

## IAPP.CIPP-E.v2023-02-02.q80

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### NEW QUESTION: 1

What term BEST describes the European model for data protection?

- A. Comprehensive
- B. Self-regulatory
- C. Market-based
- D. Sectoral

**Answer: D (LEAVE A REPLY)**

### NEW QUESTION: 2

#### SCENARIO

Please use the following to answer the next question:

The fitness company Vigotron has recently developed a new app called M-Health, which it wants to market on its website as a free download. Vigotron's marketing manager asks his assistant Emily to create a webpage that describes the app and specifies the terms of use. Emily, who is new at Vigotron, is excited about this task. At her previous job she took a data protection class, and though the details are a little hazy, she recognizes that Vigotron is going to need to obtain user consent for use of the app in some cases. Emily sketches out the following draft, trying to cover as much as possible before sending it to Vigotron's legal department.

#### Registration Form

Vigotron's new M-Health app makes it easy for you to monitor a variety of health-related activities, including diet, exercise, and sleep patterns. M-Health relies on your smartphone settings (along with other third-party apps you may already have) to collect data about all of these important lifestyle elements, and provide the information necessary for you to enrich your quality of life. (Please click here to read a full description of the services that M-Health provides.) Vigotron values your privacy. The M-Health app allows you to decide which information is stored in it, and which apps can access your data. When your device

is locked with a passcode, all of your health and fitness data is encrypted with your passcode. You can back up data stored in the Health app to Vigotron's cloud provider, Stratculous. (Read more about Stratculous here.) Vigotron will never trade, rent or sell personal information gathered from the M-Health app. Furthermore, we will not provide a customer's name, email address or any other information gathered from the app to any third-party without a customer's consent, unless ordered by a court, directed by a subpoena, or to enforce the manufacturer's legal rights or protect its business or property. We are happy to offer the M-Health app free of charge. If you want to download and use it, we ask that you first complete this registration form. (Please note that use of the M-Health app is restricted to adults aged 16 or older, unless parental consent has been given to minors intending to use it.) First name:

Surname:

Year of birth:

Email:

Physical Address (optional\*):

Health status:

\*If you are interested in receiving newsletters about our products and services that we think may be of interest to you, please include your physical address. If you decide later that you do not wish to receive these newsletters, you can unsubscribe by sending an email to [unsubscribe@vigotron.com](mailto:unsubscribe@vigotron.com) or send a letter with your request to the address listed at the bottom of this page.

Terms and Conditions

1. Jurisdiction. [...]
2. Applicable law. [...]
3. Limitation of liability. [...]

Consent

By completing this registration form, you attest that you are at least 16 years of age, and that you consent to the processing of your personal data by Vigotron for the purpose of using the M-Health app. Although you are entitled to opt out of any advertising or marketing, you agree that Vigotron may contact you or provide you with any required notices, agreements, or other information concerning the services by email or other electronic means. You also agree that the Company may send automated emails with alerts regarding any problems with the M-Health app that may affect your well being.

Emily sends the draft to Sam for review. Which of the following is Sam most likely to point out as the biggest problem with Emily's consent provision?

- A.** Processing health data requires explicit consent, but the form does not ask for explicit consent.
- B.** Direct marketing requires explicit consent, whereas the registration form only provides for a right to object
- C.** It is not legal to include fields requiring information regarding health status without consent.

D. The provision of the fitness app should be made conditional on the consent to the data processing for direct marketing.

**Answer:** ([SHOW ANSWER](#))

### **NEW QUESTION: 3**

What is the main task of the European Data Protection Board?

A. To publish guidelines for data subjects on how to properly enforce their rights

B. To assess adequacy of data protection in third countries

C. To ensure consistent application of the GDPR.

D. To proactively prevent disputes between national supervisory authorities.

**Answer:** C ([LEAVE A REPLY](#))

### **NEW QUESTION: 4**

#### SCENARIO

Please use the following to answer the next question:

Due to rapidly expanding workforce, Company A has decided to outsource its payroll function to Company B.

Company B is an established payroll service provider with a sizable client base and a solid reputation in the industry.

Company B's payroll solution for Company A relies on the collection of time and attendance data obtained via a biometric entry system installed in each of Company A's factories. Company B won't hold any biometric data itself, but the related data will be uploaded to Company B's UK servers and used to provide the payroll service. Company B's live systems will contain the following information for each of Company A's employees:

- \* Name
- \* Address
- \* Date of Birth
- \* Payroll number
- \* National Insurance number
- \* Sick pay entitlement
- \* Maternity/paternity pay entitlement
- \* Holiday entitlement
- \* Pension and benefits contributions
- \* Trade union contributions

Jenny is the compliance officer at Company A.

