



Office of the  
Saskatchewan Information  
and Privacy Commissioner

## **REVIEW REPORT 024-2026**

### **Rural Municipality of Weyburn No. 67**

**October 22, 2026**

#### **Summary:**

The Applicant submitted an access to information request to the Rural Municipality of Weyburn No. 67 (RM) for records related to the purchase and renovation of a property. The RM released some records, withholding others pursuant to the mandatory exemption in section 28(1) (third party personal information) of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*.

The Applicant believed that blueprints/engineered drawings, and quote comparisons from different companies on all aspects of the renovation and purchase should exist. The Applicant requested a review of the RM's search efforts by the Office of the Saskatchewan Information and Privacy Commissioner.

The Commissioner found that the RM did not meet its duty to assist pursuant to section 5.1(1) (duty of local authority to assist) of *LA FOIP*. Because the RM failed in its duty to assist, the search for records was deficient.

The Commissioner recommended that:

- (1) Within 30 days of the issuance of this Report, the RM conduct a fresh search for any blueprints/engineered drawings, and quote comparisons from different companies with respect to the renovation and purchase of the target property.
- (2) The RM issue a new section 7 decision regarding the outcome of the new search. The RM may not charge the Applicant further fees for the processing of any materials that result from the new search.

## I BACKGROUND

- [1] In June 2025, the Applicant submitted an access to information request under *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*<sup>1</sup> to the Rural Municipality of Weyburn No. 67 (RM). The Applicant wished access to:

“...invoices and documents pertaining to the purchase of the property at 1633 1<sup>st</sup> Ave NE Block C, Plan 78R64087 as noted in the minutes dated December 22, 2020. All invoice and documents pertaining to the renovations of that property.”

- [2] The Applicant delivered the access request to the RM the first week of June 2025. The RM submitted that council approved the RM’s *Access to Information Policy* at its June 2025 meeting. Following the meeting, the Applicant was instructed to submit the required \$20 fee. The fee was received on July 3, 2025.
- [3] On July 31, 2025, the RM requested a further \$76 to search and process the Applicant’s access request. The Applicant paid this fee and received records. The records were not accompanied by a mandatory statutory section 7 decision letter from the RM outlining how and why exemptions were applied.
- [4] On January 15, 2026, the Applicant emailed the Office of the Saskatchewan Information and Privacy Commissioner (OIPC) with a request for review. The Applicant indicated that the RM had refused access to all or part of the record.
- [5] On August 18, 2026, OIPC informed the RM that a section 7 decision letter was mandatory as set out in section 7 of *LA FOIP*. The RM agreed to provide a section 7 decision letter to the Applicant.
- [6] On August 19, 2026, the RM emailed the Applicant its section 7 decision letter. The RM stated its letter was a notice pursuant to section 7(2)(a) of *LA FOIP* and identified that there

---

<sup>1</sup> [\*The Local Authority Freedom of Information and Protection of Privacy Act\*](#), S.S. 1990-91, c. L-27.1, as amended.

were 64 pages of records responsive to the Applicant's access request, seven pages of which it withheld pursuant to the mandatory exemption in section 28(1) of *LA FOIP*.

[7] Between August 20, 2026 and September 9, 2026, OIPC corresponded with the Applicant to determine the scope of the request for review. The Applicant advised that they were not interested in a review of the RM's application of section 28(1) of *LA FOIP*. The Applicant's concern was with respect to the RM search efforts. It was finally ascertained that the Applicant believed that the RM search should have uncovered blue prints/engineered drawings, and comparison quotes from different companies on all aspects of the renovation and purchase of the target property.

[8] On September 9, 2026, OIPC notified the RM and the Applicant that a review of the RM's search efforts would commence. Both parties were invited to provide submissions.

[9] On October 8, 2026, the RM provided a submission to OIPC. The RM did not consent to the sharing of its submission with the Applicant.

[10] The Applicant did not provide a submission.

## **II RECORDS AT ISSUE**

[11] This review focusses on the RM's search efforts. There are no records at issue.

