



DISREGARD DECISION 055-2026

Rural Municipality of Reford No. 379

March 6, 2026

Summary:

The Rural Municipality of Reford No. 379 (RM) received an access to information request from the Applicant on January 12, 2026. The RM asked the Office of the Saskatchewan Information and Privacy Commissioner to disregard the Applicant's access request pursuant to sections 43.1(2)(a) (would unreasonably interfere with the operations of a local authority because of the systemic and repetitious nature) and (b) (an abuse of the right of access because of the systemic and repetitious nature) of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*.

The requirements to disregard the Applicant's access request pursuant to section 43.1(2)(a) of *LA FOIP* are met. The Commissioner granted the application from the RM to disregard the Applicant's current access request of January 12, 2026.

I BACKGROUND

[1] On January 12, 2026, the Rural Municipality of Reford No. 379 (RM) received the following access to information request from the Applicant. The access request was as follows:

Copies of all contemporaneous notes, memoranda, emails, logs, reports, or records created or maintained by OHS Councillor Representative [First and last name of OHS Councillor Representative]¹, and OHS Committee Staff Representative [First and last name of OHS Committee Staff Representative] relating to safety concerns, behavioural concerns, performance concerns, discipline, or my October 2024 termination, for the period covering November 1, 2023 through to October 15, 2024.

¹ This office placed words in square brackets to protect the personal information of individuals.

- [2] On February 10, 2026, the RM applied to the Office of the Saskatchewan Information and Privacy Commissioner (OIPC) pursuant to section 43.1 of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*² to disregard the Applicant's access request. On the same day, the RM notified the Applicant of its application to disregard the access request by email and supplied the Applicant with an exact copy of the materials that were submitted to this office.
- [3] On February 11, 2026, OIPC advised the RM and the Applicant that the legislative timeline with respect to processing the Applicant's request of January 12, 2026, was suspended.³ On the same day, OIPC notified the Applicant and the RM that the RM's application to disregard the access request would be considered. OIPC invited the Applicant to provide a submission.
- [4] On February 12, 2026, the Applicant provided OIPC with a response to the application and the materials from the RM.

II DISCUSSION OF THE ISSUES

1. Jurisdiction

- [5] The RM is a "local authority pursuant to section 2(1)(f)(i) of *LA FOIP*. Therefore, OIPC has jurisdiction to consider this application to disregard pursuant to PART VI of *LA FOIP*.

2. Should the RM application to disregard the Applicant's January 12, 2026 access request be granted?

- [6] The RM applied to OIPC and argued that the Applicant's access request be disregarded pursuant to sections 43.1(2)(a) and (b) of *LA FOIP*, which provide:

² [The Local Authority Freedom of Information and Protection of Privacy Act](#), SS 1990-91, c L-27.1, as amended.

³ This is pursuant to the legislative scheme set out in section 43.1(3) of *LA FOIP*.

43.1(2) In determining whether to grant an application or request mentioned in subsection (1), the commissioner shall consider whether the application or request:

(a) would unreasonably interfere with the operations of the local authority because of the repetitious or systematic nature of the application or request;

(b) would amount to an abuse of the right of access or right of correction because of the repetitious or systematic nature of the application or request;

...

[7] An application to disregard is a serious matter because, if granted, it removes an applicant's express right to seek access to information. However, *LA FOIP* recognizes that not all access to information requests are valid. Section 43.1 of *LA FOIP* exists to preserve and ensure the proper intent and functioning of the Act. Former British Columbia Information and Privacy Commissioner (BC OIPC), David Loukidelis, stated the relevant principles with respect to the equivalent provision in British Columbia's Act:⁴

...Access to information legislation confers on individuals such as the respondent a significant statutory right, i.e., the right of access to information (including one's own personal information). All rights come with responsibilities. The right of access should only be used in good faith. It must not be abused. By overburdening a public body, misuse by one person of the right of access can threaten or diminish a legitimate exercise of that same right by others, including as regards their own personal information. Such abuse also harms the public interest, since it unnecessarily adds to public bodies' costs of complying with the Act. Section 43 exists, of course, to guard against abuse of the right of access...

a) Section 43.1(2)(a) of LA FOIP

[8] For section 43.1(2)(a) of *LA FOIP* to be found to apply, the local authority must demonstrate that an applicant's access to information request interferes unreasonably with the operations of the local authority due to its repetitious or systematic nature. OIPC uses the following two-part test to determine if an access request can be disregarded pursuant to section 43.1(2)(a) of *LA FOIP*:⁵

⁴ BC OIPC [Decision 99-01](#) at pages 7 and 8.

⁵ OIPC [Disregard Decision 225-2024](#) at paragraph [10].

1. Is the request for access or correction repetitious or systematic?
2. Does the repetitious or systematic request unreasonably interfere with the operations of the local authority?