She first considers whether Company A needs to carry out a data protection impact assessment in relation to the new time and attendance system, but isn't sure whether or not this is required.

Jenny does know, however, that under the GDPR there must be a formal written agreement requiring Company B to use the time and attendance data only for the purpose of providing the payroll service, and to apply appropriate technical and organizational

security measures for safeguarding the data. Jenny suggests that Company B obtain advice from its data protection officer. The company doesn't have a DPO but agrees, in the interest of finalizing the contract, to sign up for the provisions in full. Company A enters into the contract.

Weeks later, while still under contract with Company A, Company B embarks upon a separate project meant to enhance the functionality of its payroll service, and engages Company C to help. Company C agrees to extract all personal data from Company B's live systems in order to create a new database for Company B.

This database will be stored in a test environment hosted on Company C's U.S. server. The two companies agree not to include any data processing provisions in their services agreement, as data is only being used for IT testing purposes.

Unfortunately, Company C's U.S. server is only protected by an outdated IT security system, and suffers a cyber security incident soon after Company C begins work on the project. As a result, data relating to Company A's employees is visible to anyone visiting Company C's website. Company A is unaware of this until Jenny receives a letter from the supervisory authority in connection with the investigation that ensues. As soon as Jenny is made aware of the breach, she notifies all affected employees.

Under the GDPR, which of Company B's actions would NOT be likely to trigger a potential enforcement action?

- A. Their engagement of Company C to improve their payroll service.
- B. Their failure to provide sufficient security safeguards to Company A's data.
- C. Their decision to operate without a data protection officer.
- D. Their omission of data protection provisions in their contract with Company C.

**Answer: A (LEAVE A REPLY)**

#### **NEW QUESTION: 5**

A U.S.-based online shop uses sophisticated software to track the browsing behavior of its European customers and predict future purchases. It also shares this information with third parties. Under the GDPR, what is the online shop's PRIMARY obligation while engaging in this kind of profiling?

- A. It must seek authorization from the European supervisory authorities
- B. It must be able to demonstrate a prior business relationship with the customers
- C. It must prove that it uses sufficient security safeguards to protect customer data
- D. It must solicit informed consent through a notice on its website

**Answer: D (LEAVE A REPLY)**

#### **NEW QUESTION: 6**

According to the European Data Protection Board, data subjects should be aware of any video surveillance in operation. How should a retail shop operator ensure that data subjects receive at information required for such a purpose under EU data protection law?

- A.** The shop operator should provide the most important information on a clearly readable warning sign to data subjects before they enter the monitored area, and additional mandatory details by other means.
- B.** The shop operator should post a copy of the manual of the video surveillance system in the shop and on its social media channels.
- C.** The shop operator should provide full notice of the intended video surveillance outside the shop, for example with a sign or a stand-up display.
- D.** The shop operator should instruct the data protection officer to hand out a comprehensive notice to data subjects every time they enter the shop.

**Answer:** ([SHOW ANSWER](#))

#### **NEW QUESTION: 7**

What is a reason the European Court of Justice declared the Data Retention Directive invalid in 2014?

- A.** The requirements affected individuals without exception.
- B.** The requirements were financially burdensome to EU businesses.
- C.** The requirements specified that data must be held within the EU.
- D.** The requirements had limitations on how national authorities could use data.

**Answer:** ([SHOW ANSWER](#))

Reference:

%20the%20Grand,proportionality%20in%20forging%20the%20Directive.

#### **NEW QUESTION: 8**

An organization receives a request multiple times from a data subject seeking to exercise his rights with respect to his own personal data. Under what condition can the organization charge the data subject a fee for processing the request?

- A.** Only if the organization can demonstrate that the request is clearly excessive or misguided.
- B.** Only to the extent this is allowed under the restrictions on data subjects' rights introduced under Art 23 of GDPR.
- C.** Only where the organization can show that it is reasonable to do so because more than one request was made.
- D.** Only where the administrative costs of taking the action requested exceeds a certain threshold.

**Answer:** **B** ([LEAVE A REPLY](#))

#### **NEW QUESTION: 9**

Higher fines are assessed for GDPR violations due to which of the following?

