



Our File: 292-30/FIN-02019

May 22, 2002

Stephen Howard
Communications Director
Provincial Office
Hospital Employees' Union
5000 North Fraser Way
Burnaby, BC V5J 5M3

Dear Stephen Howard:

Re: *Freedom of Information and Protection of Privacy Act (the Act)*
Request for Information #FIN-02019

This is in response to your request to the Ministry of Finance for records relating to the contracting out or privatization of health care services or private ownership and/or operation of health care facilities.

Please find enclosed the records relative to your request. As you will note, two documents have been withheld in their entirety in accordance with Section 13 of the Act. Under Section 13, the public body may refuse to disclose information that would reveal advice or recommendations developed by or for a public body or a minister. I have attached a copy of this section of the Act for your reference.

The names of outside contractors who have been hired by the government to provide advice, research planning or business case development support on the subject are Capital Works Inc. and R.J. Adams & Associates.

If you have any questions, please contact Angila Bains at (250) 356-9770.

Section 52 of the *Freedom of Information and Protection of Privacy Act* provides that you may ask the Information and Privacy Commissioner to review this response to your request. You have 30 days from the receipt of this letter to request a review by writing to:

Information and Privacy Commissioner
1675 Douglas Street, 4th Floor
PO Box 9038 Stn Prov Govt
Victoria, BC V8W 9A4
Tel. (250) 387-5629 Fax (250) 387-1696

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**Information, Privacy,
Security and Records
Management**

**Ministry of
Management Services**

Providing services to:
Ministry of Management Services
Ministry of Finance
Ministry of Provincial Revenue
Office of the Premier
Public Service Employee Relations Commission

Mailing Address:
PO Box 9424 Stn Prov Govt
Room 033, 617 Government Street
Victoria BC V8W 9V1

Telephone: (250) 356-8136
Facsimile: (250) 356-8201



If you request a review, please provide the Commissioner's office with:

- 1) a copy of your original request for information;
- 2) a copy of this letter; and
- 3) the reasons or grounds upon which you are requesting a review

Yours truly,

A handwritten signature in black ink, appearing to read "J Edwards".

Jacquie Edwards
Director
Information, Privacy, Security and Records Management

Enclosure

JE/ab

Policy advice, recommendations or draft regulations

- 13. (1)** The head of a public body may refuse to disclose to an applicant information that would reveal advice or recommendations developed by or for a public body or a minister.
- (2) The head of a public body must not refuse to disclose under subsection (1)
- (a) any factual material,
 - (b) a public opinion poll,
 - (c) a statistical survey,
 - (d) an appraisal,
 - (e) an economic forecast,
 - (f) an environmental impact statement or similar information,
 - (g) a final report or final audit on the performance or efficiency of a public body or on any of its programs or policies,
 - (h) a consumer test report or a report of a test carried out on a product to test equipment of the public body,
 - (i) a feasibility or technical study, including a cost estimate, relating to a policy or project of the public body,
 - (j) a report on the results of field research undertaken before a policy proposal is formulated,
 - (k) a report of a task force, committee, council or similar body that has been established to consider any matter and make reports or recommendations to a public body,
 - (l) a plan or proposal to establish a new program or to change a program, if the plan or proposal has been approved or rejected by the head of the public body,
 - (m) information that the head of the public body has cited publicly as the basis for making a decision or formulating a policy, or
 - (n) a decision, including reasons, that is made in the exercise of a discretionary power or an adjudicative function and that affects the rights of the applicant.
- (3) Subsection (1) does not apply to information in a record that has been in existence for 10 or more years.