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Units of time used in calculating administrative and procedural time limits

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Abstract. Temporal-legal regulation of administrative-procedural legal relations is directly related to the rules of calculating time limits, the uniformity of which determines the effectiveness of administrative process as a whole. The article is devoted to the study of time units used in calculating administrative-procedural time limits. It proposes the definition of the category *calculation of administrative-procedural time limit* and highlights the principles of its calculating including uniformity, clarity, and reasonableness. Temporal regulation of administrative process by means of such units of time as *day*, *sutki* (*day and night*), *week*, *decade*, *month*, *quarter*, and *year* is also in the focus. The units of time used in calculating the time limits in administrative procedural law are divided into micro- and macro-units. The existing range of problems in legal regulation of administrative procedural legal relations through the *day* category is outlined. The article also looks at specificity of the legal nature of non-working days established in the pandemic period and highlights chaotic and discordant use of temporal units *sutki* and *day* in the administrative process. The author proposes to refrain from calculating administrative-procedural time limits by calendar values of *sutki*, *week*, *month* and *a half*.

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Единицы времени в исчислении административно-процессуальных сроков

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Аннотация. Темпорально-правовое регулирование административно-процессуальных правоотношений непосредственным образом связано с правилами исчисления сроков, единообразие которых обуславливает эффективность административного процесса в целом. Вопрос о правилах исчисления исследуемых сроков раскрыт через призму интегративной концепции административного процесса. Исследованы вопросы об единицах времени, используемых при исчислении административно-процессуальных сроков. Предложена дефиниция категории «исчисление административно-процессуального срока». Выделены принципы исчисления административно-процессуальных сроков: единообразие, ясность, разумность. Проанализированы темпоральная регламентация административного процесса посредством таких единиц времени, как день, сутки, неделя, декада, месяц, квартал, год, а также многочисленная правоприменительная практика. Используемые при исчислении срока в административном процессуальном праве единицы времени разделены на микро- и макроединицы. Обращено внимание, что использованию микроединиц времени в административном процессе способствует развитие концепции «электронного правосудия». Раскрыта существующая проблематика правового регулирования административно-процессуальных правоотношений через единицу времени «день», проявляющуюся в следующих вариантах: день, календарный день, рабочий день, нерабочий день, праздничный день, выходной нерабочий день, а также определенный календарный день. Выявлена специфичность правовой природы нерабочих дней, установленных в пандемийный период. Констатировано хаотичное и рассогласованное использование темпоральных единиц «сутки» и «день» в административном процессе. Предложено отказаться от исчисления административно-процессуальных сроков календарными величинами «неделя», «полтора месяца». Отмечен устойчивый вектор сокращения темпоральной продолжительности и детальной временной регламентации осуществления административно-процессуальных действий.

Ключевые слова: административное процессуальное право, темпоральность в праве, сутки, рабочий день, календарный день, месяц, час

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Introduction

“Not without reason did Pythagoras represent the world as ruled by number. Into almost all our acts of thought number enters, and in proportion as we can define numerically, we enjoy exact and useful knowledge of the Universe” (Jevons, 1881:150). Time is an independent variable in a continuous and independent flow. Change in the movement of time is beyond the control of the physical world, but time calculation in accepted temporal units allows, with a certain degree of conventionality, to control it and structure social life.

Among legal formalities “a special place must be recognized to the event calculus both for its representative power (which makes it intuitively suitable for many legal contexts) and for its simplicity (which makes it easily accessible also to an audience having a limited formal training)” (Hernández Marín & Sartor, 1999:90). Temporal support of administrative procedural activities is directly related to the rules of calculating time limits in administrative procedural law. Correct and uniform calculation of administrative procedural time limits determines the effectiveness of administrative process as a whole.

We consider the administrative process from the standpoint of the integrative concept, as a system comprising three types of process: management (administrative procedure), administrative jurisdiction and administrative litigation. Accordingly, administrative cases resolved by authorized bodies as part of the administrative process, constitute the following triad: 1) uncontested administrative cases within the purview of public administration authorities, 2) administrative disputes settled by public administration authorities and courts, 3) cases on administrative offenses also resolved by public administration authorities and courts.

Supporting the integrative approach to understanding of administrative process, we agree with the scholars (Zelentsov, Kononov & Stakhov, 2018:509) who propose distinguishing between two types of such process, depending on its venue, purpose in the regulation and protection mechanism under administrative law, as well as subjects organizing and implementing it, i.e. executive administrative process and judicial administrative process.

The rules for calculating the time limits under study are explained in the light of the above structure of integrative vision of administrative process.

The concept of calculating the administrative procedural time limit

The calculation process is largely a mathematical category in its nature, allowing to find the desired (unknown) value by applying the rules of operating with the initially known metrics.

In respect to the administrative procedural law, we suggest that calculation of administrative procedural time limits should be understood as a mental process that results in fixing of the desired start and end of the time limit in the temporal flow of administrative process, by means of arithmetic calculations using the known data of the time limit duration and the time units subject to the established legal rules.

It should be noted that the process of calculating the administrative procedural time limit is the result of correlation of both mathematical and legal ways of time limit calculation ensuring the establishment of administrative procedural temporal boundaries.

Numerous law enforcement practice¹ reveals the existing difficulties in calculating the administrative procedural time limits that entails recognition of non-regulatory acts, decisions, actions, inaction of administrative authorities as illegal, and results in cancelling the adopted judicial acts as part of judicial administrative process.

The efficiency of temporal legal regulation of administrative procedure is directly related to the correct calculation of administrative procedural time limits. The rules of calculating the administrative procedural time limit regularize the administrative procedural activities through the impact of temporal legal means on the relevant legal relations.

In the latest normative innovations, we can see the legislator's desire to establish a detailed temporal regulation of administrative procedural actions. But at the same time, there is a *bias* in temporal legal regulation: certain administrative procedural actions are regulated in maximum detail (up to the establishment of waiting time, for example, not more than ten minutes, when submitting an appeal through the mailbox located at the entrance to the customs office²), while in other cases no required time regulation is in place, which leads to disputes³.

