



F15-18-MS

Proper treatment of a request for records

An applicant asked a public body for records concerning a transaction involving the public body and other third parties. The public body told the applicant that it would treat her request as a general inquiry. When she protested that she wanted her request treated as formal request under the *Freedom of Information and Protection of Privacy Act* (FIPPA), she was told the public body would respond as it saw fit. She complained to us, emphasizing that she had wanted her request to be subject to FIPPA to ensure the public body responded to her request within FIPPA's timelines.

As long as a request for records is made in writing and meets the other requirements specified by s. 5 of FIPPA, a public body is required to treat it as a FIPPA request unless another established avenue of access is available. We concluded that the requests the complainant submitted to the public body were access requests within the meaning of s. 4(1) of FIPPA and that the public body had an obligation to respond to those access requests in the manner required by FIPPA.