Office of the Information and
Privacy Commissioner of Alberta

Request for Review Form – *Access to Information Act* (ATIA)

Please complete this form if you have made an access to information request to a public body and you are requesting a review concerning:

- You have received a response, but you disagree with the information that was removed.
- There are responsive records you believe were not included in the response. IMPORTANT: You should go back to the public body to resolve this before you come to the OIPC. See instruction sheet on last page.
- You have received no response to your access request and the time limit of 30 business days has run out or the public body did not take a time extension or has exceeded a time extension it has already taken.
- Your request for information was declared abandoned or disregarded by the public body.
- You dispute a time extension taken by the public body.
- You dispute fees that were charged or estimated, or your request for a fee waiver was denied.

Information on how to complete this form is found on page 6. If you are not sure how to complete any part of this form, email complaint_review@oipc.ab.ca or call the Office of the Information and Privacy Commissioner (OIPC) during business hours at 780-422-6860 or toll free at 1-888-878-4044 for assistance.

Section 1A – Are you requesting the review for yourself as an individual or for an organization? If yes, please provide your contact information.

If you are requesting the review for someone else, proceed to Section 1B.

Your Information

Last Name: First Name and Initial:

☐ I am requesting the review for myself

OR

☐ I am requesting the review as part of an organization

Name of organization requesting the review:

Mailing Address for you or organization: Unit/Suite:

City: Province: Country: Postal Code:

Phone Number: OK to leave a message? ☐ Yes ☐ No

Email:

Section 1B – Are you requesting the review for someone else? Are you a lawyer or agent? Has an individual authorized you to act on their behalf? Are you representing a minor, have power of attorney, acting pursuant to a personal directive, are a guardian or trustee, or acting on behalf of someone who is deceased?

Yes – please fill in this section and provide documentation as requested below.
No – Skip to Section 2

Last Name:		First Name and Initial:	
Organization:			
Mailing Address:		Unit/Suite:	
City:	Province:	Country:	Postal Code:
Phone Number:	OK to leave a message?	☐ Yes	☐ No
Email:			

Please tick applicable box below. Be prepared to provide documentation to support your authority after you submit this form.

☐ The person is deceased and I am the personal representative and my request relates to the administration of the estate.

☐ I am a guardian or trustee under the *Adult Guardianship and Trusteeship Act* and this review relates to the exercise of the right or powers as it relates to my duties.

☐ I am an agent under a personal directive pursuant to the *Personal Directives Act, and* the directive authorizes me to do so.

☐ I have power of attorney granted by the individual, and the exercise of the right or power is related to those conferred on me as the power of attorney.

☐ The individual is a minor, and I am the guardian of the minor.

Age of minor: 0

☐ I have written authorization from the individual to act on their behalf. You can use and attach the OIPC form found here or attach other documentation to support your authority.

Person you are acting on behalf of

Last Name: First Name:

Section 2 – Public Body you requested access from and issues you want reviewed

Public Body Involved:

File Number (if applicable):

I requested access to information and I request the following be reviewed:

☐ Abandonment of Access Request (Public Body decision under ATIA section 10): I received notice from the Public Body that my request has been declared abandoned. I dispute that my access request has been abandoned.
Attach notice from Public Body that has declared the request abandoned - mandatory.
By choosing this box, I understand this will proceed by way of an expedited inquiry and I confirm my intent to proceed to inquiry in accordance with section 62(4).

☐ Disregarded Request (Public Body decision under ATIA section 9): I received notice from the Public Body that my request(s) has been disregarded. I dispute the Public Body's decision to disregard my access request(s).
Attach notice from Public Body about its decision to disregard your request(s) - mandatory.
By choosing this box, I understand this will proceed by way of an expedited inquiry and I confirm my intent to proceed to inquiry in accordance with section 62(4).

☐ Time Extension (Public Body decision under ATIA section 16): I received notice from the Public Body that the response due date for my request has been extended. I dispute the need for the extension.
Attach notice from the Public Body regarding the time extension - mandatory.
And choose one of the following boxes:

○ I have **not** received any records. By choosing this box, I understand this will proceed by way of an expedited inquiry and I confirm my intent to proceed to inquiry in accordance with section 62(4).
○ I have received records.

☐ Search: The search conducted for records was not adequate or failed to locate records believed to exist.
Attach access request.
Attach any documentation if the scope of the original access request changed and was agreed upon, if applicable. (option)
Attach the response from the Public Body regarding the access request - mandatory.

○ I have asked the Public Body to try and resolve the search issue and this issue is not resolved. If yes, attach the documentation.

○ No, I have not asked the Public Body to resolve the search for the following reason(s);

☐ Fees:
○ I received notice that fees apply. I question how the fees have been calculated.
Attach fee estimate - mandatory.

