



**OFFICE OF THE
INFORMATION and PRIVACY COMMISSIONER
for Prince Edward Island**

Public Body	Health PEI
Public Body Ref. No.	Health PEI 2025-105
OIPC File No.	C/25/00198
Statute and Sections for Review	<i>Freedom of Information and Protection of Privacy Act</i> Sections: 12(1)(c) [public body may extend time to respond to a request for up to 30 days]
Decision #	D-25-011
Decision-Maker	Denise N. Doiron Information and Privacy Commissioner
Date of Decision	October 3, 2025

Summary:

On September 29, 2025, an applicant asked the Commissioner to review Health PEI's decision to extend their time to respond to the applicant's access to information request by 30 days.

The Commissioner refused to conduct an inquiry, pursuant to clause 64.1(b) of the *Freedom of Information and Protection of Privacy Act* (the "FOIPP Act") because the circumstances do not warrant a review. The *FOIPP Act* authorizes public bodies to extend their time to respond to an applicant for up to 30 days in certain circumstances, one of which applies in this matter.

Background:

On September 4, 2025, the Applicant asked Health PEI for records from August 2025 relating to the Commissioner's decision authorizing Health PEI to extend their time to respond to an access request for more than 30 days.

On September 24, 2025, Health PEI advised the Applicant they were extending their time to respond to the Applicant's access request for 30 days, to November 3, 2025. They told the Applicant the reason for the extension and section of the *FOIPP Act* on which they rely. Health

PEI relied on clause 12(1)(c) of *FOIPP Act*, which authorizes a public body to extend their time to respond to an applicant for up to 30 days for the purposes of consulting with a third party or another public body before deciding whether or not to grant access to the requested records.

Analysis:

Not all requests for review proceed to an inquiry. One of the first things I do when we receive a request for review about an extension is conduct a preliminary assessment on whether an inquiry is warranted. I review the information to consider whether the public body had authority to extend their time under section 12 of the *FOIPP Act*.

The Applicant requested records related to our office. Our office is a public body as defined under the *FOIPP Act*. I confirm that, on September 24, 2025, Health PEI notified our office that they had received a request for records that pertain to our office and asked for our views on disclosure of these records. Therefore, I am satisfied that clause 12(1)(c) of the *FOIPP Act* authorizes Health PEI to extend their time to respond to the Applicant.

Decision:

Subsection 64.1(b) of the *FOIPP Act* gives the Commissioner the authority to refuse to conduct an inquiry if, in the opinion of the Commissioner, the circumstances warrant me refusing to conduct an inquiry.

The circumstances of this complaint warrant me refusing to conduct an inquiry because it is plain and obvious that the *FOIPP Act* authorized Health PEI to extend their time to respond to the Applicant for the purposes of consulting with another public body before making a decision on whether to grant access to the requested records.

For these reasons, I am refusing to conduct an inquiry in this matter, pursuant to subsection 64.1(b) of the *FOIPP Act*.



Denise N. Doiron
Information and Privacy Commissioner