

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.-6/20/18 Preceptor Senior Inspector of the Data Protection Inspectorate Sirgo Saar Time and place of precept 29.04.2020, Tallinn Addressee of the precept - processor of personal data Helvetia Apotheke OÜ Registry code 14217482 Tallinn Hariduse tn 11-3, 10119. Xxxxxx Xxxxxx, xxxxxxxx @ gmail.com Person in charge of the personal data processor Member of the Board RESOLUTION: Pursuant to § 56 (1), (2) (8), § 58 (1) and Article 58 (1) (a) of the General Data Protection Regulation and subject to the same paragraph (e), the Inspectorate to comply with the mandatory precept: 1. To respond to the inquiry sent by Helvetia Apotheke OÜ to the Data Protection Inspectorate No. 2.1.-1/20/1351 on 16.04.2020. 2. Fill in the proposal notified to the data processor in the letter No. 2.1.-1/20/1351 of the Data Protection Inspectorate. The Inspectorate shall set 11.05.2020 as the term for compliance with the precept. 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 to an administrative court under the Code of Administrative Court Procedure (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 FINANCE WARNING: If a precept is not complied with by the specified term, the Data Protection Inspectorate shall impose a penalty payment of 2,000 euros on the addressee of the precept on the basis of § 60 of the Personal Data Protection Act. The 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 (2) of the General Data Protection Regulation may result in misdemeanor proceedings under § 69 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 is the extra-judicial body conducting misdemeanor proceedings. PROHIBITION OF PROHIBITION OF ECONOMIC ACTIVITIES: Pursuant to § 7 (4) and § 36 (1) of the General Part of the Code of Economic Activities Act, an economic administration authority may prohibit an economic activity from an undertaking or a person related to an undertaking due to a material violation. FACTUAL FACTS: On 15.04.2020, the Data Protection Inspectorate received a

complaint alleging that the applicant was regularly called and offered vitamins. The applicant agreed to a one-off purchase. After receiving the package, you will send him a new package with an invoice. The applicant requested that his telephone number be deleted. The applicant was allowed to delete the number but was called again several times. As the continuous violation existed, the Data Protection Inspectorate initiated supervision proceedings against Helvetia Apotheke OÜ on 16.04.2020 and sent an inquiry to the data processor on the same date, to which the addressee was obliged to respond on 27.04.2020. A member of the management board of Helvetia Apotheke OÜ did not respond to the inspection within the time limit. As part of the inquiry, the Inspectorate drew attention to the imposition of a precept and a penalty payment if the Inspectorate's inquiry is not answered in time. The Supervision Authority sent the inquiry to the e-mail address xxxxxx.xxxxxx@gmail.com provided in the Commercial Register and explained that pursuant to § 25 (1) of the Administrative Procedure Act (HMS), an administrative act, summons, notice or other document is delivered to a participant by post. A document made available or transmitted electronically pursuant to § 27 (2) of the HMS shall be deemed to have been served in the following cases: 3) the document or notice of making the document available has been forwarded to the company's e-mail address entered in the commercial register. To date, Helvetia Apotheke OÜ has not responded to the inquiry of the Inspectorate and has not contacted the administrative body regarding the extension of the response to the inquiry.

EXPLANATION OF THE PERSONAL DATA PROCESSOR: The Supervision Authority requested to respond to the inquiry of Helvetia Apotheke OÜ, to which the member of the Management Board did not respond in time. The Inspectorate gave a reasonable time to respond. The Inspectorate has thereby fulfilled its obligation under § 40 (1) of the Administrative Procedure Act to give the participant in the proceedings an opportunity to submit an opinion and objections on the matter before issuing the administrative act. 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. Pursuant to § 25 (1) of the Administrative Procedure Act (HMS), an administrative act, summons, notice or other document is served on a participant in the proceedings by post, by the administrative authority which issued the document or electronically. Taking into account the factual circumstances and the fact that answering an inquiry made within the supervision procedure of an administrative authority is mandatory, but Helvetia Apotheke OÜ has not responded to the Inspectorate's inquiries, the Inspectorate considers that issuing a mandatory precept is necessary to find out Yours sincerely, / digitally signed / Sirgo Saar Senior Inspector Authorized

by the Director General