

How do you successfully run a s. 37 injunction preventing one party from disposing of assets, and how will this work within the No-Fault divorce process?

1. Introduction

Both parties owe a duty to the court and to each other to preserve the assets intact, as far as practicable, until the final hearing. In *Harrow London Borough Council v Johnstone* [1997] 1 WLR 459, [1997] 2 FCR 225 HL Lord Hoffman observed that wanton destruction of the subject-matter of an action, with the intention of impeding a fair trial, may be a contempt of court, even where it is not in breach of an existing injunction.

2. Background

There are two separate jurisdictions that enable the court to grant injunctions to protect or recover assets, which are the subject of a claim for a financial order:

Preventing / Freezing

- a. An applicant for financial relief on divorce may apply to the court under **s 37(1)(a) MCA 1973** to restrain anticipated dealings that may defeat the applicant's financial claim.

Avoiding / Setting Aside

- b. Under **s 37(2)(b) and (c) MCA 1973**, the court may set aside a reviewable disposition unless it was made for valuable consideration to a third party who acted in good faith (**s 37(4)**).

N.B. whilst beyond the realms of this seminar, the court also has jurisdiction for injunctive relief under:

- c. **s. 37 (1) Senior Courts Act 1981** to make injunctions, to include freezing injunctions against assets in England and Wales or beyond and to make search orders in respect of a person's home or business. An application for a search order must be made at High Court Level; and

- d. *s. 423 Insolvency Act 1986 to grant remedies (including the power to set aside a transaction) where a person has entered into a transaction at an undervalue for the purpose of putting assets beyond the reach or otherwise prejudice the interests of a person making a claim.*

3. Preventing/ Freezing

a. *Legislation*

s.37 2 (a) Matrimonial Causes Act 1973

Where proceedings for financial relief are brought by one person against another, the court may, on the application of the first-mentioned person—

(a)if it is satisfied that the other party to the proceedings is, with the intention of defeating the claim for financial relief, about to make any disposition or to transfer out of the jurisdiction or otherwise deal with any property, make such order as it thinks fit for restraining the other party from so doing or otherwise for protecting the claim.

b. *Procedure*

- i. **r 9.6 (1) FPR 2010** - Part 18 procedure applies in the course of existing proceedings.
- ii. Applications can be made without notice to the respondent.
- iii. Form D50G must be completed.
- iv. Applications must be supported by affidavit not witness statement (**FPR PD20A para 3.1**).
- v. Draft Order must be attached. Pro Formas are exhibited in *UL v BK (Freezing Orders: Safeguards: Standard Examples) [2013] EWHC 1735 (Fam)*.

c. *Notes*

- i. **'Defeating the Claim'** means preventing or reducing the claim, or frustrating or impeding the enforcement of any order which may be or has been made (**s. 37 (1) MCA 1973**); and

- ii.* ‘**Disposition**’ includes any conveyance, assurance or gift of property of any description, whether by an instrument or otherwise, but not a provision contained in a will or codicil (**s. 37 (6) MCA 1973**).

4. Avoiding / Setting aside

a. Legislation

s.37 2 (b) (c) Matrimonial Causes Act 1973

Where proceedings for financial relief are brought by one person against another, the court may, on the application of the first-mentioned person—

(b)if it is satisfied that the other party has, with that intention, made a reviewable disposition and that if the disposition were set aside financial relief or different financial relief would be granted to the applicant, make an order setting aside the disposition;

(c)if it is satisfied, in a case where an order has been obtained under any of the provisions mentioned in subsection (1) above by the applicant against the other party, that the other party has, with that intention, made a reviewable disposition, make an order setting aside the disposition;

b. Procedure

- i.* An application for avoidance of a disposition is defined as a financial remedy under **r 2.3 FPR 2010**.
- ii.* Form A is required (**FPR PD 5A**), with a D11 and statement in support.

c. Notes

- i.* A disposition made less than three years before the application which has the effect of defeating the applicant’s claim shall be presumed to have been so intended, unless the respondent proves to the contrary (**s. 37 (5) MCA 1973**). Outside of this period, intention must be shown;
- ii.* However, it is not a reviewable disposition if it is in favour of a third party who acts in good faith and provides valuable consideration, without notice of any intention to defeat the claim (**s. 37 (4) MCA 1973**); and

- iii.* Where the court makes an order under subsection (2)(b) or (c) setting aside a disposition it shall give such consequential directions as it thinks fit for giving effect to the order, including directions requiring the making of any payments or the disposal of any property (s. 37 (3) MCA 1973).

