



Office of the
Saskatchewan Information
and Privacy Commissioner

REVIEW REPORT 194-2025

Saskatchewan Health Authority

March 27, 2026

Summary:

The Applicant submitted a three-part access to information request to the Saskatchewan Health Authority (SHA) for information regarding snow removal services in connection with the Lloydminster hospital, conceptual designs/plans for a new hospital in Yorkton, and records related to the severance of 26 SHA leadership positions. SHA provided the Applicant with all records responsive to Part 1 of the access request. SHA transferred Part 2 of the request to the Ministry of Health (Health) under section 11(2)(a) (transfer to a government institution that has a greater interest in the record) of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*. SHA provided the Applicant with records responsive to Part 3 of the request but withheld part of one record pursuant to the mandatory exemption in section 28(1) (third party personal information) of *LA FOIP*.

The Applicant requested a review by the Office of the Saskatchewan Information and Privacy Commissioner with respect to the SHA decision to transfer Part 2 of the request. The Applicant also requested that this office review the SHA application of the mandatory exemption in section 28(1) of *LA FOIP* to Part 3 of the request. During the course of the review, Part 3 of the Applicant's request was satisfied and resolved.

The Commissioner found that SHA transferred Part 2 of the access to information request to Health in accordance with section 11(2)(a) of *LA FOIP*.

The Commissioner recommended that SHA take no further action regarding the issue of transfer.

I BACKGROUND

[1] On June 30, 2025, the Applicant mailed a three-part access to information request to Saskatchewan Health Authority (SHA), along with the requisite \$20 application fee. The request was received by SHA on July 2, 2025. The request was divided into three parts, and it was for:

1) Records showing snow removal services hired for the Lloydminster Hospital including but not limited to paid receipts/invoices/bills, etc. for snow removal services.

Time period: December 1, 2018 – April 30, 2025

2) Records showing proposed or conceptual drawings/plans, etc. including but not limited to conceptual designs distributed to Yorkton staff for feedback for a new hospital in the Yorkton, Saskatchewan area.

Time period: January 1, 2008 – January 1, 2019

3) Records showing names, job titles and severance paid to 26 senior out-of-scope leadership positions eliminated in the Saskatchewan Health Authority (SHA). Also records showing the communication with these 26 employees informing them that their positions would be eliminated and possible future employment opportunities with the SHA.

Time period: January 1, 2025 to June 30, 2025

[2] On July 8, 2025, SHA responded to the Applicant and advised that it had transferred Part 2 of the access to information request to the Ministry of Health (Health) under section 11(2)(a) of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*.¹

[3] On August 5, 2025, SHA issued its section 7 decision to the Applicant, granting them full access to records responsive to Part 1 of the request. SHA also provided records responsive to Part 3 of the request but withheld part of one record under section 28(1) of *LA FOIP*.

[4] On August 11, 2025, the Applicant requested a review by the Office of the Saskatchewan Information and Privacy Commissioner (OIPC) of the SHA decision to transfer Part 2 of

¹ [*The Local Authority Freedom of Information and Protection of Privacy Act*](#) S.S. 1990-91, c. L-27.1, as amended.

the request and its application of section 28(1) of *LA FOIP* to portions of records responsive to Part 3 of the request.

[5] On January 5, 2026, OIPC notified the Applicant and SHA that this office would be undertaking a review of the SHA decision to transfer Part 2 of the request and its decision to withhold portions of the record responsive to Part 3 of the request. OIPC requested that SHA provide an unredacted copy of the records and an index of records by February 4, 2026. Both parties were invited to provide submissions by March 6, 2026.

[6] On January 15, 2026, SHA provided OIPC with a submission related to its decision to transfer Part 2 of the Applicant's access to information request to Health. On January 23, 2026, SHA provided further submissions related to its decision to withhold portions of the record responsive to Part 3 of the request under section 28(1) *LA FOIP* and a copy of the unredacted records.

[7] On January 26, 2026, SHA consented to the sharing of its submission with the Applicant. After receiving a copy and dialog with OIPC (between January 27, 2026, and February 4, 2026), the Applicant indicated they no longer took issue with the applications of the exemption to portions of the record in Part 3 of the access request. Therefore, this review will only focus on the decision on the part of SHA to transfer Part 2 of the access to information request to a government institution, Health, pursuant to section 11(2)(a) of *LA FOIP*.

[8] On February 2, 2026, the Applicant provided OIPC with their submission.

II RECORDS AT ISSUE

[9] At issue is the SHA decision to transfer Part 2 of the access to information request to Health. There are no records at issue.

III DISCUSSION OF THE ISSUES

1. Jurisdiction

[10] SHA is a “local authority” as defined by section 2(1)(f)(xiii) of *LA FOIP*. Therefore, OIPC has jurisdiction to conduct a review of this matter under PART VI of *LA FOIP*.

2. Did SHA transfer the access to information request in accordance with section 11(2)(a) of *LA FOIP*?

[11] At issue in this Report is the SHA decision to transfer Part 2 of the access to information request (for records from January 1, 2008 – January 1, 2019, related to proposed or conceptual drawings/plans for a new Yorkton hospital) to Health.

[12] Section 11 of *LA FOIP* allows a local authority to transfer an access to information request to another local authority or government institution if that local authority or government institution has a “greater interest” in the record. Section 11(2) of *LA FOIP* provides the circumstances under which another local authority or government institution would have a “greater interest” in the record:

11(2) For the purposes of this section, another local authority or a government institution has a greater interest in a record if:

(a) the record was originally prepared in or for the other local authority or the government institution; or

(b) the other local authority or the government institution was the first to obtain the record or a copy of the record.

