

PROTECTION OF PRIVACY AND TRANSPARENCY OF THE STATE Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 PRECAUTIONS-WARNING in personal data protection matter no. 2.1.-6/20 Preceptor Senior Inspector of the Data Protection Inspectorate Maria Muljarova Time and place of precept 22.05.2020, Tallinn Addressee of the precept Responsible person of the addressee Must Muna ražošanas OÜ (11092353) Tallinn, Kristiine linnaos, Laki tn 9a, 10621, Harjumaa peeter.jyrgenson@gmail.com must.muna.oy@eesti.ee 11092353@eesti.ee Peeter Jürgenson (ik 37503064915) Member of the Management Board RESOLUTION: Pursuant to § 56 (1) (2) (8), § 58 (1) of the Personal Data Protection Act (§ 58) and Article 58 (1) (d) of the General Data Protection Regulation and paragraph 2 (c), as well as Article 5, 6 and 17 (1) (a), issue a mandatory precept to the Data Protection Inspectorate OÜ to perform the production of Must Egg: - To satisfy the application of the former employee xxxx ni ng delete his personal data from the website xxxx. We set the deadline for compliance with the precept as 03.06.2020. Notify the Data Protection Inspectorate of the e-mail address info@aki.ee about the fulfillment of the precept by the same deadline. 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 5,000 euros on the addressee of the precept pursuant to § 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 a penalty payment at Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235, it shall be forwarded to a bailiff for the commencement of enforcement proceedings. In this case, the bailiff's fee and other enforcement costs are added to the penalty payment. WARRANTY PENALTY WARNING: Failure to comply with a precept pursuant to Article 58 (1) of the General Data Protection Regulation may result in misdemeanor proceedings pursuant to § 70 of the Personal Data Protection Act. A natural person may be fined up to EUR 20 000 000 for this act and a legal person may be fined up to EUR 20 000 000 or up to 4% of its total annual worldwide turnover, whichever is greater. The Data Protection Inspectorate conducts extra-judicial proceedings against misdemeanors. FACTUAL FACTS: On 6 May 2020, the Data Protection Inspectorate initiated proceedings against OÜ Must Muna Production (registry code 11092353) pursuant to the supervision procedure pursuant to § 56 (3) 8) of the ICA. To date,

his / her personal data (first name, surname, e-mail address used for professional purposes) have not been deleted from the website xxx for repeated requests. Therefore, the Inspectorate proposed to the data processor to remove the personal data of the former employee from the referred website in the personal data protection case no. 2.1.-1/20/1237 as soon as possible, but not later than 18.05.2020. The Data Protection Inspectorate checked that as of 22.05.2020 Must Muna ražošanas OÜ has not removed the personal data of the former employee xxxx from the referred website, nor has the data controller provided the Inspectorate with a reply or justification (although the inquiry To the Inspectorate also its opinion and objections on the matter).

Pursuant to § 27 (2) 3) of the HMS, a document transmitted electronically is deemed to have been delivered if it has been transmitted to the e-mail address entered in the company's commercial register (peeter.jyrgenson@gmail.com).

**FOUNDATIONS FOR DATA PROTECTION INSPECTION:** Personal data is any information about an identified or identifiable natural person, and an identifiable natural person is a person who can be identified directly or indirectly (eg by name, personal identification number, physical, mental, etc.). Articles 5 and 6 of the General Regulation on the Protection of Personal Data provide for the right to process personal data only if there is a legal basis for this - either the consent of the employee or another legal basis. Thus, the processing of personal data can be lawful if there is a legal basis for it. After the termination of the employment relationship, there is no longer a legal basis for publishing the employee's personal data under the company's contact details.

Article 17 (1) (a) of the General Regulation on the Protection of Personal Data entitles the controller to have personal data concerning him or her deleted without undue delay and the controller shall delete personal data without undue delay if the personal data are no longer needed for the purpose for which they were collected or processed. As the employment relationship has ended, it is no longer necessary to publish the details of the former employee on the company's website under the company's contacts. The Inspectorate has checked that the letter can not be sent to the e-mail address xxxx@mustmuna.ee published on the company's website (the letter cannot be delivered). § 56 (1) of the IKS provides that compliance with the requirements provided for in the IKS, legislation established on the basis thereof and the IKÜM and the requirements established for the processing of personal data in other Acts Tatari tn 39/10134 Tallinn / 627 4135 / info@aki.ee / www.aki.ee Registry code 70004235 State and administrative supervision is performed by the Data Protection Inspectorate.

Pursuant to subsection (2) (8) of the same section, in addition to the provisions of Article 57 of the IIA, the Data Protection Inspectorate is competent to apply administrative coercion on the bases, to the extent and pursuant to the procedure prescribed by law. Pursuant to § 58 (1) of the ICA, the Data Protection Inspectorate may apply the measures provided for in

Article 58 of the ICC for the performance of state supervision. Article 58 (1) (d) of the CCIP provides that the Data Protection Inspectorate has the right to inform the controller or processor of an alleged breach of this Regulation; also pursuant to point (c), the supervisory authority shall have the power to order the controller or processor to grant requests from the data subject concerning the exercise of his or her rights under this Regulation. Due to the above, the Inspectorate instructs OÜ Must Egg Production to satisfy the complainant's request to delete his personal data from the website xxx. / digitally signed / Maria Muljarova Senior Inspector on behalf of the Director General