

ALBERTA

**OFFICE OF THE INFORMATION AND PRIVACY
COMMISSIONER**

ORDER ATIA2026-17

October 14, 2026

STURGEON PUBLIC SCHOOL DIVISION

Case File Number 041720

Office URL: www.oipc.ab.ca

Summary: Under the Access to Information Act, the Applicant made an access to information request to Sturgeon Public School Division (the Public Body). The Public Body inadvertently failed to respond to the access request while dealing with other access requests from the Applicant. The Adjudicator found that the Public Body failed to comply with section 13 of ATIA (time limit for responding) and order the Public Body to respond to the access request as required.

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

I. BACKGROUND

[para 1] On October 28, 2025, the Applicant made an access to information request under the *Access to Information Act*, S.A. 2024, c. A-1.4 (ATIA) to Sturgeon Public School Division (the Public Body). On January 5, 2026, the Applicant had not received a response to the access request and sought a review of the Public Body's handling of the request from this Office. Mediation and investigation failed to resolve the matter, so it proceeded to inquiry.

II. ISSUE

[para 2] The Issue set out in the Notice of Inquiry is:

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

III. DISCUSSION OF ISSUE

[para 3] 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 4] The Public Body explained that amidst numerous other access requests from the Applicant and another request for review before this Office, it inadvertently failed to respond to the access request considered in this inquiry. As of the time of the inquiry (nearly a year after the access request was made) the Applicant still has not received a response. Therefore, I find that the Public Body did not comply with section 13.

[para 5] The Public Body has stated that it will process the access request as required by ATIA. That is the proper order in this case.

IV. ORDER

[para 6] I make this Order under section 64 of ATIA.

[para 7] I order the Public Body to respond to the access request as required by ATIA.

[para 8] I further order the Public Body to notify me in writing, within business 50 days of receiving a copy of this Order, that it has complied with the Order.

John Gabriele
Adjudicator