Order F26-06

MINISTRY OF FINANCE, PUBLIC SERVICE AGENCY

Rene Kimmett
Adjudicator

January 27, 2026

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Summary: Under the *Freedom of Information and Protection of Privacy Act* (FIPPA), an applicant asked the Public Service Agency (PSA) for access to records related to her employment. The PSA withheld some information from the applicant on the basis that the information can or must be withheld under ss. 13(1) (advice or recommendations) or 22(1) (harm to third-party personal privacy) of FIPPA or settlement privilege. The adjudicator found that the PSA was authorized to withhold all the information withheld on the basis of settlement privilege but none of the information withheld under only s. 13(1). She also found that the PSA was required to withhold some of the information in dispute under s. 22(1). The adjudicator ordered the PSA to give the applicant access to the information it was not authorized or required to withhold.

Statutes Considered: *Freedom of Information and Protection of Privacy Act,* RSBC 1996, c. 165, ss. 13(1), 22(1), 22(2)(c), and 22(3)(d).

INTRODUCTION

[1] Under the *Freedom of Information and Protection of Privacy Act* (FIPPA), an applicant asked the Public Service Agency (PSA),[1] for access to records related to her employment.

[2] The PSA gave the applicant some records, but withheld others, in full or in part, under ss. 13(1) (advice or recommendations), 15(1) (harm to law enforcement), 17(1) (harm to financial or economic interests of a public body), or 22(1) (harm to third-party personal privacy).

[3] The applicant asked the Office of the Information and Privacy Commissioner (OIPC) to review the PSA's decision to withhold information responsive to her access request. The OIPC engaged the parties in mediation,

[1] The PSA is an agency of the Ministry of Finance.

but it did not resolve the issues in dispute, and the matter proceeded to this inquiry.

[4] Before the submission schedule began, the PSA reconsidered its severing decision and is no longer relying on ss. 15(1) or 17(1) to withhold any information in the responsive records. The PSA also asked to add the issue of settlement privilege to the inquiry. An adjudicator considered the request and decided it was appropriate to add this issue.[2]

PRELIMINARY ISSUE

[5] The records package the applicant was provided in response to her access request totalled 190 pages.[3] The records package in this inquiry also totals 190 pages. However, the pages are numbered "page ___ of 329" in the copy of the records provided to the OIPC. The PSA referred to these page numbers in its submissions.

[6] The PSA says there is a difference in page numbers because it initially gathered 329 pages of records and then determined that 139 of these pages were either not responsive to the applicant's access request or were exact duplicates. It says it excluded these pages from the records package before providing it to the applicant.[4]

[7] The applicant expresses concerns that there may be more pages responsive to her request than the 190 pages of records she received.[5] The applicant's concerns relate to s. 6(1), which requires public bodies to make every reasonable effort to assist applicants and to respond without delay to each applicant openly, accurately and completely. Ordinarily, when an applicant has concerns about s. 6(1), the proper course is for the individual to first raise the issue with the public body and give it the opportunity to respond and attempt to resolve the issue. If the issue cannot be resolved, then the individual may make a complaint to the OIPC.

[8] Section 6(1) is not listed as an issue in this inquiry. The Notice of Inquiry and *Instruction for Written Inquiries* were provided to the parties in this inquiry and state that parties may not add new issues without the OIPC's prior consent.

[9] In this case, since the records given to the applicant were marked 1 to 190, she may not have been aware that the records initially gathered totalled 329 pages until the PSA referred to these page numbers in its initial submission. For this reason, I do not fault the applicant for raising her concerns late. However,

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[2] Adjudicator Pakkala's decision letter dated September 3, 2025.
[3] PSA's letter to the applicant dated July 25, 2024.
[4] PSA's letter to the OIPC and applicant dated December 16, 2025.
[5] Applicant's submission at page 3, para 3; Applicant's letter dated January 25, 2026.

I still find that the best course of action is for the applicant to bring her concerns directly to the PSA, outside of this inquiry process, and give it the opportunity to resolve the issue. If the applicant is unsatisfied with the PSA's response, then she may make a complaint to the OIPC.

[10] For the reasons above, I will not consider s. 6(1) in this inquiry and will only consider the records package that totals190 pages.

