



Office of the
Saskatchewan Information
and Privacy Commissioner

REVIEW REPORT 056-2025

Ministry of Government Relations

July 2, 2025

Summary:

The Applicant submitted an access to information request under *The Freedom of Information and Protection of Privacy Act* (FOIP) to the Ministry of Government Relations (Government Relations). Government Relations issued a fee estimate to the Applicant for a total of \$4,303. The Applicant requested a review of Government Relations' fee estimate by the Office of the Information and Privacy Commissioner (OIPC). During the course of the review, Government Relations issued a revised fee estimate to the Applicant of \$2,303.00. The Applicant was not satisfied with the revised fee estimate so the OIPC review proceeded. The Commissioner found that Government Relations' revised fee estimate was reasonable. The Commissioner recommended that Government Relations continue processing the Applicant's access to information request if the deposit was provided.

I BACKGROUND

- [1] On September 4, 2024, the Ministry of Government Relations (Government Relations) received an access to information request from the Applicant. The Applicant sent a lengthy email and referred to a previous OIPC report as authority for the request¹. Contained within the lengthy email was a request for the following:

This correspondence therefore is directed to GR and constitutes a s-6 FOIP and or a s-6 LAFOIP request for the transactional records relating to the participating interest of the WBCA in the NMTrustA from June 31 1986 being the year of incorporation of WBCA Inc. or the date of the WBCA ratepayers' first financial contribution to the Trust fund, whichever is the latest, to the date of this email as particularized herein and the enclosures.

¹ See OIPC [Review Report 103-2024](#).

- [2] On October 10, 2024, Government Relations issued a \$4,303 fee estimate to the Applicant advising that a deposit of \$2,151.50 would be required to proceed with processing the request, and that if Government Relations did not hear from the Applicant by November 10, 2024, it would assume the Applicant no longer wished to pursue the request.

- [3] On November 29, 2024, Government Relations provided a letter to the Applicant which deemed the request to be abandoned pursuant to section 7.1(1) of The *Freedom of Information and Protection of Privacy Act* (FOIP).

- [4] On March 11, 2025, the Applicant requested a review of Government Relations' fee estimate by OIPC.

- [5] Between March 11, 2025, and May 13, 2025, OIPC worked to effect an early resolution of the matter. OIPC was involved in the mediation and at one point Government Relations offered to work with the Applicant to modify the request to reduce the fee estimate. These efforts were in vain.

- [6] On May 13, 2025, Government Relations agreed to resuscitate the access request and review the fee estimate.

- [7] On May 14, 2025, OIPC notified the Applicant and Government Relations that it would be undertaking a review of the fee estimate once provided by Government Relations. OIPC requested that Government Relations provide OIPC with its submission outlining how it arrived at the fee estimate by June 13, 2025.

- [8] On May 29, 2025, Government Relations issued a revised fee estimate to the Applicant of \$2,303.00 and requested an amended deposit of \$1,101.50. It indicated to OIPC that in its review of the materials, an error in the calculations was discovered. This error was corrected, and a fee reduction resulted.

- [9] On May 30, 2025, in an email to OIPC, the Applicant advised they were not satisfied with the revised fee estimate and raised issues that were outside the scope of this review and the

jurisdiction of this office. Despite this, OIPC continued with a review of the revised fee estimate.

- [10] On June 19, 2025, Government Relations provided its submission to OIPC. The Applicant did not provide a submission.

II RECORDS AT ISSUE

- [11] Because this review only considers the revised fee estimate provided by Government Relations to the Applicant, there are no records at issue in this review.

III DISCUSSION OF THE ISSUES

1. Does OIPC have jurisdiction?

- [12] Government Relations is a “government institution” as defined by sections 2(1)(d)(i) of *The Freedom of Information and Protection of Privacy Act* (FOIP). As such, OIPC has jurisdiction to undertake this review.

2. Was Government Relations’ fee estimate reasonable?

- [13] Sections 9(1) and 9(2) of FOIP provide as follows:

9(1) An applicant who is given notice pursuant to clause 7(2)(a) is entitled to obtain access to the record on payment of the prescribed fee.

(2) Where the amount of fees to be paid by an applicant for access to records is greater than a prescribed amount, the head shall give the applicant a reasonable estimate of the amount, and the applicant shall not be required to pay an amount greater than the estimated amount.

- [14] Section 9(2) of FOIP requires a government institution to provide a fee estimate where the cost for providing access to the records exceeds the prescribed amount of \$100 which is

found in section 7(1) of *The Freedom of Information and Protection of Privacy Regulations* (FOIP Regulations).

[15] This office has previously undertaken reviews of fee estimates. The following guidance assists in defining reasonable cost recovery towards the provision of a reasonable fee estimate:²

[16] FOIP provides for reasonable cost recovery associated with providing individuals access to records. A “reasonable fee estimate” is one that is proportionate to the work required on the part of the government institution to respond efficiently and effectively to an applicant’s request. A fee estimate is equitable when it is fair and even-handed, that is, when it supports the principle that applicants should bear a reasonable portion of the cost of producing the information they are seeking, but not costs arising from administrative inefficiencies or poor records management practices (*Guide to FOIP*, Ch. 3), p. 72).

