



## REVIEW REPORT 324-2025

### Public Guardian and Trustee of Saskatchewan

May 29, 2026

**Summary:**

The Applicant submitted an access to information request for their personal information to the Public Guardian and Trustee of Saskatchewan (PGT) in relation to a complaint that had been filed against them. PGT responded by providing the Applicant with access to four records (totaling seven pages). Portions of three of the four records were redacted pursuant to section 29(1) (third party personal information) of *The Freedom of Information and Protection of Privacy Act (FOIP)*. The fourth record was provided in its entirety. The Applicant requested a review by the Office of the Saskatchewan Information and Privacy Commissioner.

The Commissioner found that PGT properly applied section 29(1) of *FOIP* to the redacted portions of Records 2 and 3 and some redacted portions of Record 1, but not to other portions of Record 1.

The Commissioner recommended that PGT:

- (1) Release the Applicant's own personal information that was redacted in Record 1 within 30 days of the issuance of this Report; and
- (2) Continue to withhold the personal information of third parties in the records.

## I BACKGROUND

[1] On July 27, 2025, the Public Guardian and Trustee of Saskatchewan (PGT) received the following access to information request from the Applicant:

There was a complaint filed against me regarding my handling of my mother's affairs. Her name is [Name of Applicant's mother]<sup>1</sup> and I am one of the POA's.

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<sup>1</sup> The words in square brackets are OIPC's attempts to conceal the identity of the Applicant.

I would like to know who filed the complaint, when it was filed and a copy of the complaint.

I am also requesting a copy of the final report.

[2] The Applicant was not sure of the exact date of the filing of the complaint but indicated the relevant time frame was “sometime during 2025.” The Applicant also indicated on the access to information form that they were requesting their own personal information. Because the Applicant only requested their own personal information, there is no need to consider the application of section 59 of *The Freedom of Information and Protection of Privacy Act (FOIP)*<sup>2</sup> to this fact situation.<sup>3</sup>

[3] In a letter dated August 26, 2025, PGT responded to the Applicant’s access request:

Please find attached records responsive to your request. Please note that pursuant to *The Freedom of Information and Protection of Privacy Act* (“the Act”), some of the information in the attached records has been deleted because it would disclose the personal information of another identifiable individual. “Personal information” is defined in section 24 of the Act, a copy of which is enclosed for your reference.

[4] On September 5, 2025, the Applicant requested a review by the Office of the Saskatchewan Information and Privacy Commissioner (OIPC).

[5] On February 6, 2026, OIPC notified both PGT and the Applicant that a review would be commenced.

[6] PGT provided OIPC with a copy of the records at issue, an index of records, and its submission on March 3, 2026. PGT did not agree to share its submission with the Applicant.

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<sup>2</sup> [\*The Freedom of Information and Protection of Privacy Act\*](#), c. F-22.01 SS 1990-91, as amended.

<sup>3</sup> Section 59 of *FOIP* sets out circumstances in which an individual may exercise another individual’s right or power under *FOIP*, including another individual’s right of access to their personal information.

[7] The Applicant did not provide a submission.

## II RECORDS AT ISSUE

[8] PGT provided the Applicant with four records. Records 1 to 3 had portions redacted pursuant to section 29(1) of *FOIP*. Record 4 was provided to the Applicant in its entirety, so it is removed from this review. PGT classified each redacted portion in Records 1 to 3 as follows:

Record	Number of Pages	Number of redactions in Record	Description of Record
1	2	13	Report of Suspected Financial Abuse
2	1	2	Transcription of voicemail
3	2	5	File Record Slip

## III DISCUSSION OF THE ISSUES

### 1. Jurisdiction

[9] PGT qualifies as a “government institution” pursuant to section 2(1)(d)(ii)(A) of *FOIP* and section 3 of *The Freedom of Information and Protection of Privacy Regulations*.<sup>4</sup> OIPC has jurisdiction and is conducting this review under PART VII of *FOIP*.

### 2. The application of the exemption in section 29(1) of *FOIP*

[10] PGT applied section 29(1) of *FOIP* to portions of Records 1, 2 and 3.

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<sup>4</sup> [The Freedom of Information and Protection of Privacy Regulations \(FOIP Regulations\)](#) RRS c. F-22.01 Reg 1 (effective April 1, 1992), as amended. Section 3 of the *FOIP Regulations* refers to Part I of the Appendix which is a long list of other bodies prescribed as government institutions. The Public Guardian and Trustee of Saskatchewan is on this list.