○ I received notice that fees apply. I asked the Public Body to waive the fees. The Public Body has refused my fee waiver request.

Attach your fee waiver request - mandatory.
Attach the response from the Public Body - mandatory.

☐ Refused Access: The Public Body responded to my request and I have been refused access to all or part of the records requested.
I dispute the decision to withhold information that I requested.
If applicable, I dispute the decision to neither confirm nor deny the existence of the record(s) I requested.
Attach access request.
Attach any documentation if the scope of the original access request changed and was agreed upon, if applicable.
Attach the response from the Public Body regarding the access request - mandatory.

☐ No Response: The time limit for responding to my request has expired and I have received no reply.
☐ Attach access request, or
☐ I do not have a copy of the access request.

By choosing this box, I understand this may proceed by way of an expedited inquiry and I confirm my intent to proceed to inquiry in accordance with section 62(4).

If you have received a response to your access request:

- What date did you submit your request to the Public Body?
- What date did the Public Body respond to your original request?
- You are required to request a review within 60 business days of receiving notice from the Public Body about the decision, act or failure to act. The Commissioner can extend this time for an additional 30 business days maximum. If you are submitting this review beyond the 60 business days from the notice, please provide reasons for the delayed delivery and why the Commissioner should exercise her discretion to extend the time by up to 30 business days to accept the review.

How do you think the OIPC may assist you?
Describe the result or outcome you seek**.**
Is there something you are looking for that you expected to receive from the Public Body and did not?
Are you concerned with specific sections or reasons the Public Body provided to justify the removal of information you requested? Explain. (2000 character limit)

If the above is not enough space, you may attach further information to this form to a maximum of 15 pages.

Section 3 –Acknowledgement

Your Signature and Statements

☐ **Before you send your form to the OIPC,** please check whether you have attached the relevant documentation to support your request for review. **Failure to provide the required supporting documentation will result in the OIPC returning the request and not conducting a review.** The OIPC will not accept a submission that is deficient or submitted in parts. **Do NOT attach copies of the records received in response to your access request from the Public Body.**

☐ Section 59(1) requires that a written request for review must be delivered to the Commissioner **and** to the head of the Public Body to which the request for access review relates.

I confirm that by checking this box, I will promptly deliver a written request for review to the head of the Public Body.

☐ Section 60 – On receiving a request for review, ATIA also requires the Commissioner to provide a copy of your completed form and all attachments to the Public Body.

I confirm that by checking this box, I understand that this form and attachments will be provided to the Public Body.

☐ I acknowledge by checking this box, that I am required to keep my contact and address information up-to-date and, if I fail to do so, this review may not proceed. If my contact information changes, I must complete a "*Change of Contact and/or Address for Service*" form available here. Likewise, any person you authorize to act on your behalf must keep their contact information current.

Signature (Typing your name confirms acceptance) Date

If you are not sure how to complete any part of this form, email complaint_review@oipc.ab.ca or call the Office of the Information and Privacy Commissioner (OIPC) during business hours at 780-422-6860 or toll free at 1-888-878-4044 for assistance.

Please submit this form and attachments to complaint_review@oipc.ab.ca

You may also mail this form and attachments to:

Office of the Information and Privacy Commissioner
410-9925 109 Street NW
Edmonton AB T5K 2J8

www.oipc.ab.ca

Instructions on how to complete and submit the ATIA Request for Review form:

Complete Section 1A OR 1B:

Section 1A – Your Contact Information
Fill out this section if **you are the individual who made the access request for information**, either for yourself or if you made it as part of an organization or your role in the organization.

- First and Last name: we will not share your name with anyone outside of our office unless you consent or it is necessary as part of conducting the review or otherwise authorized by law.
- Mailing address: please include your city and postal code.
- Phone number(s) include the preferred number for us to call you on. Our preferred method to communicate with you about the review is by phone, therefore, please be available and return calls promptly. Otherwise, a file may not be opened or may be discontinued. If you cannot meet this requirement, you may name an agent to represent you.
- "Ok to leave message" We will not leave details about our interaction, but we will identify who we are, who we are leaving the message for, and ask for a returned call.
- Email address: Please provide this address. We will use secure email for any communications containing sensitive information.

Section 1B- If you are acting on behalf of an individual, please fill in this part.
Fill out this section if you made the access to information request or are **submitting the review on behalf of someone else.**

If you have written authorization to act on behalf of someone, please attach it. You can use this form.

You will be asked by the OIPC to provide documentation for review to support your ability to act on behalf of someone else under the ATIA after your form is submitted. Please have this documentation ready to provide when requested. For example, you may be asked to produce a copy of a will to demonstrate you are the personal representative, a personal directive, power of attorney, or proof of guardianship or trusteeship.