1. Is the request for access or correction repetitious or systematic?

[9] OIPC offers these definitions regarding the first part of the two-part test:⁶

- “Repetitious” requests are requests that are made two or more times.
- “Systematic” requests are those made according to a method or plan of acting that is organized and carried out according to a set of rules or principles. It includes a pattern of conduct that is regular or deliberate; methodical, arranged, and/or conducted according to system. The local authority needs to identify any of the following factors that may apply:
 - Are the requests similar in nature or is there some overlap?
 - Are the requests close in their filing time?
 - Does the applicant continue to engage in a determined effort to request the same information? (An important factor in finding whether requests are systematic, is to determine whether they are repetitious.)
 - Is there a pattern of conduct on the part of the applicant in making repeated requests that are regular or deliberate. Does the applicant methodically request records or information in many areas of interest over extended time periods, rather than focusing on specific records or information involving identified events or matters?
 - Has the applicant requested records or information of various aspects with respect to the same issue?
 - Has the applicant filed several new requests related to matters where there has been previous disclosure?
 - Does the applicant follow up on responses by making further requests with the same theme or topic?
 - Does the applicant question the content of disclosed records by making further access requests?

⁶ *Ibid*, at paragraph [11].

- Does the applicant question whether records or information exist when told they do not?

[10] In its submission, the RM asserted that “there is a clear pattern of repetitious requests and significant overlap in the type of information requested.” First, the RM stated that it is currently processing an access request from the Applicant dated December 10, 2025 (“RM File 14-25”).⁷ The RM asserted that the information sought by the Applicant in RM File 14-25 includes the information in the current access request.

[11] This office reviewed the current access request with RM File 14-25. The RM’s assertion is correct. In the current access request, the Applicant seeks occupational health and safety records created or maintained by a “OHS Councillor Representative” and a “OHS Committee Staff Representative” that relate to “safety concerns, behavioural concerns, performance concerns, discipline, or [the Applicant’s] termination”.

[12] In RM File 14-25, the Applicant sought all records (regardless of format, platform, or device ownership) created, sent, received, or otherwise held by the Rural Municipality of Reford No. 379 containing the keywords “OHS” and “Occupational Health” and relating to themselves and all references to their name, employment, termination, and “OHS matters”. Attached to RM File 14-25, the Applicant provided a list of “Personnel whose Records Must Be Searched,” and listed both the Occupational Health & Safety (OHS) Councillor Representative and the OHS Committee Staff Representative. Further, these two individuals were each specifically listed in Appendix “A” under subheading number 2 “Personnel Whose Records Must be Searched” under items “A” and “B”.

[13] We find there to be a significant overlap in the records sought in the current access request and RM File 14-25 in the sense that the records sought in RM File 14-25 include the records sought in the current access request.

[14] The Applicant asserted the current access request is narrow because it only seeks “OHS-related and governance records created or maintained by specific custodians...within a

⁷ See the Applicant’s access request for RM 14-25 in Appendix “A” to this Decision.

defined period.” The fact that the current request is narrow in scope ignores the fact that it involves a request for materials that are already covered by the earlier request in RM 14-25 and which is currently being processed by the RM.

2. *Does the repetitious or systematic request unreasonably interfere with the operations of the local authority?*

[15] For this part of the test, a local authority must meet a high threshold of showing “unreasonable interference”, as opposed to mere disruption. An access request may usually cause some inconvenience to a local authority, but inconvenience is not a reason to keep information from a citizen who is exercising their democratic and quasi-constitutional rights.⁸

[16] OIPC considers the following factors when determine if repetitious access requests interfere with the operations of the local authority:⁹

- Are the requests large and complex, rather than confusing, vague, broadly worded, or wide-ranging (e.g., “all records” on a topic), without parameters such as date ranges.
- Did the local authority seek clarification and was it obtained.
- Did the clarification of the applicant’s requests, if obtained, provide useful details to enable the effective processing of the requests.
- Do the applicant’s requests impair the local authority’s ability to respond to other requests in a timely fashion.
- What is the amount of time to be committed for the processing of the request, such as number of employees to be involved in processing the request, number of employees and hours expended to identify, retrieve, review, redact if necessary, and copy records, number of total employees in the same office, and if there is an employee solely dedicated to process access requests.

⁸ OIPC [Disregard Decision 225-2025](#) at paragraph [20].

⁹ *Ibid*, at paragraph [21].

[17] The RM submitted that it is a small local authority and has limited staff available to process access requests. The RM explained it has hired a contract consultant solely to assist with the processing of RM File 14-25, and another access request submitted by another person with whom the RM alleges is acting in concert with the Applicant. In this Decision, OIPC will only consider the two access requests submitted by the Applicant.

