

/ www.aki.ee Registry code 70004235 PRECAUTIONS-WARNING in personal data protection matter no. 2.1.-6/21/18

Preceptor of the Data Protection Inspector Raiko Kaur Time and place of precept 30.06.2021, Tallinn Addressee of the precept

responsible person Register OÜ (11735006) info@inforaris marie.rosin@ir.ee Member of the Management Board

RESOLUTION: § 56 (1) (2) (c) of the Personal Data Protection Act 8, § 58 (1) and Article 58 (1) (d) and (2) (f) of the General

Regulation on the Protection of Personal Data (IKÜM), as well as taking into account Articles 5, 6, 7, 12 and 14 of the IKÜM,

issue a mandatory precept to the Data Protection Inspectorate Register OÜ: 1 Stop processing (collecting, disclosing) data of

natural persons (representatives of legal entities) on the website for information until: 1.1. there is a legal basis for the

processing of personal data and the existence of a legal basis has been proven to the Supervision Authority (see clause 2 of

the recitals of the Data Protection Inspectorate); 1.2. a register of personal data processing operations in accordance with

Article 30 of the CISA has been submitted to the Inspectorate (see item 3 of the recitals of the Data Protection Inspectorate);

1.3. the data protection conditions have been brought in line with the requirements set out in Articles 12 and 14 of the CISA

(see clauses 4, 4.1 and 4.1.1 of the recitals of the Data Protection Inspectorate); 1.4. the searchability of the website for search

engines to be indexed through personal data (incl. the name of the representative) has been terminated (see clause 2 of the

recitals of the Data Protection Inspectorate (p. 11 (7))); 1.5. the use of third-party cookies on the website has been

discontinued until the person has been given consent to use cookies in accordance with Article 7 of the CISA (see clause 4.1.1

of the Data Protection Inspectorate's recitals) (p. 19 (9)). processing of data (collection, disclosure) until: Tatari tn 39/10134

Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 2.1. there is a legal basis for the processing of personal

data and the existence of a legal basis has been proven to the Supervision Authority (see The Data Protection Inspectorate

has been provided with a register of personal data processing operations in accordance with Article 30 of the CISA (see

Section 3 of the Recitals of the Data Protection Inspectorate); 4.1 and 4.1.2) have been completed through personal data

(including the name of the representative) the searchability of the website to search engines (see clause 2 of the recitals of the

Data Protection Inspectorate (p. 11 (7))); 2.5. the inclusion and disclosure of the reputation and credit score of a natural person

has been completed (see the Data Protection Inspectorate 's recital 2 (p. 10 (2)); point 2 (p. 10 (3)) and clause 4.2) 2.7 the

collection and publication of articles published in the media to the extent not related to business-related activities has been

completed (see point 2 of the recitals of the Data Protection Inspectorate (p. 10 (4)) and point 4.2); the collection and

publication of articles published in the media with a representative of a legal person who is not actually related to a specific article has been completed (see the Data Protection Inspectorate's recitals 2 (p. 10) and 4.2); (see point 2 of the recitals of the Data Protection Inspectorate (p. 11 (5)). 10. the use of third-party cookies on the website has been discontinued until the person has been given consent to use cookies in accordance with Article 7 of the CISA (see clause 4.1.2 of the reasoning of the Data Protection Inspectorate (p. 22, item 10)). If at least one of the sub-clauses of the precept is not complied with, the processing (collection, disclosure) of personal data of the representatives of the legal person must be terminated on the respective website by the specified deadline. CONTEST REFERENCE: This precept can be challenged within 30 days by submitting either: - a challenge to the Data Protection Inspectorate under the Administrative Procedure Act, or - an appeal to the Tallinn Administrative Court under the Code of Administrative Court Procedure (in which case the challenge can no longer be heard). I contest the precept does not suspend the obligation to comply with it or the measures necessary to comply with it. PENALTY WARNING: If a precept is not complied with by the specified deadline, the Data Protection Inspectorate shall impose a penalty payment of 20,000 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 WARNING WARNING: Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 Misdemeanor proceedings may be instituted for non-compliance with a precept pursuant to Article 58 (1) of the General Data Protection Regulation 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: On 25 July 2017, the Data Protection Inspectorate (Inspectorate) initiated an own-initiative supervision procedure (monitoring) on the basis of subsection 33 (5) of the Personal Data Protection Act in force at the time, the purpose of which was to map the processing of personal data in information portals. The purpose of the monitoring was to find out what personal data is collected and (re) disclosed on information portals and on what legal basis, and how people are informed about privacy-related aspects. At the beginning of 2018, the Inspectorate sent an interim monitoring summary to Register OÜ regarding the (re) disclosure of personal data in information portals, and we also pointed out that since the application of the General Data Protection Regulation (IKÜM) the

Inspectorate takes measures to ensure legal status. Based on this, we informed on 21.05.2019 of the supervision proceedings initiated on the basis of clause 56 (3) 8) of the Personal Data Protection Act (IKS), the purpose of which was to verify compliance with the requirements provided for in the IKÜM. In connection with the ongoing supervision procedure, we conducted an additional analysis in the light of the IKÜM and forwarded to the OÜ OÜ the Data Protection Inspectorate's position and proposals for better compliance with the Personal Data Protection Act on 01.06.2020 (hereinafter referred to as the 01.06.2020 proposal). In the proposal of 01.06.2020, we pointed out, inter alia, the following: 1. The processing of personal data concerning a natural person (incl. Court decisions, official announcements, media coverage) in information portals is permitted only to the extent that fully complies with § 10 of the IKS and Article 5 (1) of the ICCM. for example, it is prohibited to process (collect, compile, transmit): a) biographical data (eg place of birth, mother tongue, educational background); (b) data relating to party affiliation; c) data on the real estate; (d) personal stories which give a negative or suspicious impression of people and which are often unrelated to the individual; (e) a score if there is no transparency in its formation. 1. Data protection conditions which fully comply with the requirements set out in Articles 12 to 14 of the IIA shall be established and published on the website. 2. A document must be drawn up describing the existence of a legitimate interest in sufficient detail (analysis / assessment). 3. The obligation is to ensure the possibility for the data subject to file an objection, including the obligation to resolve the objection based on the content of the objection. In a situation where the data subject's request is not granted, the information portal must prove that there is a valid legal justification for further processing. 4. Additional safeguards need to be put in place, such as greater transparency for data subjects and the creation of an electronic environment that allows them to see, use and object to their data. The Data Protection Inspectorate has the right to request explanations and other information, including the submission of documents necessary for the conduct of supervisory proceedings on Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee 1. Indicate the specific date on which you refer your action to the above proposals (positions). 2. If you do not agree with the inspectorate's proposals, please state the specific point or position of the proposal and your objections. Pursuant to subsection 40 (1) of the Administrative Procedure Act, you also have the right to submit your opinion and objections to the Data Protection Inspectorate. The Data Protection Inspectorate can also oblige you to comply with a precept or issue a precept if the requirements for the processing of personal data have been violated. This right arises from § 58 (1) of the IKS and Article 58 (1) and (2) of the ICCPR. On 10.07.2020, the representative of Register OÜ answered as follows: ANSWER to the Data Protection Inspectorate on 01.06.2020. to an additional proposal for better implementation of

