



Inquiry Procedures

In this document, “Commissioner” means the Commissioner or the Commissioner’s delegated Adjudicator.

Address for Service/Contact Information

All parties, including the applicant or complainant who asked for the inquiry, must provide a current address for service to the Commissioner to be used for the exchange of written inquiry submissions and other correspondence. Parties must also provide a current address for service to each other for this purpose.

A current address for service may include a post office box number or work address, or the contact information of an agent. All parties must also provide written notice, as outlined above, of any changes to their address for service. The form for change of contact or address for service is at www.oipc.ab.ca.

If the applicant or complainant who asked for the inquiry fails to provide a current address for service or fails to give notice of changes to the address for service, the Commissioner may decide not to proceed with the inquiry.

Correspondence with the OIPC

All information or requests must be provided in writing – via mail or electronically. It is not sufficient to speak to the Registrar of Inquiries when providing information or requesting action that affects the outcome of an inquiry.

During an inquiry, parties are asked to send all correspondence to the Registrar of Inquiries. (Do not contact or send correspondence directly to the Commissioner.)

Whenever necessary, couriers are used with shipping tracking to know when and to whom the items were delivered.

Exchanging Inquiry Submissions and Correspondence

The Commissioner does not generally exchange written or electronic inquiry submissions or correspondence on behalf of the parties to an inquiry. A party is responsible for exchanging their own inquiry submissions with the other parties named in the Notice of Inquiry.

Detailed instructions for the numbers and format of copies of submissions and to whom they are to be sent are provided in the Notice of Inquiry. The Notice of Inquiry sets out the sequence for exchanging inquiry submissions, as well as the due dates for the submissions.

Usually, the applicant or complainant who requested the inquiry will provide the first written submission to the Commissioner and the other parties named in the Notice of Inquiry, approximately

three to four weeks after the date of the Notice of Inquiry. After receiving the applicant or complainant's written inquiry submission, the other parties must next provide their written rebuttal submissions to the Commissioner and to each other. (The sequence may be adjusted for specific circumstances; parties will be notified in such cases.)

The applicant or complainant who requested the inquiry may then rebut the other parties' inquiry submissions, after which the other parties may rebut the applicant or complainant's rebuttal submission.

The Commissioner may also ask for further inquiry submissions.

If the applicant or complainant who requested the inquiry fails to provide their written inquiry submission to the Commissioner and to the other parties by the scheduled deadline, the Commissioner may decide not to proceed with the inquiry.

Please give notice to the Commissioner and the other parties of any communication requirements for individuals with disabilities. A disability accommodation policy is at www.oipc.ab.ca.

Requests for Variation of Inquiry Procedures, including Time Extensions

Variations to inquiry procedures include requests:

- For a time extension to the due date set out in the Notice of Inquiry for providing a submission;
- To provide an additional written inquiry submission;
- To provide all or part of a submission *in camera*;
- To vary from the normal submission exchange procedure;
- To re-open inquiries that were discontinued by the Commissioner; or
- To vary other non-standard circumstances or processes.

A party who wants to vary the inquiry procedures must make a written request to the Commissioner. Parties are encouraged to use forms when making requests for variations, as the forms set out additional instructions for making a specific variation request. Requests for variation forms are available at www.oipc.ab.ca. If a party cannot access the website, please call (780) 422-6860 or toll free at 1-888-878-4044, or email registrar@oipc.ab.ca to request a form.

Follow the instructions in each form as there are certain requirements that must be met, depending on the variation request.

The party submitting a variation request may also be required to contact the other parties to seek their agreement to the variation request. If the other parties consent or object, written documentation of that consent or objection is to be presented to the Commissioner together with the request for the

variation. Forms for seeking consent for variation requests from the other parties are also available at www.oipc.ab.ca.

After the appropriate forms or written requests are submitted, the Commissioner will then decide whether to allow or refuse the variation request. When a decision is made, the Commissioner will notify in writing all parties in the Notice of Inquiry.

The Commissioner may vary the notification requirements set out above in certain circumstances and will notify the parties of any decision to vary the notification requirements.

Glossary of Terms

- **Adjudicator:** The person that the Commissioner has delegated to be the decision-maker in the inquiry.
- **Affected parties:** Individuals or other organizations that could be affected by the decision made in the inquiry.
- **Applicant:** The individual who formally requested access to information or requested correction of their personal or health information under the FOIP Act, HIA or PIPA.
- **Arguments:** The reasons why a party believes the evidence shows certain facts to be true, and why the Commissioner should interpret the law a certain way.
- **Complainant:** The individual who made a formal complaint that personal information was collected, used or disclosed in contravention of the FOIP Act, HIA or PIPA.
- **Custodian:** The health service provider, whether an individual or an organization, from which the information was requested or against which the complaint was made (also called “respondent”).
- **Evidence:** Information/material that establishes the facts on which a party is relying.
- **Interveners:** Individuals or organizations whose opinions or specialized knowledge can provide a broader understanding of the issues at inquiry.
- **Mediation/investigation:** A process authorized by the Commissioner to explore opportunities for resolution with the parties.
- **Notice of Inquiry:** Identifies the parties involved in the inquiry and their contact information, the issues that will be addressed, and a schedule for submissions.
- **Organization:** The business, corporation, union or partnership from which the information was requested or against which the complaint was made (also called “respondent”).
- **Parties:** The respondent (public body, custodian or organization), applicant/complainant, or other affected parties who are part of the inquiry.
- **Public body:** The government department or other public entity from which the information was requested or against which the complaint was made (also called “respondent”).
- **Respondent:** The public body, custodian or organization that has duties under the legislation.
- **Submissions:** Informs the Commissioner and the other parties about what a party thinks are the central issues in a case, and provides evidence and makes arguments about how those issues should be decided.