[18] In Disregard Decision 363-2025, OIPC described the Applicant's access request in File RM 14-25 as "extensive and multi-faceted"¹⁰ and that it "can be said to be excessively broad and varied in scope as it has many parts and involves searching through the records of many individuals over the span of three years."¹¹ OIPC also acknowledged that processing File RM 14-25 would require "considerable resources and effort."¹²

[19] Given the broad nature of File RM 14-25 which includes the materials of the current request, it is not administratively effective or efficient for the RM to be put to the task of responding to the current access request. We note the RM has sought the assistance of external help to process RM File 14-25 and to meet its obligations under *LA FOIP*, it would not be a judicious use of public funds to also require the RM to duplicate its efforts in responding to the current access request. For this reason, the RM application to disregard the Applicant's current access request of January 12, 2026 is granted pursuant to section 43.1(2)(a) of *LA FOIP*.

[20] Since the application from the RM to disregard the Applicant's January 12, 2026 access request has been granted pursuant to section 43.1(2)(a) of *LA FOIP*, there is no need to consider the application under section 43.1(2)(b) of *LA FOIP*.

¹⁰ OIPC [Disregard Decision 363-2025](#) at paragraph [18].

¹¹ *Ibid*, at paragraph [32].

¹² *Ibid*, at paragraph [44].

III DECISION

[21] I grant the application from the RM to disregard the Applicant's current access request of January 12, 2026, pursuant to section 43.1(2)(a) of *LA FOIP*.

Dated at Regina, in the Province of Saskatchewan, this 6th day of March, 2026.

Grace Hession David
Saskatchewan Information and Privacy Commissioner

APPENDIX A

The Applicant's access request of December 10, 2025, is reproduced verbatim by OIPC as follows:

Pursuant to section 5 of the Local Authority Freedom of Information and Protection of Privacy Act ("LA FOIP"), I am requesting access to all records (regardless of format, platform, or device ownership) created, sent, received, or otherwise held by the Rural Municipality of Reford No. 379 between October 1, 2022 and the date of this request, containing any of the following keywords:

"[Applicant name]," "[Applicant surname]," "[Applicant initials]," "tractor," "CASE", "2590", "complaint," "claim," "seizure," "abandonment," "OHS," "Occupational Health," "reinstatement," "wrongful termination," "termination," "return to work," "harassment," "Gazette," "[Name of representative]," "[Name of representative]," "[Representative surname]," "[Representative initials]," "Co-habiting," "spouse," "partner."

1. Scope of Requested Records

I request full copies of all responsive records, including but not limited to:

A. Email Communications

- RM employee and councillor emails
- personal email accounts used for RM business
- communications with legal counsel
- attachments, drafts, and forwarded messages

B. Text Messages, SMS, iMessage

Including messages stored on:

- councillor personal phones
- administrator personal phones
- foreman personal phones
- RM-issued cell phones

C. Messaging Platforms (ALL)

This includes complete message histories, screenshots, attachments, and exported chat files from:

- WhatsApp
- Microsoft Teams
- Facebook Messenger
- Signal
- Telegram
- Instagram Messenger
- SMS / iMessage
- any platform used for RM business
- These must include:
 - group chats
 - private chats
 - council-only threads
 - deleted-message indicators
 - shared images or documents

D. Internal RM Documents

- memos
- handwritten notes
- internal investigation notes
- briefing documents
- in-camera preparation materials (severable)
- drafts of reports or letters referencing [Applicant name]

E. Communications Shared With Third Parties

Including but not limited to:

- legal counsel, [one individual listed]
- *Occupational Health and Safety (OHS)*
- Ministry officials
- SARM
- RCMP
- consultants (including [specific person mentioned])
- other municipalities

2. Personnel Whose Records Must Be Searched

This request explicitly includes records created, held, or sent by:

A. All Current Divisional RM Councillors and Reeve

- [seven individuals listed]

B. RM Current and Former Administration

- [five individuals listed]

C. Current and Former Forepersons

- [three individuals listed]

D. Former Council Members and Reeve

- [five individuals listed]

3. Devices and Platforms Covered

Applies to ALL devices used for RM business, including:
personal smartphones (iPhone/Android)

- personal laptops/tablets
- RM-issued cell phones
- office computers
- cloud storage used for RM business
- Microsoft Teams accounts
- WhatsApp installed on personal devices
- any/all social media and messaging apps used to coordinate RM decisions

This request includes email server logs, backup archives, metadata showing deleted or missing messages, and any records stored on Munisoft servers or RM backup systems

F. Contractors, External Parties, and Third-Party Businesses Contacted Regarding [Applicant name] This explicitly includes:

- JDL Underground Ltd. ([one individual listed])
- any employees of JDL
- any correspondence between RM and JDL
- notes or summaries of conversations with JDL
- in-camera preparation documents discussing JDL
- council instructions regarding JDL
- any communication where JDL was mentioned in discussions of [Applicant name]

5. Delivery Format

Please provide all responsive records in electronic format (PDF, MSG, EML, JPG, or chat exports) to: