

**THE NOVA SCOTIA FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY ACT**

A REQUEST FOR REVIEW of a decision of the **DEPARTMENT OF JUSTICE** to extend the time for responding to an application by 30 days.

REVIEW OFFICER: Darce Fardy

REPORT DATE: June 26, 2002

ISSUE: Whether the Department of Justice acted in accordance with the **Act** when it extended the time for reply to this application.

In a Request for Review under **the Freedom of Information and Protection of Privacy Act**, dated June 10, 2002, the Applicant asked that I review the decision of the Department of Justice (the Department) to extend the time for replying to his application by 30 days.

The Applicant had asked for a copy of the report on an investigation into an attack on him. The Department acknowledged receiving the application and said it required more time to make a decision “. . . because of the large number of records that must be searched. . . .” It cited **Section 9(1)(b)** of the **Act** which allows a public body to extend the time for replying to an application when “a large number of records is requested or must be searched and meeting the time limit would unreasonably interfere with the operations of the public body.”

In a representation to the Review, the Department explained that while the report is ten pages, attachments and appendices total about 100 pages which must be searched for the personal information of others and for information regarding security. It was necessary, according to the

Department, to consult with an official of the Central Nova Scotia Correctional Facility as well as to confirm there are no outstanding law enforcement issues.

The Department hopes to respond before the end of the extension period.

Conclusion:

In my view it is not unreasonable for the Department to extend the time for reply in this case.

DATED this 26th day of June, 2002, in Halifax, Nova Scotia

Darce Fardy, Review Officer