



Capacity Application (Form 55A)

Record Number:

Circuit

County

Applicant to complete:

In the Matter of Part 5 of the Assisted Decision - Making (Capacity) Act 2015, as amended

And In the Matter of

Relevant Person:

Application of

Applicant 1:

Applicant 2 (if applicable):

Court Office to complete:

TAKE NOTICE that on

Date of Hearing:

at Time:

Court Venue:

the applicant will apply for orders as set out in this document:

COURT FEE
STAMP AREA

Applicant to complete:

A) Party Details:

Relevant Person

First Name:

Surname:

Address Line 1:

Address Line 2:

Town:

County:

Eircode / Postcode:

Country:

Applicant 1

First Name:

Surname:

Address Line 1:

Address Line 2:

Town:

County:

Eircode / Postcode:

Country:

Email Address (optional):

Contact Number (optional):

Applicant 2 (if applicable)

First Name:

Surname:

Address Line 1:

Address Line 2:

Town:

County:

Eircode / Postcode:

Country:

Email Address (optional):

Contact Number (optional):

At the time this application is made, the relevant person (please select one):

Resides in this Circuit

Carries on business in this Circuit, please provide address below

Has resided in this Circuit at any time during the last 3 years, please provide address below

Specify which of the following orders are intended to be sought

B) What declarations are you applying for? (Tick all that apply)

A declaration under Section 37(1)(a), that the Relevant Person lacks capacity, unless the assistance of a suitable person as a co-decision maker is made available to him / her to make the below decisions jointly with him / her in relation to his / her:

Personal welfare

Property and affairs

Please give details below

A declaration under Section 37(1)(b), that the Relevant Person lacks capacity even if the assistance of a suitable person as a co-decision maker were made available to him / her to make the below decisions in relation to his / her:

Personal welfare

Property and affairs

Please give details below

A declaration under section 37(3) of the Act as to the lawfulness of the following intervention in respect of the Relevant Person (please give details):

C) Which order are you applying for? (Tick all that apply)

An order under section 38(2)(a) of the Act making the following decision(s) as outlined below, on behalf of the Relevant Person, where the court is satisfied that the matter is urgent or expedient (please give details):

An order under section 38(2)(b) of the Act to appoint a decision-making representative for the Relevant Person for the following decisions (please give details):

An interim order under section 48 of the Act providing for (please give details):

Do you know of a suitable person who would be willing to act as a decision-making representative for the Relevant Person?

If yes, please provide details of this person in Form 55B.

Yes

No

D) Additional information:

If you need extra space to complete your application, please continue writing your answer below, clearly marking which section of the form you are referring to.

You should consider taking legal advice on this document.

If you are the Relevant Person to whom this Capacity Application relates (i.e. the person in respect of whom a declaration concerning capacity is sought), you may reply to the application by completing Form 55C (or if you have a solicitor, your solicitor may do so).

Copies of the completed form should be sent to the applicant or applicant's solicitor at the address given above and to the Court Office at the address above at least seven days before the hearing date.

You are also free to deliver evidence by affidavit or, if the Court permits, in another manner. If you have a solicitor, he or she can advise you about this. You may attend the hearing in person and/or your solicitor can attend on your behalf.

E) Signatures:

Signature of Applicant(s)/
Solicitor for Applicant(s):

Date (DD/MM/YYYY):

Solicitor Details (if applicable)

Name of Solicitor:

Name and Address of
Legal Firm:

Solicitor Email:

Solicitor Phone Number:

F) To:

Name and Address of
Court office:

Name and Address of Notice
Party 1 (if applicable):

Name and Address of Notice
Party 2 (if applicable):

Name and Address of Notice
Party 3 (if applicable):