[11] Section 29(1) of *FOIP* provides:

**Disclosure of personal information**

**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.

[12] Section 29(1) of *FOIP* is a mandatory exemption. Prior to a consideration of section 29(1) of *FOIP*, the first determination must be whether the information qualifies as “personal information” as defined by section 24(1) of *FOIP*. In order for information to be “personal information”, it must: (1) be about an identifiable individual; and (2) be personal in nature.<sup>5</sup>

Sections 24(1)(a), (b), (e), (h), (k)(i) and (ii) of *FOIP*, are relevant in this review:

**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:

(a) information that relates to the race, creed, religion, colour, sex, sexual orientation, family status or marital status, disability, age, nationality, ancestry or place of origin of the individual;

(b) information that relates to the education or the criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;

...

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

...

(h) the views or opinions of another individual with respect to the individual;

...

(k) the name of the individual where:

(i) it appears with other personal information that relates to the individual; or

(ii) the disclosure of the name itself would reveal personal information about the individual.

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<sup>5</sup> OIPC [Review Report 199-2025](#) at paragraph [46].

[13] Section 2(1)(j) of *FOIP* defines “third party” as follows:

2(1) In this Act:

...  
 (j) “**third party**” means a person, including an unincorporated entity, other than an applicant or a government institution.

[14] Section 29(1) of *FOIP* applies to “personal information” of a third party unless that third party has consented to the disclosure of the information. In this review, there is no evidence that any third party has consented to the disclosure of their personal information to the Applicant.

*a. Record 1*

[15] Record 1 is a form titled *Report of Suspected Financial Abuse*. The information on the form was provided by an individual (Third Party 1). An employee of PGT recorded the information on the form during a telephone call with Third Party 1.

[16] PGT redacted 13 portions of Record 1, numbered 1 through 13. It redacted information such as Third Party 1’s name, telephone number and opinions with respect to another third party – the alleged victim (Alleged Victim). Third Party 1 also identified another individual, Third Party 2, in their reporting of concerns to the PGT. Below is a table describing the contents of each redaction in Record 1:

Redaction #	Description of redacted content
1	Name of Third Party 1
2	Telephone number of Third Party 1
3	Address of Alleged Victim
4	Date of birth of Alleged Victim
5	Names of Applicant and Third Party 2
6	Description of relationship between Applicant and Alleged Victim
7	Telephone number of Applicant and Third Party 2
8	Name and telephone number of a family member of the Alleged Victim
9	Third Party 1’s view or opinion of Alleged Victim
10	Third Party 1’s view or opinion of Alleged Victim
11	Third Party 1’s view or opinion of Alleged Victim

12	Third Party 1's view or opinion of Alleged Victim
13	Names of Third Party 1 and Alleged Victim; Third Party 1's views or opinion of Alleged Victim; Names of Applicant and Third Party 2; Description of action allegedly taken by Applicant and Third Party 2.

[17] Section 31(1) of *FOIP* provides individuals with a right to access to their own personal information in records in the possession or under the control of a government institution. It says:

**31(1)** Subject to Part III and subsection (2), an individual whose personal information is contained in a record in the possession or under the control of a government institution has a right to, and:

(a) on an application made in accordance with Part II; and

(b) on giving sufficient proof of his or her identity; shall be given access to the record.

[18] As noted earlier, the Applicant had indicated on their access to information request form that they sought only their own personal information. Therefore, it is important to determine if PGT properly identified the Applicant's own personal information and released such information accordingly.

[19] Redactions 1 to 4 and 8 qualify as the "personal information" of Third Party 1, the Alleged Victim and a family member of the Alleged Victim pursuant to sections 24(1)(a) and (e) of *FOIP*. Therefore, PGT properly applied section 29(1) of *FOIP* to Redactions 1 to 4 and 8.

[20] Redactions 9 to 12 are the views or opinions of Third Party 1 about the Alleged Victim. Earlier, OIPC quoted section 24(1)(h) of *FOIP*. In *Investigation Report 200-2022*, OIPC explained the meaning of section 24(1)(h) of *FOIP* as follows:<sup>6</sup>

[15] To clarify the meaning of subsection 24(1)(h) of *FOIP*, the views or opinions expressed by an individual about another individual are the personal information of the individual they are about. For example, an individual writes,

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<sup>6</sup> OIPC [Investigation Report 200-2022](#) at paragraph [15]. See also OIPC [Review Report 016-2024](#) at paragraph [56].

