

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

2.1.-6/18/5 Preceptor Senior Inspector of the Data Protection Inspectorate Sergei Miller Time and place of precept 30.08.2018,

Tallinn Addressee of the precept OH Eesti OÜ (12424828) Ida-Viru county, Kohtla-Järve city, Järve district, Outokumpu tn

17-34, 30327 xxxxxx.xxxxxxxx@gmail.com xxxxx.xxxxxxxx @ gmail.com Person in charge of the addressee Member of

the Management Board Xxxxxx Xxxxxxxx (xxxxxxx) RESOLUTION: Pursuant to § 23 (4) of the Law Enforcement Act

(PPA), § 32 (1) and § 40 (1) of the Personal Data Protection Act: 1) I issue a mandatory precept To the inquiry of the

Xxxxxxxx Inspectorate 23.08.2018 No. 2.1.-4/18/877; 2) set 07.09.2018 as the term for compliance with the precept; 3) notify

the Data Protection Inspectorate to the e-mail address info@aki.ee of the compliance with the precept by that deadline at the

latest. CONTEST 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. 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 3,000 euros on the

addressee of the precept pursuant to subsection 40 (2) of the APA. I would like to point out that 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: The Data Protection Inspectorate (AKI) is in the process of supervising compliance with the

requirements of the Personal Data Protection Act. Within the framework of the state supervision procedure, AKI submitted

Inquiry No. 2.1.-4/18/877 to OH Eesti OÜ on 23.08.2018, the deadline for replying to which was 29.08.2018. Within the

framework of the same inquiry, the Inspectorate drew the attention of OH Eesti OÜ to the imposition of a precept and a penalty

payment if the latter did not respond to the AKI's inquiry by the specified deadline. AKI sent the above-mentioned inquiry to the

representative of OH Eesti OÜ to the official e-mail address of OH Eesti OÜ to xxxxxx.xxxxxxxx@gmail.com and to the e-mail

address Xxxxxx.xxxxxxxx@gmail.com. The latter became known to AKI when an unidentified person responded to an

inquiry submitted by AKI on 22.08.2018, which was addressed to OH Eesti OÜ. With regard to inquiries sent by e-mail, it

should be noted that a document made available or transmitted electronically pursuant to § 27 (2) 3) of the Administrative

Procedure Act is deemed to have been served if the document or notice is sent to an e-mail address entered in the company's commercial register. Xxxxxx.xxxxxxxx@gmail.com. To date, the representative of OH Eesti OÜ has not responded to the AKI's inquiry and has not contacted the administrative body regarding the response to the inquiry. GROUNDS FOR THE DATA PROTECTION INSPECTORATE: Pursuant to § 30 (1), (3) and § 321 (1) of the CAA, the CA has the right to request explanations and other information, including the submission of documents necessary for the conduct of supervision proceedings. Taking into account the factual circumstances of the case and the fact that answering the inquiry of the administrative body within the supervision procedure is mandatory and that an unidentified person answered the inquiry submitted on 22.08.2018, there is reason to believe that OH Eesti OÜ and its representative Xxxxxx Xxxxxxxx do not properly comply with § 23 3 the obligation to tolerate state supervision measures applied to them on the basis and pursuant to the procedure provided by law. Based on the above, AKI finds that the imposition of a mandatory precept in the matter is justified and necessary in order to ascertain the essential circumstances of the supervisory matter and to eliminate the violation. / digitally signed / Sergei Miller, Senior Inspector, authorized by the Director General