

FILE NO. – 96/024

**REPORT WITH RESPECT TO THE APPLICATION  
FOR REVIEW OF ██████████ WITH RESPECT TO INFORMATION  
REQUESTED FROM SASKATCHEWAN GAMING CORPORATION**

██████████ applied pursuant to *The Freedom of Information and Protection of Privacy Act* (the "Act") to Saskatchewan Gaming Corporation for access to records of payments made by Saskatchewan Gaming Corporation to Holland Casinos. By letter dated September 25, 1996, the Corporation advised the Applicant that access was being refused on the basis that the information came within Section 19(1)(c) of the Act and would consequently impact on a third party, namely Holland Casinos. The Applicant then forwarded a Request for Review and notice of the review was given by the Corporation to Holland Casinos in accordance with Section 5(2)(l) of the Act.

Consequently, representations and submissions have been made to me by the solicitors for Holland Casinos as well as by the solicitors for the Corporation.

In the course of the review it was brought to my attention that Saskatchewan Gaming Corporation, which was incorporated under the provisions of *The Saskatchewan Gaming Corporation Act, (1994) S.-18.2* as a "crown corporation" is not prescribed by the Regulations as a government institution under the provisions of Section 2(1)(d)(ii) of the Act:

"2(1) In this Act:

- (d) **"government institution"** means, subject to subsection (2):
  - (ii) any prescribed board, commission, Crown corporation or other body ..."

Regulations have been enacted by the Executive Council prescribing a considerable number of boards, commissions, Crown corporations and other bodies as "government institutions" but Saskatchewan Gaming Corporation has not been so prescribed.

In the result the Corporation is not subject to the Act and I have no jurisdiction to conduct a review or otherwise deal with this matter, and that is so even though the Corporation responded to the Application for Access made by the Applicant.

Dated at Regina, Saskatchewan this                      day of December, 1996.

---

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