



SUPREME COURT OF NEWFOUNDLAND AND LABRADOR

NOTICE TO THE PROFESSION AND GENERAL PUBLIC

Computation of Time

The Supreme Court of Newfoundland and Labrador wishes to direct attention towards the Rules of Court respecting computation of time, particularly Rules 3.01(b) and (h) which read:

(b) Where there is a reference to a number of clear days or "at least" a number of days between two events, in calculating the number of days there shall be excluded the days on which the events happen.

(h) Where any limited time less than six days from or after any day or event is appointed or allowed for doing any act or taking any proceeding, Saturdays, Sundays and holidays shall not be reckoned in the computation of the limited time.

Where a Rule therefore specifies that a document be filed, for example, "at least" four days prior to the date of a hearing, *neither* the date of filing nor the date of hearing is to be counted in the computation of time. The Rule requires in these circumstances that there be four "clear" days between these two events.

Additionally, for periods of time limited to less than six days, Saturdays, Sundays, and holidays are not reckoned in the computation of time. These Rules apply to both civil and family matters.

This Notice is being circulated as there has been some inconsistency as to whether the "filing day" should be counted in the computation of time. When documents are received in breach of the applicable timeline, the Registry has the authority to reject them for filing.

RAYMOND P. WHALEN
Chief Justice