ISSUES AND BURDEN OF PROOF

[11] The issues I must decide in this inquiry are as follows:

1. Is the PSA authorized to refuse access to the information in dispute under settlement privilege?

2. Is the PSA authorized to refuse access to the information in dispute under s. 13(1)?

3. Is the PSA required to refuse access to the information in dispute under s. 22(1)?

[12] The PSA has the burden of proving that the applicant has no right of access to the information withheld under settlement privilege[6] or s. 13(1).[7] It also has the burden to prove that the information withheld under s. 22(1) is personal information.[8]

[13] The applicant has the burden of proving that disclosure of the personal information withheld under s. 22(1) would not be an unreasonable invasion of third-party personal privacy.[9]

DISCUSSION

Background

[14] The applicant was employed by the Liquor Distribution Branch, which is part of the Ministry of Public Safety and Solicitor General (Ministry). She asked for a religious exemption from the requirement to receive the COVID-19 vaccination. She was placed on unpaid leave while the PSA assessed her request.[10] The applicant filed a grievance about this unpaid leave through her

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[6] Order F18-12, 2018 BCIPC 15 (CanLII) at para 6.
[7] FIPPA, s. 57(1).
[8] Order 03-41, 2003 CanLII 49220 (BC IPC) at paras 9-11.
[9] FIPPA, s. 57(2).
[10] Records package at page 10.

union, the BC General Employees' Union (BCGEU).[11] The PSA represented the Ministry in the grievance process. The grievance was settled by agreement. The applicant has concerns about how the BCGEU represented her in this grievance process.[12]

Records at issue

[15] The records package totals 190 pages. The PSA has partially withheld 13 pages and entirely withheld 33 pages of this package.

Settlement Privilege

[16] The PSA is withholding six records entirely on the basis that they are subject to settlement privilege.[13]

[17] FIPPA does not include settlement privilege as an exception to disclosure. However, the BC Supreme Court has found that since FIPPA contains no clear legislative intent to abrogate it, public bodies are entitled to rely on settlement privilege to refuse to disclose information responsive to an access request under FIPPA. The BC Supreme Court has explained the reason public bodies may rely on settlement privilege as follows:

> It would be unreasonable and unjust to deprive government litigants, and litigants with claims against government or subject to claims by government, of the settlement privilege available to all other litigants [by requiring disclosure of settlement communications under FIPPA]. It would discourage third parties from engaging in meaningful settlement negotiations with government institutions.[14]

[18] Relevant to this explanation is the fact that disclosure under FIPPA is considered "disclosure to the world" because there are no restrictions in FIPPA prohibiting an applicant from disclosing the information publicly.[15]

[19] Settlement privilege is a common law privilege that protects communications made for the purpose of settling a dispute. The purpose of settlement privilege is to promote the public's interest in settling lawsuits outside

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[11] Records package at page 4.
[12] Applicant's submission at page 1, paras 1 and 2.
[13] Records package at pages 111-113, 164-166, 169-171, 172-174, 176-178, and 179. In the records package given to the applicant, the PSA has marked the information subject to settlement privilege with "s. 14". To be clear, settlement privilege is separate and distinct from s. 14, which is not in dispute in this inquiry.
[14] *Richmond (City) v Campbell,* 2017 BCSC 331 at para 71.
[15] Order F22-31, 2022 BCIPC 34 (CanLII) at para 80, citing Order 03-35, 2003 CanLII 49214 (BC IPC) at para. 31.

of court.[16] Among other things, settlement privilege prevents anyone (both parties and strangers to a dispute) from using settlement communications from one dispute in another dispute, if there is any possibility that those communications could hinder discussions about settling the subsequent dispute.[17]

[20] For settlement privilege to apply there must be:

1. a dispute or negotiation in existence or within contemplation; and[18]

2. a communication made

    a) with the express or implied intention that it will not be disclosed in the event negotiations failed; and

    b) for the purpose of attempting to effect a settlement.

[21] Settlement privilege applies even after a settlement is reached[19] and applies to a party's undisclosed, internal communications about settlement options.[20]

[22] The PSA has entirely withheld information from several draft settlement agreements exchanged between the PSA and the BCGEU,[21] as well as an internal document in which a PSA employee recorded information related to settling the applicant's grievance.[22]

[23] I find that the records meet all three criteria for settlement privilege. The applicant's employer (represented by the PSA), the BCGEU, and the applicant were parties to a dispute about the applicant's grievance, which was the dispute relevant to the communications.