- First and Last name: we will not share your name with anyone outside of our office unless you consent or it is necessary as part of conducting the review or otherwise authorized by law.
- Mailing address: please include your city and postal code.
- Phone number(s): include the preferred number for us to call you on. Our preferred method to communicate with you about the review is by phone; therefore, please be available and return calls promptly. Otherwise, a file may not be opened or may be discontinued. If you cannot meet this requirement, you may name an agent to represent you.
- "Ok to leave message": We will not leave details about our interaction, but we will identify who we are, who we are leaving the message for, and ask for a returned call.
- Email address: Please provide this address. We will use secure email for any communications containing sensitive information.

Section 2 – Issues you want reviewed concerning the access request

- Public Body Involved: Please list the Public Body that is subject to the Access Request.
- File Number: Please include the Public Body access request file number associated with your request. This number is usually on any correspondence you have received from the Public Body.

- **What do you want reviewed?** Check only the appropriate review type(s) from the list.

If your request has been **abandoned or disregarded** by the Public Body or if you are disputing a Public Body's **extension of time to respond and you have not yet received a response from the Public Body**, these reviews will proceed by way of an **expedited inquiry.** Deemed refusals, where you have not received a response to your access request and the time limit for providing the information has expired (30 business days) or the time extension taken by the Public Body has expired, may proceed by an expedited inquiry in certain circumstances.

What is an expedited inquiry? It is one where the OIPC has a process in place to issue a decision relatively quickly to your issue. The Public Body will be required to provide our office with a submission on the issue. You are not required to provide a submission, but you will be given an opportunity if you wish to do so. Deadlines for providing submissions to an expedited inquiry may be short.

- **You must bring a review to the Commissioner within set time limits under ATIA** – ATIA requires that you submit your request for review to us within **60 business days** after you have been notified of the decision, act or failure to act that is the subject of the request by the Public Body.

  The Commissioner is able to further extend the 60 business days to submit a review for **up to a maximum of 30 additional business days**.

- **What if the Public Body did not find the records I was looking for? What should I do?**
  If you are asking for a review *solely* on the adequacy of a search, you must first ask the Public Body to address the matter and allow them at least **30 business days to respond to you**. We will return the form to you if this has not been done. Provide the Public Body with what you believe is missing and why you believe it should have been searched. It is best to do this in writing and to keep records of these communications.
- **What if I don't have a copy of the access request?** It is more important you have a copy of the correspondence that you received as a response from the Public Body. However, the OIPC encourages you to contact the Public Body and ask for a copy of the access request. This assists with our ability to assist you.
- **How do you think the OIPC may assist you?**
  It is important to know what the OIPC may do and what they cannot do for you. You may reconsider submitting the form if you are expecting the OIPC to do something we are unable to do.

What We Cannot Do

- **We cannot issue monetary awards and we do not issue fines** if we find your request for review was valid.

- **We cannot force anyone to be disciplined, suspended or fired from their job.** Decisions related to job discipline are made by the employer. We cannot change those decisions.

- **We cannot change a decision made by another body or administrative tribunal about providing a benefit or issuing a penalty**, such as decisions made by the Workers' Compensation Board, Assured Income for the Severely Handicapped (AISH), Ombudsman, Maintenance Enforcement, and so on.

- **We are not an advocate.** We cannot represent you in your request for review. We also do not represent the Public Body.

Section 3 – Acknowledgement
Provide a completed single submission with all required attachments

- You must provide a completed Request for Review Form and all supporting documents in *one* submission. Otherwise, the submission(s) will be returned or any information you submit after you provide the form may not be accepted.

- **Please only provide the information that we initially ask for.**
  Do not send a large amount of materials, as this will delay processing, cause uncertainty in understanding your concerns, and may result in your request for review or privacy complaint being returned.
  Typically, **submissions should not exceed 15 pages** including the Request for Review Form and all attachments. We enforce this page limit. Your comments and attachments must be relevant to your request for review and to what our office does. If we require more information from you, we will ask for it. If you submit an extremely large number of documents or if it is not clear that the information you provided falls within our area to review, your submission will not proceed to a review and you will be asked to re-submit your request for review.

- You are required by the ATIA to **provide a written request for review to the Commissioner and to the head of the Public Body that received the request for access** that the review relates to. It is important you keep a record of providing this request for review to the head of a Public Body. You can provide a copy of this form and attachments to the Public Body showing you have made a written request for a review.

Ensure contact information is up to date. You or the person who you authorized to act on your behalf must keep your contact information up to date. If you fail to do so, your review may not proceed.