5. Case Law

a. *UL v BK (Freezing Orders: Safeguards: Standard Examples) [2013] EWHC 1735 (Fam)*

Facts

Mostyn J

H and W married in France after signing a standard separation of property agreement.

During proceedings, W obtained an ex-parte freezing order in respect of a Spanish property worth £10 million and further assets “presently registered in husband’s sole name” with a combined value of £20 million.

H sought to discharge the freezing order on the basis that none of the principals governing freezing orders had been complied with. He offered an undertaking not to deal with the property.

Also, *Imerman* issues.

Decision

Freezing order discharged.

Mostyn J took the opportunity to provide guidance (see below).

One of the striking features of the case was the lack of urgency. W’s case rested solely on unparticularised threats by H to “leave her with nothing”.

Mostyn J at para 75:

“The wife's defaults here were not confined to a breach of the duty of candour, as I have explained. Weighing up all of her conduct I have no hesitation in concluding that she has forfeited the right to the exercise of the court's discretion to re-grant an injunction. Further, I do not accept the arguments that the husband's presentation supplies the evidence of a present unjustified dealing by him with his assets giving rise to a risk of dissipation to the wife's prejudice. After all, all the arrangements mentioned in the

husband's affidavit were done long ago as part of his desire to keep his business and other activities as secret as possible. I have no doubts that the wife has at all times been well aware of this.

I therefore decline to re-grant the injunction. I will accept the husband's undertaking which he offers ex gratia. Had he not done so I would not have imposed a freezing/preservation order over the Marbella property, given the wife's misconduct."

Guidance

Mostyn J at para 51

“(i) The court has a general power to preserve specific tangible assets in specie where they are the subject matter of the claim. Such an order does not necessarily require application of all the freezing order principles and safeguards, although it is open to the court to impose them.

(ii) For a freezing order in a sum of money which is capable of embracing all of the respondent's assets up to the specified figure it is essential that all the principles and safeguards are scrupulously applied.

(iii) Whether the application is made under the 1981 Act or the 1973 Act the applicant must show, by reference to clear evidence, an unjustified dealing with assets (which would include threats) by the respondent giving rise to the conclusion that there is a solid risk of dissipation of assets to the applicant's prejudice. Such an unjustified dealing will normally give rise to the inference that it is done with the intention to defeat the applicant's claim (and such an intention is presumed in the case of an application under the 1973 Act).

(iv) The evidence in support of the application must depose to clear facts. The sources of information and belief must be clearly set out.

(v) Where the application for a freezing order is made ex parte the applicant has to show that the matter is one of exceptional urgency. Short informal notice must be given to the respondent unless it is essential that he is not made aware of the application. No notice at all would only be justified where there is powerful evidence that the giving of any notice would likely lead the respondent to take steps to defeat the purpose of the

injunction, or where there is literally no time to give any notice before the order is required to prevent the threatened wrongful act. Cases where no notice at all can be justified are very rare indeed. The order of the court should record on its face the reason why it was satisfied that no or short notice was given.

(vi) Where no notice, or short informal notice, is given the applicant is fixed with a high duty of candour. Breach of that duty will likely lead to a discharge of the order. The applicable principles on the re-grant of the order after discharge are set out in Arena Corporation v Schroeder at para 213.

(vii) Where no notice, or short informal notice, is given the safeguards assume critical importance. The safeguards are set out in the standard examples for freezing and search orders. If an applicant seeks to dis-apply any safeguard the court must be made unambiguously aware of this and the departure must be clearly justified. The giving of an undertaking in damages, whether to the respondent or to an affected third party, is an almost invariable requirement; release of this must be clearly justified.”

b. J v H [2022] EWFC 133

Facts

Peel J

Application by H for a freezing injunction to prevent W from dealing with overseas assets.

Application refused by Morgan J at first instance and listed for on-notice hearing.

Both parties were Pakistani citizens in their late 30s. They met in Dubai and married in 2014, living in the Far East before moving to London in 2021.

H worked in banking and W in the family business. There was one child of the relationship.

W put her assets at circa £5 million, plus £2 million held legally by her but beneficially belonging to her father. H had assets of less than £10,000.

