



**Office of the Information and Privacy Commissioner for Nova Scotia
Report of the Commissioner (Review Officer)
David Nurse**

REVIEW REPORT 26-05

May 21, 2026

Halifax Regional Water Commission

Summary:

I have determined that this deemed refusal review may be dealt with via an abbreviated report. For previous deemed refusal reviews see, for example, Review Reports 26-01, 23-06 and 23-09.

INTRODUCTION:

[1] On March 5, 2026, the applicant submitted an access to information request (access request) to the municipality under s. 466 of the *Municipal Government Act (MGA)*.

[2] Section 467 of the *MGA* imposes a duty on municipalities to make every reasonable effort to assist the applicant and to respond without delay to the applicant openly, accurately and completely.

[3] Section 467(2) of the *MGA* requires that a municipality respond to an access request within 30 days after receiving the access request when the applicant has met the requirements of s. 466(1) to specify the subject-matter of the record requested with sufficient particulars to enable an individual familiar with the subject-matter to identify the record and to pay any required fee.

[4] A decision was due to the applicant on April 7, 2026. On April 24, 2026, the applicant asked the Information and Privacy Commissioner to conduct a review under s. 487 of the *MGA* of the municipality's failure to issue a decision. The applicant informed the Office of the Information and Privacy Commissioner for Nova Scotia (OIPC) that they have not received a decision in response to this access request.

[5] Section 467(3) of the *MGA* provides that when a municipality fails to respond to an access request within the statutory timelines, it is deemed to have refused access to the requested records.

ISSUE:

[6] Did the municipality meet its duty to assist the applicant by responding without delay as required by s. 467 of the *MGA*?

DISCUSSION:

[7] The municipality did not provide any representations to the OIPC.

[8] I have no authority to grant a time extension once a file is in deemed refusal and can only recommend the public body issue an immediate decision on the records.

FINDING & RECOMMENDATION:

[9] Based on the facts set out above, it is clear that the municipality missed its deadline in this case. I find that the municipality is in contravention of s. 467 of the *MGA* in that it has failed to respond to the applicant's access request within the legislated time period.

[10] I recommend that, within 14 days of the date of this review report, the municipality issue a decision to the applicant in response to their access to information request, along with a copy of the records.

May 21, 2026

David Nurse
Information and Privacy Commissioner for Nova Scotia