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Exam Questions CIPP-E

Certified Information Privacy Professional/Europe (CIPP/E)

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NEW QUESTION 1

What must be included in a written agreement between the controller and processor in relation to processing conducted on the controller's behalf?

- A. An obligation on the processor to report any personal data breach to the controller within 72 hours.
- B. An obligation on both parties to report any serious personal data breach to the supervisory authority.
- C. An obligation on both parties to agree to a termination of the agreement if the other party is responsible for a personal data breach.
- D. An obligation on the processor to assist the controller in complying with the controller's obligations to notify the supervisory authority about personal data breaches.

Answer: B

NEW QUESTION 2

In which case would a controller who has undertaken a DPIA most likely need to consult with a supervisory authority?

- A. Where the DPIA identifies that personal data needs to be transferred to other countries outside of the EEA.
- B. Where the DPIA identifies high risks to individuals' rights and freedoms that the controller can take steps to reduce.
- C. Where the DPIA identifies that the processing being proposed collects the sensitive data of EU citizens.
- D. Where the DPIA identifies risks that will require insurance for protecting its business interests.

Answer: B

NEW QUESTION 3

According to Article 84 of the GDPR, the rules on penalties applicable to infringements shall be laid down by?

- A. The local Data Protection Supervisory Authorities.
- B. The European Data Protection Board.
- C. The EU Commission.
- D. The Member States.

Answer: D

NEW QUESTION 4

Which area of privacy is a lead supervisory authority's (LSA) MAIN concern?

- A. Data subject rights
- B. Data access disputes
- C. Cross-border processing
- D. Special categories of data

Answer: C

NEW QUESTION 5

When does the GDPR provide more latitude for a company to process data beyond its original collection purpose?

- A. When the data has been pseudonymized.
- B. When the data is protected by technological safeguards.
- C. When the data serves legitimate interest of third parties.
- D. When the data subject has failed to use a provided opt-out mechanism.

Answer: C

NEW QUESTION 6

Data retention in the EU was underpinned by a legal framework established by the Data Retention Directive (2006/24/EC). Why is the Directive no longer part of EU law?

- A. The Directive was superseded by the EU Directive on Privacy and Electronic Communications.
- B. The Directive was superseded by the General Data Protection Regulation.
- C. The Directive was annulled by the Court of Justice of the European Union.
- D. The Directive was annulled by the European Court of Human Rights.

Answer: C

NEW QUESTION 7

To provide evidence of GDPR compliance, a company performs an internal audit. As a result, it finds a data base, password-protected, listing all the social network followers of the client.

Regarding the domain of the controller-processor relationships, how is this situation considered?

- A. Compliant with the security principle, because the data base is password-protected.
- B. Non-compliant, because the storage of the data exceeds the tasks contractually authorized by the controller.
- C. Not applicable, because the data base is password protected, and therefore is not at risk of identifying any data subject.
- D. Compliant with the storage limitation principle, so long as the internal auditor permanently deletes the data base.

Answer: B

NEW QUESTION 8

Which type of personal data does the GDPR define as a “special category” of personal data?

- A. Educational history.
- B. Trade-union membership.
- C. Closed Circuit Television (CCTV) footage.
- D. Financial information.

Answer: B

NEW QUESTION 9

What obligation does a data controller or processor have after appointing a data protection officer?

- A. To ensure that the data protection officer receives sufficient instructions regarding the exercise of his or her defined tasks.
- B. To provide resources necessary to carry out the defined tasks of the data protection officer and to maintain his or her expert knowledge.
- C. To ensure that the data protection officer acts as the sole point of contact for individuals' Questions: about their personal data.
- D. To submit for approval to the data protection officer a code of conduct to govern organizational practices and demonstrate compliance with data protection principles.

Answer: D

NEW QUESTION 10

Article 9 of the GDPR lists exceptions to the general prohibition against processing biometric data. Which of the following is NOT one of these exceptions?

- A. The processing is done by a non-profit organization and the results are disclosed outside the organization.
- B. The processing is necessary to protect the vital interests of the data subject when he or she is incapable of giving consent.
- C. The processing is necessary for the establishment, exercise or defense of legal claims when courts are acting in a judicial capacity.
- D. The processing is explicitly consented to by the data subject and he or she is allowed by Union or Member State law to lift the prohibition.