[24] The draft settlement agreements were exchanged between the PSA and the BCGEU for the purpose of negotiating a settlement of the dispute. It is clear, from the records already disclosed to the applicant, that the BCGEU and PSA

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[16] Lederman et al., *The Law of Evidence in Canada*, 4th ed. (Markham, ON: LexisNexis Canada Inc., 2014) at 1036, citing *Kelvin Energy Ltd v Lee,* 1992 CanLII 38 (SCC).
[17] *Ibid* at 1043, citing *Ed Miller Sales & Rentals Ltd. v. Caterpillar Tractor Co.*, 1990 CanLII 5494 (AB KB) and *Middelkamp v. Fraser Valley Real Estate Board,* 1992 CanLII 4039 (BC CA).
[18] *Langley (Township) v. Witschel,* 2015 BCSC 123, at paras 34-37.
[19] *Union Carbide Canada Inc. v. Bombardier Inc*., 2014 SCC 35 (CanLII) at para 34.
[20] *Cowichan Tribes v. Canada (Attorney General)*, 2020 BCSC 1507 at para 78, citing *Thomas v. Rio Tinto Alcan Inc*., 2019 BCSC 421 at para 80, and *Concord Pacific Acquisitions Inc. v. Oei,* 2016 BCSC 2028 at para 52. See also Order F22-60, 2022 BCIPC 68 (CanLII) at paras 8-16.
[21] Records package a pages 111-113, 164-166, 169-171, 172-174, and 176-178. Pages 182-184 of the records package also contain a draft settlement agreement, but these pages have already been disclosed to the applicant and, therefore, are not in dispute in this inquiry.
[22] Records package at page 179.

were expressly communicating on a "without prejudice" basis, meaning that both parties agreed the communications would not be disclosed in court (or arbitration) if they failed to reach a settlement.[23]

[25] The internal document is a communication within the PSA that includes an analysis of the applicant's grievance and options to resolve the dispute. I accept that this document was made for the purpose of settling the dispute and that the PSA implicitly expected this document would not be disclosed in the event negotiations failed.

[26] I am satisfied that disclosing this information "to the world", under FIPPA, could impact current or future grievors' willingness or approach in negotiations with the PSA and could discourage settlement.

[27] For the above reasons, I find settlement privilege applies to the records that the PSA has withheld on this basis. I will now consider whether the applicant has established an exception to settlement privilege in this case.

[28] There can be exceptions to settlement privilege where the public interest in disclosure outweighs the public interest in protecting settlement communications.[24]

[29] Here, the applicant submits that the BCGEU imposed the settlement on her and that she had no say in the matter. She submits that it is important for her to have access to the information withheld on the basis of settlement privilege in order to understand what negotiations took place between the PSA and BCGEU and whether the BCGEU used all available processes and evidence to represent her interests.[25]

[30] I find that the applicant has only identified a private interest in the handling of her specific grievance. I find she has not established there is a public interest in disclosure of the records that outweighs the public interest in settling disputes. I acknowledge her concerns that the BCGEU represented her in a manner she disagrees with. However, these concerns are insufficient to warrant a finding that the records should not be subject to settlement privilege.

Advice or recommendations – s. 13

[31] Section 13(1) authorizes the head of a public body to refuse to disclose information that would reveal advice or recommendations developed by or for a public body or minister.

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[23] See records package at pages 27, 88, 114, 115, and 167.
[24] *Thomas v Rio Tinto Alcan Inc.,* 2019 BCSC 421 (CanLII) at para 79; *Dos Santos v. Sun Life Assurance Co. of Canada*, 2005 BCCA 4 (CanLII) at para 20.
[25] Applicant's submission at page 1.

[32] A public body is authorized to refuse access to information under s. 13(1) when the information itself directly reveals advice or recommendations or when disclosure would permit accurate inferences about advice or recommendations developed by or for a public body.[26] Previous OIPC orders have consistently found that information will not *reveal* advice or recommendations if the withheld information has already been disclosed to the applicant or is easily inferable from the disclosed portions of the responsive records.[27]

[33] The word "recommendations" includes material that relates to a suggested course of action that will ultimately be accepted or rejected by the person being advised and can be express or inferred.[28]

[34] The word "advice" has a distinct and broader meaning than "recommendations."[29] "Advice" usually involves a communication, by an individual whose advice has been sought, to the recipient of the advice, as to which courses of action are preferred or desirable.[30] The term "advice" also includes an opinion that involves exercising judgment and skill to weigh the significance of matters of fact on which a public body must make a decision.[31]

[35] Section 13(1) protects "a public body's internal decision-making and policy-making processes, in particular while the public body is considering a given issue, by encouraging the free and frank flow of advice and recommendations."[32]

