

**ALBERTA**

**OFFICE OF THE INFORMATION AND PRIVACY  
COMMISSIONER**

**Order ATIA2026-10**

March 12, 2026

**CALGARY POLICE SERVICE**

Case File Number 041094

**Office URL:** [www.oipc.ab.ca](http://www.oipc.ab.ca)

**Summary:** The Applicant made an access to information request for their personal information under the *Access to Information Act* (ATIA) to the Calgary Police Service (the Public Body) dated August 20, 2025. By November 26, 2025, the Public Body had not responded to the request and the Applicant requested a review of the Public Body's failure to respond.

The Adjudicator found that the Public Body failed to comply with the timelines in section 13(1). The Adjudicator ordered the Public Body to respond to the access request as required by ATIA.

**Statutes Cited:** AB: *Access to Information Act*, S.A. 2024, c. A-1.4, ss. 13, 64

**I. BACKGROUND**

[para 1] The Applicant made an access request for their personal information to the Calgary Police Service (the Public Body) dated August 20, 2025 under the *Access to Information Act*, S.A. 2024, c. A-1.4 (ATIA). ATIA came into force on June 11, 2025, replacing the access to information provisions of the *Freedom of Information and Protection of Privacy Act*, RSA 2000, c F-25 (FOIP).

[para 2] On November 26, 2025, the Applicant submitted a request to this office to review the Public Body's failure to respond to the access request within the timelines prescribed by section 13(1) of ATIA. The matter proceeded directly to inquiry.

## II. ISSUE

[para 3] The issue in this inquiry is:

### **Did the Public Body comply with section 13 of the Act (time limit for responding)?**

## III. DISCUSSION OF ISSUE

[para 4] Section 13 of ATIA states:

*13(1) The head of a public body must make every reasonable effort to respond to a request not later than 30 business days after the requirements of section 7(2) have been met unless*

*(a) the request has been disregarded under section 9 or declared abandoned under section 10,*

*(b) the time limit is extended under section 16, or*

*(c) the request has been transferred under section 17 to another public body.*

*(2) The failure of the head to respond to a request within the 30-day period or any extended period is to be treated as a decision to refuse access to the record.*

[para 5] In its response to the inquiry, dated February 19, 2026, the Public Body states that "[t]he Calgary Police Service accepts that we have not complied with the processing timelines of the *Access to Information Act*." The Public Body also states:

Regarding this specific request, it is currently in its final review stage and will be sent to the Applicant by February 27, 2026. Once we have provided the records to the Applicant we will send an email notifying the Adjudicator that we have released the records and provide a pdf copy of the final response email to the Adjudicator, which will indicate date and time of the release.

[para 6] Given the date of the Applicant's request, I find that the Public Body did not comply with section 13 of ATIA. The remedy in circumstances in which a public body has failed to respond to an applicant is to order the public body to respond in accordance with its remaining duties under the Act.

[para 7] The Public Body's submission indicates that it had intended to respond to the Applicant before now; however, it has not since confirmed that this was done. Therefore, I will order the Public Body to provide a response to the Applicant as required under ATIA, if it has not already done so.

## V. ORDER

[para 8] I make this Order under section 64 of ATIA.

[para 9] I find that the Public Body did not respond to the Applicant in accordance with section 13 of ATIA. If the Public Body has not already responded to the Applicant as required by ATIA, I order it to do so.

[para 10] I further order the Public Body to notify me in writing, within 50 business days of being given a copy of this Order, that it has complied with the Order.

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Amanda Swanek  
Adjudicator