Answer: A

NEW QUESTION 10

Article 58 of the GDPR describes the power of supervisory authorities. Which of the following is NOT among those granted?

- A. Legislative powers.
- B. Corrective powers.
- C. Investigatory powers.
- D. Authorization and advisory powers.

Answer: D

NEW QUESTION 13

An employee of company ABCD has just noticed a memory stick containing records of client data, including their names, addresses and full contact details has disappeared. The data on the stick is unencrypted and in clear text. It is uncertain what has happened to the stick at this stage, but it likely was lost during the travel of an employee. What should the company do?

- A. Notify as soon as possible the data protection supervisory authority that a data breach may have taken place.
- B. Launch an investigation and if nothing is found within one month, notify the data protection supervisory authority.
- C. Invoke the “disproportionate effort” exception under Article 33 to postpone notifying data subjects until more information can be gathered.
- D. Immediately notify all the customers of the company that their information has been accessed by an unauthorized person.

Answer: A

NEW QUESTION 18

Under the GDPR, who would be LEAST likely to be allowed to engage in the collection, use, and disclosure of a data subject's sensitive medical information without the data subject's knowledge or consent?

- A. A member of the judiciary involved in adjudicating a legal dispute involving the data subject and concerning the health of the data subject.
- B. A public authority responsible for public health, where the sharing of such information is considered necessary for the protection of the general populace.
- C. A health professional involved in the medical care for the data subject, where the data subject's life hinges on the timely dissemination of such information.
- D. A journalist writing an article relating to the medical condition in QUESTION, who believes that the publication of such information is in the public interest.

Answer: B

NEW QUESTION 19

SCENARIO

Please use the following to answer the next question:

Joe started the Gummy Bear Company in 2000 from his home in Vermont, USA. Today, it is a multi-billion-dollar candy company operating in every continent. All of the company's IT servers are located in Vermont. This year Joe hires his son Ben to join the company and head up Project Big, which is a major marketing strategy to triple gross revenue in just 5 years. Ben graduated with a PhD in computer software from a top university. Ben decided to join his father's company, but is also secretly working on launching a new global online dating website company called Ben Knows Best.

Ben is aware that the Gummy Bear Company has millions of customers and believes that many of them might also be interested in finding their perfect match. For Project Big, Ben redesigns the company's online web portal and requires customers in the European Union and elsewhere to provide additional personal information in order to remain a customer. Project Ben begins collecting data about customers' philosophical beliefs, political opinions and marital status. If a customer identifies as single, Ben then copies all of that customer's personal data onto a separate database for Ben Knows Best. Ben believes that he is not doing anything wrong, because he explicitly asks each customer to give their consent by requiring them to check a box before accepting their information. As

Project Big is an important project, the company also hires a first year college student named Sam, who is studying computer science to help Ben out. Ben calls out and Sam comes across the Ben Knows Best database. Sam is planning on going to Ireland over Spring Break with 10 of his friends, so he copies all of the customer information of people that reside in Ireland so that he and his friends can contact people when they are in Ireland. Joe also hires his best friend's daughter, Alice, who just graduated from law school in the U.S., to be the company's new General Counsel. Alice has heard about the GDPR, so she does some research on it. Alice approaches Joe and informs him that she has drafted up Binding Corporate Rules for everyone in the company to follow, as it is important for the company to have in place a legal mechanism to transfer data internally from the company's operations in the European Union to the U.S. Joe believes that Alice is doing a great job, and informs her that she will also be in-charge of handling a major lawsuit that has been brought against the company in federal court in the U.S. To prepare for the lawsuit, Alice instructs the company's IT department to make copies of the computer hard drives from the entire global sales team, including the European Union, and send everything to her so that she can review everyone's information. Alice believes that Joe will be happy that she did the first level review, as it will save the company a lot of money that would otherwise be paid to its outside law firm. In preparing the company for its impending lawsuit, Alice's instruction to the company's IT Department violated Article 5 of the GDPR because the company failed to first do what?

- A. Send out consent forms to all of its employees.
- B. Minimize the amount of data collected for the lawsuit.
- C. Inform all of its employees about the lawsuit.
- D. Encrypt the data from all of its employees.

