

PROTECTION OF PRIVACY AND TRANSPARENCY OF THE STATE Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 PRECAUTIONS-WARNING in personal data protection matter no. 2.1.-6/21 / Preceptor Raiko Kaur Time and place of precept 26.03.2021, Tallinn Addressee of the precept responsible person Eesti Metsakinnistud OÜ (14863578) silverraig@gmail.com info@eestimetsakinnistud.ee Member of the Management Board RESOLUTION: § 56 (1) (2) 8) of the Personal Data Protection Act , § 58 (1) and Article 58 (1) (d) and (2) (f) and (g) of the General Regulation on the Protection of Personal Data (IKÜM), as well as taking into account Articles 5, 6, 12, 14, 15 : 1. Stop illegal data processing concerning the search or acquisition of data on the owners of the property (eg from the land register), search of contact details (numbers / e-mail addresses) by the name of the owner (eg Internet using search engines) and / or calling or writing to people in connection with the above. 2. Delete all personal data collected as described in point 1. 3. Confirm and ensure that persons whose personal data have been obtained from third parties (including public sources) are informed of the processing of personal data in accordance with Articles 12 and 14 of the CISA. Articles 12, 14 and 15. Notify the Data Protection Inspectorate to the e-mail address info@aki.ee of the fulfillment of the precept by the deadline. CONTESTING REFERENCE: This precept can be contested within 30 days by submitting either: - a challenge to the Data Protection Inspectorate pursuant to the Administrative Procedure Act, or - an appeal to the Tallinn Administrative Court pursuant to the Code of Administrative Court Procedure (in this case Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www .aki.ee Registry code 70004235 no longer reviewing a challenge in the same matter). Contestation of a precept does not suspend the obligation to comply with the precept or the application of the measures necessary for compliance. PENALTY WARNING: If a precept is not complied with by the specified term, the Data Protection Inspectorate shall impose a penalty payment on the addressee of the precept on the basis of § 60 of the Personal Data Protection Act for each item of the precept not complied with. 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 WARRANTY: Misdemeanor proceedings may be instituted for failure to comply with a precept pursuant to Article 58 (1) of the General Data Protection Regulation on the grounds of § 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 20 November 2020, the Data Protection

Inspectorate (Inspectorate) received a complaint in case number 2.1.-1/20/4253, in which it was stated that on 10 November 2020 at 10.25 its number was called from 56913339 and presented as an Estonian Forest Property Company. When the person asked on what basis they are being called and how their name, telephone number and connection are known about the property in question, the caller replied that they are currently looking at the computer and know nothing more. In connection with this, we initiated a supervision procedure. As part of the supervision procedure, we submitted an inquiry to Eesti Metsakinnistud OÜ on 22.01.2021, to which the company's representative replied on 05.02.2021 as follows: We will send you a reply from Eesti Metsakinnistute. From what sources have you collected (obtained) personal data from [complainant's name]? Indicate separately the sources of the data for each data field (incl. Name, telephone number, address / name of the real estate). We were interested in the agricultural land of [name of the property]. We obtained the owner's data from <https://kinnistusraamat.rik.ee>, where we got the name of the owner and by searching the owner's name we found a number on the internet where [complainant's name] is a member of the board and from there we were forwarded to [complainant's name].

did you legally collect and use [complainant's] personal data? We are looking for data from an internet search and we have not collected it anywhere. 2.1. If there was no legal basis for the processing, confirm this. As we do not have this data ourselves, we do not process it. The Data Protection Inspectorate did not agree with the position of Eesti Metsakinnistud OÜ and on 09.02.2021 we sent a proposal to the company stating the following: 1. Terminate the processing of personal data if it does not meet at least one of the conditions set out in Article 6 (1) of the General Data Protection Regulation. 1.1. Sh to terminate data processing concerning the acquisition of data (names) of the owners of the immovable from the land register, searching for numbers / e-mail addresses in the Internet search engines according to the name of the owner and / or calling or writing to people in connection with the above. Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235

2. Send a confirmation to the Inspectorate that in clauses 1. and 1.1. proposals have been met (such processing has been completed). Respond to the proposal immediately, but no later than 17.02.2021. 17.02.2021 Eesti Metsakinnistud OÜ replied as follows: We confirm that Eesti Metsakinnistud OÜ has stopped processing personal data. In connection with this, the Inspectorate reprimanded Eesti Metsakinnistud OÜ on 18.02.2021 and terminated the supervision proceedings in case no. 2.1.-1/20/4253. In the mentioned document we noted the following: According to the materials of the case, Eesti Metsakinnistud OÜ was interested in one real estate, the data of the owner of which (name of the complainant) they bought through the website <https://kinnistusraamat.rik.ee>. The complainant's contact details were then searched using an internet

search engine to contact him. Thus, in a specific case, the complainant's number was called and, in addition to the telephone number, the name of the person and the property belonging to him were also known, ie Eesti Metsakinnistud OÜ processed personal data. We clarify that the processing of personal data is lawful only if at least one of the conditions set out in Article 6 (1) of the General Data Protection Regulation (GPA) is met. However, the Inspectorate does not see whether and on what legal basis Eesti Metsakinnistud OÜ could continue the practice of indiscriminately acquiring data (names) of property owners from the land register, then searching the person's possible telephone number and / or e-mail address and calling and / or writing. human connection with the property. Eesti Metsakinnistud OÜ itself did not substantiate the lawfulness of the processing of personal data. Thus, Eesti Metsakinnistud OÜ processed the personal data of the complainant illegally, ie violated Article 5 (1) (a) of the CISA, according to which the processing of personal data must ensure that the processing is lawful (ie complies with Article 6 (1) of the CISA). In addition to the above, Eesti Metsakinnistud OÜ has also violated other obligations provided for in the IKÜM, including the conditions provided for in Articles 5 and 12 - 14 of the IKÜM. However, considering that the Inspectorate considers the above-mentioned activities of Eesti Metsakinnistud OÜ to be illegal (does not meet the condition set out in Article 6 (1) of the CISA), Eesti Metsakinnistud OÜ cannot continue to process data in this way. . However, for those persons for whom data have already been processed unlawfully, it must be borne in mind that any requests from individuals for the processing of personal data must be answered in accordance with the conditions laid down in the CISA. In view of the above, including the fact that Eesti Metsakinnistud OÜ has confirmed to the Inspectorate that the processing of personal data in this way has been terminated, we reprimand Eesti Metsakinnistud OÜ pursuant to Article 58 (2) b) of the General Data Protection Regulation and draw attention to the following: the obligation to comply with the General Regulation on the Protection of Personal Data, including Articles 5 and 6, when processing personal data. The processing of personal data shall be lawful only if at least one of the conditions laid down in Article 6 (1) of the CISA is fulfilled. If the processing of personal data does not meet at least one of the conditions set out in Article 6 (1) of the CISA, the processing of personal data is prohibited (illegal). The controller must also comply with all the principles set out in Article 5 of the CISA. We further emphasize that in the framework of the supervision procedure, the Inspectorate has proposed to terminate data processing that does not meet the conditions set out in Article 6 (1) of the CISA, including terminating data processing concerning the acquisition of data (names) of property owners Tatari tn 39/10134 Tallinn / 627 .ee / www.aki.ee Registry code 70004235 from the land register, searching for numbers / e-mail addresses in Internet search engines by owner's name and /

or calling or writing to people in connection with the above. As part of the supervision procedure, Eesti Metsakinnistud OÜ has confirmed that such activities have been terminated. We will also reprimand you for any violations that have already taken place. In view of the above, we note that in a situation where illegal data processing continues, the Inspectorate will issue a precept to you in this regard and impose a penalty payment. The Supervision Authority may demand a penalty payment for each violation, the amount of which is up to 20,000,000 euros or, in the case of an undertaking, up to 4 per cent of its total worldwide annual turnover in accordance with § 60 of the IKS, whichever is greater. Based on the above, we close the supervision procedure. Although Eesti Metsakinnistud OÜ has confirmed to the Inspectorate on 17.02.2021 that they have stopped processing personal data and the Inspectorate has also reprimanded the company on 18.02.2021 and warned the company against continuing illegal activities, Eesti Metsakinnistud OÜ has continued to process personal data that does not comply with IKÜM requirements set out in 1. On 22.02.2021 in case number 2.1.-5/21/677, the Inspectorate received the following address: I have been called several times by a forest buying company and would like [name]. I say he can't and he won't sell his forest / land. My husband's name is [name]. Now they have called twice in a short time. Last time today. Finally, I asked you where you got my number and how to associate it with [name]. The answer is "don't know". I then asked if you would call any number and ask [name] if maybe it would work. The answer is yes. I don't remember which company it was. I called back and wanted to clarify. After that, the tube was laid and they do not respond to repeated attempts. The number you called is 56913339. My wish: 1) What company is it? 2) Where did they get my number? 3) Based on what information do they associate my number with [name] 's number? 4) And where do they get information about a person's land ownership? Yes, you can look at the land register, but hardly are they going to look at any people? 2. On 22.03.2021 in case number 2.1.-5/21/1160 the Inspectorate received the following address: Last year (see previous correspondence) I was called from Eesti Metsakinnistud OÜ. I announced that I would like them to remove my name and number from their mailing list. I also said that having such a list was illegal and asked for my information to be deleted from his database / list. Took note and promised to delete. Today, 22.03, a phone call came again from the same number and the same company: 56913339, caller [name], Eesti Metsakinnistud OÜ. [name]: According to my data, you own real estate. Me: Which ones? [name]: [property name] Me: Where did you get my number? [name]: I didn't know where I got my number from. Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 Me: on the basis of which you dialed me a number and associated me with the real estate [name of the real estate]? [name]: From the Internet. Me: My number isn't there. [name]: My number is in the

list, in the list and picked from there. Me: As for the list, you don't have to be on the list and you got my number online. [name]: "These lists are still circulating" and promised to delete them again. Again, the GDPR does not allow you to distribute or purchase such a list with my contact information. He and his company may have a problem with such activities. He promised to delete my number from his list again (which he doesn't have to have). Please, would you be able to do anything with this company or others to ensure that they have real compliance with the GDPR? [...] But my problem is more that my property and my name and my phone number are linked somewhere using the list / CRM and I don't want that. I don't want that again next year. 3. On 25.03.2021 in case number 2.1.-1/21/1213, the Inspectorate received the following address: I was called on 25.03.2021 from the company Eesti Metsakinnistud. The number was called on +37256913339, it was said that I had been called about my property, and I was asked if there were any sales ideas. I said I don't understand where you get my data, after which the call was dropped. I wonder why the caller from whom my data was obtained did not communicate on this topic. Can I call and ask if I have any thoughts on selling my property? I have not announced anywhere that I want to sell my property. On 18.02.2021, the Supervision Authority terminated the supervision procedure in case number 2.1.-1/20/4253 because Eesti Metsakinnistud OÜ responded to the proposal sent by the Inspectorate on 09.02.2021 on 17.02.2021 that Eesti Metsakinnistud OÜ has terminated the processing of personal data. Considering that Eesti Metsakinnistud OÜ has given false information to the Inspectorate, ie confirmed on 17.02.2021 that the processing of personal data has been terminated, but five days later (22.02.2021) the Inspectorate received a new request that Eesti Metsakinnistud OÜ has called the person (ie processed personal data), the Inspectorate cannot consider that the proposal sent on 09.02.2021 has been complied with, therefore we are renewing and continuing the supervision procedure in case no. 2.1.-5/20/4253. EXPLANATION OF THE PROCESSOR OF PERSONAL DATA The Inspectorate made the following proposals on 09.02.2021 and gave an opportunity to submit its opinion and objections as well: 1. To terminate the processing of personal data if it does not meet at least one of the conditions set out in Article 6 (1) of the General Data Protection Regulation. 1.1.Sh to terminate data processing concerning the acquisition of data (names) of the owners of the immovable from the land register, searching for numbers / e-mail addresses in Internet search engines by the name of the owner and / or calling or writing to people in connection with the above. 2. Send a confirmation to the Inspectorate that in points 1 and 1.1. proposals have been met (such processing has been completed). Respond to the proposal immediately, but no later than 17.02.2021. 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. Thus, the

Supervision Authority has also given Eesti Metsakinnistud OÜ the opportunity to submit objections or its own opinion.

However, in the reply sent on 17.02.2021, Eesti Metsakinnistud OÜ only stated that the processing of personal data of Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 has been terminated. In addition, pursuant to § 40 (3) 1) of the Administrative Procedure Act, administrative proceedings may be conducted without hearing the opinion and objections of a participant in the proceedings if immediate action is necessary to prevent damage resulting from the delay or to protect the public interest. According to the Supervision Authority, this situation would also be applicable in this case, taking into account that Eesti Metsakinnistud OÜ has only recently (18.02.2021) been reprimanded and explained that the processing of personal data was illegal and must be stopped. confirmed that the processing of personal data has been terminated), but that the unlawful processing of personal data continues. The Inspectorate has also informed the complainant in case number 2.1.-1/20/4253 on 18.02.2021 that Eesti Metsakinnistud OÜ has confirmed that the processing of personal data has been terminated. Considering the above (incl. Factual circumstances) and the reasons of the Data Protection Inspectorate, this is a significant violation that must be terminated as soon as possible. In addition, the Inspectorate also takes into account the fact that it is not possible for people to obtain reasonable answers from the data processor regarding the processing of their personal data, ie both vague answers are given and telephone calls are interrupted. This is a very serious breach of the data subject's right to be informed about the processing of personal data concerning him or her. It should also be emphasized that the representative of Eesti Metsakinnistud OÜ stated that the processing of personal data has been terminated, ie the Inspectorate has been given incorrect information. It is therefore also important to restore the legal situation as soon as possible and to ensure the complainant's legal expectations. GROUNDS FOR DATA PROTECTION INSPECTION: Personal data is any information about an identified or identifiable natural person. An identifiable natural person is a person who can be identified, directly or indirectly, in particular by reference to an identifier such as a name (see Article 4 (1) of the CCIP). As can be seen from the materials of case number 2.1.-5/20/4253, Eesti Metsakinnistud OÜ was interested in one real estate, the owner of which (the name of the complainant) was purchased through the website <https://kinnistusraamat.rik.ee>. The complainant's contact details were then searched using an internet search engine to contact him. Thus, in a specific case, the complainant's number was called and, in addition to the telephone number, the name of the person and the property belonging to him were also known, ie Eesti Metsakinnistud OÜ processed personal data. Although on 17.02.2021 Eesti Metsakinnistud OÜ confirmed that the processing of personal data has been terminated, it can be seen from the appeal sent to the

