

[REDACTED]

To:

ANIMAL LAW REFORM OF SOUTH AFRICA

Attention: [REDACTED]

Email: outreach@animallawreform.org
[REDACTED]

[REDACTED]

RE: ANIMAL LAW REFORM SOUTH AFRICA | SPUR GROUP (PTY) LTD

1. We refer to the above matter and confirm that we act on behalf of Spur Group (Pty) Ltd and Rocomamas Franchise Co. (Pty) Ltd (hereinafter referred to as "our clients").
 2. We do not deal with each and every engagement between our clients' representatives and the representatives of Animal Law Reform South Africa (hereinafter referred to as "ALRSA"); and our failure to do so should not be construed as an admission or otherwise of the correctness thereof. Our clients' rights to deal with those engagements at the appropriate forum and at the appropriate time remain strictly and expressly reserved.
 3. With reference to the various Requests for Access to Information since November 2022 from ALRSA under the Promotion of Access to Information Act, 2000 ("PAIA") to our clients, we confirm that we have been instructed to again refuse the records requested on the basis that, *inter alia*, (i) such requests fail to meet the mandatory stipulated procedural requirements in section 53(2)(d) of PAIA, (ii) fails to provide a substantive explanation of why the requested record is required for the exercise or protection of that right, and (iii) how that information would assist the ALRSA in exercising or protecting that right. Our clients' rights to supplement its grounds of refusal in due course and in the appropriate forum remain reserved. In any event, our clients have already advised you of the information made public via their annual report which ALRSA can access via the internet.
 4. In addition to the above, our client has not provided its consent to, *inter alia*, (i) participate or (ii) be included or (iii) be ranked in any report compiled by ALRSA.
 5. In fact, ALRSA's unilateral election to include our client in a report without their consent indicating, *inter alia*, **"...we will rank Rocomamas relative to its transparency and stance on animal welfare and environmental sustainability, among other matters. The ranking will be informed by your response to this correspondence, as well as the previous correspondence and records provided"** is unlawful and ALRSA has no right to do so in light of the fact that our client is responding to PAIA requests.
- [REDACTED]

6. Simply put, ALRSA is obliged to follow the appropriate avenue(s) as provided for in PAIA and cannot use information (or the lack thereof) which might be found to be rightfully refused by our clients in due course against them to, *inter alia*, harm their reputation and/or solicit information in the interim. In this regard, ALRSA has the right to pursue any appropriate avenue provided for in PAIA if it is not satisfied with our clients' response to the respective PAIA requests, including lodging a written complaint on Form 5 published under regulation 10 of the PAIA Regulations to the Information Regulator against the refusal of the request by our clients within 180 days of this refusal, alleging why our clients' decisions to refuse access to the record was not in compliance with PAIA.
7. In the circumstances, we have been instructed to demand – as we hereby do – that that ALRSA provides a written undertaking within 7 (seven) days from the date of transmission of this letter that it will not (i) mention and/or (ii) rank and/or (iii) include our clients in any report of ALRSA without our clients' written consent and/or pending the finalisation of the outcome of processes ALRSA is obliged to follow in terms of PAIA.
8. Should you fail to provide the undertaking requested in paragraph 7 above, our clients may utilise any legal avenue available to it in ensuring the protection of its reputation, interests and rights.
9. Our clients' rights remain reserved.

Yours faithfully

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[REDACTED]

[REDACTED]

[REDACTED]