

Animal Law Reform South Africa Outreach

From: [REDACTED]
Sent: Thursday, 02 May 2024 07:53
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Urgent request to get in contact with [REDACTED]
Attachments: SKM_C300i24043017040.pdf

Importance: High

Good day [REDACTED]
Attached hereto is our response to your email received on April 15, 2024.
Regards

[REDACTED]
[REDACTED]
[REDACTED]



www.bidcorpgroup.com

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From: [REDACTED]
Sent: Monday, April 15, 2024 12:36 PM
To: [REDACTED]
Subject: RE: Urgent request to get in contact with [REDACTED]

Dear [REDACTED]

I trust you are well.

We acknowledge receipt of your correspondence dated 22 March 2024 in response to our PAIA request.

The assertion that “*Bidcorp does not have access to the requested supplier records nor do we need or wish to obtain or hold this information*” demonstrates a flagrant disregard for Bidcorp’s legal obligations under PAIA. It is not for Bidcorp to choose whether or not to comply with s71 of PAIA. Rather, Bidcorp has a legal obligation to inform suppliers of our

request and respond to our request accordingly. Bidcorp's wishes are not relevant, as ALRSA is exercising its constitutional right to access to information, triggering a duty on Bidcorp's part, regardless of whether there are any other entities in possession of the information we request.

Moreover, given Bidcorp's [commitment to responsible procurement](#), good practice entails obtaining records from suppliers. Further, on your website, Bidcorp's [values system](#) professes "a need for honesty and transparency across all that [you] do". The values further state: "we demand the highest level of personal integrity", which we presume applies to your suppliers and others with whom you do business. Your correspondence calls into question whether Bidcorp is serious about these values and suggests that Bidcorp is "greenwashing". Bidcorp's position will be recorded in our forthcoming report.

In any event, s55 of PAIA prescribes that Bidcorp is required to furnish an affidavit setting out all steps taken to locate and obtain the records requested. No such affidavit has been furnished. As such, we request the required affidavit confirming that Bidcorp does not have records related to its suppliers in its possession and demonstrating compliance with s 71 of PAIA. Should you fail to do so, we reserve our rights to exhaust the legal remedies available to us, including but not limited to, approaching the Information Regulator to lodge a complaint in respect of Bidcorp, and/or approach the courts.

Kindly respond to this correspondence by no later than **26 April 2024** given that we are currently preparing our public report in which we will rate Bidcorp relative to its transparency and stance on animal welfare and environmental sustainability, among other matters. The rating will be informed by your response to this correspondence, as well as the previous correspondence and records provided.

Note that all of our rights are reserved, including the right to respond more fully to your correspondence, should the need arise.

Kindly confirm receipt of this email.

Kind regards

Outreach: External Liaison
Animal Law Reform South Africa
outreach@animallawreform.org



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From: [REDACTED]

Sent: Friday, March 22, 2024 12:34 PM

To: [REDACTED]

Subject: Re: Urgent request to get in contact with [REDACTED]

Good afternoon [REDACTED]

Please find attached hereto our response to your email received on March 15, 2024.

Regards

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



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From: Animal Law Reform South Africa Outreach [REDACTED]

Sent: Friday, March 15, 2024 3:29 PM

To: [REDACTED]
[REDACTED]

Subject: RE: Urgent request to get in contact with [REDACTED]

Dear [REDACTED]

I trust you are well.

We acknowledge receipt of your correspondence dated **2 February 2024** and records provided in response to our PAIA request. We wish to address claims in your email and the telephonic conversation that you and I had on 2 February 2024. Whilst we do not intend to deal with each and every issue raised therein, we reserve the right to do so in detail, and in the appropriate forum, should the need arise.

We have conducted an initial review of your responses to our Google forms and confirm that we have received responses in respect of both Part A and Part B of our request. Thank you for taking the time to complete the forms.

We note that in respect of our request related to “NEMA Listed Activities”, you stated “*[i]n terms of our supplier trading agreements Bidfood does not have access to this supplier information nor do we wish to obtain or hold this information*”. In terms of s71 of PAIA, Bidcorp is **required** to take all reasonable steps to inform their suppliers of any request for records that relate to them, and provide these records to us. In other words, you cannot opt out of legal requirements on a whim. In the event that you do not have access to, or cannot locate these requested records, s55 of PAIA prescribes that you are required to provide an affidavit setting out all steps taken to locate and obtain the records requested. No such affidavit has been received and we request that you furnish one as necessary.

Furthermore, we find it concerning that Bidcorp does not “wish to obtain or hold” information which would reveal compliance or otherwise by its suppliers with Bidcorp’s internal policy. This position will be duly noted in our forthcoming report.

We look forward to your fully compliant and thorough response to our request made in terms of PAIA. Kindly acknowledge receipt of this email.

Kind regards

Outreach: External Liaison
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From: [REDACTED]
Sent: Friday, February 2, 2024 9:18 AM
To: [REDACTED]
Subject: Urgent request to get in contact [REDACTED]
Importance: High

Hi [REDACTED]

I am busy completing Form B of your PAIA request. Please can you urgently contact me on 083 324 3343 to assist with online Google Form issues I am having.
I am unable to find a phone number for the ALRSA anywhere – otherwise I would have phoned myself.

Thanks!

Regards,

[REDACTED]



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