

**From:**



**Subject:**

RE: ALRSA - Access to information in terms of PAIA

**Date:**

Tuesday, 31 January 2023 14:08:00

**Attachments:**

[image001.png](#)

[Hilton PAIA Form ALRSA - 31 January 2023.pdf](#)

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Good day

I trust you are well.

Thank you for your letter in response to our request for access to information in terms of PAIA dated 21 November 2022.

We further acknowledge receipt of Hilton's Animal Welfare Statement, Responsible Sourcing Policy and Cage-Free Sourcing Progress.

We note that you "do not believe that [you] have an obligation to provide the information requested under the PAIA". Your belief is not, however, aligned with the legal position relating to access to information in South Africa, for the reasons that follow.

We, as ALRSA, have the legal right to access to the requested records as we have complied with the requirements set out in terms of section 50 of PAIA. The courts have confirmed that upon compliance with the aforementioned section, the requester must be granted access in respect of requested records unless the private body invokes section 55 or one or more of sections 62 to 70 of PAIA. You have not done so.

Furthermore, in our constitutional dispensation it has been confirmed by the courts that PAIA is to be interpreted on the basis that information in private hands with a demonstrable and sufficient connection to the exercise or protection of any rights legitimately belongs in the public domain. This is because PAIA is intended to prompt transparency, accountability and ensure effective governance of all bodies in South Africa. Hilton is not exempt from these legal obligations. As the Supreme Court of Appeal has noted:

"Corporations operating within our borders, whether local or international, must be left in no doubt that in relation to the environment...there is no room for secrecy and that constitutional values will be enforced."

We accordingly look forward to a proper response to our requests as required by PAIA. Your response was due by no later than **23 December 2022**. However, in order to allow you to do justice to our request and given that we have taken some time to obtain advice about it, we are prepared to afford you until **10 February 2023** to do so, failing which we will regard you as having refused the request and invoke our legal rights against Hilton, including but not limited a complaint to the Information Regulator. Your failure to comply with PAIA will also influence your ranking in our forthcoming public report on the egg industry.

Separately, we note from your letter that "all Hilton suppliers are required to observe and abide by Hilton's Responsible Sourcing Policy, which is included in all supplier contracts". Hilton's Responsible Sourcing Policy Statement states: "Hilton reserves the right to appoint independent third parties or itself to conduct unannounced assessments, audits and inspections of Suppliers

and their facilities to ensure that appropriate efforts are being taken to operate in a manner consistent with the fundamental principles of this Policy.”

As such, we attach a second PAIA request in respect of records relating to any and all assessments, audits, and inspections of suppliers of eggs, and products containing eggs or egg by-products, conducted during the period of 1 November 2018 to 30 November 2022 by Hilton or any third parties to give effect to the Responsible Sourcing Policy.

We look forward to receiving your response to this second PAIA request within 30 days of the date hereof (i.e., by no later than **3 March 2023**).

Kindly acknowledge receipt of this email.

Yours sincerely,

[Redacted Signature]

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**Outreach: External Liaison**  
Animal Law Reform South Africa  
[outreach@animallawreform.org](mailto:outreach@animallawreform.org)



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**From:** [Redacted]  
**Sent:** Wednesday, 21 December 2022 22:54  
**To:** Animal Law Reform South Africa Outreach <[outreach@animallawreform.org](mailto:outreach@animallawreform.org)>  
**Subject:** RE: ALRSA - Access to information in terms of PAIA

Hello [Redacted]

Thank you again for reaching out. Please see the attached response to your inquiries received by Hilton on 21 November 2022.

Yours Sincerely,

[Redacted Signature]

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**From:** [Redacted]  
**Sent:** Thursday, December 8, 2022 8:04 AM  
**To:** Animal Law Reform South Africa Outreach <[outreach@animallawreform.org](mailto:outreach@animallawreform.org)>  
**Subject:** RE: ALRSA - Access to information in terms of PAIA

Hello [Redacted]

Acknowledging email receipt of the Animal Law Reform South Africa's PAIA request. Our team is

reviewing the request and will provide response within the given timeframe.

Thank you,

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**From:** Animal Law Reform South Africa Outreach <[outreach@animallawreform.org](mailto:outreach@animallawreform.org)>

**Sent:** Monday, December 5, 2022 7:34 AM

**To:** [REDACTED]  
[REDACTED]  
[REDACTED]

**Subject:** RE: ALRSA - Access to information in terms of PAIA

Dear Information Officer

I trust you are well.

This email concerns the request for access to information in terms of the Promotion of Access to Information Act 2 of 2000 ("PAIA") delivered to Hilton Hotels on behalf of Animal Law Reform South Africa on **21 November 2022**. We are reaching out to ask that you acknowledge receipt of our PAIA request. We further look forward to your response to our PAIA request within the prescribed 30-day period (i.e., by no later than **23 December 2022**). As previously indicated, Hilton Hotels has a legal obligation to respond to our PAIA request within the prescribed period, and failure to do so is a contravention PAIA.

Kindly acknowledge receipt of this email.

Yours sincerely,

[REDACTED]  
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**Outreach: External Liaison**  
Animal Law Reform South Africa  
[outreach@animallawreform.org](mailto:outreach@animallawreform.org)



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**From:** Animal Law Reform South Africa Outreach

**Sent:** Monday, 21 November 2022 18:52

**To:** [REDACTED]  
[REDACTED]

[REDACTED]  
**Subject:** ALRSA - Access to information in terms of PAIA

Dear Information Officer,

I trust you are well.

By way of introduction, my name is [REDACTED]. I write on behalf of Animal Law Reform South Africa.

Kindly find attached a request for access to information in terms of the Promotion of Access to Information Act 2 of 2000, as well as a covering letter with more information in respect thereof.

We look forward to receiving your response within 30 days of the date hereof (i.e., by no later than **23 December 2022**).

Kindly acknowledge receipt hereof.

Kind regards,

[REDACTED]  
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**Outreach: External Liaison**  
Animal Law Reform South Africa  
[outreach@animallawreform.org](mailto:outreach@animallawreform.org)



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