPON** the court being satisfied that [REDACTED]'s interests and position can be properly secured without being joined to these proceedings and without making any further direction concerning [REDACTED]'s participation in these proceedings.

**IT IS ORDERED that :**

**1. Appointment of deputy**

- (a) [REDACTED] is appointed as deputy ("the deputy") to make decisions on behalf of [REDACTED] that she is unable to make for herself in relation to her property and affairs, subject to any conditions or restrictions set out in this order.
- (b) The appointment will last until further order.
- (c) The deputy must apply the principles set out in section 1 of the Mental Capacity Act 2005 ("the Act") and have regard to the guidance in the Code of Practice to the Act.

**2. Authority of deputy**

- (a) The court confers general authority on the deputy to take possession or control of the property and affairs of [REDACTED] and to exercise the same powers of management and investment, including purchasing selling and letting property, as she has as beneficial owner, subject to the terms and conditions set out in this order.
- (b) The deputy cannot purchase any freehold or leasehold property on [REDACTED]'s behalf without obtaining further authority from the court.
- (c) If the deputy considers it in [REDACTED]'s best interests to do so the deputy may appoint an investment manager, who is regulated and authorised to undertake investment business, to manage her assets on a discretionary basis under the standard terms and conditions

applicable to such service from time-to-time, and to permit the investments to be held in the name of the investment manager nominee company.

- (d) The deputy may make provision for the needs of anyone who is related to or connected with [REDACTED] if she provided for, or might be expected to provide for, that person's needs by doing whatever she did, or might reasonably be expected to do, to meet those needs.
- (e) The deputy may (without obtaining any further authority from the court) dispose of [REDACTED]'s money or property by way of gift to any charity to which she made, or might have been expected to make, such gifts, and, on customary occasions, to persons who are related to or connected with her, provided that the value of each such gift is not unreasonable having regard to all the circumstances and, in particular, the size of her estate.
- (f) For the purpose of giving effect to any decision the deputy may execute or sign any necessary deeds or documents.

### **3. Reports**

- (a) The deputy is required to keep statements, vouchers, receipts and other financial records.
- (b) The deputy must submit a report to the Public Guardian as and when required.

### **4. Costs and expenses**

The deputy is entitled to receive fixed costs in relation to this application, and to receive fixed costs for the general management of [REDACTED]'s affairs. If the deputy would prefer the costs to be assessed, this order is to be treated as authority to the Senior Courts Costs Office to carry out a detailed assessment on the standard basis.

### **5. Security**

- (a) The deputy is required forthwith to obtain and maintain security in the sum of £50,000 in accordance with the standard requirements as to the giving of security.
- (b) The deputy must ensure that the level of security ordered by the court is in place before discharging any of the functions conferred by this order.

### **6. Notification**

The deputy must, within 14 days of service of this order by the court, notify [REDACTED] personally that the court has made a decision by providing her with a notice of proceedings about you in the Court of Protection (form COP14) and a copy of this order. The requirement for the person providing notification to provide evidence of such notification is dispensed with.

### **7. Right to apply for reconsideration of order**

Any person who is affected by this order may apply to the court for reconsideration of the order within 21 days of the order being served by filing an application notice (form COP9) in accordance with Part 10 of the Court of Protection Rules 2007.