

# ATIPPA, 2015 Guidance

## How to Make an Access Request

### PURPOSE

This guidance is to assist the public when making an access to information request to public bodies under the **Access to Information and Protection of Privacy Act, 2015** (ATIPPA, 2015).

ATIPPA, 2015 gives individuals a right of access to records that are in a public body's custody or control.

Public bodies include government departments, agencies, Crown corporations, the provincial health authority (NL Health Services), municipalities, Memorial University, and the Royal Newfoundland Constabulary. ATIPPA, 2015 does not apply to the private sector.

### BEFORE MAKING AN ACCESS REQUEST

- Start by reviewing the public body's website. The information you want might already be online.
- If you are planning to proceed with your access to information request, find out who at the public body is responsible for handling your request. Usually, it is a person called the Access to Information and Protection of Privacy Coordinator (ATIPP Coordinator). Each public body has an ATIPP Coordinator, and you can look up their contact information here: [ATIPP Coordinators](#).
- It is often helpful to contact the ATIPP Coordinator before making your request. Discussing what you are looking for with them can help you get a sense of what records may be available, and may also help you with the wording of your request.

### MAKING AN ACCESS REQUEST

- An access request cannot be used to demand answers to questions. Your request should not ask "why did the public body do x" and expect a written answer. Rather, your request should be for records "about the decision to do x." You are entitled to records that are responsive to your access request, not written explanations.
- Your access request must be in writing.
- For **Government Departments** visit [Instructions for Making a Request](#) and complete the [online](#) form.
- For all **Public Bodies Other** than a Government Department, complete the [Access to Information Request Form](#). Once completed send your form directly to the [ATIPP Coordinator](#) of the public body.

- Keep a copy of the access request for your records and note the date the public body received your request. Date received is usually the same date you sent it unless it is sent on a weekend or holiday, then the date received is the first business day following the weekend or holiday.

## TIPS FOR MAKING AN ACCESS REQUEST

### BE SPECIFIC

- Be clear and detailed in your request about what information you are seeking.
  - Avoid making an over-broad request. If you are looking for information about a certain topic, it is best to be as specific as you can be.
  - When a request is for “all records and communications about traffic lights installed by the town” depending on how many traffic lights they have, that could be too broad for the public body to handle.
  - The clearer you are in your request, the better the chances of records being located and that the public body will be able to respond quickly.
- Include a timeframe or date range for the access request.
  - For example, records dated between January and April 2024 about a traffic light installed at Smith Avenue and Johnson Street.
- Include any other details that could help with the search, such as names of employees or officials who might have records.
  - For example, if you know the names or job titles of officials who you believe would have been involved with the subject of your request, you can ask that the search include their records.
  - For a request about a traffic light installation, you might request that the records of the Town Engineer, Town Planner, or Town Manager be searched.
  - Having a conversation with the public body’s ATIPP Coordinator can help you decide if there are specific individuals who would be most likely to have the records you are seeking.
- Include types of records sought (e.g. emails, text messages, paper records etc.).

### COMMUNICATE WITH THE ATIPP COORDINATOR

- Include your contact information so the public body can contact you if clarification is needed.
  - If the public body’s ATIPP Coordinator contacts you and asks you to be more specific in some way, this is usually so they can clearly understand what information is part of your request, but also, what information you are not interested in. That way they can focus on what you are actually seeking.

- If you are contacted by the public body's ATIPP Coordinator after making an access request, you should return their call or email right away so the response to your request will not be delayed.
- The ATIPP Coordinator who is assisting you in your request has the job of finding the information you want. They have a duty to assist you in making your request, but you, in turn, must help them to help you, so be courteous and respond promptly to any questions they may have as they work to provide you with a timely and complete response to your request.

## AFTER THE ACCESS REQUEST IS MADE

- Public bodies have 10 business days to provide an advisory response and 20 business days to provide a final response and records should they exist.
- Public bodies may, in certain cases, need extra time to respond to an access request. If that happens, they must seek approval from the Commissioner for an extension, and if approved, they must inform you what the new deadline is for a response to your request.
- In rare cases, public bodies may seek approval from the Commissioner to disregard an access request. This is reserved for situations where the access request is trivial, frivolous, vexatious, or made in bad faith. Again, this is very rare, and can usually be avoided by communicating with the ATIPP Coordinator and being clear and specific in your access request.
- If you did not receive a response to an access request within 20 business days (or notification of an extension or third party notice) or if you are not satisfied with a response you did receive, you may file a complaint with our Office by completing the [Access Complaint Form](#).

## CONTACT

Should you have any questions about making an access request or making an access complaint please contact our Office at:

Office of the Information and Privacy Commissioner  
PO Box 13004, Station A  
St. John's, NL A1B 3V8  
Phone: (709) 729-6309 Fax: (709) 729-6500  
Toll Free: 1-877-729-6309  
[commissioner@oipc.nl.ca](mailto:commissioner@oipc.nl.ca)  
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