GUIDE TO APPEALING THE DECISION OF A HEAD OF A GOVERNMENT INSTITUTION, OR A LOCAL AUTHORITY, OR A HEALTH TRUSTEE

This guide provides assistance to applicants or third parties who wish to appeal to the Court of Queen's Bench requesting reconsideration of the head's decision.

AUGUST 2020

Office of the
Saskatchewan Information
and Privacy Commissioner

INTRODUCTION

If an applicant or third party does not agree with the decision of the head of a government institution (or a local authority or a health trustee) after the Information and Privacy Commissioner has made a recommendation, the applicant or third party can appeal to the Court of Queen's Bench requesting reconsideration of the head's decision.

AUTHORITY TO APPEAL

The authority for an appeal is contained in sections 57 and 58 of *The Freedom of Information and Protection of Privacy Act* (FOIP):

> **Appeal to court**
> **57**(1) Within 30 days after receiving a decision of the head pursuant to section 56, an applicant or individual or a third party may appeal that decision to the court.
> **…**
>
> **Powers of court on appeal**
> **58** (1) On an appeal, the court:
>
> (a) shall determine the matter *de novo*; and
>
> (b) may examine any record *in camera* in order to determine on the merits whether the information in the record may be withheld pursuant to this Act.
>
> (2) Notwithstanding any other Act or any privilege that is available at law, the court may, on an appeal, examine any record in the possession or under the control of a government institution, and no information shall be withheld from the court on any grounds.
>
> (3) The court shall take every reasonable precaution, including, where appropriate, receiving representations *ex parte* and conducting hearings *in camera*, to avoid disclosure by the court or any person of:
>
> (a) any information or other material if the nature of the information or material could justify a refusal by a head to give access to a record or part of a record; or
>
> (b) any information as to whether a record exists if the head, in refusing to give access, does not indicate whether the record exists.
>
> …

Similar wording is found in sections 46 and 47 of *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP) and sections 50 and 51 of *The Health Information Protection Act* (HIPA).

CASES DECIDED BY THE QUEEN'S BENCH

A series of cases have been decided by the Queen's Bench which provide clarity as to how to proceed with an appeal under FOIP or LA FOIP or HIPA.

In the first case, *Hande v University of Saskatchewan*, 2018 SKQB 1222, Gabrielson J. noted:

> [11] Counsel for Hande and counsel for the University then sought a consent order minimizing expenses, court resources, time and expediting the appeal. In a consent order dated November 21, 2018, Meschishnick J. ordered that within 30 days the University would provide an unredacted copy of the information under seal subject to the court's decision to review the same and within 30 days counsel for Hande and the University would file written briefs setting out their positions in respect to the University's claim for exemptions to be filed under seal. The consent order further provided that after receipt of the written briefs the court would render a decision on the merits of the appeal and the University's claim of exemption from disclosure.

Obviously, it is up to the parties and counsel to reach agreement on this process. The one difficulty is that neither counsel gets to see the affidavit evidence and arguments of the other counsel.

If the appellant wants to have the matter argued in open court and the respondent does not, then the above consent order won't happen.

In *Eaton v University of Regina*, 2019 SKQB 127, Dr. Emily Eaton appealed the decision of the University of Regina. McCreary J. issued a fiat and stated:

> [7] As a preliminary matter, the University brings this application pursuant to s. 47(3) of LAFOIP seeking an order that any record be filed sealed and that the legal submissions of the parties, and any evidence which supports them, be received by the court in camera and ex parte. The University also asks that the entire court file be sealed, and any submissions embargoed from the other party.
>
> [8] For the reasons that follow, the University's preliminary application is dismissed. As a starting point, the Database Query Spreadsheet will be filed sealed. It will be reviewed by the court in camera, if necessary. The parties' legal submissions and any evidence supporting them will be exchanged between the parties and filed with the court in the usual manner. The appeal will be heard in open court.
>
> [9] The parties agree that any "record" which is responsive to Dr. Eaton's request should be filed sealed and should only be examined by the court in camera, and then only if necessary. This is standard practice in appeals under s. 47 of LAFOIP.
>
> [10] Thus, the remaining issue arising from the University's preliminary application is whether it is necessary for the University's legal submissions and affidavits to be sealed,

reviewed by the court in camera and ex parte, and kept embargoed from Dr. Eaton, in order to avoid the inadvertent disclosure of otherwise private information.

