

FILE NO. 97/003 - [REDACTED]

**REPORT WITH RESPECT TO THE APPLICATION  
FOR REVIEW OF [REDACTED] WITH RESPECT TO INFORMATION  
REQUESTED FROM PUBLIC EMPLOYEES BENEFITS AGENCY**

[REDACTED] applied to the Public Employees Benefits Agency (PEBA) for access to records described as:

"Legal opinions provided to PEBA by Sask Justice, Public Service Commission and Employee Relations and Compensation Division which were the basis of PEBA's March 15th decision to deny me benefits under Gov't Sask Disability Income Plan."

By letter dated January 22, 1996 he was advised in part:

"I have attached a copy of relevant correspondence between the Public Service Commission (Employee Relations Division) and the Public Employees Benefits Agency as stipulated in your request.

However, please be advised that the record you have requested pertaining to legal opinions provided to PEBA by Saskatchewan Justice is not being released under Section 22(b) of The Freedom of Information and Protection of Privacy Act.

[REDACTED] then requested a review under the said Act which I have now completed.

The record in question consists of a memorandum from a solicitor in the Department

of Justice to the Public Employees Benefits Agency and it consists of advice from the said solicitor to the Agency which, in my view, comes squarely within the provisions of Section 22(b) of the Act which provides:

"22 A head may refuse to give access to a record that:

(b) was prepared by or for an agent of the Attorney General for Saskatchewan for legal counsel for a government institution in relation to a matter involving the provision of advice or other services by the agent or legal counsel;"

Since I have concluded that PEBA was entitled to refuse disclosure of this record, it is unnecessary for me to make any recommendation with respect to this matter.

Dated at Regina, Saskatchewan this                      day of June, 1997.

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