¹ For example, paragraph 6 of the Review of judicial practice of disputes resolution by courts, related to the enforcement of writs of execution by the banks and other credit organizations, approved by the Presidium of the Supreme Court of the Russian Federation dated 16.06.2021, resolution of the Supreme Court of the Russian Federation No. 71-AD22-4-K3 dated 13.12.2022, ruling of the Supreme Court of the Russian Federation No. 309-ES22-1663 dated 01.07.2022 in case No. A60-20360/2021, ruling of the Supreme Court of the Russian Federation No. 306-ES19-23186 dated 21.05.2020 in case No. A12-961/2018, resolution of the Supreme Court of the Russian Federation No. 303-ES19-15753 dated 20.12.2019 in case No. A73-209/2019, appellate ruling of the Judicial Chamber on Administrative Cases of the Supreme Court of the Russian Federation No. 33-APG17-5 dated 21.06.2017, ruling of the Judicial Chamber on Economic Disputes of the Supreme Court of the Russian Federation No. 305-AD16-16921 dated 04.04.2017 in case No. A40-93186/2016, award of the Arbitration Court of the West Siberian District dated 21.10.2022 in case No. A27-7361/2022, cassation ruling of the First Cassation Court of general jurisdiction No. 88a-10460/2022 dated 12.04.2022 // LRS Consultant Plus (access date: 20.04.2023).

² Paragraph 19 of the Administrative Regulations on provision by the Federal Customs Service of information on the release of goods, approved by Order of the Ministry of Finance of the Russian Federation No. 176n dated 26.08.2020 // LRS Consultant Plus (accessed: 20.11.2022).

³ For example, Article 45 of Federal Law on Enforcement Proceedings No. 229-FZ dated 02.10.2007 does not establish any time limit for resuming suspended enforcement proceedings upon elimination of the circumstances that constituted a ground for their suspension, which is resolved in court practice by applying the reasonable time limit rules.

Time limits in the administrative procedural law are calculated according to special statutory rules which in certain cases differ from the rules of calendar time calculation⁴. The statutory order of calculating the administrative procedural time limits is required both to ensure the protection of rights of interested persons, and to simplify calculation of the time limits under study, which provides uniformity and legal certainty of administrative procedural activities.

Principles and structure of administrative procedural time limits calculation

The essence of calculating the administrative procedural time limits is expressed and specified through the principles on which the temporal component of administrative process is based. We believe that the following principles of calculating the administrative procedural time limits may be identified.

1) Principle of uniformity

Despite the versatility of administrative procedural time limits, approaches to their calculation should be generally uniform. For example, with regard to such categories as *working day* or *calendar day*, a common understanding of the specific time unit used for calculating the time limit should be maintained.

There should be no difference in the rules of temporal calculation for executive or judicial administrative procedural law, nor in the triad of administrative cases (uncontested cases, administrative disputes, administrative offenses).

The opposite method, namely the calculation of time limits in administrative procedural law applying different approaches leads to legal uncertainty and loss of stability of administrative procedural activities.

Despite high temporal concentration of administrative procedural law, the numerous and varied time limits should be based on uniform rules of calculation.

2) Principle of clarity

Administrative procedural law should contain clear regulations regarding the rules of calculating the administrative procedural time limit and its legally significant properties. These rules should be clear, understandable, and unambiguous in terms of applicable time units, duration of time limit and temporal boundaries (time limit start and end). Administrative procedural activities have a clear internal structure based, among other things, on the temporal component; thus, for administrative process to be sustainable and stable, the certainty and clarity of the time limit duration are of paramount importance. Temporal start and end points of interaction of the administrative process actors should be established as clearly as possible for all participants of administrative procedural legal relations.

⁴ For example, paragraph 2 of part 1 of Article 200 of the Arbitration Procedure Code of the Russian Federation establishes a ten-day period for considering cases with bailiffs participation, but practically, with due account for the rules of calculating the procedural time limit in case of postponement of the judicial session and involvement of new participants in the case, the actual calendar time for case processing may make several months, with no violation of the established (ten-day) period.

3) *Principle of reasonability*

The rules for calculating the time limit should be reasonable and objective both in relation to a specific (separate) administrative procedural action, and in general, as part of an administrative case. It should be taken into account that the criteria of reasonability as an evaluation category, are different in executive and judicial administrative processes as well as in the triad of administrative cases, depending on relevant specifics.

The rules of calculating administrative procedural time limits should ensure a reasonable and adequate temporal duration of a separate administrative procedural action and administrative process as part of a specific administrative case as a whole, correlating with the pace of public life.

Professor A. Zuckerman speaks about the compromise between the duration of litigation as a justice measurement factor, along with the search for the right decision (truth) and the cost of litigation that is established in any judicial system (Zuckerman, 1999:41–42). We believe that the above approach is also true for the administrative process in general. It is rightly noted that the optimality of the time limit is ensured by such a pace at which speed is gained without compromising the process quality, and quality is achieved without compromising speed (Yakupov, 1972:6).

The study of the rules of calculating administrative procedural time limits comprises the following aspects:

- temporal units for measuring the administrative procedural time limits (specific time units, indefinite categories),
- duration of the time limit itself (quantitative time and event categories),
- fixation of the start and end of the time limit (including the rules on interruption, extension, suspension, and restoration of the time limit).

Concerning the established rules of administrative procedural time limits calculation, it should be noted that despite rather extensive scope of legal regulation of administrative procedural law, the legislator only in rare cases stipulates statutory formalization of time limits calculation.

Thus, the relevant norms are available in the Code of Administrative Judicial Procedure of the Russian Federation⁵ (Chapter 8, *Procedural Periods*), the Arbitration Procedural Code of the Russian Federation⁶ (Chapter 10, *Procedural Deadlines*), the Code on Administrative Offenses of the Russian Federation⁷ (Article 4. 8, *Calculation of Periods of Time*), the Tax Code of the Russian Federation⁸ (Article 6.1, *Procedure for Calculation of Time Limits Established by the Legislation on Taxes and Fees*), the Customs Code of the Eurasian Economic Union⁹ (Article 4, *Procedure for Calculation of the Time Periods Established by International Treaties and Acts in the Field of Customs Regulation*), as well as Federal Law No. 289-FZ dated 03. 08.08.2018, *On Customs Regulation in the Russian Federation and on Amendments to Certain*

⁵ Hereinafter referred to as RF CAP.

⁶ Hereinafter referred to as RF APC.

⁷ Hereinafter referred to as RF CAO.

⁸ Hereinafter referred to as RF TC.

⁹ Hereinafter referred to as EEU CC.

*Legislative Acts of the Russian Federation*¹⁰ (Article 7.1, *Procedure for Calculating the Time Limits Established by the Legislation of the Russian Federation on Customs Regulation and Other Legal Acts of the Russian Federation in the Field of Customs Regulation*), Federal Law No. 248-FZ dated 31. 07.07.2020, *On State Control (Supervision) and Municipal Control in the Russian Federation*¹¹ (Article 86, *Calculation of Time Limits*), Federal Law No. 229-FZ dated 02.10.2007 *On Enforcement Proceedings*¹² (Chapter 3, *Time Limits in Enforcement Proceedings*). At the same time, we can see that some normative legal acts formalize the rules of time limits calculation in a separate chapter, others only have a relevant article.