“Smith is a bad student” or “Smith exercises but is still out of shape.” The individual’s opinion is about Smith so the opinion is Smith’s personal information.

[21] Section 2(1)(g) of Ontario’s *Municipal Freedom of Information and Protection of Privacy Act*<sup>7</sup> (*ON MFIPPA*), is similar to section 24(1)(h) of *FOIP*. Section 2(1)(g) of *ON MFIPPA* says:

2(1) In this Act,

...  
“personal information” means recorded information about an identifiable individual, including,

...  
(g) the views or opinions of another individual about the individual

[22] In Order MO-3998, the Office of the Information and Privacy Commissioner of Ontario (ON OIPC) considered a matter where records contained information about an appellant. ON OIPC found that comments by complainants and witnesses about the appellant were the appellant’s own personal information pursuant to section 2(1)(g) of *ON MFIPPA*:<sup>8</sup>

[17] The only information at issue in this appeal is the summary of the statements that a complainant and several witnesses made to the police about the appellant. Paragraph (g) of the definition of “personal information” in section 2(1) states that this term means recorded information about an identifiable individual including “the views or opinions of another individual about the individual.” In line with the wording of this paragraph, I find that the comments that the complainant and witnesses made about the appellant in their statements to the police are his personal information, because they are the views or opinions of another individual about him.

[Emphasis added]

[23] In conclusion, Third Party 1’s views and opinions of the Alleged Victim are the Alleged Victim’s personal information as defined by section 24(1)(h) of *FOIP*. Since Redactions 9

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<sup>7</sup> [Municipal Freedom of Information and Protection of Privacy Act](#), R.S.O 1990. c. M. 56.

<sup>8</sup> ON OIPC [Order MO-3998](#) at paragraph [17].

to 12 are the Alleged Victim's personal information, we conclude that PGT has properly applied section 29(1) of *FOIP* to these redactions.

[24] Redaction 5 contains the names of the Applicant and Third Party 2. Redaction 6 is a description of the relationship between the Applicant and the Alleged Victim. Redaction 7 is the Applicant's telephone number and Third Party 2's telephone number. PGT properly applied section 29(1) of *FOIP* to the Third Party 2's information in Redactions 5 and 7 since this information qualifies as the personal information of Third Party 2 pursuant to sections 24(1)(e) and (k)(i) of *FOIP*.<sup>9</sup> However, the Applicant's own personal information should have been released in Redactions 5, 6 and 7 since such information is not information of a third party. In other words, section 29(1) of *FOIP* does not apply to the Applicant's own personal information.<sup>10</sup>

[25] Redaction 13 is a paragraph consisting of five sentences. The first, third, fourth and fifth sentences contain the personal information of Third Party 1 and of the Alleged Victim, including their names and Third Party 1's opinion about the health of the Alleged Victim. Third Party 1's opinion of the Alleged Victim is the personal information of the Alleged Victim as defined by section 24(1)(h) of *FOIP*. Therefore, PGT properly applied section 29(1) of *FOIP* to the first, third, fourth and fifth sentences of the paragraph marked as Redaction 13 and should continue to withhold this information under this exemption.

[26] The second sentence in Redaction 13 identifies the Applicant and Third Party 2 by name. Section 29(1) of *FOIP* applies to the name of Third Party 2 in the second sentence of Redaction 13 as it is personal information defined by section 24(1)(k)(i) of *FOIP*, but it does not apply to the remainder of the sentence since it is about the Applicant. PGT should continue to refuse access to the name of Third Party 2 in the second sentence in Redaction 13 pursuant to section 29(1) of *FOIP* and release the remainder of the sentence to the Applicant.

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<sup>9</sup> OIPC [Review Report 109-2022](#) at paragraph [23].

<sup>10</sup> At paragraph [20] in OIPC [Review Report 055-2025](#), OIPC said it would be an absurd result if the Applicant could not have access to their own personal information.

**b. Record 2**

- [27] Record 2 is the transcription of a voicemail left by Third Party 1 on the PGT phone system. PGT redacted two portions of Record 2. The redactions are numbered 14 and 15.
- [28] Redaction 14 is Third Party 1's telephone number. Redaction 15 is the transcription of the voicemail, which contains the Third Party 1's name as well as the transcription of Third Party 1's concerns. The transcription contains information about the Alleged Victim, including the Alleged Victim's date of birth and a description of Third Party 1's understanding of the Alleged Victim's situation. Such information qualifies as the personal information of Third Party 1 and the Alleged Victim as defined by sections 24(1)(a), (e), (h), and (k)(i) of *FOIP*. PGT properly applied section 29(1) of *FOIP* to Redactions 14 and 15 in Record 2 and should continue to withhold the information under this exemption.