[17] There are generally three kinds of fees that can be included in a fee estimate:

- a. Fees for searching records;
- b. Fees for preparing records; and
- c. Fees for reproducing records.

[16] Each fee is to be assessed separately. Government Relations did not quote a fee for reproducing records in its revised fee estimate, so reproduction costs will not be considered in this review. Government Relations’ revised fee estimate of May 30, 2025, was as follows:

Type of Fee	Calculation of Fees	Amount of Fee
Time required to search for records	326 minutes x \$15.00/30 min	\$163.00
Time required to prepare records for disclosure	4200 pages x 1 min/page x \$15.00/30 min	\$2,101.00

² See OIPC [Review Report 019-2024](#) at paragraphs [16] and [17].

Less 2 hours free legislated time	2 hrs. free x \$15.00/30 min	-\$60.00
TOTAL AMOUNT OF FEES REQUIRED TO PROCESS REQUEST		\$2,303.00

[17] The rest of this analysis will focus on the reasonableness of this revised fee quote.

a. Fees for searching records

[18] In its revised fee estimate provided to the Applicant on May 30, 2025, Government Relations estimated 326 minutes of search time for a total cost of \$163.00.

[19] Section 6(2) of the FOIP Regulations describes the fee formula government institutions are to apply when estimating a fee for searching for records. Section 6(2) of the FOIP Regulations provides as follows:

6(2) Where time in excess of two hours is spent in searching for a record requested by an applicant or in preparing it for disclosure, a fee of \$15 for each half-hour or portion of a half-hour of that excess time is payable at the time when access is given.

[20] In its submission to OIPC, Government Relations asserted that:

This revised fee estimate was calculated using the standard of \$15 per half hour or portion thereof spent searching for or preparing records, as set out in subsection 6(2) of the Regulations [and] the estimate was based on the following components:

- 266 minutes to locate 1,300 pages of responsive paper records, which are stored in filing boxes, at a cost of \$133.
 - The ministry utilized its financial software to identify paper records of financial transactions spanning from fiscal years 2016-2022, that were likely responsive to the Applicant's request. Where appropriate, the ministry checked the filing boxes to verify the contents. This inquiry identified 527 transactions, averaging two pages per transaction, totaling 1,054 pages. The estimated search time to locate those pages was 208 minutes.

- The ministry also searched its electronic accounts payable records for 2014 and 2015, verifying the contents of filing boxes, as necessary. These searches identified an additional 168 transactions, averaging two pages per transaction, totaling 336 pages. The estimated search time to locate those pages was 28 minutes.
- The ministry estimated it would require 30 minutes of search time to locate the Northern Municipal Trust Account's Annual Reports. Since those reports are published documents, they did not require review for confidential information; therefore, the ministry excluded the number of pages from its fee estimate.
- 60 minutes to locate 2,900 pages of electronic records, by searching email archives for relevant correspondence, at a cost of \$60.
 - The ministry identified two separate email accounts likely to contain responsive records. As these accounts had to be searched individually by two ministry employees assigned to them, the ministry estimated a search time of 30 minutes to each search. Consequently, each search was assigned the lowest cost stipulated by the Regulations (\$15 for up to 30 minutes).

...

The ministry also estimated search fees based only on the manual search time required to locate responsive records, as specified in the *IPC Guide to FOIP* (Chapter 3, pp. 74-75). The search fees reflect only the estimated time required to search the ministry's paper and electronic records; time required for copying of records, travel to record sites or internal review of the search results has not been included.

[Emphasis added]

[21] This office has provided guidance that is helpful with respect to the analysis at hand in the past:³

[21] Page 74 of my office's *Guide to FOIP*, Ch. 3 provides that fees for search time consists of every half hour of manual search time required to locate and identify responsive records. For example:

- Staff time involved with searching for records.
- Examining file indices, file plans or listings of records either on paper or electronic.
- Pulling paper files/specific paper records out of files.

³ *Ibid*, at paragraphs [21] to [25].

- Reading through files to determine whether records are responsive.

[22] Page 75 of my office's *Guide to FOIP*, Ch. 3, describes what search time does not include:

- Time spent to copy the records.
- Time spent going from office to office or off-site storage to look for record.
- Having someone review the results of the search.

[23] Page 75 of the *Guide to FOIP*, Ch. 3, provides the following general standards to estimate search time:

- It should take an experienced employee one minute to visually scan 12 pages of paper or electronic records to determine responsiveness.
- It should take an experienced employee five minutes to search one regular file drawer for responsive file folders.
- It should take three minutes to search one active email account and transfer the results to a separate folder or drive

...

[25] Where the search for responsive records exceeds two hours, the government institution can charge \$15.00 for every half hour in excess of two hours for search or preparation pursuant to subsection 6(2) of the FOIP Regulations (*Guide to FOIP*, Ch. 3, p. 75).

