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## STATUTORY INSTRUMENTS

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# 2010 No. 2955

## The Family Procedure Rules 2010

### PART 30

#### APPEALS

##### Respondent's notice

- 30.5.**—(1) A respondent may file and serve a respondent's notice.
- (2) A respondent who—
- (a) is seeking permission to appeal from the appeal court; or
  - (b) wishes to ask the appeal court to uphold the order of the lower court for reasons different from or additional to those given by the lower court,
- must file a respondent's notice.
- (3) Where the respondent seeks permission from the appeal court it must be requested in the respondent's notice.
- (4) A respondent's notice must be filed within—
- (a) such period as may be directed by the lower court; or
  - (b) where the court makes no such direction, 14 days beginning with the date referred to in paragraph (5).
- (5) The date referred to in paragraph (4) is—
- (a) the date on which the respondent is served with the appellant's notice where—
    - (i) permission to appeal was given by the lower court; or
    - (ii) permission to appeal is not required;
  - (b) the date on which the respondent is served with notification that the appeal court has given the appellant permission to appeal; or
  - (c) the date on which the respondent is served with notification that the application for permission to appeal and the appeal itself are to be heard together.
- (6) Unless the appeal court orders otherwise, a respondent's notice must be served on the appellant, any other respondent and the persons referred to in rule 30.4(5)—
- (a) as soon as practicable; and
  - (b) in any event not later than 7 days,
- after it is filed.
- (7) Where there is an appeal against an order under section 38(1) of the 1989 Act—
- (a) a respondent may not, in that appeal, bring an appeal from the order or ask the appeal court to uphold the order of the lower court for reasons different from or additional to those given by the lower court; and
  - (b) paragraphs (2) and (3) do not apply.

**Status:**

Point in time view as at 06/04/2011. This version of this provision has been superseded.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Family Procedure Rules 2010. Any changes that have already been made by the team appear in the content and are referenced with annotations.