the Personal Data Protection Act. We hereby forward the period during which we will make the changes in accordance with your proposals, subject to point 6 (sub-points 1-6). Among other things, we close the data subjects' data to the average user who is not logged in to the web, and we make most of the closed information paid for. The period during which all changes will be phased in is 13.07.2020 31.07.2020.a. On 28.09.2020, the Inspectorate made the following inquiries: The Data Protection Inspectorate has the right to request explanations and other information, including the submission of documents necessary for the supervision procedure<sup>2</sup>, therefore please submit the following information by 16 October 2020 at the latest: Existence (analysis / assessment) of Article 6 (1) (f) of the CCIP regarding data processing on the websites [www.inforcony](http://www.inforcony) and [www.scorestorybook.ee](http://www.scorestorybook.ee); 2. Indicate any additional safeguards taken to ensure that the legitimate interests of the controller and / or the third party outweigh the interests of the data subject; 3. Provide a thorough and detailed overview of the processing of personal data, showing what personal data, in what form and in what way (public, logged-in users, paid, only if there is a third party legal basis, etc.) on the websites [www.inforcony](http://www.inforcony) and [www.scorestorybook.ee](http://www.scorestorybook.ee) is being processed. 4. Indicate the specific date at which you will stop crawling web pages from personal data (including the name of a natural person) for search engines. 5. Ensure that the Inspectorate has access to all personal data and all information contained on the websites [www.inforurio](http://www.inforurio) and [www.scorestorybook.ee](http://www.scorestorybook.ee). For example, to enable the above to provide the inspectorate with a user account and password for the duration of the supervision procedure. Pursuant to subsection 40 (1) of the Administrative Procedure Act, you also have the right to submit your opinion and objections to the Data Protection Inspectorate. 1 Legal basis for requesting explanations: in the case of non-administrative persons, § 30 (1) and (3) of the Law Enforcement Act, respectively, in conjunction with Article 58 (1) (a) and (e) of the General Data Protection Regulation; in the case of an administrative authority pursuant to § 752 (1) (1) of the Government of the Republic Act. in the case of an administrative authority pursuant to § 752 (1) 1) of the Government of the Republic Act Tatari tn 39/10134 Tallinn / 627 4135 / [info@aki.ee](mailto:info@aki.ee) / [www.aki.ee](http://www.aki.ee) Registry code 70004235 . This right to issue a precept arises from Article 57 (1) (a) of the CCP, taking into account point (e) of the same paragraph and § 56 (1) and (2) (8) of the Personal Data Protection Act. of its total annual worldwide turnover, whichever is the greater. Penalties can be imposed until the inquiry is answered. The Inspectorate can also initiate misdemeanor proceedings on the basis of § 70 of the IKS or § 279 of the Penal Code in the event of obstruction of supervision. The Data Protection Inspectorate also has the right to issue a precept to the processor of personal data if the processor of personal data has violated the requirements for the processing of personal data. In the event of non-compliance with the precept, a penalty payment of up to EUR 20,000,000 or, in the case of

an undertaking, up to 4 per cent of the total annual worldwide turnover of the preceding financial year, whichever is greater, may be levied for each breach of the precept. On 21.10.2020, the representative of Register OÜ replied as follows: According to your inquiry, we confirm that we will continue to process only the affected persons who have the ability to influence the economic activities of the legal entity. We process the personal data of data subjects participating in economic activities: first name, surname, personal identification code, country of location, associated registry code, role, role start date, role end date. Also registered user data (name, contact details: phone, e-mail and ID card used to log in to the portal, Mobile ID data) and bank details for payments (User's bank account, bank name); Detailed description on the web:

<https://scorestorybook.ee/privaatsusp-politika> For Google search engine, we will immediately stop crawling on all other Business Information portals. Because Google's search engine is the same search as any web search, but it has the advantage of being a cross-web search, excluding our environments alone will not make the information less accessible to the user and the business environment more closed. By relinquishing the advantage of Google's communications work, we would give a very strong competitive advantage to all other Info Portals that are visible to Google's search engine. At the same time, I confirm that we have closed as much information as possible so that our business would continue to be sustainable at a time when it is preferable to use the free information found on Google to make business decisions when paying for information. The inspectorate was also provided with access to the inforacco and scorestorybook.ee environments. EXPLANATION OF THE PERSONAL DATA PROCESSOR Within the framework of the supervision procedure, the representative of Register OÜ has stated that the processing of personal data on the websites inforarja and scorestorybook.ee has been brought in compliance with the requirements set out in the IKÜM. In addition, a web link to the Privacy Policy has been provided, stating that we will immediately terminate the crawl of Google's search engine on all other Business Information portals. Because Google's search engine is the same search as any web search, but it has the advantage of being a cross-web search, excluding our environments alone will not make the information less accessible to the user and the business environment more closed.

GROUNDS FOR THE DATA PROTECTION INSPECTORATE: Tatari tn 39/10134 Tallinn / 627 4135 / [info@aki.ee](mailto:info@aki.ee) / [www.aki.ee](http://www.aki.ee) Registry code 70004235 1. Processing of personal data Personal data is any information about an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identification number such as name, identity number, etc. (see Article 4 (1) of the CISA). Thus, the data of all natural persons related to legal entities (eg name, date of birth) are also personal data and thus also within the scope of the

IKÜM. Even if a person's search by first and last name (such as through a Google search engine or a search on the site itself) shows only initials or simple information about the person (such as company roles), the person is identifiable. Data which do not fall within the scope of the IORP are data which concern only legal persons, such as the name of the legal person and the contact details of the legal person (see recital 14 of the IORP). Including is not the (re) disclosure and combination of data of legal entities with, for example, the debts of a legal entity within the scope of the IORP. Based on this, the position of the Inspectorate does not concern the processing of data of legal persons, but only the processing of data of natural persons (incl. Persons related to legal persons). The Inspectorate also does not control the processing of personal data of people who provide their data to the data processor themselves, for example when joining the environment. The object of a specific supervisory procedure is the processing of personal data, which concerns the collection of data of representatives of legal persons from various sources and their subsequent disclosure. As part of the supervision procedure, the Data Protection Inspectorate inspected the processing of personal data on the websites inforloy and scorestorybook.ee (hereinafter also simply on the websites). In addition, we checked compliance with the requirements of the IKÜM - the legal basis, compliance with the principles of personal data processing, registration of personal data processing operations and data protection conditions. The data processor had the obligation to forward the above documentation and the obligation to prove the compliance of the IKÜM, so we can evaluate and analyze the documents submitted to the Inspectorate in the framework of the supervision procedure and make a decision based on the documents submitted to the Inspectorate.

### 1.1. Processing of personal data on the inforidencial website

On the inforidencial website, a logged-in user can see the following personal data and perform the following actions: 1. The current representatives of the legal entity are disclosed; 2. Former (invalid) representatives of legal persons shall be disclosed; 3. It is possible to search the website by the name of a natural person; 4. The website contains extracts from the website scorestorybook.ee - the extracts show, for example, the members of the company's management board who started managing it. However, if you click on the article and read it on the scorestorybook.ee website, a situation may arise where a member of the management board is no longer on the company's management board. The Inspectorate also logged in to the website for information to see the view of the logged in user. During the random inspection, the Inspectorate did not find that additional personal data was available on the inforidencial website, which would not be visible to the user without logging in to the environment. If more detailed information is required, the inforacco redirects to the scorestorybook.ee website. However, we emphasize that the Inspectorate carried out a random check and the data processor

has the obligation to prove compliance with the requirements set out in the CISA, incl. To provide a detailed overview of the extent to which personal data is actually processed. Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 In addition, the website information is indexable to search engines through personal data (incl. The name of the representative). Based on the above, personal data processing is carried out on the website for information, in which case the requirements set out in the CISA must be fully complied with.

### 1.2. Processing of personal data on the scorestorybook.ee website

The following personal data can be seen on the scorestorybook.ee website and the following operations can be performed:

1. Valid representatives of the legal entity are disclosed;
2. Former (invalid) representatives of legal persons shall be disclosed;
3. It is possible to search the website by the name of a natural person;
4. A reputation score and a credit score are added to a natural person - although the website indicates that it is a company reputation score, the score is also added not only to the person 's name (first and last name and reputation score);
5. Different articles about the company are listed: birth history, activity history, history, salary history, final history. The articles describe the age and experience of the members of the Management Board in different sentences. In addition, incomprehensible and harmful phrases are pointed out. For example, there are the following sentences in the articles about people: - a nice student is 24 years old; - had fresh blood; - a 29-year-old woman in her prime; - there have been 2 different members of the board at the company over time, but their muse must have remained lean because the conifer still did not show any signs of life; - the members of the board at that time were 35 years old at the best age and 38 years old in their beautiful middle age; - The members of the board at that time were 64 years old at maturity and 33 years old at the best age, and 45 years old in beautiful middle age.
6. Articles published in the media are published;
7. The driver's CV and contact details shall be made public. The Inspectorate also logged in to the website scorestorybook.ee to see the view of the logged in user. During the random inspection, we also identified additional situations in the processing of personal data:
8. The logged-in user sees media coverage to a greater extent;
9. It is possible to download a csv file about an individual. "Name, date, type, content, tonality of the subject". For example, we found that it was possible to download media coverage about an individual.
10. There is a place on the website to view real estate (Circle of real estate: former owners and co-owners. Owners of mortgages and mortgages) and court decisions (Who disputes with the court and who won? What are the court resolutions, sections and amounts claimed?). Although the Inspectorate did not identify during the random inspection whether it is possible to obtain real estate data and court decisions about individuals from the website, since Register OÜ has not provided the Inspectorate with an overview of the processing of personal data, it is not

