

Calculation of Time

1.0 This Practice Direction:

- explains how days are counted when something is required to be done within a certain number of days
- applies to time periods set out in Practice Directions, Vice-Chair/Panel Decisions and Orders, and letters from Tribunal staff.

2.0 Holiday

2.1 “Holiday” means any Saturday, Sunday, Easter Monday, November 11th or statutory holiday.

3.0 How Time is Counted

3.1 Where there is a reference to a number of days, the days are calendar days and are counted by excluding the first day of the first week and including the last day of the last week.

3.2 Where an action is to be done within a specified number of weeks, time is counted by excluding the first day of the first week and including the last day of the last week. For example, materials for a Wednesday hearing must be delivered by the Wednesday three weeks before the hearing.

3.3 Where the time for doing an act expires on a holiday, the act may be done on the next day that is not a holiday.

3.4 Where a document is deemed to be received or another act is deemed to have happened on a day that is a holiday, it shall be deemed to have happened on the next day that is not a holiday.

4.0 Changing Time Periods

4.1 The Tribunal may vary the time for performing any act on such conditions as it considers appropriate.

4.2 Where the time is set in a Practice Direction or decision or ruling, a Vice-Chair or Panel may vary the time.

- 4.3** Where the time is set by Tribunal staff in Tribunal correspondence, Tribunal staff may vary the time.

Dated at Toronto, Ontario this first day of October, 2007
Workplace Safety and Insurance Appeals Tribunal
I.J. Strachan, Tribunal Chair