

**REPORT WITH RESPECT TO THE APPLICATION
FOR REVIEW OF [REDACTED] WITH RESPECT TO INFORMATION
REQUESTED FROM WESTERN CANADIAN BEEF PACKERS**

[REDACTED] applied under *The Freedom of Information and Protection of Privacy Act* (the "Act") for access to records of Western Canada Beef Packers as follows:

- "1. Financial statements for operation since becoming a Crown Corp. Oct 98;
2. The amount spent on consulting fees since Oct 98
3. The wages of salaried employees since Oct 98."

By letter dated May 25, 1999 [REDACTED] was advised that his request was refused except with respect to the most recent financial statement of Western Canadian Beef Packers which had been tabled in the Legislative Assembly on April 21, 1999.

The above mentioned letter from Crown Investments Corporation ("CIC") discloses that Western Canadian Beef Packers is a corporation incorporated under *The Business Corporations Act of Saskatchewan* and that it is a wholly owned subsidiary of CIC.

The Act defines "government institution":

"2(1) In this Act:

(d) "government institution" means, subject to subsection (2):

...

- (ii) any prescribed board, commission, Crown corporation or other body, or any prescribed portion of a board, commission, Crown corporation or other body, whose members or directors are appointed, in whole or in part:
 - (A) by the Lieutenant Governor in Council;
 - (B) by a member of the Executive Council; or
 - (C) in the case of:
 - (I) a board, commission or other body, by a Crown corporation; or
 - (II) a Crown corporation, by another Crown corporation."

As a result of the foregoing provision, in order for Western Canadian Beef Packers to be subject to the provisions of the Act, it must be prescribed by an Order-in-Council of the Lieutenant Governor in Council, and I have determined that it has not been so prescribed.

Consequently, Western Canadian Beef Packers is not a "government institution" within the meaning of the Act and I have no jurisdiction with respect to it. It would follow that Western Canadian Beef Packers, not being subject to the Act, is not required to disclose the records requested by [REDACTED].

Dated at Regina, Saskatchewan this 22nd day of October, 1999.

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