



Government  
of  
Saskatchewan

Deputy Minister's Office  
1200 – 1855 Victoria Avenue  
Regina, Canada S4P 3T2  
306-787-4949

Our File No: HI 208/14G

June 5, 2014

Mr. Colin Craig  
1881 Portage Avenue  
PO Box 42123  
Winnipeg, MB R3J 3X7

Dear Mr. Craig:

**RE: Your Access to Information Request Number HI 208/14G**

Thank you for your access to information request received in this office on April 17, 2014 , requesting all briefing notes and memos provided to the Minister on the proposed Regina Bypass since January 1, 2013.

Access to the records you have requested is denied pursuant to section 17(1)(f)(i) of *The Freedom of Information and Protection of Privacy Act* (the Act). As the Ministry of Highways and Infrastructure is a government institution within section 2(1)(d)(i) of the Act, the reason for refusal of these records is they are agendas for a government institution. For your information, I have included a copy of all above-noted sections of the Act.

If you would like to exercise your right to request a review of this decision, you may do so by completing a "Request for Review" form and forwarding it to the Saskatchewan Information and Privacy Commissioner within one year of this notice. Your completed form can be sent to #503 – 1801 Hamilton Street, Regina, Saskatchewan, S4P 4B4. This form is available at the same location which you applied for access or by contacting the Office of the Information and Privacy Commissioner at (306) 787-8350.

If you have any questions, please contact Karen Lappa at 306 787 3176.

Sincerely,

Nithi Govindasamy  
Deputy Minister  
Ministry of Highways and Infrastructure

Enclosures

cc: Karen Lappa, Access Co-ordinator, Ministry of Highways and Infrastructure

**Advice from officials**

17(1) Subject to subsection (2), a head may refuse to give access to a record that could reasonably be expected to disclose:

- (a) advice, proposals, recommendations, analyses or policy options developed by or for a government institution or a member of the Executive Council;
- (b) consultations or deliberations involving:
  - (i) officers or employees of a government institution;
  - (ii) a member of the Executive Council; or
  - (iii) the staff of a member of the Executive Council;
- (c) positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations by or on behalf of the Government of Saskatchewan or a government institution, or considerations that relate to those negotiations;
- (d) plans that relate to the management of personnel or the administration of a government institution and that have not yet been implemented;
- (e) contents of draft legislation or subordinate legislation;
- (f) agendas or minutes of:
  - (i) a board, commission, Crown corporation or other body that is a government institution; or
  - (ii) a prescribed committee of a government institution mentioned in subclause (i); or
- (g) information, including the proposed plans, policies or projects of a government institution, the disclosure of which could reasonably be expected to result in disclosure of a pending policy or budgetary decision.

(2) This section does not apply to a record that:

- (a) has been in existence for more than 25 years;
- (b) is an official record that contains a statement of the reasons for a decision that is made in the exercise of a discretionary power or an adjudicative function;
- (c) is the result of product or environmental testing carried out by or for a government institution, unless the testing was conducted:
  - (i) as a service to a person, a group of persons or an organization other than a government institution, and for a fee; or
  - (ii) as preliminary or experimental tests for the purpose of:
    - (A) developing methods of testing; or
    - (B) testing products for possible purchase;
- (d) is a statistical survey;

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PROTECTION OF PRIVACY

(e) is the result of background research of a scientific or technical nature undertaken in connection with the formulation of a policy proposal; or

(f) is:

(i) an instruction or guide-line issued to the officers or employees of a government institution; or

(ii) a substantive rule or statement of policy that has been adopted by a government institution for the purpose of interpreting an Act or regulation or administering a program or activity of a government institution.

(3) A head may refuse to give access to any report, statement, memorandum, recommendation, document, information, data or record, within the meaning of section 35.1 of *The Saskatchewan Evidence Act*, that, pursuant to that section, is not admissible as evidence in any legal proceeding.

1990-91, c.F-22.01, s.17.

**Economic and other interests**

18(1) A head may refuse to give access to a record that could reasonably be expected to disclose:

(a) trade secrets;

(b) financial, commercial, scientific, technical or other information:

(i) in which the Government of Saskatchewan or a government institution has a proprietary interest or a right of use; and

(ii) that has monetary value or is reasonably likely to have monetary value;

(c) scientific or technical information obtained through research by an employee of a government institution, the disclosure of which could reasonably be expected to deprive the employee of priority of publication;

(d) information, the disclosure of which could reasonably be expected to interfere with contractual or other negotiations of the Government of Saskatchewan or a government institution;

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(f) information, the disclosure of which could reasonably be expected to prejudice the economic interest of the Government of Saskatchewan or a government institution;

(g) information, the disclosure of which could reasonably be expected to be injurious to the ability of the Government of Saskatchewan to manage the economy of Saskatchewan; or

**CHAPTER F-22.01**

*An Act respecting a right of access to documents of the Government of  
Saskatchewan and a right of privacy with respect to personal  
information held by the Government of Saskatchewan*

**PART I**

**Short Title, Interpretation and Application**

**Short title**

**1** This Act may be cited as *The Freedom of Information and Protection of Privacy Act*.

**Interpretation**

**2(1)** In this Act:

- (a) **“applicant”** means a person who makes an application for access to a record pursuant to section 6;
- (b) **“commissioner”** means the Information and Privacy Commissioner appointed pursuant to Part VI;
- (c) **“fiscal year”** means the period commencing on April 1 in one year and ending on March 31 in the following year;
- (d) **“government institution”** means, subject to subsection (2):
  - (i) the office of Executive Council or any department, secretariat or other similar agency of the executive government of Saskatchewan; or
  - (ii) any prescribed board, commission, Crown corporation or other body, or any prescribed portion of a board, commission, Crown corporation or other body, whose members or directors are appointed, in whole or in part:
    - (A) by the Lieutenant Governor in Council;
    - (B) by a member of the Executive Council; or
    - (C) in the case of:
      - (I) a board, commission or other body, by a Crown corporation; or
      - (II) a Crown corporation, by another Crown corporation;
- (e) **“head”** means:
  - (i) in the case of an agency mentioned in subclause (d)(i), the member of the Executive Council responsible for the administration of the agency; and



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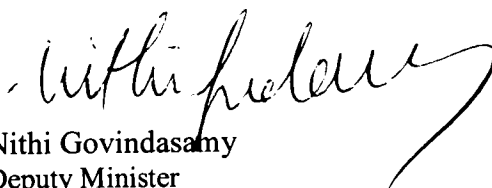
Thank you for your access to information request received in this office on April 17, 2014 , requesting copies of all PowerPoint presentations used to brief the Minister on the proposed Regina Bypass since January 1, 2012.

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