Calendar day, working day, non-working day

Such temporal unit as *day* is most applicable in law for temporal regulation of administrative and procedural legal relations. The analysis of administrative procedural legislation shows that the *day* category is used in the following variants: *day*, *calendar day*, *working day*, *non-working day*, *holiday*, *day off*, and also, a certain *calendar day*.

Problems in the area of enforcement of administrative procedural law arise in cases of normative – temporal regulation of legal relations using the unspecified (*working* or *calendar*) *day* category, thus entailing ambiguity and uncertainty in calculating the relevant procedural time limit.

Thus, by virtue of part 3 Article 113 of the RF APC, non-working days shall not be included in the time limits calculated by days. A similar provision is contained in part 2 Article 15 of the Federal Law on Enforcement Proceedings.

RF CAO, though using the categories of *day*, *non-working day*, *working day*, does not disclose whether the category *day* only covers working days.

According to part 2 Article 92 of the RF CAO, as a general rule, the time limits calculated by days include working days only.

The opposite approach is stipulated by part 12 Article 7.1 of the Law on Customs Regulation: if the time limit is calculated by days, then those are calendar days.

The same approach is set out in part 5 Article 86 of the Law on State Control: as a general rule, calendar days are used to calculate the time limit by days. The legislator mainly uses the *working day* unit, but in two cases (part 2 Article 94 and part 11 Article 96) it speaks about ten days, i.e., calendar days are meant. At the same time, part 5 Article 40 of the Law on State Control expressly establishes the time limit for filing a complaint against a decision of a control (supervisory) body (within thirty calendar days) while in part 6 of the above legal rule the time limit for filing a complaint against an instruction of the supervisory authority is calculated in working days (ten working days). Apparently, there is no uniformity in the use of time units for determining the time limits in this case despite Chapter 15, *Time Limits*, although consisting of one article only.

The definition of a working day is contained in the Tax Code of the Russian Federation: by virtue of part 6 Article 6.1, a working day is a day that is not recognized

¹⁰ Hereinafter referred to as Law on Customs Regulation.

¹¹ Hereinafter referred to as Law on State Control.

¹² Hereinafter referred to as Law on Enforcement Proceedings.

as a day off, a non-working holiday and (or) a non-working day in accordance with the current legislation. A similar wording is contained in part 9 Article 7.1 of the Law on Customs Regulation.

The broadest definition of a working day in the administrative procedural law is provided for by the Customs Code of the EAEU (part 8 of Article 4): days of the week from Monday to Friday, excluding the days declared as non-working days in accordance with the legislation of the Member States; week-end days on which business days are carried over in accordance with the legislation of the Member States.

The Labor legislation (Article 111 of the Russian Labor Code) establishes Sunday as a general day off for both the five-day and six-day workweeks; for the five-day workweek, the second day off to be established by internal labor regulations.

Most public administration bodies and courts work a five-day working week, with Saturday and Sunday off. However certain administrative bodies (e.g., the Federal Service for State Registration, Road Traffic Police) either work on Saturdays (six-day working week), or, working on Saturday, establish a second day off on Monday. Moreover, due account should be given to days-off transfer to working days in connection with public holidays (e.g., the New Year Eve and May vacations).

Thus, when calculating the time limits by working days, it is essential to take into account both the work schedule of a particular public administration body and the legislative shift of days-off to working days, in order to avoid missing the deadline for a legally significant administrative procedural action.

Let us remember that the Law on Time Calculation only speaks about a calendar day as a 24-hour period of time (part 7 Article 2 of the Federal Time Calculation Law No. 107-FZ dated 03.06.2011¹³).

At the same time, there are numerous normative legal acts that do not disclose the *day* category, though using both terms *a working day* and just *a day*. For example, Federal Law No. 218-FZ dated 13.07.2015 *On State Registration of Real Estate*,¹⁴ mainly uses the concept of *working day*, but the *day* category also occurs, allowing to understand it as calendar day. A similar situation is observed in the Law on Protection of Competition: the categories of *calendar days*, *working days* and *days* are used. The issue of their correlation in each normative legal act should be resolved through the rules of legal interpretation.

It seems that if various temporal categories are enshrined in the same normative legal act and their meaning is not disclosed, *days* should be equated to *calendar days*.

The legislator's inconsistency in using specific time units is also manifested in the following. The Law on Enforcement Proceedings uses the *day* temporal unit of measure. According to part 2 Article 15 of the Law, non-working days shall not be included in the time limits calculated by days. Nevertheless, this Law operates with the categories of *working days*, *calendar days*, *sutki (day and night)*, so the consistency between part 2 Article 15 of the Law and temporal regulation by means of the *day* time unit is lost.

¹³ Hereinafter referred to as Law on Time Calculation.

¹⁴ Hereinafter referred to as Law on State Registration.

In judicial practice, the concept of *procedural days* may also be encountered, which, we believe, are essentially *working days*¹⁵.

Thus, the norms of administrative procedural legislation actually generate three approaches to understanding the *day* time unit:

- *day* does not comprise non-working days, i.e., the *day* category is equivalent to the *working day* category,
- as a general rule, *day* does not comprise a *non-working day*, but there are exceptions,
- *day* is equivalent to a *calendar day*, including a *non-working day*.

It should be noted that in the administrative procedural law and even in individual normative legal acts understanding of the time units used, the *day* category in particular, is inconsistent, which entails uncertainty of legal regulation and errors in calculation of administrative procedural time limits. Thus, quite extensive is the judicial practice on disputes related to calculation of administrative procedural time limits by days in terms of using *calendar* or *working day* time units for calculations¹⁶. It seems that unified and clear rules regarding the *day* time unit are required, and clear categories of *calendar day*, *working day*, *non-working day* should be worked out.

In addition to the categories of *working day*, *non-working day*, *calendar day*, the RF CAP uses the concept of *day off or non-working holiday* (part 7 Article 241; part 4 Article 226), while Article 93 of the RF CAP, establishing the rules for calculating time limits by days, uses the category of *working day*.

The use in the administrative procedural law of the *day off or non-working holiday* category seems unnecessary as this category is more applicable to labor relations, while for regulation of administrative procedural relations this temporal concept corresponds to the *non-working day* category, therefore the categories of *day*, *calendar day*, *working day*, *non-working day* are sufficient.

The pandemic also made adjustments to calculating the administrative process time limits. Decrees of the President of the Russian Federation No. 206 dated 25.03.2020, No. 239 dated 02.04.2020, No. 294 dated 28.04.2020, aiming at ensuring the sanitary and epidemiological safety of the population of the Russian Federation in connection with the spread of the novel coronavirus infection (COVID-19), established non-working days which do not apply to federal public authorities that were instructed only to determine the number of federal government employees to enable the operation of those public bodies¹⁷.

