

## Procedural time limits - Finland

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- 15 What are the consequences of non-observance of the deadlines?
- 16 If the deadline expires, what remedies are available to those who have missed the deadlines, i.e. the defaulting parties?



#### 1 What are the types of deadlines relevant for civil procedures?

Deadlines refer to the time limits that have been set for completing a certain stage in a proceeding. Some time limits are laid down in law, others imposed by courts.

#### 2 List of the various days envisaged as non-working days pursuant to the Regulation (EEC, Euratom) n° 1182/71 of 3 June 1971.

In addition to Saturdays and Sundays, the following days are considered holidays in Finland:

- New Year's Day (1 January)
- Epiphany (6 January)

- Good Friday (movable)
- Easter Sunday (movable)
- Easter Monday (movable)
- May Day (1 May)
- Ascension Day (movable)
- Pentecost (movable)
- Midsummer's Eve (movable)
- Midsummer's Day (movable)
- All Saints' Day (movable)
- Independence Day (6 December)
- Christmas Day (25 December)
- St Stephen's Day (26 December)

### **3 What are the applicable general rules on time limits for the various civil procedures?**

Rules for calculating time limits are included in the Time Limit Act (*määräaikalaki*) (150/1930). Provisions on the lengths of time limits are also included in the Code of Judicial Procedure (*oikeudenkäymiskaari*) and several other regulations.

### **4 When an act or a formality has to be carried out within a given period, what is the starting time?**

Time limits are generally calculated from the start of the day following the date on which the event giving rise to the act or formality occurred. For example, the time limit for contesting a will is calculated from the start of the day following the date on which notice of the will was given.

### **5 Can the starting time be affected or modified by the method of transmission or service of documents (personal service by a huissier or postal service)?**

The method of transmission or service of documents does not affect the starting time. The time limit only begins to run once notice of a document has been served.

### **6 If the occurrence of an event sets the time running, is the day when the event occurred taken into account in the calculation of the time period?**

Where a period of time is expressed as a number of days after a certain date, the latter is not taken into account. For example, the date on which notice is served does not count.

### **7 When a time limit is expressed in days, does the indicated number of days include calendar days or working days?**

The indicated number of days includes all calendar days, not just working days. If, however, the last day of the time limit falls on one of the days listed in question 2, the time limit is extended to the following working day.

### **8 When such a period is expressed in weeks, in months or in years?**

Time limits that are expressed in weeks, months or years after a certain date end on the day of the week or month that corresponds in name or number to that date. If there is no corresponding date in the month when the time limit is due to expire, the time limit ends on the last day of that month.

### **9 When does the deadline expire if expressed in weeks, in months or in years?**

See answer to question 8.

### **10 If the deadline expires on a Saturday, Sunday or a public holiday or non-working day, is it extended until the first following working day?**

See answer to question 7.

### **11 Are there certain circumstances under which deadlines are extended? What are the conditions for benefiting from such extensions?**

Deadlines can be extended if the need for an extension can be justified. Extensions to deadlines applicable to ongoing court cases, for example, can be granted by the court concerned upon application. The person assigned to the case decides whether an extension is granted.

## **12 What are the time limits for appeals?**

A party in a court case who wishes to appeal a district court's (*käräjäoikeus*) ruling must give notice of intent to appeal no later than on the seventh day from the date on which the district court's ruling was given. The deadline for submitting an appeal is 30 days from the date on which the district court's ruling was given. The appellant must submit his or her letter of appeal to the district court's registry no later than on the last day of the deadline, during office hours.

With regard to rulings delivered by a Court of Appeal (*hovioikeus*), the time limit for applying for leave to appeal and submitting a letter of appeal is 60 days from the date on which the Court of Appeal delivered its ruling. The appellant must submit his or her letter of appeal, which must be addressed to the Supreme Court (*korkein oikeus*) and be accompanied by an application for leave to appeal and the appeal itself, to the Court of Appeal's registry no later than on the last day of the deadline.

If the appeal relates to a case that the Court of Appeal heard as the court of first instance, the time limit for submitting an appeal is 30 days from the date on which the Court of Appeal's ruling was given.

## **13 Can courts modify time limits, in particular the appearance time limits or fix a special date for appearance?**

The time limits laid down in the Time Limit Act cannot be shortened. In most cases, the court has discretion to set time limits for specific acts and formalities and also to extend said time limits. In some cases, courts can also extend deadlines set for appeals.

## **14 When an act intended for a party resident in a place where he/she would benefit from an extension of a time limit is notified in a place where those who reside there do not benefit from such an extension, does this person lose the benefit of such a time limit?**

There are no places like this in Finland, so no such situations can arise.

## **15 What are the consequences of non-observance of the deadlines?**

As a general rule, failure to observe deadlines is detrimental to the non-observing party and may lead to that party losing his or her rights in the matter.

## **16 If the deadline expires, what remedies are available to those who have missed the deadlines, i.e. the defaulting parties?**

There is no universal remedy for missed deadlines. In some cases, a new deadline can be set upon application. However, this is extremely rare.

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