



Office of the
Saskatchewan Information
and Privacy Commissioner

DISREGARD DECISION 225-2025

Village of Christopher Lake

October 6, 2025

Summary:

The Village of Christopher Lake (Village) made an application to the Office of the Saskatchewan Information and Privacy Commissioner to disregard the Applicant's access to information request, received on August 12, 2025, pursuant to sections 43.1(2)(a) (would unreasonably interfere with the operations of a local authority because of the systematic and repetitious nature), 43.1(2)(b) (an abuse of the right of access because of the systematic and repetitious nature) and 43.1(2)(c) (frivolous or vexatious, not in good faith, or concerns a trivial matter) of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*.

The Commissioner found that the requirements to disregard the access request of August 12, 2025 pursuant to sections 43.1(2)(a), (b) and (c) of *LA FOIP* were not met. The Commissioner refused the application from the Village to disregard the Applicant's third access to information request dated August 12, 2025. As a result of this decision, the 30-day clock for processing this request resumes the date of this Decision and the Village is required to continue processing the Applicant's access to information request.

I BACKGROUND

- [1] On January 20, 2025, the Applicant emailed the Village of Christopher Lake (Village) advising that they were representing a named corporation that operated a business (Business A) within the Village on which the Village had "served notice" due to failure to pay requisite fees. The Applicant asked for a complete breakdown of fees levied in relation to Business A, council procedures laying out the process for bylaws setting out days and times for council meetings, and an electronic copy of the financial statements of the Village for "2018 to 2021."

[2] At this point in the recitation of the facts, it is essential to outline that the Applicant was not being entirely truthful with the Village. It was later revealed that Business A was owned by someone else entirely. The Applicant simply owned another business (Business B). Further to this, the access to information request did not include consent from the true owner of Business A or corroboration that the Applicant was clothed with the right to make this inquiry on their behalf.

[3] Not surprisingly, the lawyer for the Village responded on January 24, 2025 that the Village could not provide information on Business A to the Applicant as they had not provided proof that they were an authorized representative. The Village further directed the Applicant to its website for the 2018 to 2021 financial statements and was silent with respect to the request for council bylaws.

[4] On June 13, 2025, the Village received another access request from the Applicant, this time making this request in their true capacity, for the following:¹

...complete copies of the 2023 and the 2024 in-house General Ledger for the Village of Christopher Lake. This request also includes any salaries or compensation for all Village employees.

[5] In response, the Village provided the Applicant on July 18, 2024 with the ledgers for 2023 and 2024 followed by financial statements and various bylaws on August 1, 2025.

[6] On August 12, 2025, the Village received a third access to information request from the Applicant, once again in their true capacity, for:

Full electronic accounting package for the years 2023 and 2024. This can include but not limited to Munisoft, Sage or Quickbooks. This data can be provided by a thumb drive for each year (which can be provided). This request includes both the backup and save as portions of the accounting software currently being used by the Village.

¹ The Village provided OIPC with a copy of the June 13, 2025 access request, which the Applicant properly submitted on what is known as “Form A”. The copy used by the Applicant is the one found at Part II of *The Local Authority Freedom of Information and Protection of Privacy Regulations, c. L-27.1 Reg 1 (July 1, 1993), as amended*.

- [7] On September 10, 2025, the Village asked the Office of the Saskatchewan Information and Privacy Commissioner (OIPC) to disregard the third access request of August 12, 2025.² The Village filed its application to disregard pursuant to sections 43.1(2)(a), (b) and (c) of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*.³ The Village provided, along with its application, supporting documentation.⁴
- [8] On September 11, 2025, OIPC notified the Village and the Applicant that the legislative timeclock with respect to processing the Applicant's access request of August 12, 2025 was now paused, pursuant to section 43.1(3) of *LA FOIP*.
- [9] On September 12, 2025, OIPC notified the Village and the Applicant that the application from the Village to disregard the Applicant's third access to information request dated August 12, 2025, would be considered.
- [10] OIPC provided the Applicant with the opportunity to provide a response to the application to disregard from the Village. The Applicant provided their response on September 20, 2025.

II DISCUSSION OF THE ISSUES

1. Does OIPC have jurisdiction?

- [11] The Village is a "local authority" pursuant to section 2(1)(f)(i) of *LA FOIP*. Therefore, OIPC has jurisdiction to consider this application to disregard the access request received by the Village on August 12, 2025, pursuant to PART VI of *LA FOIP*.

