

The Freedom of Information and Protection of Privacy Regulations

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Chapter F-22.01 Reg 1 (effective April 1, 1992) as amended by Saskatchewan Regulations [53/92](#), [108/92](#), [8/93](#), [37/94](#), [18/95](#), [28/95](#), [9/97](#), [59/97](#), [76/1999](#), [32/2001](#), [6/2002](#), [45/2003](#), [52/2004](#) and [109/2004](#), by the *Statutes of Saskatchewan*, 2003, c.15; and 2015, c.I-9.11; Saskatchewan Regulations [101/2007](#), [119/2008](#), [12/2011](#), [25/2012](#), [69/2013](#), [103/2014](#), [4/2015](#), [86/2015](#), [23/2016](#), [24/2016](#), [124/2017](#), [5/2019](#), [19/2020](#), [119/2020](#) and [26/2021](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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Appendix

PART I

Boards, Commissions, Crown Corporations and Other Bodies Prescribed as Government Institutions

PART II

Form A Access to Information Request Form

Form B Request For Review Form

CHAPTER F-22.01 REG 1

The Freedom of Information and Protection of Privacy Act

Title

1 These regulations may be cited as *The Freedom of Information and Protection of Privacy Regulations*.

Interpretation

2(1) In these regulations:

- (a) “**Act**” means *The Freedom of Information and Protection of Privacy Act*;
- (b) “**employment reference**” means personal information that is evaluative or opinion material compiled solely for the purpose of describing an individual’s suitability, eligibility or qualifications for employment.

(2) For the purposes of these regulations and subsection 13(2) of the Act, “**local authority**” means a local authority as defined in *The Local Authority Freedom of Information and Protection of Privacy Act*.

10 Apr 92 cF-22.01 Reg 1 s2; 11 Jly 97 SR 59/97 s3.

Government institutions prescribed

3 For the purposes of subclause 2(1)(d)(ii) of the Act:

- (a) the bodies set out in Part I of the Appendix; and
- (b) subsidiaries of government institutions that are Crown corporations;

are prescribed as government institutions.

10 Apr 92 cF-22.01 Reg 1 s3.

Heads prescribed

4 For the purposes of subclause 2(1)(e)(ii) of the Act:

- (a) the chief executive officers of Crown corporations that are prescribed as government institutions pursuant to clause 3(a) are prescribed as the heads of their respective Crown corporations;
- (b) the chief executive officers of Crown corporations that are the parent corporations of subsidiaries that are prescribed as government institutions pursuant to clause 3(b) are prescribed as the heads of the respective subsidiaries;
- (b.1) the Chief Coroner for Saskatchewan is prescribed as the head of the Office of the Chief Coroner;

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(c) the chairpersons of all other bodies that are prescribed as government institutions pursuant to clause 3(a) or the chairpersons of the boards of those bodies, as the case may be, are prescribed as the heads of their respective government institutions; and

(d) in the case of a corporation sole prescribed as a government institution pursuant to clause 3(a), the individual that constitutes the corporation sole is prescribed as the head of that government institution.

10 Apr 92 cF-22.01 Reg 1 s4; 9 Jly 2004 SR
52/2004 s3; 4 Mar 2016 SR 23/2016 s3.

Applications

5 For the purposes of clause 6(1)(a) of the Act, Form A of Part II of the Appendix is the form prescribed for applications for access to records.

10 Apr 92 cF-22.01 Reg 1 s5.

Fees

6(1) Where access to a record or part of a record is given by providing the applicant with a copy of the record, the following fees are payable at the time when access is given:

- (a) for a photocopy, \$0.25 per page;
- (b) for a computer printout, \$0.25 per page;
- (b.1) for electronic copies, the actual cost of the portable storage device provided to the applicant;
- (c) **Repealed.** 15 Dec 2017 SR 124/2017 s3.
- (d) **Repealed.** 15 Dec 2017 SR 124/2017 s3.
- (e) **Repealed.** 15 Dec 2017 SR 124/2017 s3.
- (f) **Repealed.** 15 Dec 2017 SR 124/2017 s3.
- (g) **Repealed.** 15 Dec 2017 SR 124/2017 s3.;
- (h) **Repealed.** 15 Dec 2017 SR 124/2017 s3.
- (i) **Repealed.** 15 Dec 2017 SR 124/2017 s3.
- (j) **Repealed.** 15 Dec 2017 SR 124/2017 s3.
- (k) **Repealed.** 15 Dec 2017 SR 124/2017 s3.
- (l) for a form of record not mentioned in clauses (a) to (b.1), the actual cost of copying the record.

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(2) Where time in excess of two hours is spent in searching for a record requested by an applicant or in preparing it for disclosure, a fee of \$15 for each half-hour or portion of a half-hour of that excess time is payable at the time when access is given.