6 months prior to the parties' separation, W had withdrawn £32,000 in four tranches from the parties' joint account. Post separation, she transferred \$18,000 to her father.

Decision

Application dismissed.

Peel J reaffirmed Mostyn J in *UL v BK*.

“Husband has not been able to point to any malign, or even suspicious, disposal of assets, or improper dealing with assets...”

“The evidential justification for the application is thin. There is little in terms of objective evidence to indicate a solid risk of dissipation of assets. Mere suspicion, or anxiety, on Husband’s part is not sufficient. I am not satisfied that there is any basis upon which to assert that Wife by her actions was and is seeking to defeat Husband’s financial claims”

The amounts raised by H were “trifling” in the grand scheme of W’s wealth and did not justify an application. Peel J also found there to be at least £2.75 million in the jurisdiction from which H’s claims could be met.

There was no evidence that H was able to adduce to demonstrate any malign, or even suspicious, disposal of assets or improper dealing of assets.

6. Issues for Consideration When Running/ Defending a s. 37 Application

a. Ex-parte / Short Notice

- i.** para 4.3(c) FPR PD20A requires an applicant to take steps to notify a respondent informally of an application except in a case where it is essential that the respondent must not be aware of the application;
- ii.** *Practice Guidance of 18 January 2017 – Duration of Ex Parte (Without Notice) Orders* (see Part V) - If an order is made without notice, the on- notice hearing should be listed as soon as practicable and the absent respondent is entitled to copies of the material presented to the court and a note of what was said at the hearing - *S (Child: Ex Parte Order) [2001] 1 WLR 211, Munby J;*
- iii.** Mostyn J at para 52 *UL v BK*:

“Finally, I draw attention to the great concern of myself and other judges at the continued widespread abuse of the principles governing ex parte applications not only for freezing orders but also more generally. It is worth remembering not only that the ex parte procedure is intrinsically unfair but also, and very importantly, that a case which begins with an ex parte order is usually poisoned from that point onwards. The unilateral step taken at the beginning of case echoes down its history. Often the respondent is enraged by the step taken against him and looks to take counter- offensive measures. Every single subsequent step is coloured by that fateful first step. Costs tend to mount exponentially. And even after the lawyers close their files and render their final bills the personal relations of the spouses

will likely remain forever soured. A nuclear winter often ensues. This is not to say that sometimes, but very rarely, an ex parte application is necessary. Insistence on the imposition of the stringent conditions and detailed safeguards might have the side-effect of mitigating the unhappy consequences to which I have referred.”

b. Candour / Intention

Any application without notice carries with it a strict obligation to give full disclosure of facts that may militate against an order being made (*Re W (Ex Parte Orders)* [2000] 2 FLR 927, FD).

Ex-parte/ short informal notice results in a high duty of candour. If breached, any order made will likely be discharged – *ND v KP (Freezing Order: Ex Parte Application)* [2011] 2 FLR 662, FD.

Suspicion is not enough. Anxiety is not enough. There needs to be evidence; namely **“objective evidence to indicate a sold risk of dissipation of assets”** - *J v H*. It should be contemporaneous and factual.

“The sources of information and belief must be clearly set out” – *UL v BK*.

A guilty intention may be presumed if the effect of the disposition would be to defeat the claim. However, the court must find as a fact the relevant intention – *DW & Anor v CG* [2016] EWHC 2965 (Fam).

c. Refusal of undertaking alone is not a justification

In *H v L*, Peel J was satisfied by a series of recitals offered by W.

A refusal to give an undertaking is unlikely of itself to satisfy intention / real risk of dissipation.

d. Proportionate in context of other wealth

Is there specific reason why that asset needs to be preserved e.g., one party seeks to retain the Family Home, or can the value be offset by other assets?

e. Extent / Duration of Order

Against which assets is the undertaking sought? Any assets should be identified as opposed to being general. It should not be framed against unidentified accounts - *Araghchinchi v Araghchinchi* [1997] 2 FLR 142, CA.

The court may make 'such order as it thinks fit'. Is an injunction always required? In some cases, advance notice of an intended disposition may suffice – *Spencer-Churchill v Faggionato Fine Arts* [2012] EWHC 2318 (Ch), *R Ham QC*

Whilst there is no jurisdiction under the section to stop banks from using their customer's money, in practice UK banks abide by s. 37 orders. The respondent can be ordered to pay the money into court or into a solicitor's bank account, but not direct to the applicant – *Jackson v Jackson* [1978] Fam Law 56, CA.