- A.** Violations of a data controller's obligations to obtain a child's consent
- B.** Violations of a data subject's rights
- C.** Failure to notify a supervisory authority and data subjects of a personal data breach

D. Failure to appoint a data protection officer.

**Answer:** ([SHOW ANSWER](#))

#### **NEW QUESTION: 10**

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

**Answer:** ([SHOW ANSWER](#))

#### **NEW QUESTION: 11**

The GDPR specifies fines that may be levied against data controllers for certain infringements. Which of the following infringements would be subject to the less severe administrative fine of up to 10 million euros (or in the case of an undertaking, up to 2% of the total worldwide annual turnover of the preceding financial year)?

- A. Failure to demonstrate that consent was given by the data subject to the processing of their personal data where it is used as the basis for processing.
- B. Failure to implement technical and organizational measures to ensure data protection is enshrined by design and default.
- C. Failure to process personal information in a manner compatible with its original purpose.
- D. Failure to provide the means for a data subject to rectify inaccuracies in personal data.

**Answer:** ([SHOW ANSWER](#))

#### **NEW QUESTION: 12**

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 prominent advertisement in print media
- D. A notice on a corporate blog

**Answer:** D ([LEAVE A REPLY](#))

#### **NEW QUESTION: 13**

SCENARIO

Please use the following to answer the next question:

Sandy recently joined Market4U, an advertising technology company founded in 2016, as their VP of Privacy and Data Governance. Through her first initiative in conducting a data inventory, Sandy learned that Market4U maintains a list of 19 million global contacts that were collected throughout the course of Market4U's existence. Knowing the risk of having such a large amount of data, Sandy wanted to purge all contacts that were entered into Market4U's systems prior to May 2018, unless such contacts had a more recent interaction with Market4U content. However, Dan, the VP of Sales, informed Sandy that all of the contacts provide useful information regarding successful marketing campaigns and trends in industry verticals for Market4U's clients.

Dan also informed Sandy that he had wanted to focus on gaining more customers within the sports and entertainment industry. To assist with this behavior, Market4U's marketing team decided to add several new fields to Market4U's website forms, including forms for downloading white papers, creating accounts to participate in Market4U's forum, and attending events. Such fields include birth date and salary.

What should Sandy give as feedback to Dan and the marketing team regarding the new fields Dan wants to add to Market4U's forms?

- A.** Eliminate the fields, as they are not proportional to the services being offered.
- B.** Make all the fields optional.
- C.** Eliminate the fields as they are not necessary for the purposes of providing white papers or registration for events.
- D.** Only request the information in brackets (i.e., age group and salary range).

**Answer:** ([SHOW ANSWER](#))

## **NEW QUESTION: 14**

### **SCENARIO**

Please use the following to answer the next question:

Zandelay Fashion ('Zandelay') is a successful international online clothing retailer that employs approximately 650 people at its headquarters based in Dublin, Ireland. Martin 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, Jerry, the CEO, tells Martin 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. Martin tells the CEO that: (a) the potential risks of such activities means that Zandelay 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. Zandelay may have to undertake a prior consultation with the Irish Data Protection Commissioner before implementing the app and loyalty scheme.

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

What must Zandelay provide to the supervisory authority during the prior consultation?

- A. An evaluation of the complexity of the intended processing.
- B. An of the purposes and means of the intended processing.
- C. Records showing that customers have explicitly consented to the intended profiling activities.
- D. Certificates that prove Martin's professional qualities and expert knowledge of data protection law.

**Answer: B (LEAVE A REPLY)**

#### **NEW QUESTION: 15**

In which of the following cases, cited as an example by a WP29 guidance, would conducting a single data protection impact assessment to address multiple processing operations be allowed?

- A. A railway operator who plans to evaluate the same video surveillance in all the train stations of his company.
- B. A data controller who plans to use a new technology product that has already undergone a DPIA by the product's provider.
- C. A medical organization that wants to begin genetic testing to support earlier research for which they have performed a DPIA.
- D. A marketing team that wants to collect mailing addresses of customers for whom they already have email addresses.

**Answer: A (LEAVE A REPLY)**

#### **NEW QUESTION: 16**

There are three domains of security covered by Article 32 of the GDPR that apply to both the controller and the processor. These include all of the following EXCEPT?

- A. Consent management and withdrawal.
- B. Preventative security.
- C. Incident detection and response.
- D. Remedial security.

**Answer: (SHOW ANSWER)**

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#### **NEW QUESTION: 17**

Under the GDPR, which of the following is true in regard to adequacy decisions involving cross-border transfers?

- A.** To be considered as adequate, third countries must implement the EU General Data Protection Regulation into their national legislation.
- B.** The European Commission can adopt an adequacy decision for individual companies.
- C.** The European Commission can adopt, repeal or amend an existing adequacy decision.
- D.** EU member states are vested with the power to accept or reject a European Commission adequacy decision.

**Answer: B (LEAVE A REPLY)**

#### **NEW QUESTION: 18**

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

**Answer: C (LEAVE A REPLY)**

#### **NEW QUESTION: 19**

Select the answer below that accurately completes the following:

"The right to compensation and liability under the GDPR...

- A.** ...provides for an exemption from liability if the data controller (or data processor) proves that it is not in any way responsible for the event giving rise to the damage."
- B.** ...can only be exercised against the data controller, even if a data processor was involved in the same processing."
- C.** ...precludes any subsequent recourse proceedings against other controllers or processors involved in the same processing."
- D.** ...is limited to a maximum amount of EUR 20 million per event of damage or loss."

**Answer: C (LEAVE A REPLY)**

#### **NEW QUESTION: 20**

A Spanish electricity customer calls her local supplier with Questions: about the company's upcoming merger. Specifically, the customer wants to know the recipients to whom her personal data will be disclosed once the merger is final. According to Article 13 of the GDPR, what must the company do before providing the customer with the requested information?

- A. Verify that the request is applicable to the data collected before the GDPR entered into force.
- B. Verify that the personal data has not already been sent to the customer.
- C. Verify that the identity of the customer can be proven by other means.
- D. Verify that the purpose of the request from the customer is in line with the GDPR.

**Answer: A ([LEAVE A REPLY](#))**

### **NEW QUESTION: 21**

Pursuant to Article 17 and EDPB Guidelines S'2019 on RTBF criteria in search engines cases, all of the following would be valid grounds for data subject delisting requests EXCEPT?

- A. The personal data is no longer necessary in relation to the search engine provider's processing
- B. The data subject withdraws consent and there is no other legal basis for the processing.
- C. The personal data has been collected in relation to the offer of Information society services (ISS) to a child.
- D. The processing is necessary for exercising the right of freedom of expression and information

**Answer: ([SHOW ANSWER](#))**

### **NEW QUESTION: 22**

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 journalist writing an article relating to the medical condition in question, who believes that the publication of such information is in the public interest.
- 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 member of the judiciary involved in adjudicating a legal dispute involving the data subject and concerning the health of the data subject.

**Answer: B ([LEAVE A REPLY](#))**

### **NEW QUESTION: 23**

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 (LEAVE A REPLY)**

Section: (none)

## **NEW QUESTION: 24**

### SCENARIO

Please use the following to answer the next question:

T-Craze, a German-headquartered specialty t-shirt company, was successfully selling to large German metropolitan cities. However, after a recent merger with another German-based company that was selling to a broader European market, T-Craze revamped its marketing efforts to sell to a wider audience. These efforts included a complete redesign of its logo to reflect the recent merger, and improvements to its website meant to capture more information about visitors through the use of cookies.

T-Craze also opened various office locations throughout Europe to help expand its business. While Germany continued to host T-Craze's headquarters and main product-design office, its French affiliate became responsible for all marketing and sales activities. The French affiliate recently procured the services of Right Target, a renowned marketing firm based in the Philippines, to run its latest marketing campaign. After thorough research, Right Target determined that T-Craze is most successful with customers between the ages of 18 and 22. Thus, its first campaign targeted university students in several European capitals, which yielded nearly 40% new customers for T-Craze in one quarter. Right Target also ran subsequent campaigns for T-Craze, though with much less success.

The last two campaigns included a wider demographic group and resulted in countless unsubscribe requests, including a large number in Spain. In fact, the Spanish data protection authority received a complaint from Sofia, a mid-career investment banker. Sofia was upset after receiving a marketing communication even after unsubscribing from such communications from the Right Target on behalf of T-Craze.

Which of the following is T-Craze's lead supervisory authority?

- A. T-Craze may choose its lead supervisory authority where any of its affiliates are based, because it has presence in several European countries.
- B. France, because that is where T-Craze conducts processing of personal information.
- C. Spain, because that is T-Craze's primary market based on its marketing campaigns.
- D. Germany, because that is where T-Craze is headquartered.

**Answer: C (LEAVE A REPLY)**

## **NEW QUESTION: 25**

If a company receives an anonymous email demanding ransom for the stolen personal data of its clients, what must the company do next, per GDPR requirements?