…

[14] The parties agree that the onus to demonstrate that such protections are necessary rests with the University. As noted by Ottenbreit, J.A. in *101114386 Saskatchewan Ltd. v Hearing Panel of the Financial and Consumer Affairs Authority*, 2013 SKCA 122 at para 12, 427 Sask R 25, "[t]he presumption is in favour of public access and the burden of contrary proof lies upon the person who would deny the exercise of that right."

[15] Where the facts warrant such protections, this court has held in camera hearings with ex parte submissions to protect against the inadvertent disclosure of information on a s. 47 appeal. For example, in *Britto v University of Saskatchewan*, 2017 SKQB 259, 13 CPC (8th) 187 [Britto], the respondent resisted disclosing documents which related to the applicant and his employment with the university. The respondent argued that the documents requested by the applicant were solicitor-client and/or litigation privileged, and were therefore not subject to disclosure.

[16] Justice Danyliuk ordered that the records in question be sealed and reviewed in camera by the court. He also ordered that each party's brief of law be sealed, reviewed by the court in camera, and embargoed from the other side. Because the key issue of the appeal was whether the documents in question were actually privileged, the content of each document was material, and the respondent's legal submissions and affidavit evidence necessarily considered the specific content of the documents. It followed that these submissions had to be reviewed in camera and ex parte in order to protect against the inadvertent disclosure of the specific content of the documents.

[17] In contrast, in my decision in *Seon v Board of Education of the Regina Roman Catholic School Division No. 81*, 2018 SKQB 166 [Seon], the record was filed sealed, but the appeal was heard in open chambers with each party exchanging evidence and legal submissions in the usual manner. The record requested by the applicant consisted of a chart containing unit prices submitted by vendors, the delivery date for units, and the point scores assigned to vendors' bids. I determined that it was not necessary for me to review the record because the categories of information contained in the record were known by the applicant and the court. The actual content of the record was not determinative of whether it was subject to disclosure. I concluded that the record was not subject to disclosure because the categories of information it contained constituted commercial information supplied in confidence by third parties. Such disclosure could reasonably be expected to result in financial loss or gain, and/or prejudice the competition position of a third party.

[18] In *Leo v Global Transportation Hub Authority*, 2018 SKQB 323, the applicant sought disclosure from the respondent of a number of records relating to business transactions. Justice Kalmakoff decided that he must review the records in camera. He noted that after his review, he would invite further submissions respecting the manner in which the parties would make representations or present evidence ex parte and/or in camera. It was not a

given that submissions and evidence would be reviewed in camera and ex parte; the respondent was required to establish that this was necessary.

…

[25] I therefore make the following order:

(a) the Database Query Spreadsheet will be filed sealed. It will be reviewed by the court in camera if such review is necessary; and

(b) the substantive application respecting the s.17(3) exemption under LAFOIP, including legal argument supplemented with any affidavit evidence, will be received by the court in the usual manner and heard in open court.

Justice McCreary referred to earlier cases and I quoted from those cases to outline the thinking of the court on procedural issues.

In *Britto v University of Saskatchewan*, 2017 SKQB 259, 13 CPC (8th) 187, Justice Danyliuk stated:

[18] I take these provisions to mean that under the Act there is, essentially, a two-step process involved in an appeal to this court. First, under s. 47(1)(b), this court decides whether to review the disputed records in camera. If so, then the court goes on to review the records in light of the parties' submissions and the applicable law, then determine whether any records ought to be released to the applicant pursuant to s. 47(5) or make any other appropriate order. The court may also declare records exempt from disclosure (s. 47(6)).

[19] Further, I agree with University counsel's submission that because it is a de novo process and because the Commissioner's findings are non-binding, there is no duty of substantial deference to the Commissioner's decision. Members of this court are entitled, even obligated, to look at this matter afresh.

…

[23] I further note s.51 of the Act. My reading of same is that the onus of proving any document should not be disclosed is on the party in possession of those records, in this case the University.

…

[25] As noted above, this is a de novo process. In *Evenson v Kelsey Trail Regional Health Authority*, 2012 SKQB 382, Justice Zarzeczny held that he fully agreed with the Commissioner, but he specifically noted that he reached this conclusion only after his own review of the material.