[36] Generally, s. 13(1) does not apply to manuals, instructions, or guidelines issued to officers or employees of a public body because they do not relate to a public body's deliberative decision-making or policy-making processes and instead, communicate a public body's settled policy or position about how to approach an issue.[33]

[37] Under s. 13(1), the PSA has withheld:

- the draft settlement agreements;

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[26] Order 02-38, 2002 CanLII 42472 at para 135. See also Order F17-19, 2017 BCIPC 20 (CanLII) at para 19.
[27] Order F13-24, 2013 BCIPC 31 at para 19; Order F20-32, 2020 BCIPC 38 (CanLII) at paras 34-37; Order F23-91, 2023 BCIPC 107 (CanLII) at para 54.
[28] *John Doe v. Ontario (Finance),* 2014 SCC 36 at paras 23-24.
[29] *Ibid* at para 24.
[30] Order 01-15, 2001 CanLII 21569 at para 22.
[31] *College of Physicians of BC v. British Columbia (Information and Privacy Commissioner)*, 2002 BCCA 665 at para 113.
[32] Order 01-15, 2001 CanLII 21569 at para 22.
[33] Order F14-34, 2014 BCIPC 37 (CanLII) at paras 23-25 and 32-33; Order F23-67, 2023 BCIPC 78 (CanLII) at paras 15-19; Order F24-36, 2024 BCIPC 44 (CanLII) at paras 52-58

- an email from a PSA employee to the Ministry;[34]
- two "Accommodation Assessment Forms";[35]
- three draft letters from the PSA to the Ministry.[36]

[38] I have already found that the draft settlement agreements can be withheld on the basis of settlement privilege. I will not consider whether these records may also be withheld under s. 13(1).

[39] For the reasons below, I find that s. 13(1) does not apply to the other information in dispute because this information is simply communications about the PSA's settled position. The information in dispute does not reveal anything about developing this settled position or discussion about the applicant's specific exemption request.

[40] Looking first at the email, the first sentence says that the PSA has made a recommendation to the Ministry about the employee's exemption request.[37] However, this does not actually appear to be a recommendation. Instead, I find it is a communication about a final decision made by the PSA. I make this finding based on the fact that the applicant was informed, on multiple occasions, that her request was "forwarded to the PSA to review and make a determination."[38] In any event, even if I accept that this information is advice or a recommendation (which I do not), the applicant has already been told about the outcome of the determination. Therefore, disclosure of this withheld information would not *reveal* advice or recommendations because the information has already been disclosed to the applicant or is easily inferable from the disclosed portions of the responsive records.

[41] The rest of the email contains instructions on the next steps in the process and general information to assist the employer in carrying out those steps. I find the expectations stated in this email are communications about the PSA's settled position on how employers should approach the issue of vaccination exemptions. While the employer may have some discretion on whether to strictly follow this approach (depending on the unique circumstances of each case), the expectations communicated are generic and intended to provide general instruction about how such cases should typically be approached. The email does not include deliberation about this general approach or about how to handle

[34] Records package at page 36.
[35] *Ibid* at pages 29-30 and 38-39.
[36] *Ibid* at pages 41-42, 52-53, and 56.
[37] The subject matter of this first sentence can be inferred from the surrounding context that has already been disclosed to the applicant.
[38] Records package at pages 11 and 18.

any issue specific to the applicant's case. I find disclosure of the information in this email would not allow someone to make accurate inferences about advice or recommendations developed by or for a public body.

[42] Turning to the Accommodation Assessment Forms, the PSA submits it provides employers with these forms to assist them in managing accommodation requests from employees. It submits these forms include "background information and question prompts with blank spaces [to be] completed by excluded managers when assessing requests."[39] It submits the forms also include "advice and recommendations on the duty to accommodate and the nature of the obligation that it places on employers."[40]

[43] I find the Accommodation Assessment Forms do not reveal advice or recommendations. The forms were created by the PSA and contain general information and guidance about an employer's duty to accommodate and questions about the employee's role and responsibilities and options for alternative work arrangements.

[44] In one version of this form, the applicant's employer has answered the questions in the form. These answers do not include a suggested course of action or an opinion that involves exercising judgment and skill to weigh the significance of facts on which a public body must make a decision. Instead, the employer's responses provide only basic factual material about the applicant's role and duties. Disclosure of the information would not allow someone to make accurate inferences about advice or recommendations developed by or for a public body.

