



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.
6. The words used herein this order shall have the following meaning:
 - i. “Cryptocurrency” means non-fiat, digital, decentralised currency, digital token or other form of digital asset, property, security or instrument (including smart contracts) based on distributed ledger technology or similar technology, including blockchain technology, [including but not limited to the cryptocurrencies known as [Bitcoin, Ethereum, Litecoin, Alts and]] and any Cryptocurrency is an asset for the purposes of this order.
 - ii. “Cryptocurrency Asset” means any Cryptocurrency with a value determinable in fiat money.
 - iii. “Blockchain” means a distributed digital ledger which contains, inter alia, all records of the existence of Cryptocurrency and all records of transactions in Cryptocurrency.
 - iv. “Private Key” means the unique identifying alphanumeric string or other cryptographic code that refers to a specific unit of Cryptocurrency or a password or code permitting access to or dealings with Cryptocurrency.
 - v. “Cryptocurrency Wallet” means the device, software, Cryptocurrency Exchange internet based service or other location where Cryptocurrency or any Private Key is stored or recorded.
 - vi. “Cryptocurrency Cold Wallet” means any computer, digital hardware device or other location that may be used as a Cryptocurrency Wallet offline and not permanently connected to the internet.
 - vii. “Cryptocurrency Exchange” means a third party offering services either via the internet or in person for the purchasing, selling, storing or otherwise dealing in Cryptocurrency, or a service used as a custodian for the storage of Cryptocurrency and/or Private Keys, passwords or codes relating to Cryptocurrency.

Recitals

7. 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*].

8. The Judge read the following [affidavits] / [witness statements] / [set out] and heard oral testimony from [name].
9. 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.
10. 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]

11. 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.
12. For the purposes of this order “loss” shall not include any difference in value of any cryptocurrency asset caused by [fiat currency exchange rate changes/ market fluctuations] in the value of a Cryptocurrency.
13. 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].
14. 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].
15. The applicant shall serve upon the respondent [together with this order] by [time and date]:
 - i. 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
 - ii. the application.
 - iii. 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.
16. Anyone notified of this order shall be given a copy of it by the applicant's legal representatives.
17. 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.

18. 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.
19. 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.
20. [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)

21. Until the return date or further order of the court, the respondent must not:
 - i. Amend, vary or disclose to any third party any Private Key within the Respondent's possession or knowledge;
 - ii. Transfer or remove any Cryptocurrency to any Cryptocurrency Wallet, device, server, Blockchain or Cryptocurrency Exchange based outside of England and Wales;
 - iii. Transfer, remove or provide to any third party outside of the terms of this order any Cryptocurrency Cold Wallet;
 - iv. Access any account held with a Cryptocurrency Exchange for any purpose through any device or online platform;
 - v. Take any steps which would cause a Cryptocurrency or Cryptocurrency Asset to diminish in value, be transferred to any third party or to be dealt with in any way
22. [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)

23. Until the return date or further order of the court, the respondent must not:
- i. Amend, vary or disclose to any third party any Private Key within the Respondent's possession or knowledge;
 - ii. Transfer or remove any Cryptocurrency to any Cryptocurrency Wallet, device, server, Blockchain or Cryptocurrency Exchange based outside of England and Wales;
 - iii. Transfer, remove or provide to any third party outside of the terms of this order any Cryptocurrency Cold Wallet;
 - iv. Access any account held with a Cryptocurrency Exchange for any purpose through any device or online platform;
 - v. Take any steps which would cause a Cryptocurrency or Cryptocurrency Asset to diminish in value, be transferred to any third party or to be dealt with in any way
24. Where a Cryptocurrency or Private Key is already stored in a Cryptocurrency Wallet, on a device or server, Blockchain or Cryptocurrency Exchange based outside of England and Wales the respondent must not take any steps to change the location of storage or otherwise deal with the Cryptocurrency
25. [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)

26. 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

27. 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.
28. 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.

29. 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

30. [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.]
31. [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

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

Costs

33. 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

34. 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

35. **(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.
36. **(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.
37. **(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

38. Except as provided in the following paragraph, the terms of this order do not affect or concern anyone outside the jurisdiction of this court.
39. The terms of this order will affect the following persons in a country or state outside the jurisdiction of this court –
- i. the respondent or his officer or agent appointed by power of attorney;
 - ii. 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
 - iii. 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

40. Nothing in this order shall, in respect of assets located outside England and Wales, prevent any third party from complying with –
- i. 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
 - ii. 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*]