

Tatari 39, Tallinn 10134/627 4135 / info@aki.ee / www.aki.ee / Registry code 70004235 PRECAUTIONS-WARNING in personal data protection matter no. 2.1.-6/20/6 Preceptor Data Protection Inspectorate Time and place of precept 16.03.2020 , Tallinn Addressee of the precept Personal data processor XXX address: xxx e-mail address: xxx RESOLUTION § 56 (1), (2) (8), § 58 (1) of the Personal Data Protection Act and Article 58 (1) (a) of the General Data Protection Regulation the Inspectorate shall issue a mandatory precept for compliance: Terminate any processing of personal data harmful to xxx, including the disclosure of personal photos on the online link <https://vk.com/xxx> no later than 30.03.2020. and send a confirmation to the Inspectorate. Please notify the Data Protection Inspectorate of the fulfillment of the precept by the deadline by info@aki.ee. CONTEST REFERENCE: This precept can be challenged within 30 days by submitting either: - a challenge under the Administrative Procedure Act to the Data Protection Inspectorate, or - an appeal under the Code of Administrative Court Procedure to the Tallinn Administrative Court (in which case the challenge can no longer be heard). Contestation of a precept does not suspend the obligation to comply with the precept or the application of the measures necessary for compliance. PENALTY FUND WARNING: If a precept is not complied with by the specified term, the Data Protection Inspectorate shall impose a penalty payment of 1000 euros on the addressee of the precept on the basis of subsection 60 (2) of the Personal Data Protection Act. The penalty payment may be imposed repeatedly - until the precept is complied with. If the addressee does not pay the penalty payment, it is forwarded to the bailiff to start enforcement proceedings. In this case, the bailiff's fee and other enforcement costs are added to the penalty payment. FACTUAL CIRCUMSTANCES: 09.12.2019. a filed a complaint with xxx (xxx's legal representative) that his son's classmate xxx is using personal images without permission and for malicious purposes, including having processed and passed them on to third parties and also disclosing them on his vk.com user account. 10.02.2020. The Inspectorate issued a letter of request to the school to clarify the circumstances. On 12.02.2020, the Inspectorate has made a proposal to terminate the processing of data. 2/14/2020 The school provided an overview of what happened and your contact details. On 26.02.2020, the Inspectorate has made a repeated proposal to terminate the processing of data, which has not been answered and the publication of the photograph on the above-mentioned network link has not been terminated. EXPRESSION OF THE PROCESSOR OF PERSONAL DATA: The addressee has not exercised his right to submit observations or objections. GROUNDS FOR THE DATA PROTECTION INSPECTORATE: The Supervision Authority explains that any processing of personal data requires a basis under Article 6 of the General Data Protection Regulation. In this case, the person's consent can be obtained. The obligation to prove the existence of consent in

the event of a dispute lies with the processor (petitioner). In this case, the Inspectorate does not determine whether consent has been obtained for the disclosure of data concerning the complainant and the Inspectorate assumes that the person has withdrawn his or her consent by filing a complaint and wishes to terminate the processing of his or her personal data, including in the vk.com environment. com / xxx. Article 17 (1) of the General Data Protection Regulation gives a person the right to request that the controller delete personal data concerning him or her without undue delay and that the controller is obliged to delete personal data without undue delay if the data have been processed unlawfully. Processing is considered illegal if there is no legal basis for it. The Inspectorate finds that the applicant's personal data have been disclosed unlawfully and has the right to demand the termination of the processing of his personal data. Due to the fact that the petitioner is a minor, his / her legal representative is responsible for his / her activities, therefore the precept is addressed to xxx as the legal representative of xxx. / digitally signed / on behalf of the Director - General