



## REVIEW REPORT 291-2023

### Saskatchewan Government Insurance

January 17, 2024

**Summary:** The Applicant made an access to information request to Saskatchewan Government Insurance (SGI). SGI partially denied access to certain records pursuant to subsection 29(1) of *The Freedom of Information and Protection of Privacy Act* (FOIP). The Applicant requested the Commissioner review the exemption SGI applied. The Commissioner found that SGI properly applied subsection 29(1) of FOIP and recommended that it continue to withhold the information.

#### I BACKGROUND

[1] On September 21, 2023, Saskatchewan Government Insurance (SGI) received an access to information request pursuant to *The Freedom of Information and Protection of Privacy Act* (FOIP) from the Applicant for:

Claim #[Number]

Operator name and address at the time of collision on the 8<sup>th</sup> of June, 2023.

Owner name and address of plate number [License plate number]

[2] On September 27, 2023, SGI responded to the Applicant with the name of the operator of the vehicle but denied access to the address of the operator under subsection 29(1) of FOIP.

[3] On October 6, 2023, the Applicant requested a review of SGI's decision to withhold part of the information.

[4] On November 17, 2023, my office provided notification to both the Applicant and SGI of my intent to undertake a review.

## II RECORDS AT ISSUE

- [5] The record is one page of a screen shot of SGI's Auto Claim system from which SGI retrieved the information. It consists of a name and address of which the name was released and the address withheld under subsection 29(1) of FOIP.

## III DISCUSSION OF THE ISSUES

### 1. Do I have jurisdiction?

- [6] SGI qualifies as a "government institution" pursuant to section 2(1)(d)(ii) of FOIP and subsection 3(a) and Part I of the Appendix of *The Freedom of Information and Protection of Privacy Regulations*. Therefore, I have jurisdiction to conduct this review.

### 2. Did SGI properly apply subsection 29(1) of FOIP?

- [7] Subsection 29(1) of FOIP provides:

**29(1)** No government institution shall disclose personal information in its possession or under its control without the consent, given in the prescribed manner, of the individual to whom the information relates except in accordance with this section or section 30.

- [8] As in my office's *Guide to FOIP*, Chapter 6, "Protection of Privacy", updated January 18, 2023 (*Guide to FOIP*, Ch. 6) at p. 183, section 29 of FOIP prohibits the disclosure of personal information unless the individual about whom the information pertains to, consents to its disclosure or if the disclosure without consent is authorized by one of the enumerated subsections of 29(2) or section 30 of FOIP.

- [9] In order to withhold information pursuant to subsection 29(1) of FOIP, the *Guide to FOIP*, Ch. 6, pp. 32-33 states the information must qualify as "personal information" as defined by subsection 24(1) of FOIP. To qualify as personal information as defined by subsection 24(1) of FOIP, the information must: 1) be about an identifiable individual; and 2) be personal in nature. Information is about an "identifiable individual" if the individual can

be identified from the information (e.g., their name is provided) or if the information, when combined with information otherwise available, could reasonably allow the individual to be identified. To be “personal in nature” means the information provides something identifiable about the individual.

[10] In its submission, SGI provided:

In its response to the applicant, SGI released the name of the vehicle’s owner, but withheld the vehicle owner’s address under subsection 29(1) of FOIP. Paragraph 24(1)(e) of FOIP specifically lists the home address of an identifiable individual in the definition of personal information. Therefore, as the home address is personal information it should not be disclosed pursuant to an FOI request.

[11] Relevant to this review is subsection 24(1)(e) of FOIP, which provides as follows:

**24(1)** Subject to subsections (1.1) and (2), “**personal information**” means personal information about an identifiable individual that is recorded in any form, and includes:

...

(e) the home or business address, home or business telephone number or fingerprints of the individual;

[12] The information withheld by SGI is the home address of the individual in question, therefore, I find it qualifies as personal information when combined with the name that was already released so I recommend that SGI continue to withhold it.

#### **IV FINDINGS**

[13] I find I have jurisdiction to conduct this review.

[14] I find that the information in question is personal information pursuant to FOIP.

#### **V RECOMMENDATION**

[15] I recommend that the SGI continue to withhold the address.

Dated at Regina, in the Province of Saskatchewan, this 17<sup>th</sup> day of January, 2024.

Ronald J. Kruzeniski, Q.C.  
Saskatchewan Information and Privacy  
Commissioner