Answer: B

NEW QUESTION 24

As per the GDPR, which legal basis would be the most appropriate for an online shop that wishes to process personal data for the purpose of fraud prevention?

- A. Protection of the interests of the data subjects.
- B. Performance of a contract
- C. Legitimate interest
- D. Consent

Answer: D

NEW QUESTION 28

What is the MAIN reason GDPR Article 4(22) establishes the concept of the "concerned supervisory authority"?

- A. To encourage the consistency of local data processing activity.
- B. To give corporations a choice about who their supervisory authority will be.
- C. To ensure the GDPR covers controllers that do not have an establishment in the EU but have a representative in a member state.
- D. To ensure that the interests of individuals residing outside the lead authority's jurisdiction are represented.

Answer: A

NEW QUESTION 33

Assuming that the "without undue delay" provision is followed, what is the time limit for complying with a data access request?

- A. Within 40 days of receipt
- B. Within 40 days of receipt, which may be extended by up to 40 additional days
- C. Within one month of receipt, which may be extended by up to an additional month
- D. Within one month of receipt, which may be extended by an additional two months

Answer: C

NEW QUESTION 36

Under Article 58 of the GDPR, which of the following describes a power of supervisory authorities in European Union (EU) member states?

- A. The ability to enact new laws by executive order.
- B. The right to access data for investigative purposes.
- C. The discretion to carry out goals of elected officials within the member state.
- D. The authority to select penalties when a controller is found guilty in a court of law.

Answer: B

NEW QUESTION 41

What is true of both the General Data Protection Regulation (GDPR) and the Council of Europe Convention 108?

- A. Both govern international transfers of personal data
- B. Both govern the manual processing of personal data
- C. Both only apply to European Union countries
- D. Both require notification of processing activities to a supervisory authority

Answer: D

NEW QUESTION 44

SCENARIO

Please use the following to answer the next question:

You have just been hired by a toy manufacturer based in Hong Kong. The company sells a broad range of dolls, action figures and plush toys that can be found internationally in a wide variety of retail stores. Although the manufacturer has no offices outside Hong Kong and in fact does not employ any staff outside Hong Kong, it has entered into a number of local distribution contracts. The toys produced by the company can be found in all popular toy stores throughout Europe, the

United States and Asia. A large portion of the company's revenue is due to international sales.

The company now wishes to launch a new range of connected toys, ones that can talk and interact with children. The CEO of the company is touting these toys as the next big thing, due to the increased possibilities offered: The figures can answer children's Questions: on various subjects, such as mathematical calculations or the weather. Each figure is equipped with a microphone and speaker and can connect to any smartphone or tablet via Bluetooth. Any mobile device within a 10-meter radius can connect to the toys via Bluetooth as well. The figures can also be associated with other figures (from the same manufacturer) and interact with each other for an enhanced play experience.

When a child asks the toy a QUESTION, the request is sent to the cloud for analysis, and the answer is generated on cloud servers and sent back to the figure.

The answer is given through the figure's integrated

speakers, making it appear as though that the toy is actually responding to the child's QUESTION. The packaging of the toy does not provide technical details on how this works, nor does it mention that this feature requires an internet connection. The necessary data processing for this has been outsourced to a data center located in South Africa. However, your company has not yet revised its consumer-facing privacy policy to indicate this.

In parallel, the company is planning to introduce a new range of game systems through which consumers can play the characters they acquire in the course of playing the game. The system will come bundled with a portal that includes a Near-Field Communications (NFC) reader. This device will read an RFID tag in the action figure, making the figure come to life onscreen. Each character has its own stock features and abilities, but it is also possible to earn additional ones by accomplishing game goals. The only information stored in the tag relates to the figures' abilities. It is easy to switch characters during the game, and it is possible to bring the figure to locations outside of the home and have the character's abilities remain intact.

To ensure GDPR compliance, what should be the company's position on the issue of consent?

- A. The child, as the user of the action figure, can provide consent himself, as long as no information is shared for marketing purposes.
- B. Written authorization attesting to the responsible use of children's data would need to be obtained from the supervisory authority.
- C. Consent for data collection is implied through the parent's purchase of the action figure for the child.
- D. Parental consent for a child's use of the action figures would have to be obtained before any data could be collected.

Answer: D

NEW QUESTION 46

SCENARIO

Please use the following to answer the next question:

Building Block Inc. is a multinational company, headquartered in Chicago with offices throughout the United States, Asia, and Europe (including Germany, Italy, France and Portugal). Last year the company was the victim of a phishing attack that resulted in a significant data breach. The executive board, in coordination with the general manager, their Privacy Office and the Information Security team, resolved to adopt additional security measures. These included training awareness programs, a cybersecurity audit, and use of a new software tool called SecurityScan, which scans employees' computers to see if they have software that is no longer being supported by a vendor and therefore not getting security updates. However, this software also provides other features, including the monitoring of employees' computers.

Since these measures would potentially impact employees, Building Block's Privacy Office decided to issue a general notice to all employees indicating that the company will implement a series of initiatives to enhance information security and prevent future data breaches.

After the implementation of these measures, server performance decreased. The general manager instructed the Security team on how to use SecurityScan to monitor employees' computers activity and their location. During these activities, the Information Security team discovered that one employee from Italy was daily connecting to a video library of movies, and another one from Germany worked remotely without authorization. The Security team reported these incidents to the Privacy Office and the general manager. In their report, the team concluded that the employee from Italy was the reason why the server performance decreased. Due to the seriousness of these infringements, the company decided to apply disciplinary measures to both employees, since the security and privacy policy of the company prohibited employees from installing software on the company's computers, and from working remotely without authorization.

What would be the MOST APPROPRIATE way for Building Block to handle the situation with the employee from Italy?

- A. Since the GDPR does not apply to this situation, the company would be entitled to apply any disciplinary measure authorized under Italian labor law.
- B. Since the employee was the cause of a serious risk for the server performance and their data, the company would be entitled to apply disciplinary measures to this employee, including fair dismissal.
- C. Since the employee was not informed that the security measures would be used for other purposes such as monitoring, the company could face difficulties in applying any disciplinary measures to this employee.
- D. Since this was a serious infringement, but the employee was not appropriately informed about the consequences the new security measures, the company would be entitled to apply some disciplinary measures, but not dismissal.

Answer: D

NEW QUESTION 49

When may browser settings be relied upon for the lawful application of cookies?

- A. When a user rejects cookies that are strictly necessary.
- B. When users are aware of the ability to adjust their settings.
- C. When users are provided with information about which cookies have been set.
- D. When it is impossible to bypass the choices made by users in their browser settings.

Answer: B

NEW QUESTION 53

Under the GDPR, where personal data is not obtained directly from the data subject, a controller is exempt from directly providing information about processing to the data subject if?

- A. The data subject already has information regarding how his data will be used
- B. The provision of such information to the data subject would be too problematic
- C. Third-party data would be disclosed by providing such information to the data subject
- D. The processing of the data subject's data is protected by appropriate technical measures

Answer: A

NEW QUESTION 56

A mobile device application that uses cookies will be subject to the consent requirement of which of the following?

- A. The ePrivacy Directive

- B. The E-Commerce Directive
- C. The Data Retention Directive
- D. The EU Cybersecurity Directive

Answer: A

NEW QUESTION 57

Which of the following is an example of direct marketing that would be subject to European data protection laws?

- A. An updated privacy notice sent to an individual's personal email address.
- B. A charity fundraising event notice sent to an individual at her business address.
- C. A service outage notification provided to an individual by recorded telephone message.
- D. A revision of contract terms conveyed to an individual by SMS from a marketing organization.

Answer: B

NEW QUESTION 59

Which of the following countries will continue to enjoy adequacy status under the GDPR, pending any future European Commission decision to the contrary?

- A. Greece
- B. Norway
- C. Australia
- D. Switzerland

Answer: D

NEW QUESTION 60

Pursuant to Article 4(5) of the GDPR, data is considered "pseudonymized" if?

- A. It cannot be attributed to a data subject without the use of additional information.
- B. It cannot be attributed to a person under any circumstances.
- C. It can only be attributed to a person by the controller.
- D. It can only be attributed to a person by a third party.

Answer: A

NEW QUESTION 64

The GDPR forbids the practice of "forum shopping", which occurs when companies do what?