## **III DISCUSSION OF THE ISSUES**

### **1. Jurisdiction**

[12] The RM qualifies as a "local authority" under section 2(1)(f)(i) of *LA FOIP*. OIPC has jurisdiction to undertake this review pursuant to PART VI of *LA FOIP*.

## 2. The RM's search for responsive records

[13] This review of the RM's search efforts was initiated because the Applicant submitted that additional records responsive to their request should exist, as explained in the *Background* of this Report.

[14] Section 5 of *LA FOIP* provides an applicant with a right of access to records in the possession or control of a local authority. Section 5 of *LA FOIP* states:

### **Right of access**

5 Subject to this Act and the regulations, every person has a right to and, on an application made in accordance with this Part, shall be permitted access to records that are in the possession or under the control of a local authority.

[15] Therefore, to comply with section 5 of *LA FOIP*, a local authority must demonstrate it conducted a reasonable search for responsive records. To evaluate whether a reasonable search has been demonstrated, OIPC must first define the following relevant terms:<sup>2</sup>

- A “reasonable search” is one where an experienced employee expends a reasonable effort to locate records that are reasonably related to the request.
- A “reasonable effort” is the level of effort one would expect of any fair, sensible person searching areas where records are likely to be stored. What is reasonable depends on the request, itself, and related circumstances.
- While a “reasonable” search must be demonstrably comprehensive and thorough, applicants cannot hold fanciful expectations that a local authority will conduct an “exhaustive” search in fulfillment of their request. A local authority need not prove with absolute certainty that further records responsive to the Applicant's request do or do not exist, only that it conducted a “reasonable” search for records.

[16] When an applicant requests a review of the search efforts of a local authority, both the applicant and the local authority are invited to provide submissions. OIPC requests that local authorities provide details to assist this office to understand the local authority's

---

<sup>2</sup> OIPC [Review Report 183-2025](#) at paragraph [17].

search strategy and the level of effort made to locate the records responsive to the Applicant's access to information request.<sup>3</sup>

[17] Similarly, an applicant must demonstrate some evidence that goes beyond mere suspicion that a local authority has failed to produce records either as the result of an unreasonable search or by failing to release responsive records.<sup>4</sup> In doing so, an applicant may:<sup>5</sup>

- Prove that they are in possession of *a copy* of a responsive record not released by the local authority; and/or
- Attest that they had previously encountered a copy of a responsive record not released by the local authority.

[18] The Applicant did not provide OIPC with a submission. Aside from listing documents believed to be missing, the Applicant failed to provide this office with any evidence that these records exist at all. This is less than helpful.

[19] The RM submission, understandably, noted that the Applicant's original access request was vague at best in terms of what the Applicant especially desired:

Based on the wording of the request, the RM understood the request to seek records relating to the purchase of the property and records relating to the invoices and documentation associated with the renovation of the property.

The RM searched for and provided records identified as responsive to that request, including the property listing, commercial contract of purchase and sale, title transfer, development permits, invoices, building agreement, progress listing, and change orders.

The RM did not interpret the request as specifically identifying technical drawings, blueprints, engineered drawings, comparison quotes, or other specific supporting documentation. Those types of records were not expressly identified in the original request.

---

<sup>3</sup> OIPC [Review Report 335-2017](#) at paragraph [32].

<sup>4</sup> [Blank v. Canada \(Minister of The Environment\)](#), [2000] FCJ No. 1620 at paragraph [11].

<sup>5</sup> *Supra*, footnote 2 at paragraph [20].

The RM recognizes that the duty to assist includes taking reasonable steps to assist an applicant in identifying the records being sought and clarifying the nature or scope of a request where necessary. The RM has reviewed its handling of this request and has updated its approach to future requests. Where the scope of a request is unclear or sufficiently broad that the records being sought cannot reasonably be determined, the RM will seek clarification from the applicant before proceeding with the search where appropriate.