[26] Given the nature of this proceeding as a de novo appeal, the threshold to meet for this court to review the actual documents in issue must be very low. It seems to me that the documents will be examined by a judge in virtually every case, of necessity, since the

decisions of the Commissioner in such matters do not provide particulars of the documents nor the reasons for granting or denying access to same.

…

[48] Accordingly I make the following order:

1. The documents filed by the University of Saskatchewan shall remain under seal until further order and may not be inspected or viewed by any person or party without a specific order of this court.
2. At this time and subject to further order, none of the documents presently on the court file shall be made available to Marwin Britto or his counsel.
3. The University of Saskatchewan shall provide this court and counsel for Marwin Britto with a summary of the sealed documents presently on file, which summary shall include the following information and be supplied on the following terms:
   (a) The University shall only supply this summary after counsel for Britto provides the University and the court with an undertaking as to confidentiality that is satisfactory to both sides. In the event the parties cannot agree on the nature of the undertaking, that dispute is to be referred back to me.
   (b) The University's summary shall contain a list of the documents to which the University claims privilege; the type or nature of the privilege claimed with respect to each document (including references to The Local Authority Freedom of Information and Protection of Privacy Act provisions if required); the date(s) of the documents or communications; and the sender and recipient. The University is not presently required to summarize the contents of any of the documents.
   (c) The University's summary shall also be filed with this court and maintained under seal until further order.
4. Within 45 days of receipt of the summary, both Marwin Britto and the University of Saskatchewan shall file with this court a further brief or memorandum setting out their further positions regarding the University's claims of exemption of the sealed documents from disclosure. These briefs shall not be exchanged by counsel and shall be filed independently with the court and in camera, and both of them shall be sealed and not to be accessed by anyone without a specific order authorizing same. The court's expectation is that the University's brief will be very specific as to the basis, background and context of how privilege attaches to each document, including the type of privilege claimed.
5. After receipt of these briefs, the court shall render a decision and, if required, provide further directions.
6. Costs of this application are reserved.

In a second decision in 2018, in *Britto v University of Saskatchewan*, 2018 SKQB 92, Danyliuk J. stated:

> [24] The parties agree as to the onus under LAFOIPA, in particular s.51 thereof. The onus of demonstrating that any document should not be disclosed is on the party in possession of those records, in this case the University. Unless the University can demonstrate a reason not to produce a record it is to be produced to Mr. Britto. Pursuant to s. 5 LAFOIPA he "shall be permitted access to records" unless the University satisfies its onus.

Finally, Justice Kalmakoff, in a recent decision in *Geoff Leo v Global Transportation Hub Authority and Brightenview Developments International Ltd.*, 2019 SKQB 150, made the following comments about the process under FOIP:

> [7] As I said in the *Step One Decision,* an appeal under s. 58 of *FOIP* is not an appeal from the recommendations of the IPC; it is an appeal from a decision of the head of a government institution, regarding the implementation of those recommendations.
>
> [8] Section 58 clearly states that an appeal such as this is a hearing *de nova,* during which the court may examine any record *in camera* in order to determine, on the merits, whether the information in the record may be properly withheld by the government institution. This means I am not bound by the recommendations made by the IPC. Nor are those recommendations - or the decision of the head of the government institution - owed any particular deference: *Consumers' Co-operative Refineries Limited v Regina (City),* 2016 SKQB 335, 6 CELR (4th) 70 *[CCRL]; Evenson v Saskatchewan (Ministry of Justice),* 2013 SKQB 296, 428 Sask R 37; *Evenson v Kelsey Trail Regional Health Authority,* 2012 SKQB 3 82. In an appeal of this nature, I am to consider the matter afresh, based on the evidence provided by the parties on appeal: *CCRL* at para 13; *Britto v University of Saskatchewan,* 2017 SKQB 259 at para 19, 13 CPC (8th) 187; *Britto v University of Saskatchewan,* 2018 SKQB 92 *[Britto* #2].
>
> [9] In the *Step One Decision,* I determined that it was necessary for me to review the records in question *in camera* before proceeding further. Following that review, I concluded that it was appropriate to receive further evidence and representations *in camera* from GTH relating to its reasons for redacting the records in question. I also permitted Brightenview to participate in the *in camera* portion of the hearing, given the extent to which its interests are implicated by the information contained in the records Mr. Leo seeks.
>
> [10] This decision relates to "Step Two" of the appeal. Step Two requires that I determine, in light of the evidence presented on the appeal, whether or not the exemptions applied by GTH were proper. In that regard, I must be guided by the provisions of s. 58 of *FOIP,* which read, in part, as follows:
>
> > 58(1) On an appeal, the court:
> >
> > (a) shall determine the matter de novo; and

(b) may examine any record in camera in order to determine on the merits whether the information in the record may be withheld pursuant to this Act.

