

Tatari 39, Tallinn 10134/627 4135 / info@aki.ee / www.aki.ee / Registry code 70004235 PRECAUTIONS-WARNING in personal data protection matter no. 2.1.-1/20/3495 Preceptor Data Protection Inspectorate Time and place of precept 03.12.2020 , Tallinn Addressee of the precept Personal data processor XXX address: xxx e-mail address: xxx RESOLUTION § 56 (1), (2) (8), § 58 (1) of the Personal Data Protection Act and Article 58 (1) (a) of the General Data Protection Regulation I will issue a mandatory precept for compliance: to respond to the repeated proposal sent in the supervisory procedure No. 2.1.-1/20/3495 of the Data Protection Inspectorate on 05.11.2020. We set the deadline for compliance with the precept at 22.12.2020. 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 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 subsection 60 (2) 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 (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 FACTS:.. One of the neighbors concerned lodged a complaint with the Inspectorate. 9/30/2020 The second concerned neighbor filed a complaint with the Inspectorate. 10/15/2020 The Inspectorate sent a proposal to the processor. 11/5/2020 The Inspectorate sent a repeated proposal to the processor. GROUNDS FOR THE DATA PROTECTION INSPECTORATE: Proposals have been sent repeatedly to the address xxx and postal address xxx provided in the Population Register of the processor. The Inspectorate has thereby fulfilled the obligation arising from subsection 40 (1) of the Administrative Procedure Act to give the participant in the proceeding the opportunity to submit his or her opinion and objections on the matter before issuing the administrative act.

Pursuant to § 58 (1) of the Personal Data Protection Act and Article 58 (1) (a) of the General Regulation on the Protection of Personal Data, and subject to point (e) of the same paragraph, the Supervision Authority 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 respond to an inquiry made within the supervision procedure of an administrative authority, but the person has not responded to the Inspectorate's repeated proposal, the Inspectorate considers that a mandatory precept is necessary to ascertain to bring. If a person has problems in responding to the Inspectorate within the specified term, he or she will be able to explain to the supervisory authority which objective circumstances were the obstacle. However, simply not answering is not acceptable.