The RM would prefer the opportunity to conduct a new, focused search if the applicant wishes to seek additional records that were not specifically identified in the original request. A new request clearly identifying the additional records sought would allow the RM to determine the appropriate search parameters and conduct a further search of the records within its custody or control. Any records identified through that search would then be reviewed for responsiveness and for the application of any applicable provisions or exemptions under LA FOIP.

Any new request would also be processed in accordance with the RM's LA FOIP procedures, including any applicable fee estimate and fee process.

[Emphasis added]

[20] Section 5.1(1) of *LA FOIP* places a duty on local authorities to assist applicants by responding to a written request for access openly, accurately and completely. It also requires local authorities to make reasonable efforts to identify and seek out records responsive to an applicant's access to information request. Local authorities must also explain the steps in the process and seek any necessary clarification on the nature or scope of the request within the legislated timeframe.<sup>6</sup>

[21] Responding "accurately" means to provide sufficient and correct information to an applicant, and to clarify with them the scope and nature of their access request. Responding "completely" means to provide a response that includes every item or element, and that is without omissions or that is not deficient.<sup>7</sup>

[22] In this case, the RM is correct in that the access request was broad, but it failed to realize that the onus was upon them to take further steps to contact the Applicant in an effort to

---

<sup>6</sup> OIPC [Review Report 200-2024](#) at paragraph [24].

<sup>7</sup> OIPC [Review Report 181-2020](#) at paragraphs [17] and [19].

narrow the scope of the search or to determine if there were documents that were specially desired, regardless of whether they exist at all. This crucial step is essential in the conduct of a reasonable search.

- [23] OIPC must conclude that the RM failed to respond accurately and completely to the Applicant's access request. The RM should have contacted the Applicant after receiving the access request to clarify the terms used by the Applicant on their request. Doing so would have been consistent with its duty to assist the Applicant as set out in section 5.1(1) of *LA FOIP*. It also would have helped the RM define the scope of a reasonable search and applicable fees.<sup>8</sup> Because the RM did not meet its duty to assist pursuant to section 5.1(1) of *LA FOIP*, its search for records was deficient.
- [24] We commend the RM for coming to this conclusion on its own. We include this public report for other RMs that may be faced with a similar dilemma. Interaction with a good faith member of the community is essential to ensure a proper search for records.
- [25] Within 30 days of the issuance of this Report, the RM should conduct a fresh search for any blueprints/engineered drawings, and comparison quotes from different companies on all aspects of the renovation and purchase of the target property. The RM is to issue a new section 7 decision letter regarding the outcome of the search and may not charge the Applicant further fees for the processing of any materials that result from the new search .
- [26] We note that the RM has expressed a preference for the Applicant to submit a new access to information request that specifically identifies the records sought so that a new, focused search can be conducted, subject to applicable fees. This Report stands as testament to the nature and scope of this new search. The RM has already required payment of a fee of \$76.00 to access responsive records and it failed to issue a section 7 decision letter pursuant to section 7(2)(a) of *LA FOIP* until very late in the process. OIPC finds that the principle of fairness dictates no further fees be issued in this matter.

---

<sup>8</sup> OIPC [Review Report 336-2023](#) at paragraph [51].

#### **IV FINDINGS**

[27] OIPC has jurisdiction to undertake this review pursuant to PART VI of *LA FOIP*.

[28] The RM did not meet its duty to assist pursuant to section 5.1(1) of *LA FOIP*. Because the RM did not meet its duty to assist pursuant to section 5.1(1) of *LA FOIP*, its search for records was deficient.

#### **V RECOMMENDATION**

[29] I recommend that, within 30 days of the issuance of this Report, the RM conduct a fresh search for any blueprints/engineered drawings, and comparison quotes from different companies on all aspects of the renovation and purchase of the target property. The RM is to issue a new section 7 decision letter regarding the outcome of the search and may not charge the Applicant any further fees for the processing of any further materials that result from the new search.

Dated at Regina, in the Province of Saskatchewan, this 22<sup>nd</sup> day of October, 2026.

Grace Hession David  
Saskatchewan Information and Privacy Commissioner