

ALBERTA

**OFFICE OF THE INFORMATION AND PRIVACY
COMMISSIONER**

ORDER ATIA2026-TEI-04

March 4, 2026

Edmonton Police Service

Case File Number 041053

Office URL: www.oipc.ab.ca

Summary: The Edmonton Police Service (the Public Body) made a decision to extend the timelines for responding to the Applicant's access request by a total of 90 business days under sections 16(1)(b) and 16(2) of the *Access to Information Act* (ATIA). The Adjudicator confirmed that the extension of the time limit complied with ATIA.

Statutes Cited: **AB:** *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c. F-25, ss.; *Access to Information Act*, S.A. 2024, c. A-1.4; *Protection of Privacy Act*, S.A. 2024, c. P-28.5.

Authorities Cited: **AB:** Order ATIA2026-TEI-01

Cases Cited: *Blades v Alberta (Information and Privacy Commissioner)*, 2021 ABQB 725.

I. BACKGROUND

[para 1] On September 15, 2025, Edmonton Police Service (the Public Body) received a request for access to information from the Applicant under the *Access to Information Act* (ATIA). On September 17, 2025, the Public Body extended its initial timeline for responding to the request by 30 business days under ATIA section 16(1)(b). A request for review was submitted to the Office of the Information and Privacy Commissioner (OIPC) by the Applicant, who objected to this extension. That matter proceeded directly to inquiry without mediation or investigation

as is the OIPC's practice under ATIA when reviewing a public body's decision to extend time where a response has not yet been provided to an applicant.

[para 2] During the expedited inquiry into the first extension taken by the Public Body, the OIPC was informed by the Applicant that the Public Body extended its timeline by an additional 60 business days under ATIA section 16(2). The Applicant subsequently informed the OIPC that it wished to withdraw from the inquiry into the first extension but wished to continue the inquiry on the second extension. The second extension proceeded directly to inquiry as is the OIPC practice as explained above and is the sole subject of this inquiry.

II. ISSUE

1. Did the head of the Public Body properly extend the time for responding to the request as permitted by section 16 of the Act (ATIA)?

III. DISCUSSION OF ISSUES

Overview of ATIA Section 16

[para 3] The *Freedom of Information and Protection of Privacy Act* (FOIP) was repealed on June 11, 2025 and split and replaced by two similar Acts: ATIA, which generally deals with access to information rights and the *Protection of Privacy Act* (POPA), which generally deals with privacy rights, that is, the collection, use and disclosure of personal information by public bodies. Since this matter concerns a decision to extend timelines to respond to an access request, the applicable legislation is ATIA. POPA does not bear on this matter.

[para 4] The changes in calculation of time between FOIP and ATIA, as well as differences in circumstances for time extension that may be taken by public bodies to process access requests, were outlined in Order ATIA2026-TEI-01¹.

[para 5] The head of a public body's authority to extend the time for responding to an access request is set out in section 16 of ATIA. The relevant subsections of section 16 for this inquiry are outlined below:

16(1) The head of a public body may extend the time for responding to a request for up to 30 business days if

(a) the applicant agrees,

(b) a large number of records are requested and more time is required to process the request, or

¹ Order ATIA2026-TEI-01 at paras 21-28.

(c) more time is needed to consult with a third party, another public body or another entity before deciding whether to grant access to a record.

(2) The head of a public body may extend the time for responding to a request for additional reasonable periods in a circumstance described in subsection (1)(a) to (c).

...

(5) If the time for responding to a request is extended under subsection (1), (2), (3) or (4), the head of the public body must tell the applicant

(a) the reason for the extension,

(b) when a response can be expected, and

(c) that the applicant may request a review of the extension by the Commissioner.

[para 6] In this matter, the Public Body took a second time extension to respond to the access request of an additional 60 business days pursuant to ATIA section 16(2), specifically under section 16(1)(b). There are two parts to section 16(1)(b). A public body must demonstrate, first, that the access request involves a large number of records and, second, that more time is required to process the request.

[para 7] As well, each instance a public body has decided to extend its timeline to respond to an access request, it must also meet the requirements of section 16(5). Section 16(5) requires that the applicant be told the reason for the extension, when a response can be expected, and that the applicant may request a review of the extension by the Commissioner.

[para 8] As stated in the OIPC document entitled “Guidance Document – Expedited Inquiry – Request for Review of a Time Extension Decision (ATIA Section 16)”², some of the factors a public body may consider in supporting its decision to extend time under section 16(1)(b) include the number of records that need to be searched, formats of records that may require different handling methods and the number of requests a public body normally receives and what impact the access request may have on the public body.

[para 9] A review of a public body’s decision under ATIA section 16 begins with a review of the reasons for the decision provided to the applicant. In this case, the Public Body explained that a decision for its second time extension had been made under section 16(2), specifically 16(1)(b), because the request involved a large number of records and more time was required to process

² Available on the Office of the Information and Privacy Commissioner website at: <https://oipc.ab.ca/guidance-expedited-inquiry-request-for-review-time-extension-decision-atia-s16/>

the request. The Public Body told the Applicant that a review by the Commissioner could be requested, however, did not state when a response could be expected.