[45] Lastly, the PSA submits that the three draft letters contain recommended language for the Ministry, "which could be modified as needed and sent to the employee" and "advice and recommendations […] regarding communications with employees about their religious exemption requests."[41]

[46] The emails in which the letters were sent, and the letters themselves, instruct the Ministry to review and edit the text in red. The text in red are the details related to an employee's specific request (e.g. the name and contact information of the employee and their supervisor, the date of the employee's request, etc.). The rest of these letters provide information to an employee relevant to various stages of the vaccination exemption process.

[47] I find that these letters convey the PSA's set expectations about how employers should generally communicate with employees about their vaccination exemption requests and an instruction to complete the information in red. I find

[39] PSA's initial submission at para 24.
[40] *Ibid.*
[41] *Ibid* at para 27.

disclosure of this information, which is set expectations of general application and instructions, would not reveal advice or recommendations.

[48] The PSA submits that a previous OIPC order, Order F22-10, found that information, similar to the information contained in the draft letters, was advice and recommendations for the purposes of s. 13(1). The information in dispute in Order F22-10 was not, as it is here, template language used in every case and, instead, was created specifically to address one employment situation. Additionally, in Order F22-10, the adjudicator found there was a deliberative process that required employees of the Ministry of Citizens' Services to engage in free and frank discussions about the best courses of action. This kind of deliberation is not present here.

[49] For the above reasons, I have determined that none of the information in dispute would reveal advice or recommendations developed by or for a public body. I find that the PSA is not authorized to withhold any information under s. 13(1).

Unreasonable invasion of third-party personal privacy – s. 22

[50] Section 22(1) requires a public body to refuse to disclose personal information, if its disclosure would unreasonably invade a third party's personal privacy. A third party is any person other than the applicant and a public body.[42]

[51] There are four steps in the s. 22(1) analysis, and I will apply each step under the subheadings below.[43]

Section 22(1) – personal information

[52] The first step in the s. 22(1) analysis is to determine if the information in dispute is personal information. Personal information is defined in FIPPA as "recorded information about an identifiable individual other than contact information".[44]

[53] Information is about an identifiable individual when it is reasonably capable of identifying a particular individual, either alone or when combined with other available sources of information.[45] Contact information is defined as "information to enable an individual at a place of business to be contacted and includes the name, position name or title, business telephone number, business

[42] FIPPA, Schedule 1.
[43] Order F15-03, 2015 BCIPC 3 (CanLII) at para 58.
[44] FIPPA, Schedule 1.
[45] Order F05-30, 2005 CanLII 32547 (BC IPC) at para 35.

address, business email or business fax number of the individual".[46] Whether information is "contact information" depends on the context in which it appears.[47]

[54] The PSA has withheld information that is not about identifiable individuals, including dates and information that shows the records are emails.[48] I find this information is not personal information and, therefore, cannot be withheld under s. 22(1).

[55] The PSA has also withheld the email signature blocks of PSA employees. It has also withheld the email addresses of PSA, Ministry, and BCGEU employees in the "to" and "from" lines of emails that deal exclusively with business matters. The PSA has not made specific submissions about why disclosing this information would unreasonably invade these employees' personal privacy. I find that, in the context of the records, this information was provided to enable these individuals to be contacted at their places of business and, therefore, this information is contact information, not personal information. This information cannot be withheld under s. 22(1).

[56] The rest of the information the PSA has withheld under s. 22(1) is about identifiable individuals and is not contact information. More specifically, this personal information is about other employees' grievances against their employers and the PSA's management of those grievances.

Section 22(4) – not an unreasonable invasion of personal privacy

[57] The second step in the s. 22(1) analysis is to determine if the personal information falls into any of the categories of information listed in s. 22(4). Based on my review of the records, I find that none of these categories are relevant to the personal information in dispute.

Section 22(3) – presumed an unreasonable invasion of personal privacy

[58] The third step in the s. 22(1) analysis is to determine whether any of the presumptions listed under s. 22(3) apply to the personal information in dispute. If one or more apply, then disclosure of that personal information is presumed to be an unreasonable invasion of personal privacy.

[59] The PSA submits that s. 22(3)(d) applies to some of the personal information in dispute because it relates to third parties' employment histories. The applicant does not make submissions on this subject.

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[46] FIPPA, Schedule 1.
[47] Order F20-13, 2020 BCIPC 15 (CanLII) at para 42.
[48] Records package at pages 62-64, 82-85, and 140-141 (exact duplicate of this record on pages 144-145 and 160-161).

