

LEATT CORPORATION (INCORPORATED IN THE STATE OF NEVADA)
(Registration Number 2007/032780/10)
("the Private Body")

PRIVATE BODY – SECTION 51 MANUAL
(Section 51 of the Promotion of Access to Information Act No. 2, 2000)

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INTRODUCTION

This manual has been prepared in terms of Section 51 of the Promotion of Access to Information Act No. 2, 2000 (“the Act”). The Act gives effect to the provisions of Section 32 of the Constitution of the Republic of South Africa Act 108 of 1996 (“the Constitution”), which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and/or protection of any rights.

The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

A. **OVERVIEW OF THE PRIVATE BODY:**

The Private Body designs, develops, markets and distributes personal protective performance equipment, accessories and apparel for participants in all forms of motor sports and leisure activities. The company also develops and distributes medically certified products.

B. **PRIVATE BODY PARTICULARS:**

1. **CONTACT DETAILS** [Section 51(1)(a)]

Head of the Body	Sean MacDonald
Information Officer	Sean MacDonald
Postal Address	Suite 109 Private Bag X3 Bloubergrant 7443
Street/Business Address	50 Kiepersol Crescent Atlas Gardens Contermanskloof Durbanville 7550
Telephone Number	+27 21 557 7257
Facsimile Number	+27 21 557 7381
Electronic Mail Address of the Information Officer	sean@leatt.com
Website Address	www.leatt.com

2. **HOW TO ACCESS THE SECTION 10 GUIDE ON THE USE OF THE ACT:**
[Section 51(1)(b)]

The Act grants a requester access to records of a private body if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

The Guide, as compiled by the South African Human Rights Commission (SAHRC), contains information required by a person wishing to exercise any right contemplated by the Act and is available in all of the official languages.

The Guide is available from the SAHRC. Please direct any queries to:

The South African Human Rights Commission
PAIA Unit
The Research and Documentation Department

Postal Address	Private Bag X2700 HOUGHTON 2041
Telephone Number	+27 11 877 3600
Facsimile Number	+27 11 403 0625
Website Address	www.sahrc.org.za
Electronic Mail Address	PAIA@sahrc.org.za

3. **INFORMATION AVAILABLE IN TERMS OF THE FOLLOWING APPLICABLE LEGISLATION:** [Section 51(1)(c)]

Information is available in terms of the following legislation to the persons or entities specified in such legislation, including but not limited to:

Basic Conditions of Employment Act No. 75 of 1997
Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
Companies Act No. 71 of 2008
Income Tax Act No. 95 of 1967
Labour Relations Act No. 66 of 1995
Unemployment Insurance Act No. 30 of 1996

4. **RECORDS HELD BY THE PRIVATE BODY:**
[Section 51(1)(d)]

- (i) **Freely available records**
The Information Officer should be contacted to advise which records are freely available.

(ii) **Records that may be requested**

Category	Description of Records
Administration/ Internal Records	<ul style="list-style-type: none"> ✓ Memorandum and Articles of Association / Memorandum of Incorporation ✓ Licences & Miscellaneous Agreements
Human Resources/ Personnel Related	<ul style="list-style-type: none"> ✓ Conditions of Service/Employment ✓ Disciplinary Code & Records ✓ Employee Personnel Records ✓ Employment Contracts ✓ Internal Policies & Procedures ✓ Leave Record ✓ Remuneration Records, Benefits & Policies
Information Technology	<ul style="list-style-type: none"> ✓ Agreements with Internet Service Providers ✓ Software Support & Maintenance Agreements ✓ Software Licence Agreements ✓ User Manuals
Operations	<ul style="list-style-type: none"> ✓ Clients Registry
Financial Information	<ul style="list-style-type: none"> ✓ Annual Financial Statements ✓ Financial Statements ✓ Accounting Records ✓ Assets Inventory/Register ✓ Banking Records (Banking Details, Bank Statements, Paid Cheques, Electronic Banking Records, Deposit Slips etc.) ✓ Invoices & Credit Notes ✓ Rental Agreements ✓ Stock Records
Income Tax Records	<ul style="list-style-type: none"> ✓ SARS Tax Returns ✓ VAT Records
Safety Records	<ul style="list-style-type: none"> ✓ Safety posters
<p>Please note that the abovementioned records are of a CONFIDENTIAL nature and are <u>only accessible to those authorised to have access thereto</u>.</p> <p>Access to certain records may be denied on the grounds set out in Sections 62-70 (Chapter 4) of the Act.</p>	

5. **PROCESSING OF PERSONAL INFORMATION**

The Private Body is a responsible party in accordance with the Protection of Personal Information Act No. 4 of 2013 (“**POPI**”) and accordingly processes the following personal information -

