

FILE NO. - 94/001

**REPORT WITH RESPECT TO THE APPLICATION
FOR REVIEW OF [REDACTED] WITH RESPECT TO INFORMATION
REQUESTED FROM SASKATCHEWAN EDUCATION, TRAINING AND EMPLOYMENT**

The Applicant filed a Request for Access to Information with the Department of Education in the following terms:

"I don't want any personal information on ex-premier Grant Devine. I know Devine grosses and nets more than my wife and I do. All I want to know is how Devine's children qualified for student loans directly out of Grade 12."

Following this request, the Applicant received a letter from the Department dated January 7, 1994 which states in part:

"Thank you for your Application for Access under The Freedom on (sic) Information and Protection of Privacy Act received on December 22, 1993. This is to advise you that the records you have requested cannot be released.

As you indicated on the Request Form, your request in a "Personal Information Request". The information you are requesting cannot be released because it is personal information about a particular individual. Disclosure of the information is prohibited by clause 24(i)(j), subsection 24(3) and subsection 29(1) of The Freedom of Information and Protection of Privacy Act.

The criteria used for approving a student loan are outlined in the Saskatchewan Student Loan Application Package. If you wish to know, in general terms, how a student can qualify for a loan directly out of Grade 12, you should refer to this document or contact the Student Financial Unit for clarification."

In the course of my review of this matter with the Department, it was determined that a child of Grant Devine did receive a student loan after graduating from high school.

While this would be personal information within the meaning of Section 24(1) of *The Freedom of Information and Protection of Privacy Act* the further provisions in Section 29(2) appear to have been overlooked, particularly Section 29(2)(f):

"29(2) "Personal information" does not include information that discloses:

- (f) details of a discretionary benefit of a financial nature granted to an individual by a government institution."

Regard must also be had to the provisions of Section 29(3) which provides:

"29(3) Notwithstanding clauses 2(e) and (f) "personal information" includes information that:

- (a) is supplied by an individual to support an application for discretionary benefits; and
- (b) is personal information within the meaning of subsection 1."

Accordingly, it would appear that the Applicant is entitled to details of a student loan granted to an individual, but not to any "personal information" supplied by an individual in support of an application for such a loan.

I am therefore recommending that the Department provide the Applicant with details of student loans granted to children of Grant Devine without disclosing any "personal information" within the meaning of the Act which was supplied by any individual in support of any applications for student loans.

Dated at Regina, Saskatchewan this *22nd* day of February, 1994.

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