
STATUTORY INSTRUMENTS

2017 No. 1035

The Court of Protection Rules 2017

PART 20

APPEALS

Respondent's notice

20.11.—(1) A respondent who—

- (a) is seeking permission from a judge other than the first instance judge; or
- (b) wishes to ask the appeal judge to uphold the order of the first instance judge for reasons different from or additional to those given by the first instance judge,

must file a respondent's notice.

(2) Where the respondent seeks permission from a judge other than the first instance judge, permission must be requested in the respondent's notice.

(3) A respondent's notice must be filed within—

- (a) such period as may be directed by the first instance judge; or
- (b) where the first instance judge makes no such direction, 21 days beginning with the date referred to in paragraph (4).

(4) The date is the soonest of—

- (a) the date on which the respondent is served with the appellant's notice where—
 - (i) permission was given by the first instance judge; or
 - (ii) permission is not required;
- (b) the date on which the respondent is served with notification that a judge other than the first instance judge has given the appellant permission; or
- (c) the date on which the respondent is served with the notification that the application for permission and the appeal itself are to be heard together.

(5) The court shall issue a respondent's notice, and unless it orders otherwise, the respondent must serve the respondent's notice on the appellant, any other respondent and on such other persons as the court may direct, as soon as practicable and in any event within 21 days of the date on which it was issued.

(6) The respondent must file a certificate of service within 7 days beginning with the date on which the copy of the respondent's notice was served.