

# F. INFORMATION SHEET: TECHNICAL GUIDELINES



## A. Calculation of Time

Rule 5, *Calculating Time* (deadlines) in the [Rules of Procedure](#) sets out certain rules regarding calculating time for the purposes of meeting deadlines. References to time periods in the *Rules of Procedure* and the Guide follow these principles:

Principle	Example
Where there is a reference to a number of days between two events, the days are counted by excluding the first day and including the last day	<p>A Notice of Appeal is due within <b>15 days</b> of a final order, decision, or ruling of a Judge, Steward, or Registrar.</p> <p>If the final order, ruling or decision was issued on March 1, the deadline to file your Notice of Appeal is March 16.</p>
Where a period of less than seven days is prescribed, holidays shall not be counted	<p>A <i>Notice of Motion</i> must be filed at least <b>five days</b> before the Motion will be considered.</p> <p>“Holiday” includes weekends. See Rule 1, Definitions</p> <p>If you want your <i>Notice of Motion</i> to be heard at your hearing taking place on July 2, the weekend and the Canada Day holiday of July 1 will not be counted in the calculation of <b>five days</b>. Please see Rule 6.</p>
Where the time for doing an act under these Rules ends on a holiday, the act may be done on the next day that is not a holiday	<p>A <i>Notice of Appeal</i> is due within <b>15 days</b> of a final order, decision, or ruling of a Judge, Steward, or Registrar.</p> <p>If the 15th day is July 1, Canada Day holiday, the Notice of Appeal can be filed on July 2.</p>
Where (according to the <i>Rules of Procedure</i> ) a document would be deemed to be received or service would be deemed to be effective on a day that is a holiday, it is deemed to be received or effective on the next day which is not a holiday	<p>You file and serve a <i>Notice of Motion</i> on July 1, Canada Day. The <i>Notice of Motion</i> will be considered to have been received and filed effective July 2.</p>

## B. Service and Filing of Documents

In some cases, you are required to file certain documents with the HRAP. Before you file a document with the HRAP, the documents must be “served” on all parties according to the rules set out in *Rule 5, Service and Filing of the Rules of Procedure*.

When you file or serve a document, you must include your address, telephone number and the name of the related proceeding.

### Service to Other Parties

Service to a party means effective delivery to a person or their declared representative.

Please see Rules 5.2 and 5.4. You can serve a document to other parties by the following methods:

Type of Service	Date deemed effective
Personal delivery (i.e., delivery to the person directly)	Before 5:00 p.m., on the day of delivery, and after that time, the next day.
Regular, registered or certified mail to the last known address of the person	On the fifth day after the day of mailing.
Fax, to the last known fax number of the person ( <b>Note:</b> If the document is longer than 10 pages, you can only send it if the receiving party provides their consent)	On the day after it was sent.
Courier, including Priority Post, to the last known address of the person	On the second day after the document was given to the courier.
Electronic delivery (e.g., email) if the receiving party has provided their consent or the sender can provide evidence of service	On the date sent if delivered before 5:00 p.m. and if after that time, the next day.

If it is not practical to give service by following these rules, the HRAP can allow for different types of service or may also remove the requirement for service.

You should keep good records of service of documents. You may be required to file a sworn statement indicating who has been served, when they were served, and by what method.

### Filing Documents with the HRAP

You can file documents with the HRAP using all the same methods of delivery set out above in Service to Other Parties. However, once the material is filed, an electronic version of the material must also be filed with the HRAP, unless it was originally filed electronically, please see Rule 5.7. You are still responsible for bringing any hard copies that may be necessary for the hearing, as outlined in Rule 5.10.

There are some key differences in terms of the date the filing will be considered completed. For documents filed with the HRAP, the date that the documents are deemed to be filed is the later of the effective dates in *Rule 5.4* of the [Rules of Procedure](#) (and listed in the chart above) or the date it is actually received by the HRAP.

For example, if you have filed documents using regular mail and the HRAP does not receive them in the mail until **10 days** after the date listed as the date of mailing, then the documents will be deemed to be filed on that 10th day, and not the fifth day.

#### Last updated: March 2020

*This information sheet is intended to provide general information to appellants and other related parties regarding the appeal process of the Horse Racing Appeal Panel. It does not constitute legal advice. If any information in this Guide is not consistent with the Rules of Procedure, the Rules of Procedure will prevail.*