[22] Given the estimated 4,200 pages of records, the total hours to search can be calculated as follows:

$$326 \text{ minutes} / 60 \text{ minutes per hour} = 5.43 \text{ hours}$$

[23] As mentioned above, a government institution can charge \$15.00 per half hour in excess of two hours for search (or \$30.00 per hour). Given this, the total cost for a search of records can be calculated as follows:

$$5.43 \text{ hours} \times \$30.00 \text{ per hour} = \$162.99$$

[24] Based on the above calculations and the explanations provided, Government Relations' revised fee estimate of 326 minutes or 5.43 hours for searching an estimated 4,200 pages of electronic and paper records at a cost of \$163.00 is reasonable.

b. Fees for preparing records

[25] In its submission provided to OIPC, Government Relations asserted:

The estimate was based on the following components:

...

- 4,200 minutes to review the 4,200 pages of responsive records and sever exempt information. This cost was estimated at \$2,100, based on a rate of one minute spent per page reviewed.

...

The ministry's estimate of the time required to review and prepare records for disclosure is considerably less expensive to the Applicant than the OIPC's recommended standard. According to the *IPC Guide to FOIP* (Chapter 3, page 76), it should reasonably take two minutes per page to sever exempt information from records. The ministry's experience is that it requires only one minute per page to review and sever records, and it based its fee estimate on this standard.

[Emphasis added]

[26] This office has provided guidance in previous reports with respect to fees for preparing records:⁴

[31] Pages 75 to 76 of the *Guide to FOIP*, Ch. 3, provides that preparation includes time spent preparing the record for disclosure. This includes the anticipated amount of time spent physically severing exempt information from records. However, preparation time does not include:

- Deciding whether to claim an exemption.
- Identifying records requiring severing.
- Identifying and preparing records requiring third party notice.
- Packaging records for shipment.
- Transporting records to the mailroom or arranging for courier service.
- Time spent by a computer compiling and printing information.
- Assembling information and proofing data.
- Photocopying.
- Preparing an index of records.

[32] Generally, it should take an experienced employee two minutes per page to physically sever records (*Guide to FOIP*, Ch. 3, p. 76).

⁴ *Ibid*, at paragraphs [31] to [34].

- [27] In this case, Government Relations has estimated one minute per page to review and prepare records for disclosure and has estimated there to be 4200 pages of responsive records. At one minute per page, Government Relations is estimating it would take 4,200 minutes to prepare the records. At a rate of \$15.00 for every 30 minutes, its estimate was calculated to be \$2,100.00.

$$\begin{aligned} 4,200 \text{ minutes} / 60 \text{ minutes per hour} &= 70 \text{ hours to prepare records for disclosure} \\ 70 \text{ hours} \times \$30.00 \text{ per hour} &= \$2,100 \end{aligned}$$

- [28] Based on the above calculation, Government Relations' revised fee estimate, Government Relations' revised fee estimate for the preparation of records is reasonable.

Total fee

- [29] The total fee, then is calculated as follows:

$$\$163.00 \text{ (search)} + \$2,100.00 \text{ (preparation)} = \$2,263.00$$

- [30] Section 6(2) of the FOIP Regulations provide that government institutions can only charge fees for search and preparation where the time is in excess of two hours. Government Relations accounted for the first two hours of free legislated time by subtracting \$60.00 (at a rate of \$15/30 minutes) from the total fee estimate.

- [31] Subtracting the first two hours for search and preparation (\$60.00), this leaves a total estimate of \$2,203.00 and a deposit owing of \$1,101.50. This is in keeping with the revision undertaken by Government Relations.

- [32] Further, in its submission, Government Relations asserted:

The Applicant did not cooperate with the ministry's efforts to clarify the records sought and potentially reduce the fees. As described in detail in the Chronology, the ministry (in its September 17 and October 10 letters) made detailed efforts to establish what records were sought and to seek confirmation or clarification. As the Privacy Commissioner noted in April 2024, when an Applicant has drafted an extremely broad request resulting in thousands of pages of responsive

records, making such an effort to determine what the Applicant actually needs is an appropriate course of action and consistent with the duty to assist.

[Emphasis added]

[33] Based on the analysis above and Government Relations' attempts to clarify the requested information with the Applicant, there will be a finding that Government Relations' revised fee estimate is reasonable.

[34] There is a recommendation that Government Relations only continue to process the request if the Applicant agrees to provide the deposit of \$1,101.50, based on the recommended revised fee estimate.

IV FINDINGS

[35] OIPC has jurisdiction to undertake this review.

[36] Government Relations' revised fee estimate is reasonable.

V RECOMMENDATION

[37] I recommend Government Relations only continue to process the request if the Applicant agrees to provide the deposit of \$1,101.50, based on the recommended revised fee estimate.

Dated at Regina, in the Province of Saskatchewan, this 2nd day of July, 2025.

Grace Hession David
Saskatchewan Information and Privacy Commissioner