

Animal Law Reform South Africa Outreach

From: Animal Law Reform South Africa Outreach
Sent: Friday, 24 May 2024 10:54
To: [REDACTED]
Subject: RE: ALRSA_McDonalds_PAIA_Request_13_12_2023

Tracking:	Recipient	Delivery
	[REDACTED]	
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	

Dear [REDACTED]

I am writing to follow up on our previous correspondence regarding the PAIA request sent to MSA DEVCO (Pty) Ltd t/a McDonald's South Africa ("McDonald's South Africa"), on behalf of Animal Law Reform South Africa on 13 December 2023.

As per our previous email dated 28 March 2024, no response was received from McDonald's South Africa in relation to our PAIA request. It appears that our email has been flagged causing it to be blocked from being received by the email addresses provided in McDonald's South Africa's PAIA Manual.

Understanding the complexities involved in processing such requests, we are providing one further opportunity for McDonald's South Africa to provide a formal response, until **10 June 2024**. We trust this extension will allow you the necessary time to address our request thoroughly.

Should we not receive a response by the extended deadline of **10 June 2024**, we will deem this as a refusal under PAIA. We may then elect to lodge a formal complaint with the Information Regulator regarding McDonald's South Africa's handling of our request or take such further action as we may be advised.

We value open communication and collaboration and remain hopeful for a positive resolution to this matter.

Please acknowledge receipt of this email.

Thank you for your attention to this urgent matter.

Kind regards

[REDACTED]

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



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From: Animal Law Reform South Africa Outreach
Sent: Thursday, March 28, 2024 2:12 PM
To: a [REDACTED]
Cc: [REDACTED]
Subject: ALRSA_McDonalds_PAIA_Request_13_12_2023

Dear [REDACTED]

By way of introduction, I am [REDACTED] I work as the Legal Researcher for Animal Law Reform South Africa (“ALRSA”) and am reaching out to you in this capacity following several unsuccessful attempts to engage directly with your colleagues in South Africa.

During 2022, we exercised our constitutional right to access to information from a private body by requesting information from McDonald’s Corporation’s associated company, MSA DEVCO (Pty) Ltd t/a McDonald’s South Africa (“**McDonald’s**”), in terms of South Africa’s Promotion of Access to Information Act 2 of 2000 (“**PAIA**”). Our request (attached) related to McDonald’s role in the egg supply chain of South Africa and was aimed at protecting the constitutional right to an environment not harmful to health or wellbeing, which imposes obligations on private bodies as well as the state. McDonald’s response (attached) was reported on in “Laying Down the Facts: Animal Welfare Standards of the Companies providing your Favourite Foods” (the “Initial Report”), available [here](#).

On 13 December 2023, we sent McDonald’s another request for access to information in terms of PAIA (attached).

PAIA is aimed at promoting transparency and accountability by ensuring that individuals and entities have access to information held by public and private bodies. In compliance with this law, companies operating in South Africa are obliged to create and maintain PAIA manuals, which outline the procedures for requesting access to specific information held by the individual/ entity. They are further required to grant access to information requested in terms of their PAIA manual subject to certain exceptions and legal requirements.

The Information Officer listed in McDonald’s PAIA manual is [REDACTED] During 2022, [REDACTED] responded to our emails.

However, it appears that either our domain, or the wording contained in our request, may since have been blocked or flagged, as we are no longer able to send emails to any employees of McDonald’s, including [REDACTED].

On 14 March 2024, we attempted to resubmit our request via a gmail account (email attached). However, we received the same ‘undeliverable’ notifications (attached).

At worst, this indicates underhanded efforts on the part of McDonald’s to prevent us from engaging with your colleagues in South Africa in a manner that violates our constitutional rights, including our right to access to information. At best, McDonald’s is failing to comply with its legal obligations under PAIA given that the Information Officer listed in McDonald’s PAIA Manual is not contactable.

As a multinational corporation operating within South Africa’s borders, even the appearance of stifling transparency and corporate accountability by using a block preventing engagement with civil society organisations such as ALRSA is a very serious matter. This is particularly so given the country’s constitutional context which demands a culture of justification.

Against the above background, we are reaching out to you, as General Counsel. We kindly request that you ensure compliance by your colleagues in South Africa with PAIA, and direct us to a person that can be of assistance in responding to our request as required by law.

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 McDonald's, and/or approach the courts. We will further report on McDonald's approach in our forthcoming report.

We thank you in advance for your intervention in this matter and request that you acknowledge receipt of this email.

Kind regards

[Redacted signature]

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