(3) Where a search and retrieval of electronic data is required to give access to a record requested by an applicant, a fee equal to the actual cost of the search and retrieval, including machinery and operator costs, is payable at the time when access is given.

10 Apr 92 cF-22.01 Reg 1 s6; 23 Oct 92 SR
108/92 s3; 12 Feb 93 SR 8/93 s3; 15 Dec 2017 SR
124/2017 s3.

Estimate

7(1) For the purposes of subsection 9(2) of the Act, \$100 is prescribed as the amount of fees beyond which an estimate must be given by the head.

(2) Where the amount of an estimate exceeds the actual amount of fees determined pursuant to section 6, the actual amount of fees is the amount payable by the applicant.

10 Apr 92 cF-22.01 Reg 1 s7; 15 Dec 2017 SR
124/2017 s4.

Fees where access refused

8(1) No fees are payable where access to a record is refused.

(2) Where a deposit has been paid pursuant to subsection 9(4) of the Act and access to the record requested is refused, the deposit is to be refunded to the applicant.

10 Apr 92 cF-22.01 Reg 1 s8.

Waiver of fees

9(1) For the purposes of subsection 9(5) of the Act, the following circumstances are prescribed as circumstances in which a head may waive payment of fees:

(a) if payment of the prescribed fees will cause a substantial financial hardship for the applicant and, in the opinion of the head, giving access to the record is in the public interest;

(b) if the application involves the personal information of the applicant;

(c) if the prescribed fee or actual cost for the service is \$100 or less.

(2) For the purposes of clause 9(1)(a), substantial financial hardship includes circumstances in which the applicant:

(a) is receiving assistance pursuant to *The Saskatchewan Assistance Act* as an individual or as part of a family unit;

(b) is receiving assistance pursuant to *The Training Allowance Regulations*; or

(c) is receiving legal assistance or representation from any of the following organizations, including any of the same organizations operating from time to time under another name:

- (i) The Saskatchewan Legal Aid Commission;
- (ii) Pro Bono Law Saskatchewan;
- (iii) Community Legal Assistance Services for Saskatoon Inner City Inc. (CLASSIC).

15 Dec 2017 SR 124/2017 s5.

10 Repealed. 11 Jly 97 SR 59/97 s5.

Third party statements

11 For the purposes of clause 19(1)(e) of the Act, the Agricultural Credit Corporation is prescribed as a Crown corporation the head of which is required to refuse to give access to a record that contains a statement of financial assistance provided to a third party.

10 Apr 92 cF-22.01 Reg 1 s11.

Confidentiality provisions in other enactments

12 For the purposes of clauses 23(3)(m) and (n) of the Act, the following provisions are prescribed as provisions to which subsection 23(1) of the Act does not apply:

- (a) section 178 of *The Election Act, 1996*;
- (b) **Repealed.** 15 Dec 2017 SR 124/2017 s6.
- (c) section 3-51 of *The Saskatchewan Employment Act*;
- (d) Part III of *The Revenue and Financial Services Act*;
- (e) all of *The Income Tax Act, 2000*;
- (f) section 32 of *The Safer Communities and Neighbourhoods Act*;
- (g) **Repealed.** 15 Dec 2017 SR 124/2017 s6.
- (h) section 415 of *The Credit Union Act, 1998*;
- (i) section 85 of *The Real Estate Act*;
- (j) section 10-40 of *The Insurance Act*;
- (k) **Repealed.** 15 Dec 2017 SR 124/2017 s6.
- (l) section 61 of *The Mortgage Brokerages and Mortgage Administrators Act*;
- (m) section 61 of *The Payday Loans Act*;
- (n) sections 32, 34, 36 and 62 of *The Coroners Act, 1999*;
- (o) section 12.1 of *The Coroners Regulations, 2000*;
- (p) section 22 of *The Witness Protection Act*;

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- (q) subsections 39(5) and (6) and subsection 56(9.2) of *The Police Act, 1990*;
- (r) Part IV of *The Police Act, 1990* as it relates to a complaint concerning the actions of a member;
- (s) section 17-4 of *The Credit Union Central of Saskatchewan Act, 2016*;
- (t) section 12.1 of *The Saskatchewan Small Business Emergency Payment Regulations*;
- (u) section 14 of *The Saskatchewan Small Business Emergency Payment Regulations, 2020 (No. 2)*;
- (v) section 11.1 of *The Saskatchewan Temporary Wage Supplement Program Regulations*;
- (w) section 13 of *The Saskatchewan Temporary Wage Supplement (Seniors Care Workers) Program Regulations*;
- (x) section 13.1 of *The Saskatchewan Tourism Sector Support Program Regulations*;
- (y) section 14 of *The Saskatchewan Tourism Sector Support Program Regulations (No. 2)*;
- (z) section 10.1 of *The Self-isolation Support Program Regulations*;
- (aa) section 14 of *The Strong Recovery Adaptation Rebate Regulations*.

