

PRIVACY PROTECTION AND STATE TRANSPARENCY Tatari tn 39 / 10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee

Registration code 70004235 PRESCRIPTION-WARNING in personal data protection case no. 2.1.-6/21/28 Prescription author Raiko, lawyer of the Data Protection Inspectorate Kaur Time and place of making the injunction 16.11.2021, Tallinn Recipients of the injunction DeltaWise OÜ (12922325) deltawise@online.ee windykacja@deltawise.eu Narva mnt 7, Tallinn 10117

Responsible persons of the addressees board member RESOLUTION: § 56 subsection 1 of the Personal Data Protection Act 2 clause 8, § 58 clause 1 and Article 58 clause 1 clause a of the General Regulation on Personal Data Protection and considering the same clause with clause e, the Data Protection Inspectorate issues a mandatory injunction to DeltaWise OÜ to comply with: Reply to the Data Protection Inspectorate 14.10.2021 no. 2.1.-1/21/ 3178 sent for inquiry. We set the deadline for fulfilling the prescriptions to be 30.11.2021. Report compliance with the order to the e-mail address of the Data Protection Inspectorate at info@aki.ee by this deadline at the latest. REFERENCE FOR DISPUTES: You can contest this order within 30 days by submitting either: - an appeal in accordance with the Administrative Procedure Act to the Data Protection Inspectorate or - an appeal in accordance with the Administrative Court Procedure Code to the Tallinn Administrative Court (in this case, the appeal in the same matter cannot be reviewed). Challenging a precept does not stop the obligation to fulfill it or the

implementation of measures necessary for fulfillment. EXERCISE MONEY WARNING: If the injunction has not been complied with by the set deadline, the Data Protection Inspectorate will issue an injunction to the recipient of the injunction based on § 60 of the Personal Data Protection Act: Tatari tn 39 / 10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 Extortion money 5000 euros. A fine may be imposed repeatedly - until the injunction is fulfilled. If the recipient does not pay the penalty, it will be forwarded to the bailiff to start enforcement proceedings. In this case, the bailiff's fee and other enforcement costs are added to the enforcement money. MISCONDUCT PUNISHMENT WARNING: Failure to comply with the prescription under Article 58 (1) of the Personal Data Protection General Regulation may result in a misdemeanor proceeding based on § 70 of the Personal Data Protection Act. For this act, a natural person may be fined up to EUR 20,000,000, and a legal person may be fined up to EUR 20,000,000 or up to 4 percent of its global annual turnover of the previous financial year, whichever is greater. The out-of-court procedure for a misdemeanor is the Data Protection Inspectorate. FACTUAL

CIRCUMSTANCES: The Data Protection Inspectorate (inspection) received a complaint from the Polish data protection authority through the cross-border processing system IMI regarding the disclosure of personal data of XXX on the website www.dlugi.info. The Polish data protection authority took ARENA FINANCE sp. z o.o. through the supervision procedure and

established that DeltaWise OÜ is the responsible processor of the complainant's personal data. Based on the above, we started a monitoring procedure on the basis of § 56 (3) point 8 of the Personal Data Protection Act (IKS). In order to check the legality of personal data processing, the inspection sent an inquiry to DeltaWise OÜ on 14.10.2021 in case number 2.1.-1/21/3178, the deadline for answering was 29.10.2021. In the inquiry, we wanted to know the following: 1. List all the personal data you have in XXX; 2. List all the purposes for which the personal data specified in point 1 is used; 3. Identify all legal bases for personal data processing (see Article 6 paragraph 1 of the General Regulation on the Protection of Personal Data); 3.1. List all persons to whom the personal data of the complainant have been transferred and on what legal basis. 3.1.1. Including stating on what legal basis and purpose the personal data of the complainant is disclosed on the website www.dlugi.info. 4. If the legal basis for the processing of personal data is, among other things, Article 6(1)(f) of the IKÜM (legitimate interest), then submit to the inspection an analysis of the legitimate interest that proves the legality of the processing of personal data. As part of the inquiry, the inspectorate also drew attention to the setting of an injunction and a fine in the event that the inspectorate's inquiry is not answered on time. The inspection sent the inquiry to the e-mail address given in the business register deltawise@online.ee and to the e-mail address found on the website windykacja@deltawise.eu.

Regarding the inquiry sent by e-mail, we note that in accordance with § 27 (2) point 3 of the Administrative Procedure Act, a document made available or transmitted electronically is considered delivered if the document or message has been transmitted to the e-mail address entered in the company's business register. For the time being, the representative of DeltaWise OÜ has not responded to the inspection's inquiry, nor has he contacted regarding the extension of the deadline for responding to the inquiry. Tatari tn 39 / 10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registration code 70004235 The inspection has given DeltaWise OÜ a reasonable time to respond, including the possibility for the addressee of the inquiry to write to the inspection within a deadline and justify if the deadline for replying to the inquiry is too short, and submitting a response would require a longer response time. With this, the inspectorate has fulfilled the obligation arising from § 40 subsection 1 of the Administrative Procedure Act to give the party to the procedure the opportunity to present their opinion and objections on the matter before issuing the administrative act.

FOUNDATIONS OF THE DATA PROTECTION INSPECTION: In accordance with § 58 (1) of the Personal Data Protection Act and Article 58 (1) point a of the General Regulation on Personal Data Protection and taking into account point (e) of the same paragraph, the inspectorate has the right to request explanations and other information, including the submission of documents necessary for conducting the supervision procedure. Taking into

account the factual circumstances and the fact that responding to the inquiry made within the supervision procedure of the administrative body is mandatory, but DeltaWise OÜ has not responded to the inquiry sent by the inspectorate on 14.10.2021, the inspectorate considers that issuing a mandatory injunction in this case is necessary to find out the important circumstances of the supervisory matter and to effectively carry out the administrative procedure, including as soon as possible, to carry out. If the company has problems responding to the inspection by the specified deadline, the company can explain to the supervisory authority which objective circumstances were the obstacle. However, simply not responding is not acceptable. /signed digitally/ Raiko Kaur lawyer under the authority of the Director General