¹⁵ The Urals Okrug Arbitral award dated 22.04.2021 in case No. A07-15508/2020 // LRS Consultant Plus (access date: 20.07.2023).

¹⁶ For example, the Central Okrug Arbitral award dated 02.09.2020 in case No. A64-404/2020, the Volgo-Vyatsky Okrug Arbitral Award dated 22.02.2018 in case No. A11-904/2017, the North Caucasus Okrug Arbitral award dated 03.09. 2015 in case No. A63-13134/2014, the award of the Fourth Arbitration Appeal Court dated 27.01.2010 in case No. A58-7863/2009, the award of the Eighth Arbitration Appeal Court dated 05.09.2008 in case No. A70-2057/2008 // LRS Consultant Plus (access date: 20.07.2023).

¹⁷ Decree of the President of the Russian Federation No. 206 dated 25.03.2020, On the Announcement of Non-Working Days in the Russian Federation, Decree of the President of the Russian Federation No. 239 dated 02.04.2020, On Measures to Ensure the Sanitary and Epidemiological Wellbeing of the Population in the Territory of the Russian Federation in Connection with the Spread of the New Coronavirus Infection (COVID-19), Decree of the President of the Russian Federation No. 294 dated 28. 04.2020, On Extending Measures to

Moreover, Review No. 1 of Certain Issues of Judicial Practice Pertaining to Application of Legislation and Measures Aimed at Preventing the Spread of the New Coronavirus Infection (COVID-19) in the Russian Federation, approved by the Presidium of the Supreme Court of the Russian Federation on 21.04.2020, clarifies that non-working days established by the above Decrees shall be included into the procedural time limits and shall not be the reason for shifting the expiration dates to the next working day following them.

The foregoing demonstrates that the legal nature of those non-working days is quite specific: although the days were non-working, procedural time limits in administrative proceedings and in executive administrative process flowed in the usual way.

Based on the foregoing, it appears that in relation to the *day* time unit, administrative procedural law at the temporal level applies the following categories: *day*, *calendar day*, *working day*, *non-working day* (meaning *weekends* and *non-working holidays*) and contingent *non-working day* (in the pandemic period). Legal regulation of administrative procedure should distinguish between the above temporal categories as definitively and clearly as possible, thus preventing the use of different *day* categories for calculating the same administrative procedural time limits in different legal and actual situations as this certainly affects the actual duration of astronomical (calendar) time period.

Day and sutki

The relationship between such time units as *day* and *sutki* (day and night) in the current law has long been discussed in the doctrine. Nevertheless, hermeneutical uncertainty of the correlation between those temporal categories still remains in the legislation, including in administrative procedural law.

According to defining dictionaries of the Russian language, *sutki* is a period of time from one midnight to another, 1/7th of a week, a period of 24 hours¹⁸, a unit of time equal to 24 hours, the duration of day and night¹⁹, day and night together, divided into 24 hours²⁰. According to the etymological dictionary, the twenty-four-hour period (from *сътъкъ* – collision), means the junction of day and night²¹.

The Law on Time Calculation does not contain a definitive norm regarding *sutki*. The *sutki* category is only used once in that document: 365.2425 days – one cycle of the Earth's revolution around the Sun according to the Gregorian calendar (paragraph 2 Article 1 of the Law on Time Calculation).

Ensure Sanitary and Epidemiological Wellbeing of the Population in the Russian Federation in Connection with the Spread of the New Coronavirus Infection (COVID-19) // LRS Consultant Plus (access date: 13.11.2023).

¹⁸ Ozhegov, S.I. (1990) Dictionary of the Russian language. Moscow, Russkii yazyk Publ. (in Russian).

¹⁹ Ushakov, D.N. (2014) Explanatory Dictionary of the Modern Russian language. Moscow, Adelant Publ. Available at: <https://profspo.ru/books/44160> [Accessed 01st October 2023]. (in Russian).

²⁰ Dal', V.I. (2010) Explanatory Dictionary of Russian Language. Vol. 4. Moscow, Slavyanskii Dom Knigi Publ. (in Russian).

²¹ Krylov, G.A. (ed.) (2005) Etymological Dictionary of the Russian Language. Saint Petersburg, Poligrafuslugi Ltd Publ. (in Russian).

It follows from the above that there exist two semantic meanings of the *sutki* time unit, differing in the moment of the start and end of such period: in the first case, *sutki* period is an interval of time from one midnight to another, in the other case, *sutki* is a time interval of 24 hours beginning at any moment of time (for example, at 3:20 pm).

No cases using the *sutki* category solely as a time interval of 24 hours starting at a certain time (for example, at 3:20 pm) have been identified in law enforcement practices. Moreover, by virtue of part 2 Article 4.8 of the RF CAO, the time limit calculated in *sutki* expires at midnight of the twenty-four-hour period, therefore a 24-hour time interval with variable commencement time is inadmissible in the context of the RF CAO. If it is necessary to calculate the administrative procedural time limit down to a specific hour, the appropriate time unit (*hour*) shall be applied (part 2 Article 27.5 of the RF CAO).

On the other hand, according to the defining dictionaries of the Russian language, *day* has the same meaning as *sutki*, a period of 24 hours²². You may remember that the Law on Time Calculation (paragraph 7 Article 2) speaks only of a calendar day by which a time period of twenty-four hours is understood.

Thus, it should be recognized that both in terms of semantic meaning in the Russian language, and in the legal sense, *sutki* and *day* time units (in the context of calendar day) are equivalent.

The analysis of administrative procedural legislation and relevant judicial practice allows to acknowledge that *sutki* and *day* time units are used chaotically and inconsistently, the same referring to calculation of administrative procedural time limits by *sutki* and *day* without disclosing the difference between them, which entails problems of law enforcement, controversial issues and uncertainty in interpreting legal norms of temporal content.

The following example has already become classical and illustrative to demonstrate the lack of a clear distinction between *day* and *sutki*. The RF CAO establishes the time limits for the same kind of procedural actions using different time units of their measurement. Part 1 Article 30.3 of the RF CAO reads: an appeal against a decision on an administrative offense may be filed within *ten sutki*; while part 3 of the same Article establishes that an appeal against a decision on administrative offenses of certain corpus delicti may be filed within *five days*.