12 Feb 93 SR 8/93 s4; 3 Jne 94 SR 37/94 s3; 11 Jly 97 SR 59/97 s6; 9 Jly 2004 SR 52/2004 s4; 19 Dec 2008 SR 119/2008 s3; 18 May 2012 SR 25/2012 s3; 12 Dec 2014 SR 103/2014 s3; 4 Mar 2016 SR 23/2016 s4; 15 Dec 2017 SR 124/2017 s6; 1 Feb 2019 SR 5/2019 s3; 2015, c.I-9.11, s.11-4; 27 Mar 2020 SR 19/2020 s3; 19 Mar 2021 SR 26/2021 s3.

Discretionary benefits

13 For the purposes of clause 24(2)(f) of the Act, “**discretionary benefit of a financial nature**” does not include a payment made pursuant to:

- (a) section 13 of *The Saskatchewan Assistance Act*; or
- (b) section 94, 95 or 97 of *The Child Care Regulations, 2015*.

10 Apr 92 cF-22.01 Reg 1 s13; 5 Oct 2007 SR 101/2007 s3; 23 Oct 2015 SR 86/2015 s3.

Agreement between government institution and information management service provider

13.1 For the purposes of clause 24.2(2)(c) of the Act, a written agreement that is entered into between a government institution and an information management service provider must include:

- (a) a description of the specific service the information management service provider will deliver;
- (b) provisions setting out the obligations of the information management service provider respecting the security and safeguarding of personal information; and
- (c) provisions for the destruction of the personal information, if applicable.

15 Dec 2017 SR 124/2017 s7.

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Disclosure of personal information to law enforcement agencies

14 For the purposes of clause 29(2)(g) of the Act, the following law enforcement agencies and investigative bodies are prescribed as law enforcement agencies or investigative bodies to which personal information may be disclosed:

- (a) the Royal Canadian Mounted Police;
- (b) a police service or regional police service within the meaning of *The Police Act, 1990*;
- (c) the Canadian Security Intelligence Service;
- (d) the Ministry of Environment with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers or employees;
- (e) the Ministry of Highways and Infrastructure with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers or employees;
- (f) the Liquor and Gaming Authority with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers or employees;
- (g) the Canadian National (CN) Police with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers or employees;
- (h) the Canadian Pacific (CP) Police with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers or employees;
- (i) the Canadian Parks Service with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers or employees;
- (j) the chief coroner or a coroner appointed pursuant to *The Coroners Act, 1999* with respect to the conduct of an inquiry or inquest pursuant to that Act or the regulations made pursuant to that Act;
- (k) **Repealed.** 12 Dec 2014 SR 103/2014 s4.
- (l) the Financial and Consumer Affairs Authority of Saskatchewan with respect to the conduct of an investigation pursuant to any financial services legislation or consumer protection legislation, as those terms are defined in *The Financial and Consumer Affairs Authority of Saskatchewan Act*, or pursuant to any law of Canada that is enforced by the officers and employees of the Financial and Consumer Affairs Authority of Saskatchewan;
- (m) the Director of Community Operations and the inspectors appointed pursuant to *The Safer Communities and Neighbourhoods Act* with respect to the conduct of an investigation pursuant to that Act;
- (n) the public guardian and trustee as defined in *The Public Guardian and Trustee Act* with respect to the conduct of an investigation pursuant to that Act;
- (o) the inspector, sheriffs, deputy sheriffs and sheriff's bailiffs appointed pursuant to *The Court Officials Act, 2012*;

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- (p) Investigative Services of the Ministry of Government Relations with respect to the conduct of investigations pursuant to clause 4(2)(h) of *The Public Works and Services Act*;
- (q) the Canada Border Services Agency established pursuant to the *Canada Border Services Agency Act* with respect to the conduct of investigations pursuant to the *Customs Act* (Canada) and the *Immigration and Refugee Protection Act* (Canada);
- (r) the military police with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers and employees;
- (s) investigators of the Special Investigations Unit of Saskatchewan Government Insurance with respect to the conduct of investigations pursuant to their appointment as special constables pursuant to section 76 of *The Police Act, 1990*;
- (t) the public complaints commission established pursuant to section 16 of *The Police Act, 1990*;
- (u) a board as defined in *The Police Act, 1990*;
- (v) the Investigative Services Branch of the Ministry of Corrections and Policing with respect to the conduct of investigations carried out pursuant to section 104 or 105 of *The Correctional Services Act, 2012*;
- (w) investigators in the Security Intelligence Unit of the Ministry of Corrections and Policing with respect to the conduct of investigations carried out as special constables appointed pursuant to section 76 of *The Police Act, 1990* and the conduct of investigations pursuant to *The Correctional Services Act, 2012*;
- (x) an animal protection agency designated pursuant to section 8 of *The Animal Protection Act, 2018* with respect to the conduct of investigations pursuant to that Act and the regulations made pursuant to that Act and any laws that are enforced by the officers and employees of animal protection agencies;
- (y) investigators of the Internal Audit Unit of the Workers' Compensation Board with respect to the conduct of investigations pursuant to their appointment as special constables pursuant to section 76 of *The Police Act, 1990*.

