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03.02.2021 Restriction on access Valid until: 03.06 AVTS § 35 (1) 12 PRECAUTIONS-WARNING in personal data protection matter no. 2.1.-1/21/1550 Preceptor Data Protection Inspectorate Time and place of precept 03.06.2021, Tallinn Recipient of precept - processor of personal data Viimsi Uudised OÜ address: Pärnu county, Pärnu city, Pärnu city, Papli tn 19-1, 80012 e-mail address: ivo@rullrumm.ee Person in charge of the personal data processor Copy to the applicant: member of the management board xxx RESOLUTION: § 56 (1) (2) (8) of the Personal Data Protection Act § 58 (1) and Articles 5 (2) and 6 of the General Regulation on the Protection of Personal Data (EDPS), as well as Article 58 (1) (a) IPC and subject to the same paragraph (e) and Article 58 (2) (d) the Inspectorate shall issue a mandatory precept to comply with it: To provide XXX with a copy of the personal data processed about him / her pursuant to Article 15 of the CISA in so far as this does not infringe the rights and freedoms of other persons. I set the deadline for compliance with the precept on 18.06.2021. a. Notify the Data Protection Inspectorate of the fulfillment of the precept by that deadline at the latest. 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 FINANCE WARNING: If a precept is not complied with by the specified term, the Data Protection Inspectorate shall impose a penalty payment of 2,000 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. FACTUAL FACTS: On 19 April 2021, XXX (the applicant) lodged a complaint with the Inspectorate through his representative XXX. On 21.05.2021 the Inspectorate proposed to Viimsi Uudised OÜ (processor) no later than 31.05.2021 that the complainant either issue a copy of his personal data to the complainant or refuse to release the data by providing a clear reference to the national law restricting the person's rights under Article 23 of the CISA. On 31.05.2021, the processor sent a reply to the Inspectorate, but did not comply with the proposal. On 01.06.2021, the Inspectorate clarified to the processor that regardless of the court orders that have entered into force, the inspection procedure of the Inspectorate has not been

automatically terminated and it is obligatory to comply with the proposal. It was explained to the processor that these are two separate proceedings. The processor was also offered the opportunity to consult by telephone, as the latter reply revealed that the processor had misunderstood the proposal regarding the disclosure of third party data (the proposal only obliged the processor to provide a copy of the complainant's data. . But the processor himself refused the opportunity to explain, wishing to communicate only in writing. Therefore, the Inspectorate has no choice but to issue this precept. APPLICANT'S

EXPLANATION: Extract from the complaint of 19.04.2021: 08.12.2020 the portal operator published on his website a story entitled "Andres Jaanus and Märt Puust received the title of Viimsi Locomotive 2020, XXX was awarded the title of Viimsi Brake" (Appendix 4). 4 is as follows: Viimsi Pidur 2020 is XXX According to the predominant opinion of the respondents (101 votes), the editorial board gave the title to XXX, an alternate member of the Viimsi Pidur 2020 council's Reform Party list.

.Therefore, for the purposes of the applicable law, he is the person who possesses and possesses the information required by the applicants. The aforementioned posts were published by Ivo Rull. This is demonstrated by moving the mouse cursor by LAST NEWS, after which a link will open as shown in the adjacent image. Summary. According to the text of the story on 08.12.2020, at least 101 different people had to send their "vote" and (some) justifications to toimetus@viimsiuudised.ee. Thus, Viimsi Uudised OÜ must have at least 101 different e-mails in which the personal data of the data subject have been processed to a greater or lesser extent (but at least in the form of a name). Viimsi Uudised OÜ is not a press publication that may rely on the public interest and journalistic activities if personal data is not approved. However, even without this circumstance, Viimsi Uudised OÜ should have issued information on the processing of his or her personal data to the data subject. On 19.02.2021, the data subject sent a letter of request to Viimsi Uudised OÜ through a contractual representative, in which he demanded, among other things, that Viimsi Uudised OÜ issue materials containing his personal data to the data subject (Appendices 5 and 6). Viimsi Uudised OÜ received the letter of request, but ignored it (Note 7). For the legal reasons below, the data subject finds that Viimsi Uudised OÜ violated the requirements for the processing of his personal data and requests the Data Protection Inspectorate to initiate proceedings against Viimsi Uudised OÜ and oblige Viimsi Uudised OÜ to fulfill its legal obligation to provide information to the data subject.

[//viimsiuudised.ee/koik-uudised/titli-viimsi-vedur-2020-said-andres-jaanus-ja-mart-puust-viimsi-piduri-titliga-parjati](https://viimsiuudised.ee/koik-uudised/titli-viimsi-vedur-2020-said-andres-jaanus-ja-mart-puust-viimsi-piduri-titliga-parjati) personal data collected about the data subject. EXPLANATION OF THE PROCESSOR OF PERSONAL DATA: In response to the proposal made by you on 21.05.21, I will send the court ruling of Harju County Court of 01.02.2021 in civil matter 2-20-19232

and the ruling of Tallinn Circuit Court of 17.02.21 in civil matter 2-20-19232 (attached). As you can see, there is a final court decision rejecting the attempt of Viimsi municipal politician XXX to interfere in the activities of the independent community portal Viimsi News on the basis of data processing arguments. I regret that XXX, through his representative XXX, has now tried to make the Media Protection Inspectorate a tool for harassing the media. In the answer of 01.06.2021: Have you started to contest the decision made and entered into force in the court system of the Republic of Estonia? Also, before giving you a substantive answer, I would like to ask you for further clarification on how the personal data suggested by XXX does not violate the privacy of the respondents to the reader survey, which assumed anonymity? Have I misunderstood anything if I assume that in this case the Data Protection Inspectorate should not protect the interest of Viimsi authorities' politicians in clarifying the personal data of those who participated in the reader survey and shared critical values, but rather protect those who assumed their anonymity and privacy? I am also interested in whether the Data Protection Inspectorate has previously processed similar cases, where, for example, a politician who is dissatisfied with the results of a Delfi or Postimees reader survey wants to know who has critically assessed his or her activities by name.

GROUNDS FOR THE DATA PROTECTION INSPECTORATE: I

Processing of personal data We first explain that the General Regulation on the Protection of Personal Data (EDPS) applies to the fully or partially automated processing of personal data and to the non-automated processing of personal data. Thus, access to, or deletion of, data that can only be processed orally cannot be required, for example. Any processing of personal data must have a legal basis, a non-exhaustive list of which is set out in Article 6 (1) of the General Regulation on the Protection of Personal Data (EDPS). Disclosure of personal data for journalistic purposes without consent can take place on the basis of § 4 of the Personal Data Protection Act. However, it is clear that the processor has more information about the applicant than the information disclosed in the article, which is already known to the applicant and which the applicant has not requested. In the present case, the applicants are interested in the personal data collected about the applicant in connection with that article.

II The data subject's right to access his or her data The data subject has the right to inspect the personal data collected about him or her and to receive explanations regarding the circumstances of the processing pursuant to Article 15 of the CISA. This provision gives the applicant the right to request a copy of his or her personal data and not of other people's data. Nor does it automatically entitle you to a copy of a particular document. Under Article 15 (4) of the CISA, the right to obtain a copy is refused in so far as it infringes the rights and freedoms of others. In addition, as it is a media publication, source protection may also apply to the persons concerned². In other words, the applicant is not entitled to receive other

people's names or other information. He has the right to receive only data about himself, including someone else's statements or assessments about him, but without the name of another person. The mere fact that information about the complainant provided by another person to the controller is in a derogatory and uncensored manner shall not constitute a ground for refusing to issue such allegations or assessments. In order to refuse to provide the complainant with personal data concerning him, reasons should be given to how the disclosure of his own data to him would harm third parties. It is up to the data controller to provide the person with a copy of the original document / file, etc. (covering the part harmful to other persons) or to extract only the complainant's personal data and provide the person with a copy. We explain that the processor has an obligation to respond to the requirement of Article 15 of the person's CISA within one month and by not responding to it, the processor violated the obligation to respond. The processor also failed to comply with the Inspectorate's proposal and did not reply to the applicant within the time allowed there. III Judicial proceedings vs. supervision proceedings of the Inspectorate We also clarify that the initiated supervisory proceedings are independent of court proceedings. 01.02.2021 In Regulation No. 2-20-19232 of the Harju County Court, the court has rejected the applicant's request to initiate preliminary verification proceedings. The court found in the ruling that the applicant's purpose in initiating the preliminary verification procedure was to identify the persons who had nominated Viimsi Pidur 2020 for the title of his name. In summary, the court has found that the person is aware of the publisher who is responsible for what has been disclosed and against whom the applicant has the opportunity to apply to a court, if necessary on the basis of § 1046 (1) of the LPA. In doing so, the court has indicated that the applicant has the opportunity to find out the relevant circumstances when the main proceedings have been initiated against the publisher. In its proceedings, the court has only assessed whether a person has the right to request the court to establish who has provided information about him or her to a media publication. In an application submitted to the Inspectorate, a person requests personal data about himself or herself on the basis of Article 15 of the CISA, not the names of other people, so these are different requirements that are not interdependent. However, the court did not address the request for information about the applicant in the order. / digitally signed / Kadri Levand lawyer authorized by the Director General 2 Pursuant to § 15 (2) of the Media Services Act, a person processing information for journalistic purposes may not disclose information enabling his or her identification without the consent of the information source.