

## Guide to the Meaning of 'Working Day'



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### Background

The timescales involved in the Primary Authority scheme are often defined by reference to 'working days'.

For example, a primary authority may direct an enforcing authority not to take enforcement action if it determines within the 'relevant period' that the proposed enforcement action is inconsistent with advice or guidance it has previously given.

'Relevant Period' is defined as the period of five **working days** beginning with the day after that on which the primary authority was notified of the proposed enforcement action (or such longer period as LBRO may direct).<sup>1</sup>

This Guide is intended to clarify what days will and will not be considered as 'working days' for the purposes of the Primary Authority scheme. Note that the Primary Authority IT system manages all deadlines associated with enforcement actions for you, in line with the definition of 'working days' provided here, by notifying you when deadlines have expired.

### Working Days

'Working days' means any day other than:

- A Saturday or Sunday;
- Christmas Day or Good Friday; or
- A day which is a bank holiday under the Banking and Financial Dealings Act 1971 ('**the Act**') in the part of the UK where the primary authority is, or if different, the part of the UK where the enforcing authority is.<sup>2</sup>

Bank holidays currently under the Act are<sup>3</sup>:

England and Wales	Scotland	Northern Ireland
Easter Monday	New Year's Day, if it is not a Sunday or, if it is a Sunday, 3 January	17 March, if it is not a Sunday or, if it is a Sunday, 18 March.
The last Monday in May	2 January, if it is not a Sunday or, if it is a Sunday, 3 January	Easter Monday
The last Monday in August	Good Friday	The last Monday in May
26 December if it is not a Sunday	The first Monday in May	The last Monday in August

<sup>1</sup> Section 28(2) and (9) of the Regulatory Enforcement and Sanctions Act 2008 (RES Act)

<sup>2</sup> Section 28(10) of the RES Act

<sup>3</sup> Schedule 1 of the Act

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27 December in a year in which 25 or 26 December is a Sunday	The first Monday in August	26 December, if it is not a Sunday
	30 November, if it is not a Saturday or Sunday or, if it is a Saturday or Sunday, the first Monday following that day	27 December in a year in which 25 or 26 December is a Sunday.
	Christmas Day, if it is not a Sunday or, if it is a Sunday, 26 December	

**Non-Working Days for the purposes of Primary Authority for 2011-2012**

The following table shows the days which should not be counted as 'working days' for the purposes of the Primary Authority scheme. Note the following changes have been made by Royal Proclamation to bank holidays under the Banking and Financial Dealings Act 1971 for 2011 and 2012:

- the 29 April 2011 will be a bank holiday;
- the last Monday in May 2012 will not be a bank holiday;
- the 4 and 5 June 2012 will be bank holidays.

England and Wales	Scotland	Northern Ireland
All Saturdays and Sundays	All Saturdays and Sundays	All Saturdays and Sundays
22 April 2011	3 January 2011	17 March 2011
25 April 2011	22 April 2011	22 April 2011
29 April 2011	29 April 2011	25 April 2011
30 May 2011	2 May 2011	29 April 2011
29 August 2011	1 August 2011	30 May 2011
25 December 2011	30 November 2011	29 August 2011
26 December 2011	25 December 2011	25 December 2011
27 December 2011	26 December 2011	26 December 2011
6 April 2012	2 January 2012	27 December 2011
9 April 2012	3 January 2012	6 April 2012
4 June 2012	6 April 2012	9 April 2012
5 June 2012	7 May 2012	4 June 2012
27 August 2012	4 June 2012	5 June 2012
25 December 2012	5 June 2012	27 August 2012
26 December 2012	6 August 2012	25 December 2012
	30 November 2012	26 December 2012
	25 December 2012	