10 Apr 92 cF-22.01 Reg 1 s14; 12 Feb 93 SR 8/93 s5; 3 Jne 94 SR 37/94 s4; 11 Jly 97 SR 59/97 s7; 6 Jne 2003 SR 45/2003 s3; 9 Jly 2004 SR 52/2004 s5; 5 Oct 2007 SR 101/2007 s4; 19 Dec 2008 SR 119/2008 s4; 25 Mar 2011 SR 12/2011 s3; 18 May 2012 SR 25/2012 s4; 6 Sep 2013 SR 69/2013 s3; 12 Dec 2014 SR 103/2014 s4; 15 Dec 2017 SR 124/2017 s8; 1 Feb 2019 SR 5/2019 s4; 19 Mar 2021 SR 26/2021 s4.

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Disclosure of personal information to auditor

15 For the purposes of clause 29(2)(q) of the Act, an auditor appointed by the Lieutenant Governor in Council to perform an audit is prescribed as a person to whom personal information may be disclosed if the auditor agrees not to make a subsequent disclosure of the information in a form that could reasonably be expected to identify the individual to whom the information relates.

10 Apr 92 cF-22.01 Reg 1 s15.

Other disclosure of personal information

16 For the purposes of clause 29(2)(u) of the Act, personal information may be disclosed:

- (a) to another government institution or a local authority for the purposes of:
 - (i) determining the eligibility of an individual to participate in a program of, or receive a product or service from, the Government of Saskatchewan, a government institution or a local authority, in the course of processing an application made by or on behalf of the individual to whom the information relates;
 - (ii) verifying the eligibility of an individual who is or was participating in a program of, or receiving a product or service from, the Government of Saskatchewan, a government institution or a local authority;
 - (iii) verifying the accuracy of personal information held by the other government institution or the local authority; or
 - (iv) collecting a debt or assisting in the collection of a debt owing to the Crown in right of Saskatchewan, a government institution or a local authority;
- (b) to an individual or body providing consulting or other services to the Government of Saskatchewan or a government institution if the individual or body agrees not to make a subsequent disclosure of the information in a form that could reasonably be expected to identify the individual to whom it relates;
- (c) where disclosure may reasonably be expected to assist in the provision of services for the benefit of the individual to whom the information relates;
- (d) to a professional association or professional regulatory body for the purpose of carrying out an investigation authorized or required by an Act;
- (e) for the purpose of providing an employment reference with respect to a person who is or was employed by a government institution;
- (f) for the purpose of commencing or conducting a proceeding or possible proceeding before a court or tribunal;
- (g) to any person where the information pertains to:
 - (i) the performance of any function or duty or the carrying out of any responsibility by an officer or employee of a government institution; or
 - (ii) the terms or circumstances under which a person ceased to be an employee of a government institution including the terms of any settlement or award resulting from the termination of employment;

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(g.1) to any person, if that personal information is contained in a report received by the minister responsible for the administration of *The Municipalities Act* pursuant to section 396 or 397 of that Act;

(g.2) to the Chief Electoral Officer as defined in *The Election Act, 1996* for the purpose of establishing, maintaining or revising the register of voters as defined in that Act;

(h) in the case of credit information, by the Saskatchewan Housing Corporation, the Agricultural Credit Corporation of Saskatchewan the Ministry of Advanced Education or the Ministry of Labour Relations and Workplace Safety to a credit reporting agency that is licensed pursuant to *The Credit Reporting Act*, where:

- (i) there is an arrangement for the exchange of information between:
 - (A) the government institution; and
 - (B) the credit reporting agency; and
- (ii) the application for a loan to which the information relates was made prior to October 1, 1992;

(h.1) in the case of credit information, by the Ministry of Social Services the Ministry of Advanced Education, the Ministry of Labour Relations and Workplace Safety or the Ministry of Immigration and Career Training or an agent of any of those ministries or an agent of either ministry to a credit reporting agency that is licensed pursuant to *The Credit Reporting Act*, where:

- (i) there is an arrangement for the exchange of information between:
 - (A) the ministry or its agent; and
 - (B) the credit reporting agency; and
- (ii) the information relates to a debt owing to the Government of Saskatchewan and is being disclosed for the purpose of facilitating the collection of that debt;

(h.2) in the case of credit information, by the Ministry of Justice and Attorney General or its agent, to a credit reporting agency that is licensed pursuant to *The Credit Reporting Act*, where:

- (i) there is an arrangement between the Ministry of Justice and Attorney General or its agent and the credit reporting agency for the exchange of information; and
- (ii) the information:
 - (A) relates to payments respecting an obligation pursuant to a maintenance order that are owing to the Government of Saskatchewan or that are being enforced with the assistance of the Ministry of Justice and Attorney General; and
 - (B) is being disclosed for the purpose of facilitating the collection of those payments;

(h.3) in the case of credit information, by the Ministry of Justice and Attorney General or its agent, to a credit reporting agency that is licensed pursuant to *The Credit Reporting Act*, if:

- (i) there is an arrangement between the Ministry of Justice and Attorney General or its agent and the credit reporting agency for the exchange of information; and
- (ii) the information:
 - (A) relates to a debt, fine, penalty, surcharge or late payment charge that is owing:
 - (I) to the Government of Saskatchewan, its agencies, Crown corporations or other institutions;
 - (II) to the Government of Canada, its agencies, Crown corporations or other institutions and that is being collected by the Government of Saskatchewan; or
 - (III) to a municipality and that is being collected by the Government of Saskatchewan; and
 - (B) is being disclosed for the purpose of facilitating the collection of that debt, fine, penalty, surcharge or late payment charge.

(h.4) in the case of credit information, by SaskTel to a credit reporting agency that is licensed pursuant to *The Credit Reporting Act*, if:

- (i) there is an arrangement between SaskTel and the credit reporting agency for the exchange of information; and
 - (ii) the information relates to a debt owing to SaskTel and is being disclosed for the purpose of facilitating the collection of those payments;
- (i) for the purposes of facilitating a security screening, character screening or financial screening of a person who is or may be involved, directly or indirectly, in the operation of or the supply of goods or services to a video lottery scheme conducted and managed by the Liquor and Gaming Authority pursuant to section 15 of *The Alcohol and Gaming Regulation Act, 1997*, or who is associated with or employed by or is an agent of such a person, to:
- (i) another government institution; or
 - (ii) any of the bodies listed in subclauses 29(2)(h)(i) to (v) of the Act pursuant to an agreement between the Liquor and Gaming Authority and that body;
- (j) **Repealed.** 8 Feb 2002 SR 6/2002 s2.
- (k) by a government institution to the member of the Executive Council who is, from time to time, responsible for that government institution pursuant to *The Executive Government Administration Act*, where that member of the Executive Council is not the head of the government institution;
- (l) to another government institution or a third party in order to obtain information from that government institution or third party to respond to an inquiry from the individual to whom the information relates, to the extent necessary to respond to that inquiry;

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- (l.1) **Repealed.** 15 Dec 2017 SR 124/2017 s9.
- (m) to another government institution or to a local authority to enable that government institution or local authority to respond to an inquiry from the individual to whom the information relates, to the extent necessary to respond to that inquiry;
- (n) by forwarding to another government institution or to a local authority correspondence received from an individual to enable that government institution or local authority to reply directly to the individual where a direct reply is considered more appropriate;
- (n.1) **Repealed.** 19 Dec 2008 SR 119/2008 s5.
- (n.2) **Repealed.** 19 Dec 2008 SR 119/2008 s5.
- (n.3) **Repealed.** 19 Dec 2008 SR 119/2008 s5.
- (o) **Repealed.** 9 Jly 2004 SR 52/2004 s6.
- (p) by employees of the Ministry of Health to the College of Physicians and Surgeons of the Province of Saskatchewan if:
- (i) the disclosure is made for the purposes of a program to monitor the prescription and use of narcotic and controlled drugs;
 - (ii) the program is authorized by a bylaw made pursuant to *The Medical Profession Act, 1981* and approved by the Minister of Health; and
 - (iii) the information is limited to information collected by the Ministry of Health pursuant to *The Prescription Drugs Act*.
- (q) to the Advocate for Children and Youth appointed pursuant to *The Advocate for Children and Youth Act* for the purpose of carrying out an investigation pursuant to that Act;
- (r) to an officer as defined in *The Child and Family Services Act* for the purpose of managing case files, including:
- (i) carrying out an investigation pursuant to *The Child and Family Services Act*;
 - (ii) carrying out an investigation pursuant to any other Act or regulations governing that officer; and
 - (iii) carrying out an investigation pursuant to any Act or regulation of the Parliament of Canada governing that officer; or
- (s) to the Conflict of Interest Commissioner for the purposes of *The Members' Conflict of Interest Act*.