The doctrine suggests a non-random difference in the terms used by the legislator for establishing, inter alia, the time limits for an appeal: when *sutki* term is used, it refers to the calendar period, while the term *days* is only used in relation to working days (Lavrent'ev, 2008:476; Moskalenko & Golovko, 2006:240). But we find such approach unreasonable as it is refuted by Article 4.8 of the RF CAO: Part 1 of this norm specifies that time limits may be calculated both by *sutki* and *day* periods. At the same time, the norm does not distinguish between those concepts. Moreover, part 3 Article 4.8 of the RF CAO establishes the rule for calculating the end of the time limit set in days: if such time limit ends on a non-working day, the last day of such time limit shall be the first working day following it. If by the *day* time unit the legislator understood

²² Ozhegov, S.I. (1990) Dictionary of the Russian language. Moscow, Russkii yazyk Publ. (in Russian); Ushakov, D.N. (2014) Explanatory Dictionary of the Modern Russian language. Moscow, Adelant Publ. Available at: <https://profspo.ru/books/44160> [Accessed 01st October 2023]. (in Russian).

exclusively working days, the end of time limit could not objectively coincide with a non-working day. Consequently, in relation to the time limit calculated by days, the legislator's idea was that the *day* temporal category meant a calendar day (including both working and non-working days). Moreover, in the RF CAO, the legislator also uses the *working day* time unit.

The only thing to note is a peculiarity in determining the end of the time limit calculated by days under the RF CAO: if it falls on a non-working day, the time limit expires on the nearest working day. There is no reason to identify this unit of time with working days because non-working days are also included in such time limit but only when its end falls on a non-working day; in such case the time limit expires on the nearest working day. For example, a five-day time limit starting on Tuesday expires on Monday, as it falls on Saturday (a non-working day). However, a seven-day time limit starting on Tuesday also expires on Monday because non-working days are included in the time limit.

On the one hand, establishing different time limits for appeal as provided by Article 30.3 of the RF CAO, is understandable: a shorter time limit is provided for cases on administrative offenses infringing on the rights of citizens. But, on the other hand, it does not seem expedient to use different time units in this case, because, if those time limits are aligned with the unified temporal calculation, in the first case, the time limit makes ten calendar days, and in the second case – five calendar days. Although the only difference is the time limit expiration date: if the time limit is calculated by *sutki* and its termination falls on a non-working day, such time limit legally expires on that day; while the time limit calculated by days, in case of its termination on a non-working day, expires on the nearest working day, according to the rules.

We believe that objectively, it is not expedient to differentiate between those methods of calculation. It seems that the time limits in this case should be set using unified time units.

Let us also pay attention to other cases of establishing a procedural time limit using different temporal units for similar administrative procedural actions:

– a copy of the decision on instituting proceedings on an administrative offense and on an administrative investigation shall be served *within sutki* (part 3.1 Article 28.7 of the RF CAO); *within three days*, a copy of the administrative offense protocol shall be sent to the person in respect of whom it is drawn up (part 4.1 Article 28.2 of the RF CAO); *within three sutki*, an administrative offense protocol shall be sent to the authorized body (part 1 Article 28.8 of the RF CAO);

– *within three sutki*, an official shall submit to the court a petition for application of bail for the arrested vessel if additional clarification of circumstances is necessary (part 4 Article 27.18 of the RF CAO); a period not exceeding *ten days* shall be granted to the court to decide on the application of bail for the arrested vessel and the amount of the bail (part 5 Article 27.18 of the RF CAO);

– a case on an administrative offense for which an administrative penalty may be imposed in the form of administrative suspension of activities or temporary prohibition of activities shall be considered *within seven sutki* (part 5 of Article 29.6 of the RF CAO); *a five-day period* is provided for considering individual cases on administrative offenses in the sphere of electoral law (part 3 Article 29.6 of the RF CAO); within a

five-day period, a court shall consider a petition to cancel an arrest imposed on property (part 13 Article 27.2 of the RF CAO); *sutki* is provided for consideration of an appeal against a ruling on administrative arrest or administrative expulsion (part 3 Article 30.5 of the RF CAO).

The above examples demonstrate the lack of a uniform approach to the choice of the time unit for the purposes of calculating the administrative procedural time limit.

The analysis of legislation shows that when calculating time limits in the proceedings on administrative offenses the most common time unit is *day*, not *sutki*.

Thus, the RF CAO uses the following day-related time units when calculating procedural time limits:

- *sutki* (counted as a calendar day, includes working and non-working days; the relevant time limit may expire on a non-working day; it is equivalent to the *day* category but with different rules determining the end of the time limit),
- *day* (equal in duration to *sutki*, includes non-working days, but with different rules determining the end of the time limit: if it falls on a non-working day, the time limit expires on the nearest working day),
- *working days*.

The legislator, using both *day* and *sutki* as a normative-temporal tool, does not conceptually distinguish between these categories. As those concepts are more or less equivalent, it is not quite clear whether the purpose was to make a normative distinction between them, or such formulations result from imperfection of legal technicalities.

We believe it is possible to assume that the only difference between *sutki* and *days* (calendar days) lies in the expiration date of the time limit; when it is calculated by *sutki*, it can expire on a non-working day, when it is calculated by *days*, the expiration date is carried over to the nearest working day.

At the same time, the general norm concerning calculation of time limits in the RF CAO speaks about *sutki* and *days*, while apart from those, the legislator actually uses such categories as *calendar day*, *working day*, thus testifying legal inconsistency of temporal units.

Taking into account the conceptual content of the *day* and *sutki* categories, simultaneous use in temporal administrative procedural regulation of *days* (meaning calendar days) and *sutki* does not seem appropriate.

Judicial and administrative legislation (RF CAP, RF APC) does not contain such temporal unit as *sutki*. This temporal category is only applied in the sphere of executive administrative legislation.

The following examples clearly demonstrate the existing problems in the issue under consideration:

– *within sutki*, a license shall be suspended if the licensee is held administratively liable for failure to implement, within the established time limit, the order to eliminate a gross violation of license requirements (part 2 Article 20 of Federal Law No. 99-FZ dated 04.05.2011 On Licensing Certain Types of Activity). The above Law also uses the categories of *working days* and *calendar days*, so the question arises about the correlation of *sutki* and *calendar day*, and also, about the need to introduce such categories. It should be noted that no general legal norms on time limits are available in this Law,

– *within 60 sutki* the authorized body shall issue a temporary residence permit or a notification of refusal to issue it to a foreign citizen (part 8 Article 6.1 of the Federal Law No. 115-FZ dated 25.07.2002 On the Legal Status of Foreign Citizens in the Russian Federation). The above Law also uses the categories of *working days* and *calendar days*. No general legal norms on time limits are established in that Law.

We believe that when setting a time limit, it is necessary to take into account the duration and proportionality of the time units used: when setting a time limit equal to a month or several months, it seems more convenient to use the appropriate temporal units. For example, two months instead of 60 days, six months instead of 180 days. Apparently, when the time limit is long, larger temporal units are more convenient for calculations in law enforcement.