[13] This office has previously found that transfers of access to information requests typically occur when two or more local authorities or government institutions have possession or control of a record. The circumstances for “greater interest”, provided by section 11(2) of *LA FOIP*, are useful in the determination of which local authority should respond to the

access request.² In this case, SHA received the request but indicated that it did not have any responsive records.

[14] In its submission, SHA explained that after it determined there were no responsive records in its possession or control, SHA “reached out to the Ministry of Health’s Privacy Unit to enquire if there were responsive records stored within their files” on July 8, 2025. Health replied to SHA later that day and advised:

We have done a preliminary search for records and found some that appear to be responsive that originated in the former Sunrise Health Region and shared to the Ministry. We will accept the partial transfer and process the request including any 3rd party consultations/reviews by your org as necessary.

[15] On February 10, 2026, SHA confirmed with this office that it had transferred Part 2 of the request under section 11(2)(a) of *LA FOIP* because the responsive records were originally compiled for, and submitted to, Health.

[16] To comply with section 11(2)(a) of *LA FOIP*, a public body must meet the burden of proof by demonstrating how the record was originally prepared in or for another public body. The public body cannot simply conclude that another public body has greater interest in a record solely because it has possession of said record.³

[17] In this case, SHA must demonstrate that Health had a “greater interest” in the record by showing that the record was originally prepared in or for a government institution, in this case Health.⁴

[18] The Applicant argued that SHA was the body with the greater interest in the record:

² OIPC [Review Report 093-2022, 117-2022; Investigation Report 152-2022](#) at paragraph [18].

³ OIPC [Review Report F-2013-005](#) at paragraphs [26] and [27].

⁴ Section 2(1)(d) of *LA FOIP* provides that a government institution is defined in [The Freedom of Information and Protection of Privacy Act](#), SS 1990-91, c.F-22.01, as amended, (*FOIP*). Health is a “government institution” as defined by section 2(1)(d)(i) of *FOIP*.

During 2011-2012, the former Sunrise Health Region (Sunrise) widely distributed a conceptual design for a new hospital.

...

Sunrise was amalgamated into the Saskatchewan Health Authority (SHA) in 2017.

...

The SHA is now the local authority responsible for the 2011-2012 record containing the conceptual design for the new Yorkton hospital that was widely circulated by the Sunrise Health Region at the time. It was not the Ministry of Health mass emailing the conceptual design to Sunrise staff for their feedback...

- [19] It is important to note that the record could not have been prepared in, or for, SHA as the record was created at the direction of the former Sunrise Health Region⁵ (Sunrise) which no longer exists. SHA was not formed until 2017.⁶ In order to establish that Health has a greater interest in the record, SHA must demonstrate that the record was prepared for Health.
- [20] SHA explained in its submission that any major projects within former health regions, such as Sunrise, could not move forward without the legislated approval of Health. This clearly establishes a greater interest and the controlling authority of Health.
- [21] Prior to 2017, the operations of Sunrise were governed by *The Regional Health Services Act*.⁷ In December of 2017, *The Regional Health Services Act* was repealed and replaced

⁵ [Sunrise Regional Health Authority 2011-2012 Annual Report](#) at page 3, details that “Sunrise Health Region is one of 13 health regions in the Province... Sunrise Regional Health Authority is the legal name of the region and is used in reference to the Board; Sunrise Health Region is used in reference to the geographic region, employees, programs and services.”

⁶ OIPC [Investigation Report 308-2017, 309-2017, 310-2017](#) at paragraph [4].

⁷ [The Regional Health Services Act](#), SS 2002, c R-8.2. (Repealed on Dec. 04, 2017 and replaced by the statute in footnote 8).

with *The Provincial Health Authority Act*⁸ after the former regional health authorities, including Sunrise, were unified into one health authority under SHA.

[22] Section 30(1)(f) of *The Regional Health Services Act* is conceptually identical to section 4-4(1)(e) of *The Provincial Health Authority Act*. Both sections outline the limits of the former Regional Health Authorities, and SHA, with respect to administrative powers and freedom. Before constructing, renovating or altering a facility, approval must be obtained from the Minister of Health.

[23] SHA indicated in its submission that the record in issue was prepared for Health:

The SHA transferred the request to the Ministry of Health as **the** decision maker for all Health Capital Projects and the current (and only) record holder of the responsive records.

...to proceed the former Sunrise Health Authority would have been required to submit the conceptual design for approval from the minister prior to any ability to construct or at the very least plan a new health site so in that effect, the records held by the Ministry would have been created and supplied for the Ministry of Health approval...

[Emphasis in original]

[24] We note that Health provided a section 7 decision to the Applicant on August 14, 2025. In that notice Health indicated that it was withholding all responsive records in full. If the Applicant is dissatisfied with the Health decision to withhold the record, they may request a review of that matter.

IV FINDINGS

[25] OIPC has jurisdiction to conduct a review of this matter pursuant to PART VI of *LA FOIP*.

[26] SHA transferred Part 2 of the Applicant's access to information request to Health in accordance with section 11(2)(a) of *LA FOIP*.

⁸ [*The Provincial Health Authority Act*](#), SS 2017, c P-30.3, as amended.

V RECOMMENDATION

[27] I recommend that SHA take no further action regarding its decision to transfer.

Dated at Regina, in the Province of Saskatchewan, this 27th day of March, 2026.

Grace Hession David
Saskatchewan Information and Privacy Commissioner