[para 10] The decision also lacked additional information as to why the Public Body needed more time to respond to the request, such as the number of records (or an estimate of the number of records) involved in the request. That said, in this case, the Applicant became aware of the number of records involved in the request (and additional information) as a result of the Public Body's inquiry submission when the Applicant initially requested a review of the Public Body's first extension decision.

[para 11] From the Public Body's inquiry submission for its second extension decision, it appeared that early in the processing of the access request, the Public Body determined a large number of records would be involved. This is due to the 5-page, broadly scoped access request as written. Even after narrowing and clarification was conducted with the Applicant, the Public Body determined the request required retrieval and processing of approximately 25,000 pages of records.

[para 12] The Public Body also indicated that they consider the access request to be of high complexity:

It [the request] is set out by the requestor over three separate pieces of correspondence. The initial request itself is a five-page letter, setting out five broad categories of records, each being multifaceted in scope. Subsequent correspondence provided a minor narrowing of the request, followed by EPS disregarding certain portions. The residual, active components of the request still remain extensive and of high complexity.

[para 13] The Public Body stated considerable time was taken searching, collecting and converting physical records into an electronic format for processing, further complicated by the historical nature of some of the records. As well, in relation to the impact on the Public Body, it stated that there was considerable impact on their operational areas primarily due to the number of records at issue and it indicated how many hours had already been consumed for processing.

[para 14] The Applicant's representative provided a submission in this matter. The Applicant believes that although they provided certain limitations in some of the wording of their request, the Public Body misstated the access request in parts and overstated "the breadth of the request". The Applicant asserts that the Public Body's submission omitted "express substantive constraints and instead recasts the request as an unrestricted demand for all communications regarding [the subject of the request]." According to the Applicant, the Public Body mischaracterized the request and this resulted in an unsupported claim that the request involved a large number of records which the Public Body purportedly used to justify its time extension.

[para 15] The Public Body’s submission confirms that it worked with the Applicant to “better define and/or narrow the scope of the request” and that those efforts were “partially successful”. By the Applicant accepting and paying the partially waived fee required for the request, the Public Body stated it believed it satisfied the Applicant’s scope of what was being requested. It also appears by the time the second extension was taken, the Public Body had already gathered approximately 25,000 records to process for the request.

[para 16] Even if the access request were narrowed to what was described by the Applicant in their submission for this inquiry, it does not mean a large number of records would not be involved, resulting in more time being required to respond to the request. The Public Body would best understand which records under its custody and control may be responsive to the request. Whether the final response to the request ultimately produces a lower number of records does not negate the need for an extension of time to process the records already retrieved.

[para 17] If the Applicant has other concerns upon receiving a response from the Public Body, the OIPC may deal with those matters in a separate review or complaint process. Since this inquiry only concerns the Public Body’s second time extension decision, the other concerns are outside of the scope of this inquiry.

[para 18] The OIPC has established a general threshold of 500 pages and above for what may constitute “a large volume” for the purposes of the former FOIP section 14(1)(b). In *Blades v Alberta (Information and Privacy Commissioner)*, 2021 ABQB 725, the Court recognized that the Commissioner was entitled to set benchmarks as to the volume of records that would be considered “large” when deciding whether or not to permit an extension.

[para 19] As the OIPC has previously considered 500 or more pages as the threshold for what may constitute a large number, the following are general ranges for reasonable extension times, subject to the specific circumstances of each case:³

Number of Pages	Range for extension
<500	0 unless exceptional circumstances/rationale is acceptable
500 to 1000	0-30 business days
1000 to 2000	30-45 business days
2000 to 3000	45-60 business days
3000 to 4000	60-75 business days
4000 to 5000	75-90 business days
5000 to 10000	90-180 business days
10000 to 15000	180-270 business days

³ Excerpt from the OIPC “Guidance Document – Expedited Inquiry – Request for Review of a Time Extension Decision (ATIA Section 16)”

[para 20] As the Public Body correctly noted in its submission, “the OIPC guidance provides that requests of between 10,000 and 15,000 pages may warrant extensions of between 180-270 business days.”

[para 21] In this case, for approximately 25,000 pages of records involved in the request, the Public Body took two extensions for a total of 90 additional business days, which is less time than what the OIPC would normally consider reasonable. Generally, a public body is in the best position to determine the additional time it may require to complete processing a request, and it bears the burden to prove that the reasons for its time extension meet the requirements under ATIA. I find from the evidence before me that the Public Body has met that burden in this instance.

[para 22] Due to the large number of records involved in the access request, I agree that more time was required after the initial extension and that the Public Body took an appropriate amount of additional time to complete processing.

IV. ORDER

[para 23] I make this Order under section 64(3)(b) of ATIA.

[para 24] I confirm the extension of the time limit under section 16.

Anima Kotowski
Adjudicator – Expedited Inquiries