10 Apr 92 cF-22.01 Reg 1 s16; 10 Jly 92 SR 53/92 s3; 23 Oct 92 SR 108/92 s4; 12 Feb 93 SR 8/93 s6; 3 Jne 94 SR 37/94 s5; 31 Mar 95 SR 18/95 s2; 7 Apr 95 SR 28/95 s2; 11 Jly 97 SR 59/97 s8; 29 Oct 99 SR 76/1999 s3; 8 Feb 2002 SR 6/2002 s2; 6 Jne 2003 SR 45/2003 s4; 2003, c.15, s.17; 9 Jly 2004 SR 52/2004 s6; 19 Nov 2004 SR 109/2004 s2; 5 Oct 2007 SR 101/2007 s5; 19 Dec 2008 SR 119/2008 s5; 12 Dec 2014 SR 103/2014 s5; 13 Feb 2015 SR 4/2015 s2; 15 Dec 2017 SR 124/2017 s9; 1 Feb 2019 SR 5/2019 s5; 4 Dec 2020 SR 119/2020 s6.

Disclosure of personal information by SGI

17(1) In this section:

- (a) **“driver licence information”** means the name and address of a driver;
- (b) **“driver record information”** means information with respect to:
 - (i) a driver’s convictions for vehicle-related offences; or
 - (ii) accidents involving a driver;
- (c) **“registrar of motor vehicles”** means the person or body in any jurisdiction that performs the duties of superintending the registration of motor vehicles and the licensing of drivers in that jurisdiction, and includes the deputy of that person or body;
- (d) **“registration information”** means the name and address of the owner of a vehicle;
- (e) **“SGI”** means the corporation continued pursuant to section 3 of *The Saskatchewan Government Insurance Act, 1980*.

(2) For the purposes of clause 29(2)(u) of the Act, SGI may disclose registration information to:

- (a) a receiver or a trustee in bankruptcy for the purpose of permitting that person to carry out the duties of a receiver or a trustee in bankruptcy;
- (b) legal counsel acting in a matter directly related to an accident or a claim for damages arising out of the ownership, operation or use of the vehicle;
- (c) a dealer as defined in Division 2 of Part V of *The Consumer Protection and Business Practices Regulations* that is licensed to sell or lease vehicles pursuant to those regulations or to a manufacturer of vehicles for the purpose of recalling vehicles or making inspections for safety purposes;
- (d) a local authority for the purpose of facilitating the collection of outstanding fees, fines or other indebtedness arising out of the ownership, operation or use of the vehicle;
- (e) a registrar of motor vehicles in any jurisdiction.

(3) For the purposes of clause 29(2)(u) of the Act, SGI may disclose driver licence information to:

- (a) a person who acts as legal counsel for the estate of a deceased driver for the purpose of administering the estate;
- (b) a registrar of motor vehicles in any jurisdiction, and may also disclose driver record information to a registrar of motor vehicles;
- (c) the War Amputations of Canada for the purpose of allowing that organization to operate a key return service.

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Disclosure of personal information to a party to an information sharing agreement**17.1(1)** In this section:

(a) **“common or integrated service”** means a program or activity designed to benefit the health, safety, welfare or social well-being of an individual that is delivered by a government institution and one or more of the following:

- (i) another government institution;
- (ii) a local authority;
- (iii) a trustee as defined in *The Health Information Protection Act*;
- (iv) a First Nation;
- (v) a police service or regional police service as defined in *The Police Act, 1990*;
- (vi) the Royal Canadian Mounted Police;
- (vii) a non-profit organization that provides a service of the type to be included in the common or integrated service;
- (viii) any other agency or organization that the minister determines is appropriate;

(b) **“information sharing agreement”** means an agreement that governs the collection, use and disclosure of personal information by the parties involved in the provision of a common or integrated service and that meets the requirements of subsection (2).

(2) An information sharing agreement must contain the following:

- (a) a description of the common or integrated service to be provided;
- (b) a description of the purposes or expected outcomes of the common or integrated service;
- (c) provisions setting out the obligations of a party respecting the security and safeguarding of personal information received by that party;
- (d) provisions that prohibit the subsequent use and disclosure of the personal information for purposes not related to the common or integrated service except:
 - (i) with the consent of the person to whom the information relates; or
 - (ii) if required or authorized by law;
- (e) provisions for the withdrawal of a party and, in the case of a withdrawal, provisions that:
 - (i) prohibit any further use or disclosure of the personal information received by that party except:
 - (A) with the consent of the person to whom the information relates;
or
 - (B) if required or authorized by law; and
 - (ii) specify the ongoing obligations of that party to secure and safeguard the personal information;