[60] Section 22(3)(d) says that disclosure of personal information is presumed to be an unreasonable invasion of a third party's personal privacy where the information relates to the third party's employment, occupational, or educational history.

[61] Previous OIPC orders have found information that reveals an employee has filed a grievance against their employer relates to that employee's employment history.[49] I agree with this approach and adopt it here.

[62] I find that the personal information in dispute falls squarely within these individuals' employment histories. Therefore, disclosure of this personal information is presumed to be an unreasonable invasion of these individuals' personal privacy under s. 22(3)(d).

Section 22(2) – all relevant circumstances

[63] The final step in the s. 22(1) analysis is to consider all relevant circumstances, including those listed in s. 22(2), to determine whether the disclosure of personal information would be an unreasonable invasion of a third party's personal privacy.

[64] The only consideration raised by the parties is s. 22(2)(c), which asks whether the personal information in dispute is relevant to a fair determination of the applicant's rights. For s. 22(2)(c) to apply:

1. the right in question must be a legal right drawn from the common law or a statute, as opposed to a non-legal right based only on moral or ethical grounds;

2. the right must be related to a proceeding which is either under way or is contemplated, not a proceeding that has already been completed;

3. the personal information sought by the applicant must have some bearing on, or significance for, determination of the right in question; and

4. the personal information must be necessary in order to prepare for the proceeding or to ensure a fair hearing.[50]

[65] The applicant expresses concerns about the way the BCGEU represented her interests when settling her grievance and says that both the BCGEU and the Ministry acted in bad faith. She submits she needs access to the communications

[49] Order F16-33, 2016 BCIPC 37 (CanLII) at para 26.
[50] Order F16-36, 2016 BCIPC 40 (CanLII) at para 40.

"other individuals received from the employer [to] clarify whether the employer acted in a consistent manner without discrimination and applied [the] same treatment across other departments and ministries."[51] She submits "how am I to know whether important evidence wasn't missed [by the BCGEU or the Ministry] if I don't get to see the whole file."[52]

[66] I find that the applicant has not identified a specific right or a proceeding that she is "intently considering" related to that right.[53] In the absence of clear submissions from the applicant on these subjects, I find she has not established that the third-party personal information in dispute is relevant to a fair determination of her rights.

[67] I have considered all other relevant circumstances, including those listed under s. 22(2), and find that none of these considerations rebut the s. 22(3)(d) presumption that disclosure of the grievors' personal information is presumed to be an unreasonable invasion of their personal privacy.

Conclusion – s. 22

[68] I found above that some of the information in dispute is not personal information and, therefore, cannot be withheld under s. 22(1).

[69] I found that the remainder of the information in dispute is the personal information of the third-party employees who filed grievances against their employers. I found that this personal information was related to their employment histories and, therefore, its disclosure is presumed to be an unreasonable invasion of these employees' personal privacy under s. 22(3)(d). I found there were no circumstances that rebutted this presumption.

[70] In summary, the PSA is only required to withhold the third-party grievors' personal information under s. 22(1) and must give the applicant access to the remainder of the information in dispute under s. 22(1).

CONCLUSION

[71] For the reasons given above, I make the following order under s. 58 of FIPPA:

1. I confirm the PSA's decision to refuse access to the records it has withheld on the basis of settlement privilege.

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[51] Applicant's submission at page 2, para 5.
[52] *Ibid* at page 3, para 2.
[53] Order F16-36, 2016 BCIPC 40 (CanLII) at paras 43-50; Order F25-33, 2025 BCIPC 41 (CanLII) at para 54; Order F25-83, 2025 BCIPC 97 (CanLII) at para 138

2. The PSA is not authorized to withhold any of the information in dispute under only s. 13(1). The PSA is required to give the applicant access to this information.

3. Subject to item #4 below, I required the PSA to refuse access to the information in dispute under s. 22(1).

4. The PSA is required to give the applicant access to the information I have determined it is not required to withhold under s. 22(1). I have highlighted this information in green in the records package that I will provide to the PSA along with this order.

5. The PSA is required to copy the OIPC registrar of inquiries on the cover letter and records it sends to the applicant in compliance with items #2 and #4 above.

[72] Pursuant to s. 59(1) of FIPPA, the PSA is required to comply with this order by March 11, 2026.

January 27, 2026

ORIGINAL SIGNED BY

Rene Kimmett, Adjudicator

OIPC File No.: F24-98131