Inspectorate on 22.02.2021 that on 22.02.2021 Eesti Metsakinnistud OÜ called and wanted to talk to a specific person about the sale of the property. It can be seen from the application sent on 22.03.2021 that on 22.03.2021 Eesti Metsakinnistud OÜ called a person and knew the person's name, telephone number and real estate. Questions related to the processing of personal data were also not properly answered. It can be seen from the request sent on 25.03.2021 that the person has been called, but the request related to the processing of the person's personal data has not been answered and the call was dropped. We clarify that the processing of personal data is lawful only if at least one of the conditions set out in Article 6 (1) of the General Data Protection Regulation (GPA) is met. However, the Inspectorate does not see whether and on what legal basis Eesti Metsakinnistud OÜ could continue the practice of indiscriminately searching for (purchasing) the names of real estate owners (eg from the land register), then searching for a person's possible telephone number and / or e-mail address (eg using Internet search engines). and calls and / or writes to a person in connection with the property. Eesti Metsakinnistud OÜ itself has also not substantiated the lawfulness of the processing of personal data. On the contrary, Eesti Metsakinnistud OÜ has confirmed that the processing of personal data at Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 has been completed. At the same time, we would like to point out that the burden of proving the lawfulness of the processing of personal data lies with the controller, and in a situation where the controller is unable to prove this, the processing of personal data must (actually) be terminated. In addition to the above, Eesti Metsakinnistud OÜ has also violated other obligations provided in the IKÜM. When processing personal data, it shall be ensured that the processing fully complies with the principles set out in Article 5 of the CISA, including paragraph 1 (a) and (d): - the processing is lawful, fair and transparent to the individual; - personal data is correct. 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 data controller itself (see Article 5 (2) of the CISA). According to Article 5 (1) (a) of the CISA, the processing of personal data must be lawful, fair and transparent to the individual. The principle of transparency presupposes that all information and messages related to the processing of personal data are easily accessible, comprehensible and clearly worded. In other words, data protection conditions must be in place. The content of the data protection conditions is regulated by Articles 12 - 14 of the CISA. According to the materials of the case, Eesti Metsakinnistud OÜ does not collect personal data from the data subject on the basis of which personal data are processed, what types of personal data are collected (eg name, telephone number, e-mail address, real estate data), information on where the personal data were obtained. It can be seen

from the appeals submitted to the Inspectorate that Eesti Metsakinnistud OÜ does not fulfill the obligations provided in the IKÜM and does not provide comprehensible explanations to people regarding the processing of personal data. In addition, it is claimed that the data is obtained from the Internet, although the data is not available there, and calls are also interrupted if clarifications need to be provided regarding the processing of personal data. Accordingly, this is a very serious violation of the data subject's rights and the processing of personal data in this way is in any case prohibited. In addition, the materials of the case also show that the personal data being processed is not correct, ie numbers that do not belong to the person you want to talk to are called. The processing (including collection and use) of data in this way is also prohibited. Although in the opinion of the Inspectorate the above-mentioned activities of Eesti Metsakinnistud OÜ are illegal, ie Eesti Metsakinnistud OÜ cannot continue with such activities, Eesti Metsakinnistud OÜ is still obliged to follow Articles 12, 14 and 15 when a person is told that data is obtained from the internet when in fact that data is not there. If the data is obtained from public sources (eg found using internet search engines), the specific link where the data was obtained must also be provided to people. The data controller is also obliged to provide the data subjects with the information provided for in Article 14 of the CISA without prior contact and within a reasonable time after receiving the personal data, but no later than one month or at the latest when the data subject is first notified (see Article 14 (3)). In other cases, Eesti Metsakinnistud OÜ should have informed people about the processing of personal data within one month of receiving the data at the latest, or if the person is called earlier, he or she should be informed of the information provided in Article 14 (1) and (2). However, Eesti Metsakinnistud OÜ has not fulfilled this obligation.

Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 Based on the above, the activities of Eesti Metsakinnistud OÜ are related to searching for or acquiring the data of the owners of the real estate, searching for contact information by owner and / or in connection with the above calling or writing to people has been illegal. In addition, Eesti Metsakinnistud OÜ has not fulfilled other obligations provided for in the IKÜM, incl. The important right of data subjects to receive information regarding the processing of their personal data has not been fulfilled. Therefore, the processing of personal data in this way must be stopped immediately and the illegally collected data must be deleted immediately. - Pursuant to § 58 (1) of the Personal Data Protection Act and Article 58 (2) (f) and (g) 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 personal data deletion. that in a specific case personal data is processed illegally (data processing does not meet the requirements provided for in Articles 5, 6, 12 and 14 of the CISA), Eesti Metsakinnistud OÜ has provided false information to

the Inspectorate on 17.02.2021 regarding termination of personal data processing; The activities of OÜ have been illegal and noted that in a situation where illegal data processing continues, the Inspectorate issues a precept to Eesti Metsakinnistud OÜ in this regard and imposes a penalty payment, the Inspectorate finds that issuing a mandatory precept in this matter is necessary to terminate the offense as soon as possible. iiresti. / digitally signed / Raiko Kaur, lawyer, authorized by the

Director General