



REVIEW REPORT 328-2025

Rural Municipality of Weyburn No. 67

March 19, 2026

Summary:

The Applicant submitted the prescribed *Access to Information Request Form* to the Rural Municipality of Weyburn No. 67 (RM) for documentation of, and communication with respect to, a request for a special meeting.

The RM initially presented the Applicant with a fee estimate of \$350.00. The Applicant requested a review of this fee estimate by the Office of the Saskatchewan Information and Privacy Commissioner (OIPC).

In attempting resolution, the RM not only reduced the fee estimate to \$205.00, but when the Applicant remained dissatisfied, the fee was decreased further to \$150.00. The Applicant still requested a review of the fee estimate.

The Commissioner found that the RM did not demonstrate that the fee estimate was reasonable. This review found that the fee estimate should be \$94.50. The Commissioner recommended that the RM should issue a new fee estimate in the amount of \$94.50 and upon the Applicant's payment of the 50% deposit (\$47.25), the RM should proceed to fulfill the access to information request within the time remaining on the initial 30-day timeline. The Applicant must pay the remaining outstanding fee before the RM provides access to the prepared records.

I BACKGROUND

[1] On November 19, 2025, the Applicant paid the requisite \$20 application fee and emailed the Rural Municipality of Weyburn No. 67 (RM) the following access to information request for the period of October 1, 2025 to November 19, 2025:

The completed Form 1 - Request for a Special Meeting as per Bylaw 4-2016 Section 7.1 and Section 7.2 and any documentation and communication, including but not limited to text messages, emails, whats app messages, written notes, phone calls leading up to and following the special meeting held Nov 3/25

- [2] In a letter dated November 24, 2025, the RM notified the Applicant that access to the records would require payment of fees calculated according to *The Local Authority Freedom of Information and Protection of Privacy Act Regulations (LA FOIP Regulations)*.¹ Subsequently, the RM provided the Applicant with a \$350.00 fee estimate that accounted for search, preparation, and reproduction of responsive records.
- [3] On November 27, 2025, the Applicant requested a review of the fee estimate by the Office of the Saskatchewan Information and Privacy Commissioner (OIPC).
- [4] On December 5, 2025, the RM provided the Applicant with a revised fee estimate for \$205.00 – a difference of \$145.00. The revised fee estimate significantly reduced the estimated cost of the preparation of records.
- [5] On Monday, December 15, 2025, the Applicant informed OIPC that they remained dissatisfied with the revised fee estimate. As a result, on the same day, OIPC notified the RM and the Applicant that a review of the fee estimate would commence pursuant to PART VI of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*.² Both the RM and the Applicant were invited to provide submissions by January 14, 2026.
- [6] On January 6, 2026, the RM further revised the fee estimate down to \$160.00. On January 14, 2026, the Applicant advised that they remained dissatisfied.

¹ [*The Local Authority Freedom of Information and Protection of Privacy Act Regulations*](#), R.S.S. c. L-27.1 Reg 1 (July 1, 1993), as amended.

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

[7] The RM provided a submission on January 14, 2026. On January 16, 2026, the RM recognised that the revised fee estimate contained an administrative error. The administrative error involved a miscalculation of the initial free hour which should have deducted \$30.00 and not \$20.00. In an email dated January 16, 2026, the RM confirmed that, due to this miscalculation, the further revised fee estimate should be \$150.00. OIPC provided this information to the Applicant on January 16, 2026.

II RECORDS AT ISSUE

[8] There are no records at issue. This is a review to determine if the final RM revised fee estimate of \$150.00 is reasonable.

III DISCUSSION OF THE ISSUES

1. Jurisdiction

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

2. Was the fee estimate issued by the RM reasonable?

[10] Sections 9(1) and (2) of *LA FOIP* state:

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.

[11] The interaction of section 9(2) of *LA FOIP* and section 6(1) of *LA FOIP Regulations* requires a local authority to provide a fee estimate if the cost for providing access will be

in excess of \$100.00.³ This office has long emphasized that fees should not present an unreasonable barrier to access in Saskatchewan. Therefore, fees should be reasonable, fair, and at a level that does not discourage any resident from exercising their access rights. At the same time, the fee regime should promote and encourage applicants to be reasonable and to cooperate with local authorities in defining and clarifying their access requests.⁴

[12] A “reasonable” fee estimate is one that is proportionate to the work required by the local authority to respond effectively and efficiently. A fee estimate is equitable when it is fair and even-handed and supports the principle that applicants should bear a reasonable portion of the costs to produce the records they are seeking. They should not bear costs arising from administrative inefficiencies or poor records management.⁵

[13] Three types of fees under consideration in this fee estimate review are the following:⁶

- 1) Fees for searching for records.
- 2) Fees for preparing the records for disclosure.
- 3) Fees for reproducing the records.

[14] As previously stated, this is a review of the most recently revised fee estimate quoted at \$150.00, which is represented as follows:

Type of Fee	Calculation of Fees	Total Amount
Time needed to search for records	1 hour x \$30.00/hour	\$30.00
Time required to prepare records for disclosure	5 hours x \$30.00/hour	\$150.00
Photocopies of Records	0 hours x \$0.25/page	\$0.00

³ OIPC [Review Report 252-2024](#) at paragraph [27].

⁴ *Ibid*, at paragraph [28].

⁵ OIPC [Review Report 127-2025](#) at paragraph [18].

⁶ *Ibid*.

Other fees required per Section 5 of the <i>Regulations</i>	N/A	N/A
Less:	1 hour free	(-\$30.00)
Total amount of fees estimated for the access request: \$150.00		

[15] The Applicant’s submission outlined a concern that the proposed cost could present a barrier to the right to access to information, resulting in a lack of transparency that creates mistrust:

I am still of the opinion this revised fee is excessive. ... While I understand the need for protection of privacy, transparency and accountability is of utmost importance in all levels of government as well. In my opinion, overcharging for information would to be a misuse of authority.

[16] What follows is the OIPC analysis of the fee estimate as provided by the RM.

1) Reasonableness of the Fees for Searching

[17] Section 5(3) of *LA FOIP Regulations* states:

5(3) Where time in excess of one hour 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.

[18] Search fees are allocated to every half hour of manual search time required to locate and identify responsive records. This may include:⁷

- Staff time involved with searching for records.
- Examining file indices, file plans or listings of records, either paper or electronic.
- Pulling paper files or specific paper records out of files.
- Reading through files to determine whether records are responsive.

⁷ *Ibid* at paragraph [21].

- [19] An experienced employee should need one minute to visually scan 12 pages of paper or electronic records for responsiveness.⁸
- [20] The RM explained that its estimate allowed one hour to search for documents. All of the records that were requested would be compiled together with those of an earlier request of similar nature. The hour estimated search would involve a review of the currently compiled documents to explore if any other documents are needed to fulfill the request.
- [21] The RM indicated that 29 pages of records had been previously compiled for a similar request. As the RM does not have to search for these 29 pages, it follows, logically, that there should be no search fees associated with the previously compiled records.
- [22] Next, the RM estimated that a further search could reveal more responsive records. The RM explained that this search would involve six councillors and the Reeve. Each would need to search their materials. The RM estimated this might result in the discovery of five pages per individual.
- [23] Given that there are seven individuals (six councillors plus one Reeve) and an estimated five pages per individual, this office calculated the discovery of 35 responsive records among council members. We were advised that this search entails searching four email accounts (4 x 3 minutes each), a search of meeting documents stored by the RM (5 minutes) and a search of *WhatsApp* (7 x 3 minutes each) and text messages (7 x 3 minutes each) for the seven individuals noted.⁹ In total, that would amount to just under one hour (12 + 5 + 21 + 21 = 59 minutes, rounded up to one hour) of search time which is in accord with the RM's earlier estimation.
- [24] Before any conclusions can be reached about the reasonableness of the fee estimate, other fees must be considered.

⁸ *Ibid.*

⁹ See OIPC [Review Report 256-2025](#) at paragraph [27] for a similar search in a different case.

2) Reasonableness of the Fees for Preparation

[25] Section 5(3) of *LA FOIP Regulations* allows a charge of \$15.00 per half hour of preparation time (or \$30.00 per hour). The preparation of a record for disclosure can involve the time anticipated to be spent physically severing/redacting exempted information. This will vary on the basis of the nature and scope of each access to information request.

[26] OIPC summarizes the position of the RM with respect to preparation as follows:

- The RM estimated five hours to prepare the documents in total. This was based on an estimated an average of approximately five minutes per page to complete necessary severing in accordance with *LA FOIP*.
 - Of the 29 pages originally compiled in fulfillment of a similar access to information request, approximately 28 pages may require preparation.
 - An additional 35 pages may be responsive as a result of council members' respective materials, and subsequently, may require preparation.
- The RM anticipated that it may release some records but withhold others under *LA FOIP* exemptions. The RM could not state with certainty what information may be exempt from disclosure, given that a fulsome search has not yet been conducted.
- The RM appears to have interpreted that “preparation” would include a line-by-line analysis of the responsive records as well as the time required to number multiple redactions per page.
- The RM anticipated that severance of longer or more detailed pages would naturally require additional time.

[27] It appears that the RM erred in characterizing line-by-line analysis as part of “preparation.” This office has historically established that preparation time does not include time spent deciding whether to claim an exemption.¹⁰ However, the present case does invite this office to consider other salient factors in determining if more time for preparation is warranted in the circumstances.

¹⁰ *Ibid*, at paragraph [29].

[28] Other jurisdictions similar to this office such as Nunavut,¹¹ Prince Edward Island,¹² and Ontario¹³, have accepted that an experienced employee may take two minutes per page to physically sever most records. This office has traditionally followed this approach as well.¹⁴ However, OIPC acknowledges that there are circumstances wherein the universal application of that time standard may not be reasonable in relation to preparation fees. This position is reinforced by the Information and Privacy Commissioner of Ontario office's [Order MO-1421](#):¹⁵

Although [two minutes per page] has generally been recognized as the appropriate standard in most cases, the circumstances of each case must be considered in determining whether it is appropriate in any given situation.