possible to exclude it. In addition, the website scorestorybook.ee is indexable to search engines through personal data (including the name of the representative). Based on the above, personal data is processed on the scorestorybook.ee website, for which the requirements set out in the IKÜM must be followed in full. 2. Legal basis for the processing of personal data: legitimate interest Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 There must be a specific legal basis for the personal data processed on the inforarest and scorestorybook.ee websites. At the same time, the legal basis must cover the entire scope of the processing of personal data (including all items 1.1 and 1.2). In the opinion of the Supervision Authority, it is possible to rely on Article 6 (1) (f) of the CISA (legitimate interest) in a specific case and in relation to certain personal data processing operations. In the proposal of 01.06.2020 we stated, inter alia, the following: According to Article 6 (1) (f) of the CISA, the processing of personal data is lawful if the processing is necessary in the legitimate interest of the controller or a third party, unless such interests outweigh the interests or fundamental rights of the data subject. and - the freedoms for which personal data must be protected (Article 6 (1) (f) of the ECHR). Thus, Article 6 (1) (f) of the CISA lays down three conditions, all of which must be satisfied in order for personal data to be processed: - the controller or the third party or third parties receiving the data have a legitimate interest in the processing; - the processing of personal data is necessary for the pursuit of a legitimate interest; - the legitimate interests of the controller and / or a third party outweigh the interests, fundamental rights and freedoms of the data subject being protected; The possibility of using this legal basis and its assessment can be divided into three stages, ie firstly the legitimate interests and weight of the data controller or third parties, secondly the rights and interests of the data subject and thirdly the consideration of conflicting interests, including preliminary assessment + additional safeguards and final assessment. In the light of the above, the controller has an obligation to weigh the legitimate interests of himself and / or the third party against the interests and fundamental rights of the data subject, as a result of which Article 6 (1) (f) CISA can be invoked as a legal basis for processing. The fact that the processor has a legitimate interest in the processing of personal data does not automatically mean that the processor can rely on Article 6 (1) (f) of the CCIP. The legitimacy of the controller's interest is only a starting point, ie one of the elements to be analyzed, and whether the basis of a legitimate interest can be relied on depends on the outcome of the balancing act. It is for the controller to ascertain whether the legitimate interest provision can be relied on, who must carry out the weighing in a transparent manner and be able to justify it. Thus, in order to understand whether personal data can be processed under Article 6 (1) (f) of the CISA, it must first be established precisely whether and what is the legitimate interest of the information portal itself and of a specific



third party and / or the public. The legitimate interests of both the information portal itself and third parties (including the public) must be sufficiently clear. This requires a real and present interest - something related to an ongoing activity or a benefit that is expected to accrue in the near future. In other words, interests that are too vague or speculative are not enough. If legitimate interests are not sufficiently clear, these interests cannot be balanced against the interests and fundamental rights of the data subject. It is therefore essential, above all, that the legitimate interest be in accordance with the applicable law, be sufficiently clear (ie sufficiently specific) and be real and present (ie not speculative) 3. Secondly, the potential interests or fundamental rights of the data subject - and the freedoms that may be compromised by the processing of personal data - need to be analyzed and considered. In essence, no one of the information portals has analyzed it or at least sent information about it to the Inspectorate. 3 Opinion 06/2014, p. 25 (reference 2) Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 Third, the legitimate interests of the information portal and / or third parties must be balanced with the interests and fundamental rights of the data subject . The impact of the processing (collection, transmission, disclosure) of personal data on the data subject is compared with the legitimate interests of the controller and / or third party and it is assessed whether and to what extent the legitimate interests of the controller and / or third party outweigh the interests of the data subject. We emphasize that the legitimate interests of the controller or of a third party do not automatically outweigh the interests of the fundamental rights and freedoms of the data subjects protected. The above assessment shall be made in the abstract, without distinguishing between each individual data subject. However, a new assessment of legitimate interests must be carried out at the level of the individual data subject if the data subject objects to the processing of personal data concerning him under Article 6 (1) (f) of the CISA (see Article 21 (1) CISA). This provision obliges the processor to react to the objection and to carry out an additional analysis based on the situation of the individual in order to determine whether or not further processing of the data is justified for that individual. If the data controller fails to perform one of the previous steps correctly, the processing of the data is not permitted under Article 6 (1) (f) of the CISA and the Inspectorate would have the right to suspend the data processing for that reason alone. However, given that the companies involved in monitoring also play an important role in society, we analyzed the responses provided by the information portals, the information on the websites and the complaints to the inspectorate and then set out the inspectorate's Use of § 10 of the APA. In the proposal of 01.06.2020, the Inspectorate outlined the guidelines on which Register OÜ must be based and how the assessment of legitimate interest must be performed. More than a year has passed since the proposal sent on 01.06.2020, and the

Inspectorate still does not have an understanding of whether and to what extent the processing of personal data on the websites inforuvia and scorestorybook.ee is lawful. At the same time, we emphasize that in a situation where there is no legal basis (incl. An analysis of a legitimate interest has not been performed), the processing of personal data is prohibited. The Supervision Authority has given sufficient time to bring its activities into compliance with the requirements set out in the CISA, but in the opinion of the Supervision Authority the data processor has not used this time reasonably and has not yet proved that the processing of personal data is lawful. Considering that Register OÜ has not submitted an analysis of legitimate interests to the Supervision Authority and the analysis of legitimate interests is not available on the websites, further processing of personal data is prohibited. Therefore, the processing of personal data on the websites inforidencial and scorestorybook.ee must be stopped until Register OÜ proves that there is a legal basis for processing personal data. We also emphasize once again that the legal basis must cover the entire part of the personal data processed on the websites, and in a situation where Register OÜ fails to prove or fails to prove the legal basis for the processing of personal data, further processing of personal data is not permitted. In addition, we point out the situations where, in the opinion of the Supervision Authority, the legitimate interests or fundamental rights and freedoms of the data subject cannot outweigh the legitimate interests of the data controller or third party: who began to lead it. However, if you click on the article and read it on the website scorestorybook.ee, a situation may arise where the board member is no longer on the board of the legal entity. Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 In the opinion of the Supervision Authority, it is not automatically prohibited to associate a former member of the management board with a legal person, but be careful, check the facts and present information clearly. In the case of a former member of the management board, this must also be made clear so as not to give the false impression that the person is still on the management board of the legal person. 2. The reputation score and credit score (first and last name and score of a natural person) shall be added to the website scorestorybook.ee. However, with regard to the reputation score, it has been clarified that this is the company's reputation score, and with regard to the credit score, it is noted that the credit score assesses the solvency of Estonian companies. Thus, it is clear to the Inspectorate that both scores are intended for the evaluation of the company. At the same time, the Inspectorate also does not understand why, when it comes to company scores, why the score is not only related to a specific company, but the score is added to each member of the management board separately. Although it is a company score and its recognition with a natural person is prohibited, we also point out the following in the proposal of 01.06.2020: Regarding the

determination of a score (score) for a natural person, we can only allow it within the taking into account the rules of IKÜM profiling. Among other things, each person must understand how and on what basis his or her score has developed (see also recital 60 of the ICCPR). However, it is certainly not allowed to compile, let alone disclose, any abstract human score that takes into account factors that are not related to creditworthiness.

