

16 November 2022

To: The Information Officer of the National Council of Societies for the

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

[REDACTED]

[REDACTED]

(collectively or individually, “you” or “your”)

[REDACTED]

RE: CORPORATE ACCOUNTABILITY PROJECT - REQUEST FOR ACCESS TO INFORMATION

1. We write to you as [Animal Law Reform South Africa \(“ALRSA”\)](#), a non-profit company and registered NPO. ALRSA’s vision is for a society whose laws, courts and enforcement agencies advance the protection and well-being of humans, non-human animals, and the environment.
2. ALRSA is undertaking a project within its Corporate Accountability Programme (the “**Project**”), relating to the welfare of chickens, specifically chicks’ eggs, egg-layer hens (the common term for a female grown chicken that is kept primarily for laying eggs), and day-old male chicks (the unwanted by-product of egg production which are culled by maceration) in South Africa. The Project’s goals are (among others) to improve animal welfare standards of egg-layer hens, engage corporations to transition towards better animal welfare practices, promote transparency for consumers, and ensure accountability of corporations involved in supplying eggs to the public.
3. We write to you in your role as Information Officer of the National Council of Societies for the Prevention of Cruelty to Animals (“**NSPCA**”). According to the NSPCA’s manual in terms of the Promotion of Accesses to Information Act 2 of 2000 (“**PAIA**”) dated March 2022 (“**PAIA Manual**”), the NSPCA oversees the various Societies for the Prevention of Cruelty to Animals (“**SPCAs**”) across the country. We understand that among other activities, the respective SPCAs are responsible for conducting inspections of various stakeholders in the egg industry, including any farmers, breeders, producers, suppliers, distributors, retailers and other stakeholders in the supply chain of the South African egg industry (“**stakeholders**”),



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and that the SPCAs issue warnings and citations to these stakeholders from time to time, among other actions.

4. In addition, the PAIA Manual states that the NSPCA oversees the National Special Investigations Unit and the Farm Animals Protection Unit.
5. These NSPCA oversight activities promote the fulfilment of and impact on the environmental right provided for in terms of section 24 of the Constitution of the Republic of South Africa, 1996. This is because the Constitutional Court has recognised that the constitutional right to have the environment protected includes the protection of animal welfare.
6. To advance the aforementioned Project in pursuit of improving chicken welfare practices, promoting corporate accountability and transparency, and promoting the protection of the environment in terms of the environmental right, we hereby request records from the National Council of Societies for the Prevention of Cruelty to Animals in accordance with section 14(1)(d) of PAIA and the NSPCA’s PAIA Manual.
7. Please see attached our PAIA Form 2 request for records of the NSPCA. We have completed Form 2 in order to request access to **any and all records in relation to inspections conducted by the NSPCA and any SPCA or unit of the NSPCA and/or complaints received by members of the public or otherwise which relate to any farmers, breeders, producers, suppliers, distributors retailers, and other stakeholders in the supply chain of the South African egg industry (“stakeholders”) for the period of 1 November 2018 to November 2022 (the “period”). More particularly, we request:**
 - 7.1. A list of facilities which the NSPCA and/or SPCAs know to be stakeholders;
 - 7.2. A list of each SPCA that the NSPCA oversees, including their contact details;
 - 7.3. A list of facilities inspected during the above mentioned periods which are stakeholders;
 - 7.4. Reports, lists, tables, spreadsheets and other information relating to any non-compliance, warnings, citations issued to or other actions in respect of any stakeholder, in respect of violations of animal protection and welfare legislation and standards, including among others, instances of ill-treatment, abuse, neglect and death of chickens;
 - 7.5. Reports, lists, tables, spreadsheets and other information relating to any non-compliance, warnings and citations or other actions in respect of any stakeholder, in respect of violations of animal welfare legislation and standards regarding chicks including ill-treatment, abuse, neglect and death of chicks;
 - 7.6. Internal NSPCA guidelines, manuals, and any operational procedure documents for SPCAs or units of the NSPCA in relation to chicken welfare practices and compliance and enforcement efforts, particularly those relating to any stakeholder;



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- 7.7. Enforcement reports, including lists, tables, spreadsheets and other information concerning any stakeholder;
 - 7.8. Details of charges laid by the NSPCA against stakeholders in the poultry industry;
 - 7.9. Details of court proceedings relating to the stakeholders which NSPCA has been involved with to any extent including but not limited to through the provision of evidence, providing testimony or otherwise which may include pleadings, notices, affidavits, orders, judgments, or any other court records;
 - 7.10. Details of any successful or unsuccessful prosecutions in respect of the Animals Protection Act 61 of 1962 (as amended) in respect of stakeholders;
 - 7.11. Correspondence with the National Prosecuting Authority (“**NPA**”) regarding charges they have sought to pursue against any stakeholders; and
 - 7.12. Details of *nolle prosequi* certificates issued by the NPA to the NSPCA in respect of cases related to any stakeholder.
8. In terms of PAIA, we look forward to receiving your response to our attached request for records within 30 days of the date hereof (i.e. **by no later than 20 December 2022**).
 9. We would also welcome any further resources or information you think would be helpful with the Project.
 10. In accordance with the provisions of Protection of Personal Information Act 4 of 2013 (“**POPIA**”), we understand that personal information protected by POPIA may be redacted from the records requested in paragraph 7 above. We further tender the prescribed fees in terms of PAIA for the requested records, however we specifically request that the information be provided to us electronically (via email or on a USB).
 11. In addition, given that our work generally, and the Project in particular, aligns with the mandate of the NSPCA, we would be very grateful if you could provide us with contact information (email and contact number) of any personnel who may be willing to provide further information or answer any queries as we advance the Project. Further, if there is a repository of information relating to inspections and activities undertaken by SPCAs or units of the NSPCA in terms of animal protection legislation in South Africa where members of the public and NGOs can access information, please let us know.
 12. We look forward to your collaboration on this Project. Should you have any questions regarding this request in terms of PAIA or the Project and research related thereto, please do not hesitate to contact us. Please address written correspondence via email: outreach@animallawreform.org and CC: contact@animallawreform.org.



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Yours sincerely,