Copies of the order must be served upon third parties e.g., banks, pension providers, land registry.

Jurisdiction – Worldwide vs England and Wales. The court has the power to injunct property abroad, provided it is likely that the order would be upheld in a foreign court – *Hamlin v Hamlin* [1986] Fam 11.

f. Specific expenditure must be provided for in the order

"weekly living expenses and legal advice and for the disposal of assets in the ordinary and proper course of business" - *Harrison v Harrison* [2008] 2 FLR 35 QBD.

g. Undertakings

The order must contain an undertaking by the applicant to pay damages to the respondent or any third party caused loss by the order which the court may be of the opinion ought to be paid, and an undertaking by the applicant to pay the reasonable costs of anyone other than the respondent which have been incurred as a result of compliance with the order.

h. Costs

Any costs are to be based on the 'clean sheet' principle and are at the discretion of the court.

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16.04.2023





In the Family Court
sitting at **[Court name]**

No: **[Case number]**

[The Matrimonial Causes Act 1973] /
[The Civil Partnership Act 2004] /
[The Matrimonial and Family Proceedings Act 1984] /
[The Senior Courts Act 1981]
(DELETE AS APPROPRIATE)

The **[Marriage]/ [Civil Partnership] / [Relationship]** of **[applicant name]** and **[respondent name]**

After hearing **[name the advocates(s) who appeared]**

After reading the statements and hearing the witnesses specified in the recitals below

FREEZING ORDER MADE BY [NAME OF JUDGE] ON [DATE] SITTING IN PRIVATE

TO [RESPONDENT NAME] OF [RESPONDENT ADDRESS]

WARNING: IF YOU [RESPONDENT NAME] DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS [RESPONDENT NAME] TO BREACH THE TERMS OF THIS ORDER MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED

The parties

1. The applicant is **[applicant name]**
The respondent is **[respondent name]**
Further respondent(s): **[further respondents names]**
(SPECIFY IF ANY PARTY ACTS BY A LITIGATION FRIEND)
2. Unless otherwise stated, a reference in this order to ‘the respondent’ means all of the respondents.
3. This order is effective against any respondent on whom it is served or who is given notice of it.

Definitions and interpretation

4. A respondent who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
5. A respondent which is not an individual which is ordered not to do something must not do it itself or by its directors, officers, partners, employees or agents or in any other way.

Recitals

6. This is a freezing injunction made against the respondent [*respondent name*] on [*date*] by [*name of judge*] on the application of the applicant [*applicant name*].
7. The Judge read the following [*affidavits*] / [*witness statements*] / [*set out*] and heard oral testimony from [*name*].
8. This order was made at a hearing [*without notice*] / [*on short informal notice*] to the respondent. The reason why the order was made [*without notice*] / [*on short informal notice*] to the respondent was [*set out*]. The respondent has the right to apply to the court to vary or discharge the order – see “**The right to seek variation or discharge of this order**” below.
9. There will be a further hearing in respect of this order on [*date*] (‘the return date’).

Undertakings given to the court by the applicant [*applicant name*]

10. If the court later finds that this order has caused loss to the respondent [*and to a third party*] and decides that the respondent [*and the third party*] should be compensated for that loss, the applicant shall comply with any order the court may make.
11. By [*time and date*] the applicant shall issue and serve an application notice [*in the form of the draft produced to the court*] [*claiming the appropriate relief*].
12. The applicant shall [*swear and file an affidavit*] / [*cause an affidavit to be sworn and filed*] [*substantially in the terms of the draft affidavit produced to the court*] / [*confirming the substance of what was said to the court by the applicant’s counsel/solicitors*].
13. The applicant shall serve upon the respondent [*together with this order*] by [*time and date*]:
 - a. copies of the affidavits and exhibits containing the evidence relied upon by the applicant, and any other documents provided to the court on the making of the application; and
 - b. the application.
 - c. a note [*prepared by [his] / [her] solicitor*] recording the substance of the dialogue with the court at the hearing and the reasons given by the court for making the order, which note shall include (but not be limited to) any allegation of fact made orally to the court where such allegation is not contained in the affidavits or draft affidavits read by the judge.