² The Applicant had stipulated the timeframe for the request was "2023 and 2024 Financial accounting package." The Village also provided the Applicant with a copy of its application to disregard on September 10, 2025, and supporting documentation on the next day.

³ [*The Local Authority Freedom of Information and Protection of Privacy Act, SS 1990-91, c L-27.1*](#), as amended.

⁴ The Village also served notice of its application to the Applicant, including a copy of its supporting documentation.

2. Should the application to disregard from the Village pursuant to sections 43.1(2)(a), (b) and (c) of *LA FOIP* be granted?

[12] In its application, the Village submitted that the access to information request it received from the Applicant on August 12, 2025, should be disregarded pursuant to sections 43.1(2)(a), (b) and (c) of *LA FOIP*. These sections provide a local authority with the ability to apply to the Commissioner with a request to disregard an access to information request. Section 43.1 of *LA FOIP* provides as follows:

43.1(1) The head may apply to the commissioner to disregard one or more applications pursuant to section 6 or requests pursuant to section 31.

(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;
or

(c) is frivolous or vexatious, not in good faith or concerns a trivial matter.

[13] An application to disregard is a serious matter as it could remove an applicant's express right to seek access to information. However, *LA FOIP* recognizes that not all access to information requests are appropriate. Section 43.1 of *LA FOIP* exists to preserve the proper intent and functioning of the Act. Former British Columbia Information and Privacy Commissioner (BC OIPC), David Loukidelis, said the following about the role of the equivalent provision in British Columbia's Act:⁵

...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

⁵ See [BC OIPC Order 99-01](#) at pages 7 and 8.

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...

Section 43.1(2)(a) of LA FOIP

[14] 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*:⁶

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?

[15] OIPC offers these definitions regarding the first part of the two-part test:⁷

- “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; to be 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 do they stand alone as being different, or is there some overlap?
 - Are the requests close in their filing time.

⁶ OIPC [Disregard Decision 225-2024](#) at paragraph [10].

⁷ *Ibid*, at paragraph [11].

- 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 the repeated requests that is regular or deliberate. Does the applicant methodically request records or information in many areas of interest over extended time periods, rather than focusing on accessing specific records or information of identified events or matters.
- Has the applicant requested records or information of various aspects of the same issue.
- Has the applicant made a number of requests related to matters referred to in records already received.
- Does the applicant follow up on responses received by making further requests.
- Does the applicant question the content of records received by making further access requests.
- Does the applicant question whether records or information exist when told they do not.
- Can the requests be seen as a continuum of previous requests rather than in isolation.

[16] The first phase of this analysis is whether the Applicant's access request is repetitious or systematic. The Background section of this Report describes two other access requests the Applicant made (January 20, 2025 and June 13, 2025) prior to the one the Village received on August 12, 2025, which is the focus of this Report, and which is the basis of the application to disregard from the Village. The question is if the August 12, 2025 access request can be considered repetitious or systematic compared with the prior two requests.

[17] In its application, the Village has not directly addressed the issue of the repetitious or systematic nature of the August 12th request when compared with the first two. Instead, the Town noted that the Applicant "has already received the information as to how the Trailer License Fee's have been calculated and how they are reported on the Villages Financial Statement." The Village also stated that it uses the Munisoft program for its accounting,

such that the records would contain personal information of other ratepayers, prohibiting the Village from public release of this information.

[18] In their submission the Applicant complained that the copy of the ledger received as the result of the June 13, 2025 access request did not satisfactorily explain “differences between invoiced and actual amounts” of certain transactions.⁸ The Applicant’s review of the ledger “revealed persistent gaps and lack of detail, making reconciliation of transactions impossible.” According to the Applicant, the access request of August 12, 2025 was nothing more than a request for more detail or explanation.

[19] The threshold for repetitious or systematic access requests involves recurrent “overlap or repetition.”⁹ Requests that are also sufficiently connected can be said to be repetitious, which means the requests pertain to the same topic.¹⁰ Based on what the Village has already provided the Applicant, and the Applicant’s description of the information sought in order to understand the accounting practices of the Village, it is reasonable that there would be some overlap in information simply because the requests are connected, particularly the June 13, 2025 and the August 12, 2025 requests. The threshold for the August 12, 2025 access request being *repetitious* is met.

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

⁸ OIPC considered that a “ledger” or “general ledger” is a book/series of books used to record financial transactions in the form of debit and credits in OIPC [Review Report 305-2023](#) at paragraph [17]. This was based on a definition contained in *Black’s Law Dictionary* (11th Ed., 2019).

⁹ See OIPC [Disregard Decision 311-2023](#) at paragraph [19] where it was discussed that repetition can occur when there is overlap in the type of information that would result from an access request. The application to disregard in that matter was made pursuant to equivalent provisions in *The Freedom of Information and Protection of Privacy Act* ([The Freedom of Information and Protection of Privacy Act, SS 1990-91, c F-22.01](#), as amended).

¹⁰ See BC OIPC [Decision F05-01](#) at paragraph [17].

[20] 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 it is not a reason to keep information from a citizen who is exercising their democratic and quasi-constitutional rights.¹¹

[21] OIPC offers the following definitions:¹²

- “Unreasonably interfere” means going beyond the limits of what is reasonable or equitable in time and resources and the impact, which this use of resources would have on the local authority’s day-to-day activities. The local authority needs to consider any of the following factors that may apply:
 - 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.

[22] In its application to this office, the Village submitted that responding to the Applicant’s request of August 12, 2025, would “reasonably interfere with the Village’s operations”, but it hasn’t explained how. For example, the Village hasn’t stated how a response would consume unreasonable amounts of time or involve significant manpower to the point that

¹¹ See OIPC [Disregard Decision 130-2021](#) at paragraph [31].

¹² *Ibid*, at paragraphs [29] and [30].

it would interfere with the ability of the Village to get other work done. This is not something upon which this office can reasonably speculate. Without the Village providing this type of detail, the second part of the test cannot be met.

[23] There will be a finding that the requirements to disregard the access request of August 12, 2025 pursuant to section 43.12(2)(a) of *LA FOIP* were not met.

Section 43.1(2)(b) of LA FOIP

[24] For this provision to be found to apply, the local authority would have to demonstrate that the applicant's access to information request is of such a repetitious or systematic nature that it can be said to be an abuse of the right of access. Both parts of the test must be met:¹³

1. Are the requests for access or correction repetitious or systematic?
2. Do the repetitious or systematic requests amount to an abuse of the right of access?

[25] On the first part of the test, it has already been established that the Applicant's request of August 12, 2025 meets the threshold for *repetitious*.

[26] On the second part of the test, the request must amount to an abuse of the right of access. An "abuse of the right of access" occurs when an applicant uses the *LA FOIP* access provisions in a way that is contrary to its principles and objectives. If a request can be considered repetitious, then is there a pattern or type of conduct that amounts to an abuse of the right of access, or is the access request made for a purpose other than to gain access to information and more to disrupt or "bother" the local authority? A "pattern of conduct" requires recurring incidents of related or similar requests made on the part of the applicant. The time span of the requests is also a significant factor. Other relevant factors to consider, which can appear alone or in combination with other factors, include:¹⁴

¹³ *Supra*, footnote 6 at paragraph [26].

¹⁴ See OIPC [Disregard Decision 204-2020, et al](#) at paragraphs [37] to [41].

1. **The number of requests:** are they excessive by reasonable standards?
2. **Nature and scope of the request:** are they excessively broad and varied and varied in scope or unusually detailed?
3. **Purpose of the request:** are the requests intended to accomplish some objective other than to gain access? For example, are they made for nuisance value, or if the applicant's aim to harass or break or burden the system?
4. **Timing of the request:** is the timing connected to the occurrence of some other related event, such as a court or tribunal proceeding?
5. **Wording of the request:** are the requests or subsequent communications in their nature offensive, vulgar, derogatory or contain unfounded allegations?

[27] The Village has, unfortunately, failed to address factors 1, 2, 4 and 5 as noted above. We note that there have only been three access to information requests and the timespan is from January to August of this year, which is not outwardly obnoxious. The Village, however, appears to have concerns with respect to the Applicant's motives, or the reasons behind the request of August 12, 2025 (factor #3).