– Federal Law No. 229-FZ dated 02.10.2007 On Enforcement Proceedings contains a chapter on procedural time limits. Pursuant to part 2 Article 15, time limits shall be calculated by years, months and days. There is no indication that time limits should be calculated by *sutki*. Nevertheless, the legislator uses it: within *one sutki* upon the receipt of the enforcement document subject to immediate execution, the bailiff shall make a decision to initiate or refuse to initiate enforcement proceedings (part 10 Article 30);

– The civil registry office shall be notified by the control and supervisory authority of a scheduled inspection no later than *three working days* prior, and of an unscheduled audit, at least one *sutki* before the beginning of the inspection (paragraph 45 of the Administrative Regulations On the Execution of the State Function of Control and Supervision in the Field of State Registration of Acts of Civil Status, approved by Order of the Ministry of Justice of Russia No. 212 dated 20.11.2012). The use of different temporal units in this case does not seem logical. Moreover, the above regulation only uses the categories of *working days* and *calendar days*.

It is apparent that those examples demonstrate inconsistency in the use of different time units and inappropriateness of using the *sutki* category given the availability of *calendar day* category that entails legal uncertainty of temporal calculation of procedural time limits under administrative procedural law.

We believe that in order to ensure certainty of temporal legal regulation of administrative procedural relations at the legislative level it is essential to clearly and transparently define applicable time units. There seems to be no need for simultaneous application of the *sutki* and *calendar day* categories, their only difference being the rules of termination of the time limit when such time limit expires on a non-working day. In this regard, it is proposed to exclude the *sutki* category leaving only such categories as *working day* and *calendar day* for calculating administrative procedural time limits, and simultaneously change the rule of calculating the end of the time limit in calendar days by excluding its postponement to the nearest working day (that is, leaving the calendar day and the calculation rule applicable to *sutki*).

Temporal regulation through the *working day* category is certainly appropriate, since the administrative procedural actions are mostly subject to implementation on working days, with due account for the five-day working week. But the *working day* time unit should be enshrined in the general rule of time limits calculation. Thus, the

calendar day, *working day* time categories seem more appropriate as they allow specific and clear calculation of time limits avoiding double interpretation.

Week

Such temporal unit as *week* is used quite often for calculating administrative procedural time limits. Some examples are as follows:

– as part of processing an application for granting a land plot for farming without an auction, the authorized body shall, within *a week*, make a decision on refusing to grant it if other citizens submitted applications intending to participate in an auction for granting land for similar activities (part 7 Article 39.18 of the Land Code of the Russian Federation),

– *within one week*, the decision to transfer state-owned religious property to a religious organization shall be posted on the official website of the authorized body (Article 11 Federal Law No. 327-FZ dated 30 November 2010 On the Transfer of Religious Property Owned by the State or Municipality to Religious Organizations),

– the applicant engaged in the production of alcoholic beverages shall, *within two weeks* upon the receipt of federal special stamps for labeling alcoholic beverages and identifying their shortage, send a written notice to the authorized body (paragraph 106 of the Administrative Regulations On the Provision by the Federal Service for the Alcohol Market Regulation of the State Service for the Issuance of Federal Special Stamps for Marking Alcohol Products, approved by Order of Rosalkogolregulirovanie No. 155 dated 12.05.2021),

– within *two weeks* after the date of approval of the plans of resource studies and state monitoring of aquatic bioresources, Rosrybolovstvo shall make a decision on granting aquatic bioresources for use in fishery for research and control purposes (paragraph 14 of the Administrative Regulations of the Federal Agency for Fisheries for Rendering State Services of Drafting and Approval of the Decisions on Granting Aquatic Biological Resources for Use, approved by Order of Rosrybolovstvo No. 596 dated 10.11.2020),

– the decision on the terms of a river port facility privatization shall be made within *two weeks* after the date of acceptance of its valuation report (part 6 Article 30.3 of Federal Law No. 178-FZ dated 21.12.2001 On Privatization of State and Municipal Property),

– within *two weeks*, purchased weapons shall be registered (paragraph 2 Article 12 of the Federal Law on Weapons No. 150-FZ dated 13.12.1996),

– the acceptance certificate of the transfer into municipal ownership of the property owned by the federal government shall be signed and submitted to the Federal Property Agency for approval within *three weeks*, (paragraph 3.7 of the Administrative Regulations of the Federal Agency for State Property Management for the execution of the state function, *Transfer of Federally Owned Property to the State Ownership of Constituent Entities of the Russian Federation and into Municipal Ownership, Acceptance of Property from the Ownership of a Constituent Entity of the Russian Federation or Municipal Property into Federal Ownership*, approved by Order of the

Ministry of Economic Development of the Russian Federation No. 270 dated 13.07.2009).

According to the Law on Time Calculation, a calendar week is defined as a period of seven calendar days from Monday to Sunday (paragraph 4 Article 2).

However, literal interpretation of those legal norms does not provide confirmation that the legislator in this case means a week in the sense of the period from Monday to Sunday. In our opinion, in this case, it only means a period of seven calendar days without regard to specific days of the week.

In order to avoid uncertainty in calculating administrative procedural time limits, it is proposed to exclude the use of the *week* time unit if the time limit is defined solely as an arbitrary period of seven calendar days (not as a time interval from Monday to Sunday).

It seems that taking into account the area of administrative procedural relations regulation, there is no need to use such temporal category as *week*. In this regard, it is proposed to apply the *calendar day* time unit: *seven calendar days* instead of *week*, *14 calendar days* instead of two weeks, *21 calendar days* instead of three weeks.

Decade

A decade is another rather rare temporal unit used for calculation of administrative procedural time limit.

According to paragraph 3.4.14 of the Administrative Regulations on the execution by the Moscow Oblast Ministry of Health of the state function of control over the conformity of medical care quality to the established federal healthcare standards (except for quality control of high-tech medical care, and medical care provided in federal healthcare organizations), approved by Order of the Moscow Oblast Ministry of Health No. 14-R dated 14.09.2010, orders for planned control measures shall be drafted monthly, in *the third decade of the month* preceding the first month of the next stage of the control action plan.

In relation to time, *decade* (from Greek *dekas* – ten) means a ten-day interval, a third part of the month²³. At the same time, the days of a decade are tied to specific dates (the first decade – from the 1st to the 10th day of the month, the second decade – from the 11th to the 20th day of the month, the third decade – from the 21st to the 30th day of the month). The characteristic feature of this temporal category is its association with specific days of the month.

With a strictly formal use of the *decade* time interval, uncertainty arises from different number of days in a month: there are only four months in a year consisting of 30 days, i.e., exactly of three decades, and the remaining months have 28 (29) or 31 days, with *insufficient* or *extra* days in a decade. But when it is objectively reasonable to apply the *decade* category for calculating the administrative procedural time limit, it seems obvious that in case of a month of 31 days, the third decade will

²³ Ozhegov, S.I. (1990) Dictionary of the Russian language. Moscow, Russkii yazyk Publ. (in Russian); Ushakov, D.N. (2014) Explanatory Dictionary of the Modern Russian language. Moscow, Adelant Publ. Available at: <https://profspo.ru/books/44160> [Accessed: 01st October 2023]. (in Russian).

include 11 days, and in case of a month of 29 or 28 days (February), the third decade will be shorter than 10 days.

We believe that for the purpose of efficient legal regulation of administrative procedural relations it is acceptable to use the *decade* time unit, but only in connection with specific days of the month (the first decade – from the 1st to the 10th day of the month, the second – from the 11th to the 20th day of the month, the third – from the 21st to the 30th day of the month). If a period of 10 calendar days is implied, with no close connection to the days of the month, this category should not be used to avoid legal uncertainty.

Month

A common time unit for calculating administrative procedural time limits is a month. Administrative procedural law is replete with relevant examples. Thus, according to part 1 Article 141 of the RF CAP, administrative cases shall be resolved within the following timeframe: within *three months*, by the Supreme Court of the Russian Federation; within *two months* – by other courts. Statement in respect of the elimination of reasons and conditions conducive to the commission of an administrative offense shall be reviewed by agencies and officials within *one month* upon its receipt (part 2 Article 29.13 of the RF CAO). The period of suspension of the state cadastral registration and (or) declarative state registration of rights shall not exceed *six months* (part 1 Article 30 of Federal Law No. 218-FZ dated 13.07.2015 On State Registration of Real Estate).

The Law on Time Calculation contains a definitional norm concerning the concept of calendar month as a time interval lasting from twenty-eight to thirty-one calendar days; a calendar month has a name and an ordinal number in the calendar year (paragraph 6 Article 2).

As far as regulatory control of administrative procedural activities is concerned, in most cases of using the *month* time category it is not a calendar month in the sense given by the above Law but any period lasting from twenty-eight to thirty-one calendar days or a multiple of the relevant number of months.

A month and a half time unit is also common. For example, within *a month and a half*, responses to inquiries regarding certain foreign nationals shall be provided to the migration department (paragraph 133.1.2 of the Administrative Regulations of the Ministry of Internal Affairs of the Russian Federation on Provision of the State Service of Issuing a Residence Permit to Foreign Citizens and Stateless Persons for Residence in the Russian Federation, approved by Order of the Ministry of Internal Affairs of Russia No. 417 dated 11.06.2020).

In our opinion, the use of the above time unit (a month and a half) in temporal regulation of administrative procedural relations is very unsuitable as it entails uncertainty to calculations, and thus, it seems more preferable to apply alternative time categories of similar duration, for example, *30 working days* or *45 calendar days*.

The relationship of similar time intervals defined through different time units is also important: *one month* and *30 calendar days*, *two months* and *60 days*, etc. The following is an example: as a general rule, the time limit for making a decision on

granting aquatic bioresources for use in fisheries for research purposes shall not exceed 180 days upon the receipt by Rosrybolovstvo of the relevant application²⁴.

As it was pointed out earlier, it seems more appropriate and convenient to use larger time units in law enforcement for calculating longer administrative procedural time limits: for example, *three months* instead of *90 calendar days*, *six months* instead of *180 days*.

Quarter

Rare temporal units should also include the quarter. Examples are as follows:

– declarations shall be submitted *quarterly* no later than on the 20th day of the month following the reporting quarter (paragraph 8 of the Administrative Regulations for the Federal Service for Regulation of the Alcohol Market Regulation of the state function of control and supervision over the submission of declarations on the volumes of production and turnover of ethyl alcohol, alcoholic and alcohol-containing food products, alcohol-containing non-food products with the ethyl alcohol content exceeding 25 percent of the finished products volume and on the volumes of ethyl alcohol used for production of alcoholic and alcohol-containing products, approved by Order of the Federal Service for Alcohol Regulation No. 84 dated 03.04.2014).

– scheduled inspections of the completeness and quality of providing the state service of introducing amendments to the state registers of trademarks shall be conducted *quarterly* (paragraph 110 of the Administrative Regulations on the provision by the Federal Service for Intellectual Property of public service of amending the state registers of trademarks and service marks, geographical indications and names of origin of goods of the Russian Federation in the List of well-known trademarks as well as certificates of trademarks, service marks, collective marks and well-known trademark, approved by Order of Rospatent No. 119 dated 31.08.2020).

A quarter (from Latin *quarta*) means one-fourth (three months) of the reporting year²⁵. There are four quarters in a year that are counted from the beginning of the calendar year: quarter I – January, February, March, quarter II – April, May, June, quarter III – July, August, September, quarter IV – October, November, December).

Thus, for the purposes of legal regulation, a quarter as three calendar months counted from the beginning of the calendar year and corresponding to QI, QII, QIII or QIV, should be distinguished from a quarter as three calendar months counted randomly.

We believe that in administrative procedural regulation a quarter should be understood exclusively as three calendar months counted from the beginning of the calendar year, a specific time period, clearly marked on the temporal axis (quarter I –

²⁴ Item 14 of the Administrative Regulations of the Federal Agency for Fisheries on the Provision of Public Services for Drafting and Adoption of Decisions on Granting Aquatic Biological Resources for Use, approved by Order of Rosrybolovstvo No. 596 dated 10.11.2020 // LRS Consultant Plus (accessed: 28.11.2023).

²⁵ Ozhegov, S.I. (1990) Dictionary of the Russian language. Moscow, Russkii yazyk Publ. (in Russian); Ushakov, D.N. (2014) Explanatory Dictionary of the Modern Russian language. Moscow, Adelant Publ. Available at: <https://profspo.ru/books/44160> [Accessed 01st October 2023]. (in Russian).

from January to March, quarter II – from April to June, quarter III – from July to September, quarter IV – from October to December). In other cases, with no reference to a specific quarter (for example, if arbitrary three months are taken), the administrative procedural time limit should be calculated using the month category (three months) instead of quarter.

Year

The largest time unit used by the legislator to regulate the administrative procedural relations is year. Examples include the following:

– a decision on admission to citizenship of the Russian Federation shall be taken within a period of up to *one year* (part 2 Article 35 of the Federal Law on Citizenship No. 62-FZ dated 31.05.2002),

– writs of execution may be presented for execution within *three years* from the day the judicial act enters into legal force (paragraph 1 Article 21 of the Federal Law on Enforcement Proceedings No. 229-FZ dated 02 October 2007),

– administrative action to challenge the results of cadastral value determination may be filed no later than *five years* from the date of entering such results into the state real estate cadastre (Article 245(3) of the RF CAS).

