

PROTECTION OF PRIVACY AND TRANSPARENCY OF THE STATE Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 PRECAUTIONS-WARNING in personal data protection matter no. 2.1.-6/19 / Preceptor Senior Inspector of the Data Protection Inspectorate Raiko Kaur Time and place of precept 14.03.2019, Tallinn Addressee of the precept People Fitness Eesti OÜ (14106127) Sakala tn 22 - 17a, Tallinn 10141 14106127@eesti.ee Addressee responsible person Member of the Management Board Georgii Guselnikov RESOLUTION: § 56 (1) of the Personal Data Protection Act, § 2 (8), § 58 (1) and Article 58 (1) (a) of the General Regulation on the Protection of Personal Data and taking into account the mandatory precept for compliance with the same paragraph (e): repeated inquiries. I set the deadline for compliance with the precept on 26.03.2019. Notify the Data Protection Inspectorate to the e-mail address info@aki.ee of the fulfillment of the precept by the deadline. CONTEST REFERENCE: This precept can be challenged within 30 days by submitting either: - a challenge under the Administrative Procedure Act to the Data Protection Inspectorate, or - an appeal under the Code of Administrative Court Procedure to the Tallinn Administrative Court (in which case the challenge can no longer be heard). Contestation of a precept does not suspend the obligation to comply with the precept or the application of the measures necessary for compliance. PENALTY OF WARRANTY: If a precept is not complied with by the specified term, the Data Protection Inspectorate shall impose a penalty payment of 2000 euros on the addressee of the precept on the basis of § 60 of the Personal Data Protection Act. Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 A penalty payment may be imposed repeatedly - until the precept is complied with. If the addressee does not pay the penalty payment, it is forwarded to the bailiff to start enforcement proceedings. In this case, the bailiff's fee and other enforcement costs are added to the penalty payment. WARRANTY PENALTY WARNING: Failure to comply with a precept pursuant to Article 58 (1) of the General Data Protection Regulation may result in misdemeanor proceedings pursuant to § 70 of the Personal Data Protection Act. A natural person may be fined up to EUR 20 000 000 for this act and a legal person may be fined up to EUR 20 000 000 or up to 4% of its total annual worldwide turnover, whichever is greater. The Data Protection Inspectorate conducts extra-judicial proceedings against misdemeanors. FACTUAL CIRCUMSTANCES: A complaint was registered with the Data Protection Inspectorate on 21.01.2019 [first and last name] (complainant), according to which it is not possible for a person to exercise his or her right to delete data. On 28 May 2015, the complainant sent a letter to People Fitness Eesti OÜ requesting the deletion of all his data. On May 28, 2018, the answer was that the account could not be deleted, but all other data had been deleted. However, on 02.12.2018, a birthday greeting was sent to the complainant. On

02.01.2019, the complainant sent a letter to People Fitness Eesti OÜ asking why his data had still not been deleted. However, according to the complaint, no reply was received to this letter. Based on the above, the Data Protection Inspectorate (Inspectorate) initiated supervision proceedings. Within the framework of the state supervision procedure, the Inspectorate submitted an inquiry to People Fitness Eesti OÜ on 11.02.2019 and a repeated inquiry on 28.02.2019 in case no. 2.1.-1/19/276. The term for responding to a repeated inquiry was 12.03.2019. Within the framework of the same inquiry, the Inspectorate also drew the attention of People Fitness Eesti OÜ to the imposition of a precept and a penalty payment if the Inspectorate's inquiry is not answered by the set deadline. The Inspectorate sent an inquiry sent on 11.02.2019 to the e-mail address gg@peoplefitness.eu and a repeated inquiry sent on 28.02.2019 to the e-mail address 14106127@eesti.ee and to the address of the company's location in the Commercial Register at Sakala tn 22 - 17a, Tallinn 10141. E-mail With regard to inquiries sent by e-mail, it should be noted that a document made available or transmitted electronically pursuant to § 27 (2) 3) of the Administrative Procedure Act (HMS) is deemed to have been served if the document or notice is sent to an e-mail address .eu and 14106127@eesti.ee To date, the representative of People Fitness Eesti OÜ has not responded to the inquiry of the Inspectorate and has not contacted the administrative body regarding the response to the inquiry. GROUNDS FOR THE DATA PROTECTION INSPECTORATE: Pursuant to § 58 (1) of the Personal Data Protection Act and Article 58 (1) (a) of the General Data Protection Regulation, the Inspectorate has the right to request explanations and other information, including documents necessary for supervision. Taking into account the factual circumstances and the fact that it is mandatory to answer the inquiry made within the supervision procedure of the administrative body, but People Fitness Eesti OÜ has not answered the inquiry of the Inspectorate on 11.02.2019 and the repeated inquiry on 28.02.2019, the Inspectorate considers that the imposition of a mandatory precept Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 for ascertaining the essential circumstances of a supervisory matter and for eliminating a possible irregularity. / digitally signed / Raiko Kaur Senior Inspector on behalf of the Director General