[29] In other words, the factors required to assess the time required to prepare records must be assessed on a case-by-case basis. To echo the words of our colleagues in Nova Scotia, “setting a fee estimate is not an exact science.”¹⁶

[30] One of the factors that OIPC considers is the level of experience held by the local authority with respect to the preparation of records for disclosure, as this office holds the two-minute time standard in relation to an “experienced employee.”¹⁷

¹¹ Office of the Information and Privacy Commissioner of Nunavut [Review Report 14-081](#) at page 7.

¹² Office of the Information and Privacy Commissioner of Prince Edward Island [Decision D-25-006](#) at page 3.

¹³ Office of the Information and Privacy Commissioner of Ontario [Order MO-1421](#) at page 6. See also Office of the Information and Privacy Commissioner of Ontario [Order PO-4674](#) at paragraph [31].

¹⁴ *Supra*, footnote 3 at paragraph [50].

¹⁵ *Supra*, footnote 13, [Order MO-1421](#).

¹⁶ Office of the Information and Privacy Commissioner for Nova Scotia [Report FI-00-108](#) at page 2.

¹⁷ OIPC [Review Report 214-2025 \(Part II\)](#) at paragraph [44].

[31] OIPC asked the RM to provide some context regarding the level of experience it holds in relation to fulfilling access to information requests. In correspondence with this office, the RM acknowledged:

The RM of Weyburn has only processed a limited number of LAFOIP requests to date... While we do not claim to be experts in severing, we have a working understanding of the fundamental requirements.

[32] Given the limited experience held by the RM, OIPC proposes in this particular case, an average of three minutes per page. We note that it is incumbent upon every local authority, no matter how small, to become efficient at processing access to information requests and to meet the access to information needs of the community it serves.

[33] Based on this determination, the RM may require 84 minutes to prepare the 28 pages of previously compiled record ($28 \times 3 = 84$ minutes). Further, the RM may require 105 minutes to prepare the additional 35 pages that it may discover among council members' materials ($35 \times 3 = 105$ minutes). This totals 189 minutes (3.15 hours). At \$30 per hour, the RM has, therefore, justified the basis for \$94.50 with respect to the costs for preparation. Although this is \$55.50 less than what the RM proposed in its revised fee estimate, OIPC concludes that this amount more accurately accounts for "preparation" costs.

3) Reasonableness of Fees for Reproduction

[34] Section 5(2) of *LA FOIP Regulations* provides as follows:

5(2) Where access to a record or part of a record is given by providing the applicant with a copy of the record, the following fees are payable at the time when access is given:

(a) for a photocopy, \$0.25 per page;

[35] The RM omitted a fee in its estimation of the reproduction of documents. The RM quite rightly noted that the Applicant was willing to receive the records electronically. As such,

a revised estimate of cost was reduced to remove the previously estimated photocopying fees. This is an admirable approach and one we recommend.

Reasonableness of the Total Fee Estimate

[36] Section 5(3) of *LA FOIP Regulations* mandates that a local authority must provide one hour of searching for, or preparing, responsive records free of charge. Only after the first hour can a local authority begin to charge an Applicant the \$15.00 per half hour fee. Because one hour equates to two half hours, in essence, the local authority absorbs the costs of \$30.00 worth of work in searching for or preparing the responsive record.

[37] The following table illustrates a comparison between the RM's fee estimate calculations and those of this office:

Fee Calculation	RM Calculation	OIPC Calculation
Search Fee Calculations	\$30.00	\$30.00
Preparation Fee Calculations	\$150.00	\$94.50
Reproduction Fee Calculations	\$0.00	\$0.00
Accounting for One Free Hour of Search and/or Preparation	- \$30.00 (1 hour free)	- \$30.00 (1 hour free)
Total Fee for Applicant	\$150.00	\$94.50

[38] During the course of this review, the RM has engaged cooperatively in efforts towards informal resolution with the Applicant and this office. After all, it reduced the fee estimate *three times*. OIPC is of the view that the RM is solely interested in ensuring reasonable cost recovery in this case, but it could not fully justify its estimate in the end.

IV FINDINGS

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

[40] The RM did not demonstrate that the fee estimate was reasonable.

V RECOMMENDATION

[41] I recommend that, within 30 days of the issuance of this Report, the RM should issue a new fee estimate in the amount of \$94.50 and upon the Applicant's payment of the 50% deposit (\$47.25), the RM should proceed to fulfill the access to information request within the time remaining on the initial 30-day timeline. The Applicant must pay the remaining outstanding fee before the RM provides access to the prepared records.

Dated at Regina, in the Province of Saskatchewan, this 19th day of March, 2026.

Grace Hession David
Saskatchewan Information and Privacy Commissioner