[28] It is not surprising that the Village has these concerns simply because the very first request that the Applicant filed involved an outright misrepresentation of their identity which, quite reasonably, could cause concern with respect to the nature and reason for the access request. The first access request was improper and not according to the spirit and principle of the legislation.

[29] All the same, after the unfortunate first access request, the Applicant did request information legitimately. The Applicant submits that the focus of the Village on the first access request now distracts from the "core issue" and the legitimacy of the August 12, 2025, access to information request. The Applicant added that their intent is to gather relevant information to reconcile transactions captured on the copies of the ledgers they received for 2023 and 2024. The Applicant stated that the 2023 ledger did not make payment timelines and allocations clear, did not account for the "full scope of operations" and that "discrepancies between invoiced and deposited amounts remained." The

Applicant added that a bookkeeper reviewed the ledgers for 2023 and 2024 and feels that this supports the legitimacy of this request.

[30] Outside of the third factor from the list at paragraph [26], or the impugned purpose of the first request, none of the other factors here bear upon the analysis this office must conduct. The Applicant has not made an excessive number of requests, and their access requests have not been excessively broad and varied. The timing of their access requests do not appear to be tied to any event or occurrence, and their communications with the Village appear to have been civil. While the Applicant's third access request approached a threshold of *repetitious*, it does not rise to the level where it would amount to an abuse of the right of access.

[31] There will be a finding that the requirements to disregard the access request of August 12, 2025 pursuant to section 43.1(2)(b) of *LA FOIP* were not met.

Section 43.1(2)(c) of LA FOIP

[32] In its application, the Village stated that the Applicant's access request of August 12, 2025, has not been made in good faith, and is frivolous and vexatious. For section 43.1(2)(c) of *LA FOIP* to apply, the Village needs to demonstrate how the Applicant's access request of August 12, 2025 rises to these levels in such a way that it would amount to an abuse of the right of access. OIPC outlines the following definitions:¹⁵

- “Good faith” means that state of mind denoting honesty of purpose, freedom from intention to defraud, and means being faithful to one's duty or obligation. Good faith is an intangible quality encompassing honest belief, the absence of malice and the absence of design to defraud or take advantage of something. “Not in good faith” means the opposite of “good faith”, generally implying or involving actual or constructive fraud, or a design to mislead or deceive another, or a neglect or refusal to fulfill some duty or other contractual obligation, not prompted by an honest mistake as to one's rights, but by some interested or sinister motive.

¹⁵ See OIPC [Disregard Decision 182-2023](#) at paragraph [9].

- “Frivolous” is typically associated with matters that are trivial or without merit, lacking a legal or factual basis or factual or legal merit. They are requests that are not reasonably purposeful or of little weight or importance.
- “Vexatious” means without reasonable or probable cause or excuse. A request is vexatious when the primary purpose of the request is not to gain access to information but to continually or repeatedly harass a local authority to obstruct or grind a local authority to a standstill. It is usually taken to mean with intent to annoy, harass, embarrass or cause discomfort. A request is not vexatious simply because a local authority is annoyed or irked because the request is for information the release of which may be uncomfortable for the local authority. However, *LA FOIP* must not become a weapon for disgruntled individuals to use against a local authority for reasons that have nothing to do with the Act. Some examples of vexatious proceedings are to use them as collateral attacks, to initiate or escalate proceedings that are hopeless, to persistently engage in inappropriate behaviour, to make unsubstantiated allegations of conspiracy or misconduct and to use scandalous or inflammatory language.

[33] Paragraph [26] of this Report discussed how to determine if an Applicant’s access request amounts to an abuse of the right of access and the five relevant factors to consider in making this determination. A local authority should address any of these factors that apply. One or more of the factors can apply.¹⁶ Of the five factors, again, the Village’s focus appears to be on the Applicant’s first access request.