The Law on Time Calculation defines the *calendar year* category as a period of three hundred and sixty-five or three hundred and sixty-six (leap year) calendar days, from January 1 to December 31; calendar years are numbered in accordance with the Gregorian calendar (paragraph 5 Article 2). However, it should be noted that in most cases in administrative procedural law the *year* time category is used in the sense of the current year, not the calendar year.

Given the focus on efficiency and acceleration of the administrative process in the field of public law, a year (years) as a sufficiently long-time unit is not so much used to set the rhythm for a public administration body, but rather serves as a kind of time lag for exercising administrative and procedure rights by the parties concerned (for example, enforcement of a writ of execution).

Administrative procedural relations in some cases are characterized by temporal concentration, consisting in using a combination of various time units when establishing an administrative procedural time limit. For example, *annually*, before April 1 of the relevant calendar year, information on ensuring industrial control over compliance with industrial safety requirements shall be submitted to the executive authorities²⁶. In this case, the administrative procedural time limit is determined using two temporal categories simultaneously – year (annually) and calendar day (April 1). Thus, a rhythm is set to a certain administrative procedural action (annually) fixing a certain moment on the time scale (April 1).

²⁶ Part 2 Article 11 of Federal Law No. 116-FZ dated 21.07.1997 On Industrial Safety of Hazardous Production Facilities // LRS Consultant Plus (access date: 23.11.2023).

Temporal microunits

The doctrine proposes that the time units should be divided into two broad categories: micro and macro units; millisecond, second, minute, hour, day, and week can be classified as micro units and those defining month, year, and century as macro units (Liaquat, 2009:59). However, in relation to administrative procedural law, with due account for the temporal calculation using smaller time units, we find it relevant to categorize the *day* and *week* time units as macrounits.

Thus, we refer the above units of time, used in the calculation of administrative procedural time limits, to temporal macrounits. In view of the general trend of increasing intensity and acceleration of social life, which is reflected, inter alia, in the legal sphere, administrative procedural regulation operates with such temporal microunits as *hour*, *minute* and even *second*, with increasing frequency, in order to ensure high speed of movement in administrative procedural relations. As the world absorbs the precision of technology, the micro units of time (hours, minutes, seconds, and milliseconds) will become more pertinent (Liaquat, 2009:62).

As an example, let us cite the following micro temporal legal regulation of the administrative process:

– *four hours* is the maximum time limit for the administrative procedure on approval of the draft layout of seasonal (summer) cafes with stationary public catering enterprise²⁷,

– *ten minutes* is the time of counseling, on a personal visit, as a preventive measure in the implementation of federal state forest control (supervision)²⁸,

– after *30 seconds*, the examination shall be terminated, and a statement of failure shall be given unless the driver candidate taking the examination started the test exercise²⁹.

Moreover, arguments supporting micro-temporal duration of a separate procedural stage have already been voiced in law enforcement jurisprudence. For example, in a case on contesting the decision of the antimonopoly authority by the cassator, the cassation court stated that the panel of judges only stayed in the deliberation room for 47 seconds. However, the court of cassation instance did not consider this to be a violation, since, as it was established, the panel of judges considering the appeal case thoroughly studied the case file, fully and comprehensively examined the presented evidence, took into account the arguments of the parties involved in the case and,

²⁷ Item 3.4.3.5 of the Administrative Regulations for the provision of public service of the city of Moscow, including a seasonal (summer) café with a stationary public catering enterprise in the layout of seasonal (summer) cafes with stationary public catering enterprises (making changes to the layout), approved by Resolution of the Moscow Government No. 102-PP dated 06.03.2015 // LRS Consultant Plus (access date: 11.12.2023).

²⁸ Item 30 of the Regulations on Federal State Forest Control (Supervision), approved by Resolution of the Government of the Russian Federation No. 1098 dated 30.06.2021 // LRS Consultant Plus (access date: 11.12.2023).

²⁹ Item 162.1 of the Administrative Regulations of the Ministry of Internal Affairs of the Russian Federation on the provision of public services of conducting examinations for the right to drive vehicles and issuance of driving licenses, approved by Order of the Ministry of Internal Affairs of Russia No. 80 dated 20.02.2021 (access date: 11.12.2022)

having heard the representatives of the parties in a court session that lasted over an hour, adopted a ruling. In this case, the rules on the secrecy of the meeting of judges were not violated³⁰. Thus, when considering a case, it is not the time spent in the deliberation room that is important, but the adoption of a judicial act that meets the requirements of legality and validity, and respect for the fundamental principles concerning the deliberation of judges.

More frequent use of micro units of time in administrative process is also promoted by the development of arbitration proceedings in the digital space and by evolving of *e-justice* concept. Currently, the digitalization of arbitration proceedings is ensured through the use of the automated information system *Judicial Proceedings*, the software complex *Judicial and Arbitration Proceedings*, information systems *My Arbitrator*, *Arbitration Case Files*, *Bank of Arbitration Awards*. Of particular importance in terms of acceleration of the administrative process is the online service *My Arbitrator* for electronic filing of procedural documents to the commercial court. It is due to this system that in order to accelerate the dispute resolution in the administrative arbitration process the court may establish a short time limit of several hours within one working day for submission of additional evidence and clarifications by public administration authorities and business entities. Given the opportunity of online familiarization with the case materials and online court session, a public dispute can be resolved quite quickly.

Conclusion

High concentration in administrative procedural law of numerous and versatile time limits regulating the temporal aspect of the resolution of administrative cases by a public administration body and court, objectively requires a doctrinal formulation of a unified approach to calculation of administrative procedural time limits. The dynamics of administrative procedural activities is set by micro and macro units of time: from a few seconds to several years.

The fundamental basis for the calculation of time limits in administrative procedural law are the principles of uniformity, clarity and reasonableness.

The normative inconsistency in understanding of time units (including *day*, *calendar day*, *working day*, *sutki*) should be balanced at the legislative level; in this regard it is proposed to abandon the calculation of administrative procedural time limits through the use of such temporal units as *a month and a half*, *week*, and *sutki*, simultaneously changing the rule of calculating the end of the time limit for a calendar day.

A stable vector of reducing the length of time for the implementation of administrative procedural actions is evidenced, and an increasing role of such temporal microunits as *hour*, *minute* and even *second* is noted in administrative procedural regulation. The aim is to ensure the high speed of *movement* in administrative procedural relations.

³⁰ Award of the Commercial Court of the North Caucasus Okrug dated 26.11.2018 in case No. A61-6329/2017 // LRS Consultant Plus (access date: 15.10.2023).

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