

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

Preceptor Senior Inspector of the Data Protection Inspectorate Helina-Aleksandra Lettens Time and place of precept

29.06.2018 in Tallinn Addressee of the precept - personal data processor OÜ Visual address: Lasteaia tn 12-2, 93813

Kuressaare e-mail address: martavirves@hotmail.ee Personal data processor - responsible person Member of the Management

Board RESOLUTION: (KorS) On the basis of subsections 23 (3) and (4), I issue a mandatory precept for compliance: to

respond to the repeated inquiry No. 2.1.-1/18/1122 prepared by the Data Protection Inspectorate on 23.05.2018. I set 13 July

2018 as the deadline for compliance with the precept. Contestation of a precept does not suspend the obligation to comply

with the precept or the application of the measures necessary for compliance. PENALTY OF WARRANTY: If the precept is not

complied with by the specified term, the Data Protection Inspectorate shall impose a penalty payment of 1,500 (one thousand

five hundred) euros on the addressee of the precept on the basis of subsection 23 (4) of the Law Enforcement 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: xxxxxxxxxx has a complaint in the proceedings of the Inspectorate,

according to which an employee of the private limited company Visualis xxxxxxxxxx has made inquiries in the health

information system about his or her health data. It appears from the complaint that the health data was viewed on 26.07.2017

at 14:26; 13.08.2017 at 20:07; 28.09.2017 at 19:52; 15.04.2018 at 15:59 2017. Inquiries have also been made in 2018. The

Data Protection Inspectorate has prepared an inquiry for the protection of personal data and a repeated inquiry in the matter of

personal data protection for Visualis on 02.05.2018 and 23.05.2018, respectively. The inquiry asked to answer the following

questions: 1. Please explain on what legal basis xxxxxxxxxx has made inquiries about xxxxxxxxxx health data on 26.07.2017 at

14:26; 13.08.2017 at 20:07; 28.09.2017 at 19:52; 15.04.2018 at 15:59 2017. 2. Were the inquiries during these times related to

the performance of xxxxxxxxxx tasks, if so, please describe which ones? 3. Were these inquiries related to the provision of

health care xxxxxxxxxx (was the xxxxxxxxxx treatment relationship xxxxxxxxxx at the time of the inquiry)? 4. Please

explain for what reasons xxxxxxxxxx made these requests? 5. Please provide any explanations and justifications you

consider necessary in this case. Both mentioned documents have been sent to the address Lasteaia tn 12-2, 93813

Kuressaare as well as digitally to the e-mail address martavirves@hotmail.ee using the contacts of the private limited company

indicated in the commercial register. I note that with regard to the registered letter sent on 02.05.2018, the Data Protection Inspectorate received confirmation that Marta Virves has received the letter on 11.05.2018. As of today, the representative of OÜ Visualis has not responded to the inquiries of the Data Protection Inspectorate and has not informed about the circumstances preventing them from responding to the inquiry. GROUNDS FOR THE DATA PROTECTION INSPECTORATE: Pursuant to subsections 30 (1) and (3) of the Law Enforcement Act and subsection 321 (1) of the Personal Data Protection Act, the Data Protection Inspectorate has the right to request explanations and other information, including submission of documents. In view of the above and guided by the provisions of subsection 38 (1) of the Administrative Procedure Act, an administrative authority has the right to require participants in the proceedings and other persons to submit the evidence and information in their possession on the basis of which the administrative authority determines the circumstances.

Helina-Aleksandra Lettens Senior Inspector on behalf of the Director General