- (f) provisions for the termination of the information sharing agreement and, in the case of a termination, provisions that:
 - (i) prohibit any further use or disclosure of the personal information received by the parties except:
 - (A) with the consent of the person to whom the information relates; or
 - (B) if required or authorized by law; and
 - (ii) specify the ongoing obligations of the parties to secure and safeguard the personal information;
 - (g) any other provisions that the minister considers necessary.
- (3) For the purposes of clause 29(2)(u) of the Act, personal information may be disclosed to a party to an information sharing agreement entered into for the purposes of providing a common or integrated service:
- (a) if that information is disclosed in accordance with the agreement for any or all of the following purposes:
 - (i) determining the eligibility of an individual to receive the common or integrated service;
 - (ii) assessing and planning the common or integrated service and delivering that service to an individual or that individual's family; or
 - (b) if consent to the disclosure was obtained pursuant to any other Act or regulation that does not require the consent to be in writing.
- (4) If the Royal Canadian Mounted Police participates in providing a common or integrated service, the requirements of subsection (3) are met if the Royal Canadian Mounted Police enters into a single arrangement in writing with a government institution that is involved in the provision of the common or integrated service, under which the Royal Canadian Mounted Police signifies that it will comply with the terms governing the collection, use and disclosure of personal information contained in the information sharing agreement applicable to the common or integrated service in which the Royal Canadian Mounted Police participates.
- (5) Notwithstanding section 18, consent to the use and disclosure of personal information for the purposes of receiving a common or integrated service is not required to be in writing if:
- (a) the individual providing consent is informed of the anticipated uses and disclosures of the individual's personal information; and
 - (b) the person who obtained the consent records the following information and signs the record:
 - (i) the date on which consent was obtained;
 - (ii) the manner by which consent was obtained, whether the consent was obtained in person, by way of telephone or otherwise;
 - (iii) the anticipated uses and disclosures of personal information the individual consented to;
 - (iv) any restrictions on the consent that was provided.

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Consent

18(1) If consent is required by the Act for the collection, use or disclosure of personal information, the consent:

- (a) must relate to the purpose for which the information is required;
- (b) must be informed;
- (c) must be given voluntarily; and
- (d) must not be obtained through misrepresentation, fraud or coercion.

(2) A consent to the collection, use or disclosure of personal information is informed if the individual who gives the consent is provided with the information that a reasonable person in the same circumstances would require in order to make a decision about the collection, use or disclosure of personal information.

(3) A consent may be given that is effective for a limited period.

(4) A consent may be express or implied unless otherwise provided.

(5) An express consent need not be in writing.

(6) A government institution, other than the government institution that obtained the consent, may act in accordance with an express consent in writing or a record of an express consent having been given without verifying that the consent meets the requirements of subsection (1) unless the government institution that intends to act has reason to believe that the consent does not meet those requirements

15 Dec 2017 SR 124/2017 s10.

Oath of office

19(1) For the purposes of subsection 44(1) of the Act, the following oath or affirmation is prescribed for the commissioner:

I,, do swear/solemnly affirm that I will faithfully and impartially perform and discharge the duties and functions of the Information and Privacy Commissioner and that I will not, except as provided in *The Freedom of Information and Protection of Privacy Act* or in *The Local Authority Freedom of Information and Protection of Privacy Act*, divulge any information received by me in the exercise of my powers or the performance of my duties and functions under those Acts.

(2) For the purposes of subsection 44(2) of the Act, the following oath or affirmation is prescribed for the members of the staff of the commissioner:

I,, do swear/solemnly affirm that I will faithfully and impartially perform and discharge the duties and functions of my office as an employee of the Information and Privacy Commissioner and that I will not, except as provided in *The Freedom of Information and Protection of Privacy Act* or in *The Local Authority Freedom of Information and Protection of Privacy Act*, divulge any information received by me in the exercise of my powers or the performance of my duties and functions under those Acts.

5 Oct 2007 SR 101/2006 s6.

Applications for review

20 For the purposes of subsections 49(1) and (3) of the Act, Form B of Part II of the Appendix is the form prescribed for applications for review by the commissioner.

10 Apr 92 cF-22.01 Reg 1 s20.

21 Repealed. 27 Mar 2020 SR 19/2020 s4.

Appendix

PART I

**Boards, Commissions, Crown Corporations and
Other Bodies Prescribed as Government Institutions**
[Section 3]

Agricultural Credit Corporation of Saskatchewan
Agricultural Implements Board
Agricultural Operations Review Board
Athletics Commission
Automobile Injury Appeal Commission
Board of Revenue Commissioners
Cannabis Authority
Creative Saskatchewan
Crown Investments Corporation of Saskatchewan
eHealth Saskatchewan
Farm Land Security Board
Financial and Consumer Affairs Authority of Saskatchewan
Global Transportation Hub Authority
Government House Foundation
Highway Traffic Board
Innovation Saskatchewan
Labour Relations Board
Law Reform Commission of Saskatchewan
Liquor and Gaming Authority
Liquor Board Superannuation Commission
Meewasin Valley Authority
Multitype Library Board
Municipal Financing Corporation of Saskatchewan
Office of Residential Tenancies
Office of the Chief Coroner
Oil and Gas Conservation Board
Prairie Agricultural Machinery Institute
Provincial Archives of Saskatchewan
Provincial Capital Commission
Provincial Court Commission
Provincial Mediation Board
Public and Private Rights Board
Public Complaints Commission
Public Disclosure Committee
Public Employees Pension Board
Public Guardian and Trustee of Saskatchewan
Public Service Commission
Public Service Superannuation Board