[34] In OIPC [Review Report 044-2025](#) at paragraphs [31] and [32], this office also considered as follows regarding the purpose or motivation behind an access request and when it can be considered that they have been made in bad faith:

[31] While there is some overlap between the concepts in section 39(2)(a) and (b) of *LA FOIP*, prior rulings by other Information and Privacy Commissioner offices across Canada outline that the purpose behind a request is often illustrated more by the Applicant’s actions rather than their words. And in many cases, the exact purpose of the request is not easily discernable, but what is clear is that the spirit and the purpose of the legislation is not the prime motivation behind the request:

Past orders of this office have recognized, however, that the *conduct* of requesters often gives a much more accurate picture of their purpose than

¹⁶ *Ibid*, at paragraph [11].

do their words. Consequently, as is suggested by Order M-864, adjudicators have relied on evidence of the requester's use of the freedom of information process to accomplish objectives *unrelated* to access in order to conclude that they have abused the right of access. (See Orders M-947 and MO-1519)

- [32] No "pattern of conduct" is required where bad faith has been established. The Ontario Information and Privacy Commissioner has adopted the definition of "bad faith" from *Black's Law Dictionary* (6th edition) to include: "The opposite of "good faith", generally implying or involving actual or constructive fraud, or a *design to mislead or deceive another ...*". There will be a finding that this request for review was not brought pursuant to the intended purpose of *LA FOIP* and as such, was brought in bad faith. This office will not tolerate an abuse of the right of access. Applicants must engage the access provisions of *LA FOIP* in a way that is aligned with the principles and objects of the legislation and must bring access requests and requests for review in the spirit of good faith.
- [35] This Report has already outlined some of the reasons the Village has given in support of sections 43.1(2)(a) and (b) of *LA FOIP*, which are the same ones they apply for section 43.1(2)(c) of *LA FOIP*. It is clear that the Village sees the Applicant to be acting in bad faith because of the misrepresentation associated with the first access request. This conclusion is not unreasonable. However, this office notes that the Applicant dropped the false claim and then dealt, from what seems to be, a position of good faith with the Village thereafter.
- [36] The Village added that the Applicant's access request of August 12, 2025, is frivolous because it is "meant to persuade the Village administration from applying the Village Bylaws to the [Applicant's Business B] and refusal to waive the fees and associated penalties." The Village stated this along with an assertion that the Applicant under-reported numbers for Business B. These are serious allegations on the part of the Village.
- [37] The Village further explained that the Applicant filed a complaint to the Saskatchewan Ombudsman, challenging the "legality of the Village's bylaw." The Village added that the Ombudsman ultimately found no wrongdoing on the part of the Village, but that the Applicant and the owner of [Business A] both disagreed with the Ombudsman's findings. The Village explained that on May 7, 2025, the Applicant was party to a delegation that attended a council meeting, and demanded the Village provide: 1) a detailed breakdown of

costs the Village incurred as it pertains to trailer license fees plus the associated legislation for reference; and 2) an explanation as to why their “previously cashed cheques under this bylaw have not been accurately recorded in the Village’s financial statements.”

[38] For their part, the Applicant outlined in their response that they have “consistently acted in good faith, maintaining professional courtesy, with legitimate grounds for all actions.” The Applicant stated that their aim is to ensure that the Village “implement a more robust and transparent financial reporting process.”

[39] It is apparent that some conflict exists between the Applicant and the Village. No doubt this has evolved from the licensing fees/bylaws issue and an unpleasant confrontation with council in a public setting. However, this office can only concern itself with the application of the legislation that we have been appointed to oversee. The Applicant claims to seek a deeper understanding of the accounting processes of the Village and believes access to further information will assist them in this regard. Such access may conceivably help and is not a purpose at odds with the access provisions under *LA FOIP*. Without a doubt, the Applicant’s actions to date are somewhat unsettling considering the misrepresentation involved in the first access request. However, after that unfortunate start, we cannot conclude that the Applicant continued to act in bad faith or has been frivolous and vexatious. The evidence to conclude that the Applicant is using the freedom of information process to accomplish objectives unrelated to *LA FOIP* is not strong enough to conclude that they are abusing the right of access. Still, this office does put the Applicant on notice that this may not be the case with future applications of this nature. This office will not be used as a “tool” in an acrimonious financial battle with a local authority.

[40] There will be a finding that the requirements to disregard the access request of August 12, 2025 pursuant to section 43.1(2)(c) of *LA FOIP* were not met.

III DECISION

[41] I refuse the application from the Village to disregard the Applicant’s third access to information dated August 12, 2025. As a result of this decision, the 30-day clock for

processing this request resumes the date of this Decision and the Village is required to continue processing the Applicant's access to information request.

Dated at Regina, in the Province of Saskatchewan, this 6th day of October, 2025.

Grace Hession David
Saskatchewan Information and Privacy Commissioner