- A. Choose the data protection officer that is most sympathetic to their business concerns.
- B. Designate their main establishment in member state with the most flexible practices.
- C. File appeals of infringement judgments with more than one EU institution simultaneously.
- D. Select third-party processors on the basis of cost rather than quality of privacy protection.

Answer: B

NEW QUESTION 65

What permissions are required for a marketer to send an email marketing message to a consumer in the EU?

- A. A prior opt-in consent for consumers unless they are already customers.
- B. A pre-checked box stating that the consumer agrees to receive email marketing.
- C. A notice that the consumer's email address will be used for marketing purposes.
- D. No prior permission required, but an opt-out requirement on all emails sent to consumers.

Answer: A

NEW QUESTION 67

Which of the following is NOT an explicit right granted to data subjects under the GDPR?

- A. The right to request access to the personal data a controller holds about them.
- B. The right to request the deletion of data a controller holds about them.
- C. The right to opt-out of the sale of their personal data to third parties.
- D. The right to request restriction of processing of personal data, under certain scenarios.

Answer: A

NEW QUESTION 68

The Planet 49 CJEU Judgement applies to?

- A. Cookies used only by third parties.
- B. Cookies that are deemed technically necessary.
- C. Cookies regardless of whether the data accessed is personal or not.
- D. Cookies where the data accessed is considered as personal data only.

Answer: C

NEW QUESTION 70

WP29's "Guidelines on Personal data breach notification under Regulation 2016/679" provides examples of ways to communicate data breaches transparently. Which of the following was listed as a method that would NOT be effective for communicating a breach to data subjects?

- A. A postal notification
- B. A direct electronic message
- C. A notice on a corporate blog
- D. A prominent advertisement in print media

Answer: C

NEW QUESTION 73

Which of the following Convention 108+ principles, as amended in 2018, is NOT consistent with a principle found in the GDPR?

- A. The obligation of companies to declare data breaches.
- B. The requirement to demonstrate compliance to a supervisory authority.
- C. The necessity of the bulk collection of personal data by the government.

Answer: B

NEW QUESTION 77

According to the GDPR, how is pseudonymous personal data defined?

- A. Data that can no longer be attributed to a specific data subject without the use of additional information kept separately.
- B. Data that can no longer be attributed to a specific data subject, with no possibility of re-identifying the data.
- C. Data that has been rendered anonymous in such a manner that the data subject is no longer identifiable.
- D. Data that has been encrypted or is subject to other technical safeguards.

Answer: A

NEW QUESTION 79

SCENARIO

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What presents the BIGGEST potential privacy issue with the company's practices?

- A. The NFC portal can read any data stored in the action figures
- B. The information about the data processing involved has not been specified
- C. The cloud service provider is in a country that has not been deemed adequate
- D. The RFID tag in the action figures has the potential for misuse because of the toy's evolving capabilities

Answer: B

NEW QUESTION 81

SCENARIO

Please use the following to answer the next question:

Liem, an online retailer known for its environmentally friendly shoes, has recently expanded its presence in Europe. Anxious to achieve market dominance, Liem teamed up with another eco friendly company, EcoMick, which sells accessories like belts and bags. Together the companies drew up a series of marketing campaigns designed to highlight the environmental and economic benefits of their products. After months of planning, Liem and EcoMick entered into a data sharing agreement to use the same marketing database, MarketIQ, to send the campaigns to their respective contacts.

Liem and EcoMick also entered into a data processing agreement with MarketIQ, the terms of which included processing personal data only upon Liem and EcoMick's instructions, and making available to them all information necessary to demonstrate compliance with GDPR obligations.

Liem and EcoMick then procured the services of a company called JaphSoft, a marketing optimization firm that uses machine learning to help companies run successful campaigns. Clients provide JaphSoft with the personal data of individuals they would like to be targeted in each campaign. To ensure protection of its clients' data, JaphSoft implements the technical and organizational measures it deems appropriate. JaphSoft works to continually improve its machine learning models by analyzing the data it receives from its clients to determine the most successful components of a successful campaign. JaphSoft then uses such models in providing services to its client-base. Since the models improve only over a period of time as more information is collected, JaphSoft does not have a deletion process for the data it receives from clients. However, to ensure compliance with data privacy rules, JaphSoft pseudonymizes the personal data by removing identifying information from the contact information. JaphSoft's engineers, however, maintain all contact information in the same database as the identifying information.

