

FILE NO. 93/006

**REPORT WITH RESPECT TO THE APPLICATION
FOR REVIEW OF SASKATCHEWAN GOVERNMENT INSURANCE WITH RESPECT
TO INFORMATION REQUESTED FROM [REDACTED]**

[REDACTED], the applicant, made three requests for access to information from Saskatchewan Government Insurance ("SGI"). They requested a motor vehicle licence search to provide the name and address of the registered owner of vehicles with licence plates numbered ASZ 387, KXZ 730 and AWP 713. They supported their request with a letter dated February 19, 1993 which fully explains the nature of their business and their purpose in making these requests. A copy of this letter is attached as Appendix "A" hereto and provides all the necessary background information.

By letter dated March 8, 1993, SGI advised the Applicant that the records they had requested would not be released. The Applicant was advised in part:

"Your applications for access to the name and address of the registered owners of Saskatchewan licence plates ASZ-387, AWP-713, and KXZ-730 were received at this office on February 24, 1993. This is to advise you that these records you have requested cannot be released.

This information cannot be released because it falls within the definition of personal information in Section 24(1)(e) of The Freedom of Information and Protection of Privacy Act. Information of this nature is exempt from access according to Section 29(1) of The Freedom of Information and Protection of Privacy Act."

The Applicant then filed a Request for Review and on March 19 last, I advised SGI that I would be proceeding with a review.

It appears that until the proclamation of *The Freedom of Information and Protection of Privacy Act* (the "Act") information of the kind requested by the Applicant was provided to them by SGI on a routine basis. I am advised by the Applicant that from April 1990 to February 1992, the names of 44,760 registered owners of motor vehicles were provided by SGI.

I had occasion to consider the application and interpretation of the Act to this type of situation in an earlier report with respect to a review initiated by General Motors Acceptance Corporation from a similar refusal by SGI. In that report, I recommended that SGI provide similar information to GMAC, but SGI declined to accept my recommendation. Consequently, GMAC made an application by way of appeal to the Queen's Bench which was heard by Malone, J. He allowed the appeal and directed SGI to provide the information. This was followed by an appeal by SGI to the Saskatchewan Court of Appeal which is still pending.

I remain of the view, particularly having regard to the provisions of Section 4 of the Act, and for the other reasons which I outlined in my earlier report, except of course, that in this case the provisions and regulations could not be resorted

to by the Applicant, that SGI ought to provide the information requested by the Applicant.

I accordingly recommend that the information requested by the Applicant be provided to it by SGI.

Dated at Regina, Saskatchewan this 14th day of June, 1993.

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