14. Anyone notified of this order shall be given a copy of it by the applicant's legal representatives.

15. The applicant shall pay the reasonable costs of anyone other than the respondent which have been incurred as a result of this order including the costs of finding out whether that person holds any of the respondent's assets and if the court later finds that this order has caused such person loss, and decides that such person should be compensated for that loss, the applicant shall comply with any order the court may make.

16. If this order ceases to have effect (for example, if the respondent provides security) the applicant shall immediately take all reasonable steps to inform in writing anyone to whom he has given notice of this order, or who he has reasonable grounds for supposing may act upon this order, that it has ceased to have effect.

17. The applicant shall not without the permission of the court use any information obtained as a result of this order for the purpose of any civil or criminal proceedings, either in England and Wales or in any other jurisdiction, other than this claim.

18. [The applicant shall not without the permission of the court seek to enforce this order in any country outside England and Wales [or seek an order of a similar nature including orders conferring a charge or other security against the respondent or the respondent's assets].]

IT IS ORDERED THAT:

(FOR INJUNCTION LIMITED TO ASSETS IN ENGLAND AND WALES)

19. Until the return date or further order of the court, the respondent must not remove from England and Wales or in any way dispose of, deal with or diminish the value of the following assets which are in England and Wales, namely:- *[specify in detail]*
20. If the total value free of charges or other securities ('unencumbered value') of the respondent's assets in England and Wales restrained by the preceding paragraph exceeds £*[amount]*, the respondent may remove any of those assets from England and Wales or may dispose of or deal with them so long as the total unencumbered value of the assets restrained by the preceding paragraph remains above £*[amount]*.

(FOR WORLDWIDE INJUNCTION)

21. Until the return date or further order of the court, the respondent must not in any way dispose of, deal with or diminish the value of the following assets whether they are in or outside England and Wales, namely:- *[set out]*
22. If the total value free of charges or other securities ('unencumbered value') of the respondent's assets restrained by the preceding paragraph exceeds £*[amount]*, the respondent may dispose of or deal with those assets so long as the total unencumbered value of all his assets restrained by the preceding paragraph whether in or outside England and Wales remains above £*[amount]*.

(FOR EITHER FORM OF INJUNCTION)

23. This order applies to assets (whether or not specifically listed) which are in the respondent's own name and whether they are solely or jointly owned. For the purpose of this order the respondent's assets include any asset which he has the power, directly or indirectly, to dispose of or deal with as if it were his own. The respondent is to be

regarded as having such power if a third party holds or controls the asset in accordance with his direct or indirect instructions.

Provision of Information

24. Unless the following paragraph applies, the respondent shall within 7 days of service of this order and to the best of his ability inform the applicant's solicitors of all his assets [in England and Wales] / [worldwide] [exceeding £[amount]in value] whether in his own name or not and whether solely or jointly owned, giving the value, location and details of all such assets.
25. If the provision of any of this information is likely to incriminate the respondent, he may be entitled to refuse to provide it, but is recommended to take legal advice before refusing to provide the information. Wrongful refusal to provide the information is contempt of court and may render the respondent liable to be imprisoned, fined or have his assets seized.
26. Within 14 days of being served with this order, the respondent shall make and serve on the applicant's solicitors an [affidavit] / [witness statement] setting out the above information.

Exceptions to this Order

27. This order does not prohibit the respondent from spending £[amount] a week towards his ordinary living expenses and also £[amount] [or a reasonable sum] on legal advice and representation. The respondent may agree with the applicant's legal representatives that the above spending limits should be increased or that this order should be varied in any other respect, but any agreement must be in writing.
28. [This order does not prohibit the respondent from dealing with or disposing of any of his assets in the ordinary and proper course of business.]

Provision of security

29. The order will cease to have effect if the respondent –
 - a. provides security by paying the sum of £[amount] into court, to be held to the order of the court; or
 - b. makes provision for security in that sum by another method agreed with the applicant's legal representatives.

Costs

30. The costs of this application are reserved to the judge hearing the application on the return date.

The right to seek variation or discharge of this order

31. Anyone served with or notified of this order may apply to the court at any time to vary or discharge this order (or so much of it as affects that person), but they must first inform the applicant's solicitors. If any evidence is to be relied upon in support of the application, the substance of it must be communicated in writing to the applicant's solicitors in advance.