…

(5) Where a head has refused to give access to a record or part of it, the court, if it determines that the head is not authorized to refuse to give access to the record or part of it, shall:

(a) order the head to give the applicant access to the record or part of it, subject to any conditions that the court considers appropriate; or

(b) make any other order that the court considers appropriate.

(6) Where the court finds that a record falls within an exemption, the court shall not order the head to give the applicant access to the record, regardless of whether the exemption requires or merely authorizes the head to refuse to give access to the record.

(7) If, with respect to an appeal of a decision of the head regarding the matters mentioned in clauses 49(1)(a.1) to (a.4), the court determines that the decision of the head was not authorized pursuant to this Act, the court may:

(a) order the head to reconsider the decision and proceed in accordance with this Act, subject to any conditions that the court considers appropriate; or

(b) make any other order that the court considers appropriate.

(8) If, with respect to an appeal mentioned in subsection (7), the court finds that the head had authority pursuant to this Act to make the decision that is the subject of the appeal, the court shall not order the head to reconsider the decision.

[11] Subsection 6 is particularly important. While the jurisprudence says that I am not bound by the decision of the head of the government institution, s. 58(6) makes clear that if I determine that a record which the head has refused to disclose falls within the exemption claimed, I cannot order the head to disclose that record, regardless of whether the head's authority to refuse disclosure is discretionary or mandatory in nature.

Justice Malakoff's decision was appealed to the Court of Appeal and the Court of Appeal rendered its' decision on August 4, 2020. The decision can be found at Canlii, *Geoff Leo v Global Transportation Hub Authority*, 2020 SKCA 91. Regarding appeals under FOIP, the Chief Justice of the Court of Appeal outlined the process that is followed under FOIP:

[41] … As explained, the *Act* clearly contemplates a review and appeal process that follows a very specific track: (a) an applicant or third party applies to the Commissioner for a review of a matter; (b) the Commissioner investigates and prepares a report setting out his or her recommendations with respect to the matter; (c) the head considers the report and decides whether to accept or follow the Commissioner's recommendations; and (d) an applicant or a third party who is unsatisfied with the head's decision about the matter appeals that decision to the Court of Queen's Bench. This system offers no room for a direct appeal to the Court of Queen's Bench from the decision of a head, i.e., an appeal that circumvents the

> application to the Commissioner for a review. But, in effect, that is what happened here. The applicability of ss. 15, 17, 18 and 22 of the *Act* was put before the Chambers judge even though the propriety of relying on those provisions had never been the subject of a review by the Commissioner.

The Chief Justice further commented on the scope of the appeal:

> [47] …The *de novo* nature of an appeal pursuant to s. 57 speaks to the fact that no deference is owed by a Chambers judge to the decision under appeal and that the record on which the Chambers judge makes his or her decision is to be developed afresh. It does not speak to the *scope* of the appeal, i.e., to the breadth or nature of the issues that the appeal is to address. As explained, Part VII of the *Act* covers all of this in some detail and does not in any way contemplate that, on an appeal to the Court of Queen's Bench, parties can raise any and all provisions of the *Act* that bear on the question of whether the records in issue may be released.

The Court of Appeal has clearly indicated that on an appeal *de novo*, the judge can hear evidence afresh but the scope of the appeal is limited by what has been appealed by the applicant or third party.

OUTLINE OF THE APPEAL PROCEDURE

The following is an outline of the appeal procedure:

- Within 30 days of the head's decision, an applicant, individual or a third party can launch an appeal of the head's decision to the Court of Queen's Bench. That appeal is launched by an Originating Application (see Appendix A).

- Once the Originating Application is filed and served, the parties are embarking on a two-step procedure. The first step involves determining whether the parties can agree or whether the court will have to decide what is filed sealed and what is argued in camera or in open court.

    - Because of the nature of the appeal, the public body will filed sealed the records (both unredacted and redacted).

