
STATUTORY INSTRUMENTS

2010 No. 2955

The Family Procedure Rules 2010

PART 30

APPEALS

Permission

- 30.3.**—(1) An appellant or respondent requires permission to appeal—
- (a) against a decision in proceedings where the decision appealed against was made by a district judge or a costs judge, unless paragraph (2) applies; or
 - (b) as provided by Practice Direction 30A.
- (2) Permission to appeal is not required where the appeal is against—
- (a) a committal order; or
 - (b) a secure accommodation order under section 25 of the 1989 Act.
- (3) An application for permission to appeal may be made—
- (a) to the lower court at the hearing at which the decision to be appealed was made; or
 - (b) to the appeal court in an appeal notice.

(Rule 30.4 sets out the time limits for filing an appellant’s notice at the appeal court. Rule 30.5 sets out the time limits for filing a respondent’s notice at the appeal court. Any application for permission to appeal to the appeal court must be made in the appeal notice (see rules 30.4(1) and 30.5(3).)

(4) Where the lower court refuses an application for permission to appeal, a further application for permission to appeal may be made to the appeal court.

(5) Where the appeal court, without a hearing, refuses permission to appeal, the person seeking permission may request the decision to be reconsidered at a hearing.

(6) A request under paragraph (5) must be filed within 7 days beginning with the date on which the notice that permission has been refused was served.

- (7) Permission to appeal may be given only where—
- (a) the court considers that the appeal would have a real prospect of success; or
 - (b) there is some other compelling reason why the appeal should be heard.

- (8) An order giving permission may—
- (a) limit the issues to be heard; and
 - (b) be made subject to conditions.

(9) In this rule “costs judge” means a taxing master of the Senior Courts.