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STATUTORY INSTRUMENTS

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**2017 No. 1035**

**The Court of Protection Rules 2017**

**PART 20**

**APPEALS**

**Power of appeal judge on appeal**

**20.13.**—(1) In relation to an appeal, an appeal judge has all the powers of the first instance judge whose decision is being appealed.

(2) In particular, the appeal judge has the power to—

- (a) affirm, set aside or vary any order made by the first instance judge;
- (b) refer any claim or issue to that judge for determination;
- (c) order a new hearing;
- (d) make a costs order.

(3) The appeal judge's powers may be exercised in relation to the whole or part of an order made by the first instance judge.