    - If the parties agree the submissions need not be filed sealed and the representation can be made in open court, the parties can proceed directly to argue the appeal. Otherwise, a court application will have to be made to determine the procedure to be used, what is filed sealed, what is argued in camera and what is argued in open court. The court will determine this procedure and issue an order (see Appendix B).

- The second step will be the actual argument by the parties as has been previously directed by the judge or agreed to by the parties.

APPENDIX A: ORIGINATING APPLICATION (SAMPLE FORM)

Form 3-49
(Rule 3-49)

COURT FILE NUMBER QBG No._____of 20____

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN

JUDICIAL CENTRE _____

APPLICANT(S) _____

RESPONDENT(S) _____

ORGINATING APPLICATION

NOTICE TO THE RESPONDENT(S)

This application is made against you. You are a respondent.

You have the right to state your side of this matter before the Court. To do so, you must be in court when the application is heard as shown below:

Court of Queen's Bench

_____, Saskatchewan

_____, 20___

_____ Time

Go to the end of this document to see what you can do and when you must do it.

PARTICULARS OF APPLICATION

1. Factual Background
   a. On _____, 20____, the Applicant submitted an access to information request to the Respondent.
   b. The Applicant's application was filed pursuant to section 6 of *The Freedom of Information and Protection of Privacy Act* (FOIP) [OR section 6 of *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP) OR section 34 of *The Health Information Protection Act* (HIPA)].

c. The Respondent requested the following information:

_____

d. The Respondent possesses the responsive record, consisting of:

_____

e. On _____, 20____, the Respondent advised that it would not provide all (or part of) the responsive record.

f. On _____, 20____, the Respondent requested that the Office of the Saskatchewan Information and Privacy Commissioner (Commissioner) review the matter, pursuant to section 49 of FOIP (OR section 38 of LA FOIP OR section 42 of HIPA).

g. On _____, 20____, the Commissioner issued Review Report _____. The Report recommended:

_____

h. On _____, 20____, the Respondent made its decision in response to the Report's recommendations, pursuant to section 56 of FOIP (OR section 45 of LA FOIP OR section 49 of HIPA). The Respondent chose not to comply with all (certain) recommendations of the Commissioner.

2. The Applicant appeals the Respondent head's decision pursuant to section 57 of FOIP (OR section 46 of LA FOIP OR section 50 of HIPA).

3. The Applicant applies to this Honourable Court for an order that the Respondent provide access to the records requested on _____, 20____, subject only to such conditions as the Court considers appropriate pursuant to section 58 of FOIP (OR section 47 of LA FOIP OR section 51 of HIPA).

4. The Applicant's grounds for appeal are:
   a. Section 57 of FOIP (OR section 46 of LA FOIP OR section 50 of HIPA);
   b. …

5. In support of this application, the Applicant relies on the following material or evidence:
   a. Affidavit of _____
   b. Written Argument
   c. ….

DATED at _____, Saskatchewan, this _____ day of _____, 20____.

This notice is issued at the above-noted judicial centre on the ___ day of _____, 20____.

Court Seal

_____
Local Registrar

NOTICE

You are named as a respondent because you have made or are expected to make an adverse claim with respect to this originating application. If you do not come to court either in person or by your lawyer, the court may make an order declaring you and all persons claiming under you to be barred from taking any further proceedings against the applicant(s) and against all persons claiming under the applicant(s). You will be bound by any order the court makes. If you want to take part in the application, you or your lawyer must attend in court on the date and at the time shown at the beginning of this form.

The ru1es require that a party moving or opposing an originating application must serve any brief of written argument on each of the other parties and file it at least 3 days before the date scheduled for hearing the originating application.

If you intend to rely on an affidavit or other evidence when the originating application is heard or considered, you must serve a copy of the affidavit and other evidence on the originating applicant at least I0 days before the originating application is to be heard or considered.

CONTACT INFORMATION AND ADDRESS FOR SERVICE

If prepared by a lawyer for the party:
Name of firm:
Name of lawyer in charge of file:
Address of legal firm:
Telephone number:
E-mail address:

or

If the party is self-represented:
Name of party:
Address for service:
Telephone number:
E-mail address:

APPENDIX B: ORDER (SAMPLE FORM)

COURT FILE NUMBER QBG No. _____of 20____

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN

JUDICIAL CENTRE _____

ADDRESS _____

APPLICANT(S) _____

RESPONDENT(S) _____

ORDER

Order made this _____ day of _____, 20____.