Under its agreement with Liem and EcoMick, JaphSoft received access to MarketIQ, which included contact information as well as prior purchase history for such contacts, to create campaigns that would result in the most views of the two companies' websites. A prior Liem customer, Ms. Iman, received a marketing campaign from JaphSoft regarding Liem's as well as EcoMick's latest products. While Ms. Iman recalls checking a box to receive information in the future regarding Liem's products, she has never shopped EcoMick, nor provided her personal data to that company.

Under the GDPR, Liem and EcoMick's contract with MarketIQ must include all of the following provisions EXCEPT?

- A. Processing the personal data upon documented instructions regarding data transfers outside of the EEA.
- B. Notification regarding third party requests for access to Liem and EcoMick's personal data.
- C. Assistance to Liem and EcoMick in their compliance with data protection impact assessments.
- D. Returning or deleting personal data after the end of the provision of the services.

Answer: C

NEW QUESTION 86

According to the GDPR, when should the processing of photographs be considered processing of special categories of personal data?

- A. When processed with the intent to publish information regarding a natural person on publicly accessible media.
- B. When processed with the intent to proceed to scientific or historical research projects.
- C. When processed with the intent to uniquely identify or authenticate a natural person.
- D. When processed with the intent to comply with a law.

Answer: C

NEW QUESTION 89

In addition to the European Commission, who can adopt standard contractual clauses, assuming that all required conditions are met?

- A. Approved data controllers.
- B. The Council of the European Union.
- C. National data protection authorities.
- D. The European Data Protection Supervisor.

Answer: A

NEW QUESTION 91

SCENARIO

Please use the following to answer the next question:

Dynaroux Fashion ('Dynaroux') is a successful international online clothing retailer that employs approximately 650 people at its headquarters based in Dublin, Ireland. Ronan is their recently appointed data protection officer, who oversees the company's compliance with the General Data Protection Regulation (GDPR) and other privacy legislation.

The company offers both male and female clothing lines across all age demographics, including children. In doing so, the company processes large amounts of information about such customers, including preferences and sensitive financial information such as credit card and bank account numbers.

In an aggressive bid to build revenue growth, Jonas, the CEO, tells Ronan that the company is launching a new mobile app and loyalty scheme that puts significant emphasis on profiling the company's customers by analyzing their purchases. Ronan tells the CEO that: (a) the potential risks of such activities means that

Dynaroux needs to carry out a data protection impact assessment to assess this new venture and its privacy implications; and (b) where the results of this assessment indicate a high risk in the absence of appropriate

protection measures, Dynaroux may have to undertake a prior consultation with the Irish Data Protection Commissioner before implementing the app and loyalty scheme.

Jonas tells Ronan that he is not happy about the prospect of having to directly engage with a supervisory authority and having to disclose details of Dynaroux's business plan and associated processing activities.

Which of the following facts about Dynaroux would trigger a data protection impact assessment under the GDPR?

- A. The company will be undertaking processing activities involving sensitive data categories such as financial and children's data.
- B. The company employs approximately 650 people and will therefore be carrying out extensive processing activities.
- C. The company plans to undertake profiling of its customers through analysis of their purchasing patterns.
- D. The company intends to shift their business model to rely more heavily on online shopping.

Answer: C

NEW QUESTION 94

If a company is planning to use closed-circuit television (CCTV) on its premises and is concerned with GDPR compliance, it should first do all of the following EXCEPT?

- A. Notify the appropriate data protection authority.
- B. Perform a data protection impact assessment (DPIA).
- C. Create an information retention policy for those who operate the system.
- D. Ensure that safeguards are in place to prevent unauthorized access to the footage.

Answer: C

NEW QUESTION 95

An organization conducts body temperature checks as a part of COVID-19 monitoring. Body temperature is measured manually and is not followed by registration, documentation or other processing of an individual's personal data.

Which of the following best explain why this practice would NOT be subject to the GDPR?

- A. Body temperature is not considered personal data.
- B. The practice does not involve completion by automated means.
- C. Body temperature is considered pseudonymous data.

D. The practice is for the purpose of alleviating extreme risks to public health.

Answer: B

NEW QUESTION 96

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