

www.aki.ee Registry code 70004235 PRECAUTIONS WARNING in personal data protection matter no. 2.1.-6/20/28 Preceptor

Senior Inspector of the Data Protection Inspectorate Sirgo Saar Time and place of precept 01.09.2020, Tallinn Addressee of

the precept - processor of personal data TDF Group OÜ, Harju county, Tallinn, Nõmme district, Vabaduse pst 174b, 10917,

xxxxx. xxxxx@gmail.com Person in charge of the personal data controller Member of the Board RESOLUTION: Subject to §

56 (1) (2) (8), § 58 (1) and Article 58 (1) (a) of the General Data Protection Regulation the Inspectorate shall issue a mandatory

precept: 1. To respond to the inquiry sent by the Data Protection Inspectorate of TDF Group OÜ on 10.08.2020 No.

2.1.-1/20/2531. The Inspectorate shall set the deadline for compliance with the precept at 11.09.2020. 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 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

10.08.2020, the Data Protection Inspectorate sent an inquiry to TDF Group OÜ, to which the addressee was obliged to

respond on 20.08.2020. TDF Group OÜ has not responded to the inspection in due time. As part of the inquiry, the

Inspectorate drew attention to the imposition of a precept and a penalty payment if TDF Group OÜ does not respond to the inquiry on time. The Supervision Authority sent the inquiry to the e-mail address xxxxx.xxxxx@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 served on 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, TDF Group OÜ has not responded to the inspection's inquiry or requested an extension of time to respond.

EXPLANATION OF THE PERSONAL DATA PROCESSOR: The Supervision Authority asked TDF Group OÜ to respond to an inquiry to which Xxxxx Xxxxx, a member of the Management Board of TDF Group OÜ, has not responded in a timely manner. The Inspectorate gave TDF Group OÜ 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 that answering an inquiry made within the supervision procedure of an administrative authority is mandatory, but TDF Group OÜ has not responded to the inquiries of the Supervision Authority, the Supervision Authority finds that issuing a mandatory precept is necessary to find out the essential circumstances of the supervision matter. Yours

sincerely, / digitally signed / Sirgo Saar Senior Inspector Authorized by the Director General