

**NOVA SCOTIA COURT OF APPEAL**

**Citation:** Doctors Nova Scotia v. Nova Scotia (Health),  
2006 NSCA 59

**Date:** 20060512

**Docket:** CA 255020

**Registry:** Halifax

**Between:**

Doctors Nova Scotia

Appellant

v.

Her Majesty the Queen, in Right of the  
Province of Nova Scotia, as represented by  
the Minister of Health and Joanna Redden

Respondents

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**Judge:** The Honourable Justice Fichaud

**Appeal Heard:** April 5, 2006

**Subject:** **Freedom of Information and Protection of Privacy**

**Summary:** Request for disclosure by Department of Health of individual physicians' billings. Supreme Court ordered disclosure.

**Issue:** Is the disclosure of the names of physicians, with personal billings, an unreasonable invasion of personal privacy under s. 20 of the *Freedom of Information and Protection of Privacy Act*?

**Result:** Physicians do not provide a service to a public body. Section 20(4)(f) of the *FOIPOP Act* does not deem the requested information to be disclosable. The requested information is presumed to be an unreasonable invasion of personal privacy by s. 20(3)(f) and the presumption was not rebutted under s. 20(2). So the named physician billings are not disclosable under s. 20(1) of the *FOIPOP Act*.

**This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 15 pages.**