

Taking Care of Business (Day) – Defining “Business Day” in Agreements

“One often sees a definition of “Business Day” in purchase agreements and other legal documents, usually to define when an event such as delivery of a legal notice or payment of an amount can legally occur. The idea is that it is somehow inconvenient to deliver an annoying default notice or a satchel of cash on a weekend or holiday when the recipient might be out enjoying a day at the beach and would not be paying attention to the notice or satchel,” writes Jose Sariego in Bilzin Sumberg’s *Insights*.

“In the USA, being all business all the time, “Business Day” is relatively easy to define, usually as “any day other than a Saturday, a Sunday or a day on which financial institutions in [pick a jurisdiction] are authorized to close.” The latter would be the 10 official national holidays that at least all bankers observe, although many businesses do not observe all of them (such as Presidents’ Day and Columbus Day).”

“That’s all well and good if the notice or money is being delivered in the USA. But suppose you have an international transaction and the notice or money is being delivered in, say, Brazil?”

Read the article.