

FILE NO. - 95/022

**REPORT WITH RESPECT TO THE APPLICATION
FOR REVIEW OF [REDACTED] WITH RESPECT TO
INFORMATION REQUESTED FROM THE MILK CONTROL BOARD**

[REDACTED], applied to The Milk Control Board for a list of the milk producers in Saskatchewan licenced by The Milk Control Board. He received a letter from the Board dated October 26, 1995 which read in part:

"To determine the Board's response to this request, our legal counsel reviewed The Freedom of Information and Protection of Privacy Act. Part IV of the Act deals with "personal information" maintained by government institutions and it specifically directs that personal information cannot be disclosed to an applicant except with the consent of the individual to whom the information relates. "Personal information" means personal information about an identifiable individual that is recorded in any form, including:

"(e) the home or business address, home or business telephone number, fingerprints or blood type of the individual."

However, the same information about corporate purchasers is not "personal information" under the Act, and can be disclosed."

The Board is created by *The Milk control Act 1992*, Ch. M-15.1 and has, under section 13(2) the power to make orders granting licences and quotas to dairy producers. Under *The Milk Control Regulations* the Board requires registration and provides quotas to producers.

In reaching its decision, the Board does not appear to have considered the provisions of Section 24(2)(e) of *The Freedom of Information and Protection of Privacy Act* (the "Act") which provides:

"24(2) Personal information does not include information that discloses:

- (e) details of a licence, permit or other similar discretionary benefit granted to an individual by a government institution."

It appears to me that the producers registered with the Board come within the ambit of subsection 24(2)(e) of the Act and that the details of a licence or permit would include the name and address of the person or party to whom the licence, permit or other benefit is granted. Accordingly, I am of the view that the information requested by the Applicant is not personal information and should be disclosed to the Applicant.

I therefore recommend that the information be disclosed by the Board without any exceptions.

Dated at Regina, Saskatchewan this 15th day of March, 1996.

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