**c. Record 3**

- [29] Record 3 is a *File Record Slip*. Upon review, this record appears to be the recorded notes of telephone calls made to two independent witnesses (Third Party 3 and Third Party 4) by PGT employees while investigating the allegations of financial abuse.
- [30] PGT redacted five portions of Record 3. The redactions are numbered 16 to 20.
- [31] Redactions 16 and 17 contain the name of Third Party 3 and a description of a voicemail message that Third Party 3 left for a PGT employee. Third Party 3 is a witness unconnected to the Applicant in this matter. Redactions 18, 19 and 20 contain the name of Third Party 4 and this witness' observations. Third Party 4 is also an independent witness unconnected to the Applicant in this matter.
- [32] The listing of an individual's name in a record is the personal information of the individual if they served as a witness in an investigation and if this information, when released, reveals their identity.<sup>11</sup> The names of Third Party 3 and Third Party 4 qualify as personal

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<sup>11</sup> OIPC [Review Report 221-2025](#) at paragraph [37].

information pursuant to section 24(1)(k)(i) of *FOIP*. PGT properly applied section 29(1) of *FOIP* to the personal information of Third Party 3 and Third Party 4 in Redactions 16 to 20.

[33] Further, since Third Party 3 and Third Party 4 provided information about the Alleged Victim, then such information qualifies as the personal information of the Alleged Victim pursuant to section 24(1)(k)(i) of *FOIP*. PGT properly applied section 29(1) of *FOIP* to information about the Alleged Victim in Redactions 16 to 20.

#### **IV FINDINGS**

[34] OIPC has jurisdiction under PART VII of *FOIP* to undertake this review.

[35] PGT properly applied section 29(1) of *FOIP* to Redactions 1 to 4 and 8 to 12 in Record 1 because these redactions contain the personal information of Third Party 1, the Alleged Victim and a family member of the Alleged Victim.

[36] PGT properly applied section 29(1) of *FOIP* to Third Party 2's personal information in Redactions 5 and 7 in Record 1.

[37] PGT did not properly apply section 29(1) of *FOIP* to the Applicant's own personal information in Redactions 5, 6, and 7 in Record 1.

[38] PGT properly applied section 29(1) of *FOIP* to the first, third, fourth and fifth sentences of the paragraph marked as Redaction 13 in Record 1 because they contain the personal information of Third Party 1 and the Alleged Victim.

[39] PGT properly applied section 29(1) of *FOIP* to the name of Third Party 2 in the second sentence in Redaction 13 in Record 1 but it did not properly apply section 29(1) of *FOIP* to the remainder of the second sentence in Redaction 13 in Record 1 because it is the Applicant's own personal information.

[40] PGT properly applied section 29(1) of *FOIP* to Redactions 14 and 15 in Record 2 because these redactions contain the personal information of Third Party 1 and the Alleged Victim.

[41] PGT properly applied section 29(1) of *FOIP* to Redactions 16 to 20 in Record 3 because these redactions contain the personal information of Third Party 3, Third Party 4 and the Alleged Victim.

## **V RECOMMENDATIONS**

[42] I recommend that PGT continue to withhold the personal information of Third Party 1, Third Party 2, the Alleged Victim and the family member of the Alleged Victim in Redactions 1 to 5 and 7 to 13 in Record 1, pursuant to section 29(1) of *FOIP*. However, the Applicant's personal information in Redactions 5, 6, 7 and 13 in Record 1 should be released within 30 days of the issuance of this Report.

[43] I recommend that PGT continue to withhold the personal information of Third Party 1 and the Alleged Victim in Redactions 14 and 15 in Record 2, pursuant to section 29(1) of *FOIP*.

[44] I recommend that PGT continue to withhold the personal information of Third Party 3 and Third Party 4 and the Alleged Victim in Redactions 16 to 20 in Record 3, pursuant to section 29(1) of *FOIP*.

Dated at Regina, in the Province of Saskatchewan, this 29<sup>th</sup> day of May, 2026.

Grace Hession David  
Saskatchewan Information and Privacy Commissioner