Parties other than the applicant and respondent

32. **(EFFECT OF THIS ORDER)**

It is a contempt of court for any person notified of this order knowingly to assist in or permit a breach of this order. Any person doing so may be imprisoned, fined or have their assets seized.

33. **(SET OFF BY BANK)**

This injunction does not prevent any bank from exercising any right of set off it may have in respect of any facility which it gave to the respondent before it was notified of this order.

34. **(WITHDRAWALS BY THE RESPONDENT)**

No bank need enquire as to the application or proposed application of any money withdrawn by the respondent if the withdrawal appears to be permitted by this order.

(FOR WORLDWIDE INJUNCTION)

Persons outside England and Wales

35. Except as provided in the following paragraph, the terms of this order do not affect or concern anyone outside the jurisdiction of this court.
36. The terms of this order will affect the following persons in a country or state outside the jurisdiction of this court –
- a. the respondent or his officer or agent appointed by power of attorney;
 - b. any person who –
 - i. is subject to the jurisdiction of this court;
 - ii. has been given written notice of this order at his residence or place of business within the jurisdiction of this court; and
 - iii. is able to prevent acts or omissions outside the jurisdiction of this court which constitute or assist in a breach of the terms of this order; and
 - c. any other person, only to the extent that this order is declared enforceable by or is enforced by a court in that country or state.

(FOR WORLDWIDE INJUNCTION)

Assets located outside England and Wales

37. Nothing in this order shall, in respect of assets located outside England and Wales, prevent any third party from complying with –
- a. what it reasonably believes to be its obligations, contractual or otherwise, under the laws and obligations of the country or state in which those assets are situated or under the proper law of any contract between itself and the respondent; and
 - b. any orders of the courts of that country or state, provided that reasonable notice of any application for such an order is given to the applicant's solicitors.

Dated *[Date]*

Notice pursuant to PD 37A para 2.1

You *[applicant name]*, the applicant, may be sent to prison for contempt of court if you break the promises that have been given to the court

Statement pursuant to PD 37A para 2.2(2)

I understand the undertakings that I have given, and that if I break any of my promises to the court I may be sent to prison for contempt of court

Signed _____

[applicant name] [date]

Communications with the court

All communications to the court about this order should be sent to –

[Court name]

[Court address]

Tel: *[Court telephone]*

If the order is made at the Royal Courts of Justice, communications should be addressed as follows:

The Clerk of the Rules, Queen’s Building, Royal Courts of Justice, Strand, London WC2A 2LL quoting the case number *[number]*. The telephone number is 020 7947 6543.

The offices are open between 10 a.m. and 4.30 p.m. Monday to Friday.

Name and address of applicant’s legal representatives

The applicant’s legal representatives are –

[applicant’s firm name]

[applicant’s firm’s address]

Ref: *[applicant’s reference]*

DX: *[applicant’s firm’s DX address]*

Email: *[applicant’s firm’s email address]*

Phone: *[applicant’s firm’s phone number]* (office hours)

[[applicant’s firm’s out of hours phone number] (out of office hours)

Fax: *[applicant’s firm’s fax number]*

Application to prevent transaction intended to defeat prospective applications for financial relief

To be completed by the Applicant	
Name of court	Case No. (if known)
Name of Applicant	
Name of Respondent	
Fee charged/Remission ID	

(please tick appropriate box)

An application under section 37 of the Matrimonial Causes Act 1973
 Schedule 5 to the Civil Partnership Act 2004
 section 24 of the Matrimonial and Family Proceedings Act 1984
 Schedule 7 to the Civil Partnership Act 2004

To (Respondent)

of (address)

You are required to attend a hearing before a Judge/District Judge of the (High Court, Principal Registry or the Family Division, or name of county court)

at (full name of court and address)

on a date to be fixed on hearing an application by

that the court shall make an order restraining

from making any disposition or transferring out of the jurisdiction or otherwise dealing with any property with intent to defeat a claim for financial relief by the Applicant under section 37 of the Matrimonial Causes Act 1973/Schedule 5 to the Civil Partnership Act 2004/Part III of the Matrimonial and Family Proceedings Act 1984/Schedule 7 to the Civil Partnership Act 2004.

Dated / /

This application was issued by

[Solicitor for] the above named Applicant whose address is

Solicitor's fee account no.