3. The scorestorybook.ee website contains various articles about the company: birth history, activity history, history, salary history, graduation story. The articles describe the age and experience of the members of the Management Board in different sentences. In addition, incomprehensible and harmful phrases are pointed out. For example, there are the following sentences in the articles about people: - a nice student is 24 years old; - had fresh blood; - a 29-year-old woman in her prime; - there have been 2 different members of the board at the company over time, but their muse must have remained lean because the conifer still did not show any signs of life; - the members of the board at that time were 35 years old at the best age and 38 years old in their beautiful middle age; - The members of the board at that time were 64 years old at maturity and 33 years old at the best age, and 45 years old in beautiful middle age. In the opinion of the Data Protection Inspectorate, the description of people's ages and experiences and the use of inappropriate sentences (for example: there have been 2 different board members at the company over time, there can be a legitimate interest in processing (publishing) such unnecessary and meaningless descriptions.

4. Articles published in the media will be published on the scorestorybook.ee website. On 1 June 2020, the Inspectorate made a proposal in which we noted, inter alia: Understandably, the media coverage on the scorestorybook.ee website has not been brought into line with the proposal of the Inspectorate and the requirements set out in the IKÜM. During the inspection of the website, the Inspectorate established that the media coverage is disclosed in the part that does not concern the business of the person at all, not to mention the possible purpose of assessing creditworthiness. For example, Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 is an article published by a member of the board of a catering company concerning the EMV stage of a motorway. For example, articles have been published with one of the members of the management board of a non-profit association concerning the alleged disappearance of a member of the management board and his or her speech regarding one case of harassment. In addition to the above, these are articles that do not really relate to specific members of the board at all, but to the namesakes of the individuals. In one case, a member of the board has already changed his or her surname a while ago and the article was published at a time when the person already had a new surname. Thus, articles that are in no way related to the company's activities are added to the website and people are associated with articles that are not

related to them. The processing of personal data in this way is prohibited. In addition, we note that in a situation where the verification of the accuracy of personal data is limited to a name, this is not sufficient. It must be taken into account that the data are collected from different sources and it is not possible to verify the accuracy of the data by checking the name alone. The inspection also showed that articles that have nothing to do with the person are published at the board member. In a situation where personal data is incorrect, ie an article published with a member of the management board is not actually related to him or her, this is a situation where the data is processed illegally. At the same time, people's rights are seriously undermined if they are associated with the fact that they have disappeared or spoken out in a harassment scandal, when in fact this is not the case.

5. On the website [scorestorybook.ee](https://scorestorybook.ee) it is possible to download a csv file about a natural person: "Subject name, date, type, content, tonality". It is not clear to the Supervision Authority whether and for what reason each logged-in user should be able to download such information regarding a member of the management board. Among other things, during the inspection we found that it was possible to download media coverage about a natural person. As noted above, media coverage is also disclosed that is in no way related to the business and may not actually be related to a representative of a particular legal entity. Thus, data which only concerns a natural person and which does not indicate the legitimate purpose and legal basis for which such processing of personal data could be authorized is included in the csv file.

6. On the website [scorestorybook.ee](https://scorestorybook.ee) there is a place to view real estate (Real estate circle: former owners and co-owners. Owners of mortgages and mortgages) and court decisions (Who disputes with the court and who won? What are the resolutions, sections and amounts claimed?) Although the Inspectorate did not identify during the random inspection whether it is possible to obtain real estate data and court decisions about individuals from the website, since Register OÜ has not provided the Inspectorate with an overview of the processing of personal data, it is not possible to exclude it. If the circle of real estate also contains data of natural persons, the Inspectorate will not understand whether and on what legal basis and purpose such data processing could take place.

7. The websites [scorestorybook.ee](https://scorestorybook.ee) and [inforacco](https://inforacco.ee) can be indexed by search engines through personal data (including the name of the representative). First, we explain that the Inspectorate has made a proposal to all information portals participating in the monitoring to stop indexing. Some information portals have already done so during the procedure. However, the fact that some companies continue to process personal data illegally does not mean that everyone else can process personal data illegally. If there is no legal basis and legitimate purpose for the processing of personal data, the processing of personal data must also be terminated immediately at Tatari tn 39/10134 Tallinn / 627 4135 /

info@aki.ee / www.aki.ee Registry code 70004235. Thus, the Inspectorate does not agree with the opinion of Register OÜ that the indexing will be terminated if everyone else does the same, and we emphasize once again that the searchability of the website to search engines through personal data (incl. The name of the representative) is prohibited. We also repeat what was stated in the proposal of 01.06.2020: As has been said, data is currently published on the basis of a person's name and indexed to search engines, which in the opinion of the Inspectorate is pointless and excessively harmful to people. ". We clarify that any processing of personal data (including indexation) must have a legal basis and that the processing must comply with the principles set out in Article 5 of the CISA. It is unclear to the Supervision Authority whether and for what legitimate purpose the processing of personal data in this way is necessary. We emphasize that the processing of personal data is prohibited unless it is for precisely and clearly defined and legitimate purposes (see Article 5 (1b) of the CISA). However, according to the Inspectorate, the findability of the websites scorestorybook.ee and inforvisor according to the name of a natural person is pointless and thus also in conflict with the requirements of IKÜM. Considering the above and the fact that Register OÜ has stated the following: By relinquishing the advantage of Google information work, we would give a very strong competitive advantage to all other Information Portals visible to Google search engine, the Inspectorate understands that indexing is selling him a service. However, you can advertise your service without any personal information, just like any other service. If a person has been taken to the service provider's page as a result of advertising, he or she can also be offered the opportunity to make a query on the website about a specific natural person, which will also give an answer as to whether or not the particular website has business information about that person. It also follows from § 6 of the Advertising Act that personal data of a person may be used in advertising only with the prior written consent of the person. The concept of advertising derives from § 2 (1) 3) of the Advertising Act, according to which advertising is information disclosed in any publicly available form, whether in return for payment or free of charge, for the purpose of increasing the sale of goods, promoting an event or directing public conduct. In addition, the Inspectorate does not see that in such a way that personal data can be indexed, the legitimate interests of the information portal can be weighed over the interests of the data subject.

3. Registration of personal data processing operations

The controller of personal data is obliged to register personal data processing operations, ie to prepare an overview of the processing of personal data (Article 30 of the IIA). IKÜM obliges all data processors who have at least one individual customer to compile an overview of the processing of personal data. This overview shall include the following information (see Article 30 (1) CISA): (a) the name and contact details of the controller and the data protection officer; (b) the

purposes of the processing; (c) a description of the categories of data subjects and the types of personal data; (d) the categories of recipients to whom the personal data have been or will be disclosed, including recipients in third countries and international organizations; (e) where personal data are transferred to a third country or international organization, the name of the third country or international organization concerned and, in the case of a transfer referred to in the second subparagraph of Article 49 (1), the appropriate safeguards; (f) the time limits for erasure of the different categories of data; (g) a general description of the technical and organizational security measures referred to in Article 32 (1).

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Regarding the preparation of the personal data processing overview, we also recommend reading Chapter 4 (Personal Data Processing Overview) of the General Instructions for Personal Data Processors prepared by the Inspectorate. The Supervision Authority also has the right to request a review of the processing of personal data (see Article 30 (4) of the CISA). On 28.09.2020, the Inspectorate made an inquiry to Register OÜ, in which we requested the following: To provide a thorough and detailed overview of the processing of personal data, which would show which personal data, in what form and in what way (public, logged in users, paid) if available, etc.) on the websites www.inforcony and www.scorestorybook.ee. In this respect, however, Register OÜ did not respond to the Inspectorate. In addition, we note that the processor of personal data was obliged to register personal data processing operations, ie to prepare an overview of the processing of personal data already upon the entry into force of the General Regulation on the Protection of Personal Data (IKÜM). Thus, this document must have already been prepared and it is not clear to the Inspectorate whether and for what reason the requested document was not sent to the Inspectorate. The Inspectorate needs to examine this document in order to check the lawfulness of the data processing on the websites inforelia and scorestorybook.ee. As Register OÜ has not submitted an overview of the processing of personal data to the Inspectorate, it has not been possible for the Inspectorate to check the lawfulness of personal data processing (incl. further processing of personal data is also prohibited).

#### 4. Principles of personal data processing

In the proposal of 01.06.2020, we stated the following: Irrespective of the legal basis for the processing of personal data, each data processor is obliged to follow the principles set out in Article 5 (1) of the CISA. Compliance with these principles is and must be the responsibility of the controller himself (see Article 5 (2) of the CCIP). To the extent that the processing does not fully comply with the principles set out in Article 5 (1) of the CISA, the processing is also prohibited. In the following, we present the mandatory principles of personal data processing and explanations regarding them.