Before the Honourable Mr. (Madam) Justice _____ in chambers the _____day of _____, 20_____.

On the application of _____, counsel for the Appellant and on reading the Notice of Appeal, and the Affidavit of _____ dated _____, 20_____.

The court:

1. Approves and gives effect to the following procedure on the within appeal, (which has been consented to between the parties):
   (a) Within thirty (30) days of being served with a copy of this Issued Order, the Respondent will provide the record, redacted and unredacted, in question to the Court of Queen's Bench under seal. The record in question is the record described in the Saskatchewan Information and Privacy Commissioner's Review Report _____.
   (b) The record will remain under seal, subject only to the court's decision to review same.
   (c) Within thirty (30) days of serving the Respondent with a copy of this issued Order, counsel for the Respondent and counsel for the Appellant will file written briefs which set out their positions on the Respondent's claims of exemption for the sealed record. These briefs shall not be exchanged by counsel and shall be filed with the court, and both of them shall be sealed and not to be accessed by anyone without a specific order authorizing same. The Respondent may file the sealed record and its sealed brief of law at the same time.

(d) The briefs of both counsel will remain under seal subject only to the court's review or until the court otherwise orders.
Upon the filing of the sealed record, the written briefs of both counsel, the local registrar shall forward the file to the Judge seized with this matter.

(e) After receipt of the written brief(s), the court shall render a decision on the merits of the within appeal and the Respondent's claims of exemption from disclosure.

THIS ORDER IS HEREBY CONSENTED TO IN FORM AND CONTENT

this _____ DAY OF _____, 20_____.

Per:_____
Solicitor for the Appellant

THIS ORDER IS HEREBY CONSENTED TO IN FORM AND CONTENT

this _____ DAY OF _____, 20_____.

Per: _____
Solicitor for the Respondent

THIS ORDER ISSUED at _____, Saskatchewan,
this _____ DAY OF _____, 20_____.

_____
Local Registrar

CONTACT INFORMATION AND ADDRESS FOR SERVICE

If prepared by a lawyer for the party:
Name of firm:
Name of lawyer in charge of file:
Address of legal firm:
Telephone number:
E-mail address:

or

If the party is self-represented:
Name of party:
Address for service:
Telephone number:
E-mail address

APPENDIX C: AFFIDAVIT OF APPLICANT (SAMPLE FORM)

COURT FILE NUMBER QBG No._____of 20____

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN

JUDICIAL CENTRE _____

ADDRESS _____

APPLICANT(S) _____

RESPONDENT(S) _____

AFFIDAVIT OF APPLICANT

I, _____ of _____, Saskatchewan, MAKE OATH AND SAY (or AFFIRM):

1. That I am the Applicant in this appeal and as such have knowledge of the facts deposed hereto.

2. On _____, 20_____, I submitted an access to information request to the Respondent a copy of which is attached and marked Exhibit A.

3. On _____, 20_____, the Respondent advised that it would not provide all (or part of) the responsive record in a letter, a copy of which is attached and marked Exhibit B.

4. On _____, 20_____, the Respondent requested that the Office of the Saskatchewan Information and Privacy Commissioner (Commissioner) review the matter, pursuant to section 49 of *The Freedom of Information and Protection of Privacy Act* (FOIP) [OR section 38 of *The Local Authority Freedom of Information and Protection of Privacy* (LA FOIP) OR section 34 of *The Health Information Protection Act* (HIPA)].

5. On _____, 20_____, the Commissioner issued Review Report _____. A copy of which is attached and marked as Exhibit C.

6. On _____, 20_____, the Respondent made its decision in response to the Report's recommendation, pursuant to section 56 of FOIP (OR section 45 of LA FOIPOR section 49 of HIPA) in a letter, a copy of which is attached and marked as Exhibit D.

7. ...

8. I make this Affidavit in support of my appeal pursuant to section 57 of FOIP (OR section 46 of LA FOIP OR section 50 of HIPA).

SWORN (OR AFFIRMED) BEFORE ME
at, _____, Saskatchewan,
this _____day of _____, 20____.

_____
Commissioner for Oaths for Saskatchewan

_____
(signature of applicant)

CONTACT INFORMATION

Office of the Saskatchewan
Information and Privacy
Commissioner

1801 Hamilton Street
Suite 503
Regina SK S4P 4B4

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