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Saskatchewan Apprenticeship and Trade Certification Commission
Saskatchewan Arts Board
Saskatchewan Centre of the Arts
Saskatchewan Crop Insurance Corporation
Saskatchewan Gaming Corporation
Saskatchewan Government Insurance
Saskatchewan Heritage Foundation
Saskatchewan Higher Education Quality Assurance Board
Saskatchewan Housing Corporation
Saskatchewan Human Rights Commission
Saskatchewan Legal Aid Commission
Saskatchewan Municipal Board
Saskatchewan Opportunities Corporation
Saskatchewan Pension Annuity Fund Board
Saskatchewan Pension Plan Board of Trustees
Saskatchewan Police Commission
Saskatchewan Power Corporation
Saskatchewan Power Corporation Superannuation Commission
Saskatchewan Public Safety Agency
Saskatchewan Research Council
Saskatchewan Telecommunications
Saskatchewan Telecommunications Holding Corporation
Saskatchewan Water Corporation
SaskBuilds Corporation
SaskEnergy Incorporated
Surface Rights Arbitration Board
Teachers' Superannuation Commission
Technical Safety Authority of Saskatchewan
Tourism Saskatchewan
Wakamow Valley Authority
Wanuskewin Heritage Park Corporation
Water Security Agency
Western Development Museum
Workers' Compensation Board

18 May 2012 SR 24/2012 s5; 6 Sep 2013 SR
69/2013 s4; 23 Oct 2015 SR 86/2015 s4; 4 Mar
2016 SR 23/2016 s5; 15 Dec 2017 SR 124/2017
s11; 1 Feb 2019 SR 5/2019 s7; 27 Mar 2020 SR
19/2020 s5; 19 Mar 2021 SR 26/2021 s5.

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Part II
Form A
[Section 5]



Access to Information Request Form

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY Form A [Section 5]

Personal information and personal health information on this form is collected under The Freedom of Information and Protection of Privacy Act and The Health Information Protection Act and will be used or disclosed only as necessary to respond to your request.

INFORMATION ABOUT YOU

Form fields for personal information: Last Name, First Name, Name of Company or Organization, Address, City, Province, Postal Code, Day Phone Number, Alternate Number, Fax Number, Email.

INFORMATION ABOUT THE RECORDS YOU ARE REQUESTING

Form section for record requests: Are you requesting? (checkboxes), To which government institution are you making your request?, What records do you wish to access?, What is the time period for the records you are requesting?

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The person managing your request may contact you to seek clarification or to discuss aspects of the request, including the application of fees if necessary. Should fees be necessary, you may request a fee waiver but you may be required to provide evidence of substantial financial hardship among other factors (see section 9 of the regulations).

Please keep a copy of this request for your records.

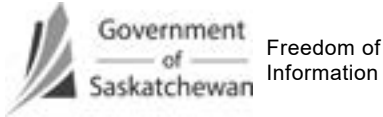
Check if requesting waiver of processing fee:

I request that payment of the processing fee related to this request be waived because payment will cause me substantial financial hardship. Details are as follows: *(Use reverse of form if additional space is required.)*

Signature of Applicant

FOR OFFICE USE ONLY		
Date Received	Application Number	30-Day Response Date

Form B [Section 20]



Request For Review Form

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY Form B [Section 20]

INFORMATION ABOUT YOU

Last Name First Name
Name of Company or Organization (if applicable - optional)
Address City Province Postal Code
Day Phone Number Alternate Number Fax Number Email

INFORMATION ABOUT THE RECORDS YOU REQUESTED

Did you request:

- your own personal information.
personal information about someone other than yourself (attach proof that you have authority to receive the information requested - see instructions).
general information.

To which government institution are you making your request?

[Blank input field]

What records do you wish to access? Please provide a detailed description of the records you wish to access.

[Blank input field]

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REASON FOR REQUEST

- I have been refused access to all or part of the record.
- I have been notified that the record does not exist/cannot be found.
- I have been notified that the existence of the record shall neither be confirmed nor denied.
- I have not received a reply to my application, which I submitted _____ days ago.
- I disagree with the need to extend the 30-day response period.
- My correction to a personal information record was not accepted as correct/verifiable.
- I am a third party, and I wish to request a review of a decision to give access to a record that affects my interests.
- I disagree with my request being transferred.
- I disagree with the manner of providing access.
- I disagree with the fees estimated.
- I disagree with the decision not to grant my fee waiver.
- I disagree with the collection of my personal information.
- I disagree with the use of my personal information.
- I disagree with the disclosure of my personal information.

FOR OFFICE USE ONLY

Date Received

Application Number – OIPC Number