- Legitimacy, fairness and transparency (Article 5 (1) (a) CISA)

Any processing of personal data must be fair and lawful, ie in full compliance with all applicable legislation (including the CISA and the IKS). Data processing must also be transparent. The principle of transparency presupposes that all information related to the processing of personal data is easily accessible, comprehensible and clearly worded to the data subject. This concerns in particular the provision of information to data subjects in order to ensure fair and transparent processing (see recital 39 of the IIA). Information to the public is governed in more detail by Articles 12 to 14 of the CISA. Articles 13 and 14 of the CISA set out the minimum information to be provided to the person. To a large extent, however, information portals must comply with the requirements of Article 14 of the CISA, as data are generally not collected from the individual. At the same time, we emphasize that each data processor must ensure that its data protection conditions comply with the requirements of the IORP. In the framework of this supervision procedure, the Inspectorate has reviewed the data protection conditions of all information portals and it must be acknowledged that deficiencies have been identified in several data protection conditions, including significant deficiencies. Therefore, all information portals must be reviewed to ensure that their data protection conditions comply with the requirements set out in the articles of the CISA. We recommend that you review point by point all the requirements set out in Articles 13 - 14 of the CISA and assess whether and at what point of the data protection conditions these requirements are regulated. Regarding the data protection conditions, it is also possible to read in more detail in the general instructions of the personal data processor prepared by the Inspectorate (Chapter 10. Transparency; Annex 3. Data Protection Conditions Control Questionnaire). In addition, several information portals stated that people would not be notified separately about the processing of their data, although it was possible to obtain this information from the data protection conditions published on the website. However, there was no justification for the Inspectorate not to release information to people. Given that data (eg commercial register data, court decisions) are not collected from the person himself, the information portal is obliged to provide the person with the information provided for in Article 14 (1) and (2) of the ICC within a reasonable time, but not later than one month then at the latest at the time of the first publication of the data (see Article 14 (3) of the CCIP). The differences that allow the active notification of a person to be circumvented follow from Article 14 (5) of the CISA, ie the information does not have to be transmitted if: (a) the data subject already has the information; (b) the provision of that information proves impossible or would involve a disproportionate effort; (c) the acquisition or disclosure of personal data is expressly provided for in Union or Member State law which provides for appropriate measures to protect the legitimate interests of the data subject; (d) personal data must be kept secret by virtue of the obligation of professional secrecy imposed

by Union or national law, including the obligation of professional secrecy. Point (d) shall not apply to information portals. Point (c) presupposes that the receipt or transmission of the data is expressly provided for in Union or national law. However, this is not required by EU or Estonian law for information portals. Under point (a), non-notification can be waived if, for example, a bank notifies a person that it is transmitting its debt data to a default register, including the data protection conditions of a specific default register. Subparagraph (b) could be the basis for non-notification, in particular in a situation where the information portal does not have the contact details of a specific natural person (no data will be collected). In the opinion of the Inspectorate, information portals should not collect additional personal data only in order to fulfill the obligation to actively inform. If the information portal has the contact details of a natural person, the person must be informed about the data processing and this is not an impossible or disproportionate effort. Pursuant to Article 13 (1) (e) and Article 14 (1) (e) of the CISA, the data controller is also obliged to inform the person to whom his or her personal data may be transferred. In the data protection conditions, it is possible to categorize recipients (eg landlords, lenders) if certain and specific recipients (legal entities) are not known. However, if a person specifically asks to whom his or her personal data have already been transmitted, the data controller is also obliged to identify the specific recipient (see Article 15 (1) (c) of the CCIP). Thus, already under the CISA, the data controller has the obligation to prove, if necessary, to whom the personal data have been transmitted. In the case of data related to a breach of a debt relationship, the obligation to register a data transfer is also confirmed by § 10 (1) of the IKS. Thus, the information portal is obliged to register each individual data transfer and The information portal also has the obligation to prove, if necessary, the legal basis and purpose for which the data was issued to a third party. Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 - Restriction of purpose and preservation. Collection of as little data as possible (Article 5 (1) (b), (c) and (e) of the ECHR) Personal data may be processed only to the extent strictly necessary for the purposes for which they were defined. Scope also means time - processing must be stopped and data deleted or personalized as soon as the legal basis has lapsed and / or the purposes for which they were collected have been met. The processing time of personal data must be kept to a strict minimum. In order to ensure that personal data are not processed for longer than necessary, the controller must set time limits for the erasure and periodic review of the personal data (see also recital 39 of the IIA). - Accuracy of data (Article 5 (1) (d) CISA) The processing of personal data must ensure that personal data are accurate and, where necessary, kept up to date and that all reasonable steps are taken to delete or correct personal data which are inaccurate for the purpose of processing. Thus, the information portal has an obligation to ensure the



accuracy of all personal data processed (eg breach of existing contractual obligations, amounts of debts). This is particularly important in a situation where data is transmitted and / or disclosed. Processing false data can cause significant harm to people. The verification of the accuracy of data and its importance is also emphasized in § 10 of the APA. - Reliability and confidentiality of data (Article 5 (1) (f) of the CCP) When processing personal data, personal data must be processed

accidental loss, destruction or damage by appropriate technical or organizational measures. The information portal must ensure that only those persons who have the right to access the personal data collected (ie have a legal basis for obtaining the data) have access to it. This is also confirmed by § 10 of the IKS, according to which the chief processor must check the existence of a legal basis. Thus, the information portal itself must assess whether personal data may be transferred to a specific person requesting data (grant access) and, if necessary, establish technical and / or organizational measures to control this. The data controller must also review whether the level of security is still adequate, either periodically or in the light of specific cases (see also Article 32 of the IIA). In a situation where the level of security does not exclude the dangers arising from illegal processing (incl. Transmission of data), the level of security must also be increased, ie both technical and organizational measures must be made more effective. Considering that Register OÜ confirmed that the processing of personal data on the websites scorestorybook.ee and inforcony has been carried out in accordance with the requirements set out in the IKÜM, we also checked compliance with the principles of personal data processing set out in Article 5 (1) of the IKÜM. The following are the principles in respect of which the Inspectorate identified significant violations.

4.1. Legality, fairness and transparency (Article 5 (1) (a) of the CCIP) Considering that Register OÜ has not submitted an analysis of the legal basis (legitimate interest) to the Supervision Authority and the analysis is not available on the website, legal basis for processing: legitimate interest). However, the principle of transparency presupposes that all information relating to the processing of personal data is easily accessible, comprehensible and clearly worded to the data subject. This applies in particular to informing data subjects in order to ensure fair and transparent processing (see IKÜM Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235, recital 39). The notification of people is regulated in more detail by Articles 12 - 14 of the ICC. At the same time, we note that we checked the data protection conditions to the extent that they concern the processing of personal data of natural persons (representatives of legal entities), ie the collection of data from various sources and the disclosure of such data. The processing of the data of users who registered on the websites was not checked in the framework of the monitoring procedure.

4.1.1. Verification of the data protection conditions published on the

website inforidencial Given that the data is not collected from the individual in a specific case, the data protection conditions are obliged to comply with Article 14 (1) and (2) of the CISA. The following are the deficiencies in the data protection conditions published on the website for information: 1) Name and contact details of the controller and, where applicable, the controller (Article 14 (1) (a) of the CISA): REGISTER OÜ (registry code 11735006, address 129 129, Tartu) belongs to the Kreedix Group, which processes personal data under Article 6 (1) (g) of the GDPR as a controller in accordance with these data protection conditions. We explain that the sentence is ambiguous and it is not possible to unambiguously understand whether the chief processor is Register OÜ or Kreedix Grupp. If the controller is the Kreedix Group, the name of the specific company must also be provided. 2) Purpose and legal basis of the processing of personal data (Article 14 (1) (c) CISA) The conditions of data protection set out the following: 1.2.1. The data subjects whose personal data are processed by the Information Register are: 1.2.1.1. The services of the Kreedix Group are used by individual customers or users of free applications, ie natural persons who use the solutions of Inforegistri, Scorestorybook, Register API. 1.2.1.2. natural persons whose personal data (first and last name, personal identification number and relations with companies) originate as public information from public information holders (public databases) and who are representatives of companies in the following roles :. Section 3.1 of the Data Protection Terms. resulting from: The Kreedix Group processes the User's Personal Data for the following purposes and legal purposes :. Thus, the whole point concerning the purposes and legal bases for the processing of personal data concerns only the processing of the data of the users of the website (according to point 1.2.1.1 of the Data Protection Conditions). However, as regards point 1.2.1.2 of the Data Protection Conditions. processing of personal data, ie natural persons whose personal data originate as public information from public information holders and who are representatives of the company (hereinafter also simply a representative of a legal person), there is no information in the data protection conditions regarding the legal basis and purposes of processing such data. In other words, the data protection conditions do not contain information on, among other things, the legal basis and purpose of disclosing the data of valid and invalid representatives of a legal person on the website. 3) Information on the recipients or categories of recipients of personal data (Article 14 (1) (e) of the ECHR) Clause 5 of the Data Protection Conditions governs the transfer of data to third parties, but only in the context of the users of the website. However, with regard to the processing of the data of the representatives of a legal person, there is no information in the data protection conditions to whom the personal data are transferred, ie who are the recipients of the personal data. 4) Period of storage of personal data (Article 14 (2) (a) of the CCP) Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee /

www.aki.ee Registry code 70004235 Although clause 7 of the data protection conditions regulates the storage of users' personal data, clause 7.2. 3. however, natural persons in the roles of company representatives if the person has completely ceased trading and 5 years have passed since the last role (according to § 37 (4) of the CCP, according to which the limitation period infringement). It is not clear to the Supervision Authority on what legal basis and purpose it is always and in any case necessary to associate all natural persons with its former business activities. In addition, in a situation where reference is made to § 37 (4) of the CCP, this deadline should be considered separately for each specific company. In other words, in a situation where 5 years have passed, this specific link should be removed - ie the limitation period for a claim against a member of the management body of a legal person has expired. Furthermore, such a general reference is not relevant. If, for example, the company has not had an economic activity or a situation has not arisen that would allow the management body of the legal person to be held liable, further processing of personal data would also be prohibited on the basis of this reference. In order for the Inspectorate to understand the legal basis and purpose for which data are processed in this way, the data processor must submit a thorough analysis of the legal basis to the Inspectorate. 5) Where the processing of personal data is based on Article 6 (1) (f), information on the legitimate interests of the controller or of a third party (Article 14 (2) (b) CISA). If the legal basis for the processing of personal data is Article 6 (1) (f) of the CCIP (legitimate interest), the data protection conditions must include either: 2) information that the person has the right to request an analysis of a legitimate interest (eg to get acquainted with the analysis of a legitimate interest, please forward the relevant contact to the e-mail address [info@ettevhtiö.ee](mailto:info@ettevhtiö.ee)). 6) Information on the right to request the controller to access and correct or delete personal data concerning the data subject or to restrict the processing of personal data and to object to the processing of such personal data, as well as information on the right to transfer personal data (Article 14 (2) (c)). 9, which states: User rights and obligations. Here, too, the rights of the user are not governed by the rights of the representative of the legal person as a natural person. However, in Section 9.6. and 9.6.7. indicated: the user may request the deletion of personal data only if one of the following grounds exists: Natural persons in the roles of company representatives, if the person has completely ceased trading and 5 years have passed since the last role. It remains completely unclear to the Supervision Authority what legal basis and legitimate purpose a data processor can say that a person cannot request the deletion of his or her personal data. Such a resolute position could only exist if the obligation to process personal data arose from law. However, Register OÜ has no such obligation. In this context, we consider it necessary to emphasize once again the proposal of 01.06.2020: Article 21 (1) of the CISA entitles the data subject to object at any time to

the processing of personal data which are not in his or her legitimate interest, including profiling based on this provision. Upon receipt of the objection, the controller may not further process personal data, unless it proves that the data are processed for a valid legitimate reason that outweighs the interests of the data subject, Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee 70004235 rights and freedoms, or if the situation concerns the purpose of preparing, filing or defending a legal claim. The data subject has the right to object on the basis of his or her specific situation, ie stating why, in his or her view, the processing of his or her personal data is excessive. In that case, the controller shall, on the basis of the objection, reassess the situation of the individual concerned, take into account the content of the objection and demonstrate that he or she has a valid legitimate reason to further process the data in the specific case. The Inspectorate has also received one case in which the information portal responded to a person's request that they do not classify legitimate interests in personal data related to companies specifically by person, but provide a comprehensive and reliable service, which requires data on all company events and changes. Even if the analysis leads to the conclusion that there is a valid legitimate reason for further processing of personal data, each controller has an obligation to refer to the individual and his or her specific objections in the event of an objection, and the analysis must take all this into account. We emphasize here that in the event of an objection, it is not permitted to refer simply to a preliminary assessment of a legitimate interest or to data protection conditions. If the controller cannot prove to the person that he or she can rely on the legitimate interests of himself or herself and / or a third party in view of his or her situation and there is a legitimate reason for the processing, further processing is prohibited and the data must be deleted and deleted Article 17 (1) (c). Also, as a result of resolving the objection, it may be necessary, for example, to change the scope of data processing, ie instead of disclosure, the data will only be transferred to specific third parties pursuant to the conditions provided for in § 10 of the APA. It should also be noted that the possibility to file an objection has been created in order for a person to be able to point out situations that the data controller could not have come to terms with earlier or that it was not possible to get to. Conversely, the fact that an objection to the processing of a data subject is changed does not automatically mean that the data controller has erred in the past, on the contrary, it indicates that the data controller is prepared to change the data processing if necessary and to comply with legal requirements. In addition, we emphasize that the disclosure and / or transmission of data must be suspended until the objection has been resolved (see Article 21 (1) of the CISA). The same is confirmed by Article 18 (1) of the CISA, including the need to suspend processing until it is established that the personal data are correct or until it is ascertained that the legitimate reasons of the controller outweigh the reasons of

the data subject. Suspension of processing upon receipt of the objection means that the processing of the data (including transmission) will be terminated until a valid legitimate reason for further processing has been assessed. In the absence of a valid legitimate reason for further processing, the processing must be terminated and, if available, the result of the analysis and the decision on further processing must also be communicated to the data subject (see Articles 18 (3) and 21 (1) CISA). 7) Information on the right to lodge a complaint with the supervisory authority (Article 14 (2) (e) of the CCIP) Only the users of the website have information on the data protection conditions. 8) Information on the source of the personal data and, where applicable, whether they originate from publicly available sources (Article 14 (2) (f) of the Conditions of Employment). it is indicated: Natural persons whose personal data (first and last name, personal identification code and relations with companies) originate as public information from public information holders (public databases). In other words, Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 Although the data protection conditions state that the data are obtained from public sources, the sources of origin (eg the commercial register) have not been indicated. Therefore, the data protection conditions must also indicate all the sources from which personal data are collected. 9) Clause 2.1.2 of the data protection conditions published on the website for information. It is stated: "Register OÜ collects data on the User's behavior and activities when using the Services and the Website (data according to the terms and conditions for the use of cookies, which are available HERE." For the remaining cookies, the User agrees to the installation of cookies by agreeing to these Terms, which the Registry asks the Users through the banner displayed on the Websites. is as follows: Inforegister.ee uses HTTP cookies to simplify the site, so visitors to the website are not refused to use cookies, but are simply informed about the existence of cookies in order to simplify the site. This website contains, among other things, third-party cookies (such as Google analytics). We explain that in a situation where Register OÜ installs third-party cookies on its website, Register OÜ is also the chief processor in this respect, and Register OÜ must have a specific legal basis for installing cookies. In that regard, Article 5 (3) of Directive 2002/58 on privacy and electronic communications states: consent and have been provided with clear and comprehensible information in accordance with Directive 95/46 / EC, including the purpose of the processing. It shall not prevent the technical storage or access of data for the sole purpose of transmitting on an electronic communications network or which is essential for the provider to provide an information society service explicitly requested by a subscriber or user. Considering that there are no more specific rules regarding the use of cookies in Estonia, the requirements of the said directive must be followed. However, the Directive explicitly requires the prior consent of the individual for the use of cookies, unless the