Data Subjects	Information Categories	Purpose of processing	Recipients of supply of personal information
Employees	<ul style="list-style-type: none"> • Financial information • Tax information • Identity numbers • Contact information • Human resources information 	Human resources	<ul style="list-style-type: none"> • Accountants/Auditors • Payroll • Recruitment • Attorneys • Brokers • Medical aid • Investment Funds
Clients and Retailers	<ul style="list-style-type: none"> • Financial information • Tax information • Identity numbers • Contact information 	Provision of services	<ul style="list-style-type: none"> • Accountants/Auditors • Attorneys • Employees • Directors • External service providers
Service Providers	<ul style="list-style-type: none"> • Financial information • Tax information • Identity numbers • Contact information 	Provision of services	<ul style="list-style-type: none"> • Accountants/Auditors • Attorneys • Directors • Employees • External service providers
Shareholders	<ul style="list-style-type: none"> • Financial information • Tax information • Identity numbers • Contact information • Company structures 	Compliance	<ul style="list-style-type: none"> • Accountants/Auditors • Attorneys • Directors • Employees • Banks • Transfer Agents
Directors	<ul style="list-style-type: none"> • Financial information • Tax information • Identity numbers 	Compliance	<ul style="list-style-type: none"> • Accountants/Auditors • Attorneys • Employees

Data Subjects	Information Categories	Purpose of processing	Recipients of supply of personal information
	<ul style="list-style-type: none"> • Contact information 		<ul style="list-style-type: none"> • Banks • CIPC • Transfer Agents • Service Providers

There are trans-border flows of information, due to the Private Body being registered in the United States (Nevada), but all trans-border flows of information are undertaken in accordance with POPI.

General information security measures relating to the personal information includes (but is not limited to) -

- ☑ server is backed-up weekly and backups are kept for 30 days;
- ☑ email access requires 2-factor authentication;
- ☑ external access to the server is locked down;
- ☑ business continuity plans and disaster recovery testing plans are in place;
- ☑ antivirus software is updated regularly;
- ☑ remote monitoring of access activity; and
- ☑ employees are under an obligation to keep information confidential.

6. **FORM OF REQUEST** [Section 51(1)(e)]

- ☑ The requester must use the prescribed form (available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za or Form C as annexed hereto) to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned [Section 53(1)].
- ☑ The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [Sections 53(2)(a) and (b) and (c)].
- ☑ The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [Section 53(2)(d)].
- ☑ If a request is made on behalf of a another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body [Section 53(2)(f)].

7. **PRESCRIBED FEES** [Section 51(1)(f)]

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- ☑ The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request [Section 54(1)].
- ☑ The fee that the requester must pay to a private body is R50.00 (fifty rand). The requester may lodge an application to the court against the tender or payment of the request fee [Section 54(3)(b)].
- ☑ After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- ☑ If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [Section 54(6)].
- ☑ The fee structure is available on the website of The South African Human Rights Commission www.sahrc.org.za or the website of The Department of Justice and Constitutional Development www.doj.gov.za.

8. **OTHER INFORMATION AS MAY BE PRESCRIBED** [Section 51(1)(f)]


The Minister of Justice and Constitutional Development has not made any regulations in this regard.

9. **AVAILABILITY OF THE MANUAL** [Section 51(3)]

The PAIA manual is available for inspection free of charge, during office hours, at the offices of the Private Body and/or on their website (if applicable).

Furthermore, a copy is available at the offices of The South African Human Rights Commission (Refer 2 above, for contact details).

SIGNED at **Cape Town** on the **23** day of **June** 2021.


 SEAN MACDONALD
 (Head of Body)

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000)
(Act No. 2 of 2000)

[Regulation 10]

A. PARTICULARS OF PRIVATE BODY

The Head:

B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

- | |
|---|
| (a) The particulars of the person who requests access to the record must be given below. |
| (b) The address and/or fax number in the Republic to which the information is to be sent must be given. |
| (c) Proof of the capacity in which the request is made, if applicable, must be attached. |

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

Capacity in which request is made, when made on behalf of another person:

C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname:

Identity number:

D. PARTICULARS OF RECORD

- | |
|--|
| (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. |
| (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios. |

1 Description of record or relevant part of the record:

2 Reference number, if available:

3 Any further particulars of record:

E. FEES

- | | |
|-----|---|
| (a) | A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid. |
| (b) | You will be notified of the amount required to be paid as the request fee. |
| (c) | The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record. |
| (d) | If you qualify for exemption of the payment of any fee, please state the reason for exemption. |

Reason for exemption from payment of fees:

F. FORM OF ACCESS TO RECORD

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required
Mark the appropriate box with an X.	
NOTES:	
(a)	Compliance with your request in the specified form may depend on the form in which the record is available.
(b)	Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
(c)	The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.

1.	If the record is in written or printed form:		
	<input type="checkbox"/> copy of record*	<input type="checkbox"/>	<input type="checkbox"/> inspection of record
2.	If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)		
	<input type="checkbox"/> view the images	<input type="checkbox"/>	<input type="checkbox"/> copy of the images* <input type="checkbox"/> transcription of the images*
3.	If record consists of recorded words or information which can be reproduced in sound:		
	<input type="checkbox"/> listen to the soundtrack audio cassette	<input type="checkbox"/>	<input type="checkbox"/> transcription of soundtrack* written or printed document
4.	If record is held on computer or in an electronic or machine-readable form:		
	<input type="checkbox"/> printed copy of record*	<input type="checkbox"/>	<input type="checkbox"/> printed copy of information derived from the record" <input type="checkbox"/> copy in computer readable form* (stiffy or compact disc)
If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			<input type="checkbox"/> YES <input type="checkbox"/> NO

G. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

- 1 Indicate which right is to be exercised or protected:

- 2 Explain why the record requested is required for the exercise or protection of the aforementioned right:

H. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at this day of 2020

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SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE