

**REPORT WITH RESPECT TO THE APPLICATION  
FOR REVIEW OF [REDACTED] IN RELATION TO  
INFORMATION REQUESTED FROM  
SASKATCHEWAN CULTURE, YOUTH AND RECREATION**

1. On May 21<sup>st</sup>, 2002 [REDACTED] (the “Applicant”) completed and forwarded to Saskatchewan Culture, Youth and Recreation (the “Respondent”) an Access to Information Request Form. Information requested by the Applicant was described as follows:

“Please provide information prepared by or for or held by the department indicating the following [in relation to the Sask. Film Employment Tax Credit] for each of the years 1998, 1999, 2000, and 2001:

1. Number of tax credit applications received;
2. Province of incorporation for each production company [or Saskatchewan Parent Production Company (if applicable)];
3. Citizenship/Residency of officers and directors of Production Company and/or Parent Company;
4. Number of companies with a permanent establishment in Saskatchewan;
5. Number of companies with a permanent establishment in Saskatchewan throughout production of the film and on the last day of the taxation year;
6. Number of companies controlled, directly or indirectly by
  - a. another corporation that does not have a permanent establishment in Sk.
  - b. An individual who does not reside in Sk.;
7. Total of all estimated or final budget production costs;
8. Total amount spent in Saskatchewan [not including deemed labour];
9. Total amount of deemed labour;
10. Total amount of rural bonus claimed;
11. Total amounts of credits.”

2. On June 21<sup>st</sup>, 2002, Angie Gélinas, Access Officer Freedom of Information for the Respondent, advised the Applicant as follows:

“We wish to inform you that the response time of 30 days has been extended another 30 days to July 23, 2002 in accordance with subsection 12(1) of The Freedom of Information and Protection of Privacy Act.

The reason for this extension is consultations that are necessary to comply with the application cannot reasonably be completed within the original period, which falls under the subsection 12(1)b.”

3. A Request For Review was completed by the Applicant and forwarded to me on June 24<sup>th</sup>, 2002.

The reasons for the Request For Review was set out at follows:

“The department claims an extension is necessary to perform “consultations necessary to comply” with the application.

The fact of the matter, however, is that no “consultations” are necessary. All the information sought is statistical. It is automatically compiled by the department on forms prepared by the department. Filling out these forms is required of those wishing for a tax break.

All the request sought is information gleaned from portions of that form. The department need only examine the request, determine which part of the form answers the question, and tally up the information. All this can be performed – without consultations.”

4. On June 26<sup>th</sup>, 2002, I discussed the matter with Angie Gélinas, and on July 3<sup>rd</sup>, 2002, received the following response:

- “Culture, Youth and Recreation does not administer the Film Tax Credit. It is administered by SaskFilm on CYR’s behalf.
- CYR is consulting with SaskFilm on the information requested.
- CYR is also consulting with Justice to determine what, if any of the information requested, is considered confidential given to government by a third party.
- [REDACTED] should also be informed that CYR will not “tally up the information” for him as he has indicated in his June 24<sup>th</sup> letter to you. Any information we provide him with will be done so in the format on file.”

I was also advised that the Department of Justice would be receiving the bulk of the information by the end of this week, and that Culture, Youth and Recreation would then forward the approved material on.

5. In my opinion, the request for an extension is not unreasonable in view of the circumstances. It would appear that consultations are required in this matter; and therefore, the Respondent is entitled to extended time within which to respond to the Applicant, as provided in Section 12(1) of *The Act*.

Dated at the City of Swift Current, in the Province of Saskatchewan, this 2<sup>nd</sup> day of July, 2002.

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FRANK A. MacBEAN, Q.C.  
Acting Freedom of Information  
and Privacy Commissioner  
Province of Saskatchewan