

REPORT WITH RESPECT TO THE APPLICATION
FOR REVIEW OF [REDACTED] WITH RESPECT TO INFORMATION
REQUESTED FROM DEPARTMENT OF HEALTH

By Application dated July 13, 1992, [REDACTED] applied to the Department of Health for payroll information with respect to Parkland Regional Care Centre. Specifically, she requested "the salaries and benefits paid to all out-of-scope employees at the Parkland Regional Care Centre between 1986 to the present."

By letter dated July 13, 1992, the Access Officer of the Department advised [REDACTED] that:

"The records you requested are not in the custody or control of the Saskatchewan Government. Therefore, we are unable to provide you with the information requested."

Having received a Request for Review from [REDACTED], I have made preliminary inquiries with respect to the status of Parkland Regional Care Centre. It appears that this institution was established under the provisions of Section 35 of The Housing and Special Care Homes Act, Cap. H-13. Under those provisions the Lieutenant Governor in Council appoints a Board of Governors which, by virtue of the said Act, is a body corporate with power to own, operate, and manage a hospital or special care home.

Under The Freedom of Information and Protection of Privacy Act, I have jurisdiction with respect to a "government institution." Section 2(1)(d) of the Act provides in part as

"(d) 'government institution' means ... (ii) any prescribed board, commission, crown corporation or other body, or any prescribed portion of a board, commission, crown corporation or other body whose members or directors are appointed in whole or in part: (A) by the Lieutenant Governor in Council; ..."

Section 2(1)(h) provides that:

"(h) 'prescribed' means prescribed in the regulations.

In accordance with the Act, regulations have been enacted entitled "The Freedom of Information and Protection of Privacy Regulations." In an Appendix to those Regulations, Part I sets out "Boards, commissions, crown corporations and other bodies prescribed as government institutions." A substantial number of these bodies are prescribed as government institutions in this Appendix, but Parkland Regional Care Centre is not one of them. Accordingly, I have concluded that I have no jurisdiction to deal with this Request for Review as Parkland Regional Care Centre has not been brought under the operation of the Act.

Dated at Regina, Saskatchewan this 10th day of September, 1992.

Derril G. McLeod, Q.C.,
Commissioner of Information and
Privacy for Saskatchewan