sole purpose of the technical storage and access of the data is to transmit a communication over an electronic communications network or is essential for the provider to provide an information society service. The obligation of consent has also been confirmed by the Court of Justice on 01.10.2019 in case number C-673/174. The Court of Justice has also emphasized in the judgment that consent to the use of third-party cookies must be obtained, whether or not it is personal data. Therefore, the use of third-party cookies on the inforidencial website is illegal in the present case and must be stopped until the person's consent to use the cookies has been obtained in accordance with Article 7 of the ECHR. Including consent must be voluntary, ie the person must be able to decide for themselves whether to use third-party (and not essential) cookies. 4[https://curia.europa.eu/juris/document/document.jsf? Text = & docid = 218462 & pageIndex = 0 & doclang = ET & mode = lst & dir = & occ = first & part = 1 & cid = 984162](https://curia.europa.eu/juris/document/document.jsf?Text=&docid=218462&pageIndex=0&doclang=ET&mode=lst&dir=&occ=first&part=1&cid=984162) Tatari tn 39/10134 Tallinn / 627 4135 / info @ aki .ee / www.aki.ee Registry code 70004235 10) The controller shall take appropriate measures to provide the data subject with the information referred to in Articles 13 and 14 in a concise, clear, comprehensible and easily accessible form, using clear and simple language (Article 12 (1) of the IIA). .ee's published data protection conditions have tried to reflect the processing of personal data of different data subjects (clauses 1.2.1.1 and 1.2.1.2 of the data protection conditions), ie users of the website and natural persons (representatives of companies) whose personal data have been taken from various public sources. As a result, however, it is very difficult and sometimes impossible to understand whose rights / obligations are regulated by some part of the data protection conditions. In addition, most of the provisions of the data protection conditions concern the users of the website. Therefore, in the opinion of the Inspectorate, the data protection conditions prepared for the processing of personal data of the representatives of a legal person are not clear and understandable. In addition, it should be emphasized that Register OÜ itself does not actively inform the representatives of the legal entity that their personal data is being processed, which is why it is especially important that the data protection conditions are in full compliance with the requirements processes personal data. In view of the above, the data protection conditions published on the website do not comply with the requirements set out in the CISA (Article 5 (1) (a), Article 12 (1) and Article 14 (1) and (2) of the CISA), which further prohibits further processing of personal data. 4.1.2. Verification of data protection conditions published on the website scorestorybook.ee Considering that in a specific case data is not collected from a person, the obligation to comply with Article 14 (1) and (2) of the CISA is compiled. The following are the shortcomings in the data protection conditions published on the scorestorybook.ee website: 1) Name and contact details of the chief processor and, if applicable, the chief processor (Article 14 (1) (a) of the CISA) controller. In other

words, the misunderstanding is whether the chief processor is Storybook OÜ, Register OÜ or a third company. In addition, the terms and conditions of the various companies are listed in the terms and conditions, but it is not clear what connection these companies have with the website scorestorybook.ee. 2) Purpose and legal basis of the processing of personal data (Article 14 (1) (c) CISA) The conditions of data protection set out the following: 1.2.1. The data subjects whose personal data are processed by Inforegister and Storybook are: 1.2.1.1. Individual customers or users of the Information Register and Storybook, ie natural persons who use the solutions created by Register OÜ and Storybook OÜ. 1.2.1.2. natural persons whose personal data (first and last name, personal identification number and relations with companies) originate as public information from public information holders (public databases) and who are representatives of companies in the following roles :. Section 3.1 of the Data Protection Terms. resulting from: The Group processes the User's Personal Data for the following purposes and legal purposes :. Thus, the whole point concerning the purposes and legal bases for the processing of personal data concerns only the processing of the data of the users of the website (according to point 1.2.1.1 of the Data Protection Conditions). However, as regards point 1.2.1.2 of the Data Protection Conditions. processing of personal data provided by the Company, ie natural persons whose personal data originate as public information from public information holders Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 and who are representatives of the company (hereinafter representatives of legal entities) , there is no information on the legal basis and purposes of the processing of these data in the data protection conditions. In other words, the data protection conditions do not contain information on, among other things, the legal basis and purpose for which: 1) the data of valid and invalid representatives of a legal person are disclosed on the website; 2) the reputation and credit score of a natural person is added and published on the website; 3) the age and experience of the members of the management board are described on the website in different sentences (there was fresh blood, a nice student age, the best youth); 4) articles published in the media on the website are published. 3) Types of personal data concerned (Article 14 (1) (d) CCIP) The data protection conditions do not specify which types of personal data are processed about the company's representatives. For example, name, date of birth, role in the company, business - related articles, reputation and credit score, etc. 4) Information on the recipients or categories of recipients of personal data (Article 14 (1) (e) of the ECHR) Paragraphs 4 and 5 of the Data Protection Conditions govern the transfer of data to third parties, but only in the context of the users of the website. However, with regard to the processing of the data of the representatives of a legal person, there is no information in the data protection conditions to whom the personal data are transferred, ie who are the

recipients of the personal data. 5) Retention period of personal data (Article 14 (2) (a) of the Conditions of Employment)

Although point 7 of the Data Protection Conditions governs the retention of users' personal data, point 7.2.3. however, stated: Natural persons in the roles of company representatives if the person has completely ceased trading and 5 years have elapsed since the last role (until the expiry of the claim). It is not clear to the Supervision Authority on what legal basis and purpose it is always and in any case necessary to associate all natural persons with its former business activities. In addition, where reference is made to a limitation period for lodging a claim, that period should be considered separately for each individual undertaking. In other words, in a situation where 5 years have passed, this specific link should be removed - ie the limitation period for a claim against a member of the management body of a legal person has expired. Furthermore, such a general reference is not relevant. If the company has not created a situation that would allow the management body of the legal person to be held liable (eg the company has no economic activity), then further processing of personal data would also be prohibited on the basis of this reference. In order for the Inspectorate to understand on what legal basis and purpose it is necessary to process personal data in this way, the data processor must submit a thorough analysis of the legal basis to the Inspectorate. 6) Where the processing of personal data is based on Article 6 (1) (f), information on the legitimate interests of the controller or of a third party (Article 14 (2) (b) CISA). If the legal basis for the processing of personal data is Article 6 (1) (f) of the CCIP (legitimate interest), the data protection conditions must include either: 2) information that the person has the right to request an analysis of a legitimate interest (eg to get acquainted with the analysis of a legitimate interest, please forward the relevant contact to the e-mail address [info@ettevhtiö.ee](mailto:info@ettevhtiö.ee)). 7) Information on the right to request the controller to access and correct or delete personal data concerning the data subject or to restrict the processing of personal data and to submit an objection to the processing of such personal data Tatari tn 39/10134 Tallinn / 627 4135 / [info@aki.ee](mailto:info@aki.ee) / [www.aki.ee](http://www.aki.ee) Registry code 70004235 , as well as information on the right to transfer personal data (Article 14 (2) (c) CISA) The rights and obligations of the data subject are set out in clause 9, which states: The rights and obligations of the user. Here again, the user's rights are not regulated in clause 1.2.1.2 of the data protection conditions. human rights. However, in Section 9.6. and 9.6.7. indicated: the user may request the deletion of personal data only if one of the following grounds exists: Natural persons in the roles of company representatives, if the person has completely ceased trading and 5 years have passed since the last role. It is completely incomprehensible to the Supervision Authority on what legal basis and for a legitimate purpose it is possible for a data processor to say that a person cannot request the deletion of his or her personal data. Such a resolute position could only



exist if the obligation to process personal data arose from law. In the present case, however, there is no such obligation. 8) Information on the right to lodge a complaint with the supervisory authority (Article 14 (2) (e) of the ECHR) The relevant provisions on data protection apply only to users of the website. 9) Information on the source of the personal data and, where applicable, whether they come from publicly available sources (Article 14 (2) (f) of the Conditions of Employment). it is indicated: natural persons whose personal data (first and last name, personal identification code and relations with companies) originate as public information from public information holders (public databases). In other words, the data protection conditions state that the data are obtained from public sources, but the sources of origin (eg the commercial register) have not been indicated. In addition, data is also collected from the media, for example. The data protection policy must identify all sources from which personal data are collected. 10) In addition, section 2.1.2 of the Data Protection Conditions. stated: "The Group collects data on the User's behavior and activities when using the Services and the Website (data in accordance with the terms and conditions for the use of cookies available here (HERE)." because without them it is not possible to use the Website. With regard to the remaining cookies, the User agrees to the installation of cookies by agreeing to these Terms and Conditions, which the Register asks the Users through the banner displayed on the Websites. The User consents to the preference cookies by selecting the respective preference. The banner that comes when you go to the scorestorybook.ee website is the following: By continuing to use the website, you agree to the use of cookies. Thus, visitors to the website are not deprived of their consent to the use of cookies in accordance with the requirements of the IKÜM, but are simply informed of the existence of cookies. However, when you view the cookies on the scorestorybook.ee page, the website contains third-party cookies (for example, Google analytics). We explain that in a situation where third-party cookies are installed on its website, the company is also the controller in this respect, and there must be a specific legal basis for the installation of cookies. In that regard, Article 5 (3) of Directive 2002/58 on privacy and electronic communications states: his or her consent, and he or she has been provided with clear and comprehensible information in accordance with Directive 95/46 / EC, Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235, including the purpose of data processing. It shall not prevent the technical storage or access of data for the sole purpose of transmitting on an electronic communications network or which is essential for the provider to provide an information society service explicitly requested by a subscriber or user. Considering that there are no more specific rules regarding the use of cookies in Estonia, the requirements of the said directive must be followed. However, the Directive explicitly requires the prior consent of the individual for the use of cookies, unless the

sole purpose of the technical storage and access of the data is to transmit a communication over an electronic communications network or is essential for the provider to provide an information society service. The obligation of consent has also been confirmed by the Court of Justice on 01.10.2019 in case number C-673/175. The Court of Justice has also emphasized in the judgment that consent to the use of third-party cookies must be obtained, whether or not it is personal data. Therefore, the use of third-party cookies on the scorestorybook.ee website is currently illegal and such processing must be stopped until the person's consent to use the cookies has been obtained in accordance with Article 7 of the CISA. Including consent must be voluntary, ie the person must be able to decide for themselves whether to use third-party (and not essential) cookies. 11) The controller shall take appropriate measures to provide the data subject with the information referred to in Articles 13 and 14 in a concise, clear, comprehensible and easily accessible form, using clear and simple language (Article 12 (1) of the IORP). the processing of personal data (clauses 1.2.1.1 and 1.2.1.2 of the Data Protection Conditions), ie the users of the website and natural persons (representatives of companies) whose personal data have been taken from various public sources. As a result, however, it is very difficult and sometimes impossible to understand whose rights / obligations are regulated by some part of the data protection conditions. In addition, most of the provisions of the data protection conditions concern the users of the website. Therefore, in the opinion of the Inspectorate, the data protection conditions prepared for the processing of personal data of the representatives of a legal person are not clear and understandable. In addition, it should be emphasized that the company's representatives are not informed about the processing of their personal data, so it is particularly important that the data protection conditions are fully compliant with the IORP and that the person understands who is processing their personal data. We also found that the online link <https://scorestorybook.ee/media/14636888/juhatuse-liikme-endised-seosed?id=2907327> has a reference to the privacy policy at the end of the explanation (If you are interested, you can also read more about our Privacy Policy), but clicking on it does not open the privacy policy , only an error message. In view of the above, the data protection conditions published on the scorestorybook.ee website do not comply with the requirements set out in the CISA (Article 5 (1) (a), Article 12 (1) and Article 14 (1) and (2)), which further prohibits further processing of personal data. 4.2. Purpose and retention limitation. Collection of as little data as possible (Article 5 (1) (b), (c) and (e) of the CCIP) It is not clear to the Inspectorate for what legitimate purpose it is necessary to collect and disclose all invalid links between representatives of all companies until 5[https://curia.europa.eu/juris / document / document.jsf? text = & docid = 218462 & pageIndex = 0 & doclang = ET & mode = lst & dir = & occ = first &](https://curia.europa.eu/juris/document/document.jsf?text=&docid=218462&pageIndex=0&doclang=ET&mode=lst&dir=&occ=first&)

part = 1 & cid = 984162 Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 the person has completely ceased business and 5 years have passed since the last role. We also emphasize once again that in a situation where § 37 (4) of the CCP is referred to, all companies should be considered separately and a person cannot be responsible for the company's activities, for example in a situation where he has not been associated with the company for 10 years. Furthermore, the fact that the claim expires in 5 years does not mean that a possible claim has arisen at all. Thus, in the opinion of the Inspectorate, the display of all business connections for the stated purpose and to the extent indicated (5 years from the last role) is not lawful. The scorestorybook.ee website publishes articles published in the media, also to the extent that it does not concern business. It is unclear to the Supervision Authority whether and for what legitimate purpose it would be possible to collect and disclose such data. The processing of personal data must be necessary for the purpose. However, different articles have been generated on the storyscorebook.ee website, which describe the age and experience of the members of the board with different sentences (eg: there was fresh blood, a 29-year-old woman in her best youth). In addition, incomprehensible sentences that are harmful to people are pointed out (eg: the company has had 2 different members of the board over time, but their muse must have remained lean because the conifer still did not show any signs of life). The provision of such descriptions and sentences is certainly not necessary for the legitimate purposes and such processing of personal data must be stopped.

4.3. Accuracy of data (Article 5 (1) (d) of the CISA) The scorestorybook.ee website contains articles published by a member of the Management Board who are not actually related to a specific article. Therefore, the data collected and disclosed are not correct and the processing of personal data in this way is prohibited. In addition, the CV and contact details of the head of the company as an individual are published on the website. The Inspectorate identified a situation where the manager's CV contained contact information that actually belonged to another member of the management board. This gives the false impression that this is the contact details of a specific member of the management board (manager). Processing of data in this way is also prohibited. The inforidencial website contains excerpts from the scorestorybook.ee website - the excerpts show, for example, the members of the company's management board who started managing it. However, if you click on the article and read it on the scorestorybook.ee website, a situation may arise where a member of the management board is no longer on the company's management board. In the opinion of the Supervision Authority, it is not automatically prohibited to associate a former member of the management board with a company, but when submitting connections, one must be careful, check the facts and present the information clearly. In the case of a former

member of the management board, this must also be made clear so as not to give the false impression that he or she is a valid member of the management board. Summary In view of the above, the processing of personal data on the inforelia and scorestorybook.ee websites does not comply with the principles of personal data processing set out in Article 5 (1) of the ICPA, including: a) the processing of personal data must be lawful, fair and transparent; (b) personal data must be relevant, relevant and not excessive in relation to the purpose for which they are processed; (c) personal data must be accurate. If the processing of personal data does not comply with the principles set out in Article 5 of the CISA, the processing of personal data is prohibited. Compliance with these principles is the responsibility of the controller himself (see Article 5 (2) of the CISA). In addition, a register of personal data processing operations has not been submitted to the Inspectorate, the obligation to submit of which is incumbent on the data processor (Article 30 (4) of the CISA) and on the basis of which Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 the Inspectorate shall further verify compliance with the requirements set out in the ICÜM. Thus, the processing of personal data of the representatives of a legal person as natural persons on the websites inforidencial and scorestorybook.ee must be terminated until the processing of personal data has been fully complied with the requirements provided in the IKÜM. Pursuant to § 58 (1) of the Personal Data Protection Act and Article 58 (2) (f) of the General Data Protection Regulation, the Supervision Authority has the right to impose a temporary or permanent restriction on the processing of personal data, including a ban on processing. In addition, we note that the Inspectorate can issue a precept to either the chief processor or the authorized processor. As it is not clear in a specific case who exactly is the controller responsible for which website, but in the course of the supervision procedure the representative of Register OÜ has given answers, we issue this precept to Register OÜ. .ee and scorestorybook.ee illegally (data processing does not comply with the requirements provided for in Articles 5, 6, 7, 12 and 14 of the CISA) and the register of personal data processing operations has not been submitted to the Inspectorate (Article 30 of the CISA). is necessary to bring the offense to an end as soon as possible. / digitally signed / Raiko Kaur, lawyer, authorized by the Director General