- A. Start an investigation to understand the incident's possible scope, duration and nature
- B. Send an email about the incident to all clients and ask them to change their passwords
- C. Send a notification to the competent supervisory authority describing the incident.
- D. Notify the police and file a criminal complaint about the incident

**Answer: C ([LEAVE A REPLY](#))**

#### **NEW QUESTION: 26**

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

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

**Answer: ([SHOW ANSWER](#))**

#### **NEW QUESTION: 27**

Under the GDPR, which essential pieces of information must be provided to data subjects before collecting their personal data?

- A. The identity and contact details of the controller and the reasons the data is being collected.
- B. The name/s of relevant government agencies involved and the steps needed for revising the data.
- C. The contact information of the controller and a description of the retention policy.
- D. The authority by which the controller is collecting the data and the third parties to whom the data will be sent.

**Answer: A ([LEAVE A REPLY](#))**

#### **NEW QUESTION: 28**

Which GDPR principle would a Spanish employer most likely depend upon to annually send the personal data of its employees to the national tax authority?

- A. The legal obligation of the employer.
- B. The consent of the employees.
- C. The protection of the vital interest of the employees.
- D. The legitimate interest of the public administration.

**Answer: ([SHOW ANSWER](#))**

#### **NEW QUESTION: 29**

Which aspect of the GDPR will likely have the most impact on the consistent implementation of data protection laws throughout the European Union?

- A. That it makes appointment of a data protection officer mandatory
- B. That it takes the form of a Regulation as opposed to a Directive
- C. That it makes notification of large-scale data breaches mandatory
- D. That it essentially functions as a one-stop shop mechanism

**Answer: (SHOW ANSWER)**

### **NEW QUESTION: 30**

Please use the following to answer the next question:

ProStorage is a multinational cloud storage provider headquartered in the Netherlands. Its CEO, Ruth Brown, has developed a two-pronged strategy for growth: 1) expand ProStorage's global customer base and 2) increase ProStorage's sales force by efficiently onboarding effective teams. Enacting this strategy has recently been complicated by Ruth's health condition, which has limited her working hours, as well as her ability to travel to meet potential customers. ProStorage's Human Resources department and Ruth's Chief of Staff now work together to manage her schedule and ensure that she is able to make all her medical appointments. The latter has become especially crucial after Ruth's last trip to India, where she suffered a medical emergency and was hospitalized in New Delhi. Unable to reach Ruth's family, the hospital reached out to ProStorage and was able to connect with her Chief of Staff, who in coordination with Mary, the head of HR, provided information to the doctors based on accommodate on requests Ruth made when she started at ProStorage. Why was Jackie correct in not completing a transfer impact assessment for HRYourWay?

- A. ProStorage can rely on its Binding Corporate Rules
- B. HRYourWay was ultimately not selected
- C. ProStorage will obtain consent for all transfers.
- D. HRYourWay is not located in a third country.

**Answer: (SHOW ANSWER)**

### **NEW QUESTION: 31**

Which EU institution is vested with the competence to propose new data protection legislation on its own initiative?

- A. The European Parliament
- B. The European Commission
- C. The Council of the European Union
- D. The European Council

**Answer: C (LEAVE A REPLY)**

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#### **NEW QUESTION: 32**

Which of the following describes a mandatory requirement for a group of undertakings that wants to appoint a single data protection officer?

- A.** The data protection officer must be located in the country where the data controller has its main establishment.
- B.** The data protection officer must be easily accessible from each establishment where the undertakings are located.
- C.** The group of undertakings must obtain approval from a supervisory authority.
- D.** The group of undertakings must be comprised of organizations of similar sizes and functions.

**Answer: B (LEAVE A REPLY)**

#### **NEW QUESTION: 33**

If a data subject puts a complaint before a DPA and receives no information about its progress or outcome, how long does the data subject have to wait before taking action in the courts?

- A.** 3 months.
- B.** 5 months.
- C.** 12 months.
- D.** 1 month.

**Answer: A (LEAVE A REPLY)**

#### **NEW QUESTION: 34**

##### **SCENARIO**

Please use the following to answer the next question:

Sandy recently joined Market4U, an advertising technology company founded in 2016, as their VP of Privacy and Data Governance. Through her first initiative in conducting a data inventory, Sandy learned that Market4U maintains a list of 19 million global contacts that were collected throughout the course of Market4U's existence. Knowing the risk of having such a large amount of data, Sandy wanted to purge all contacts that were entered into Market4U's systems prior to May 2018, unless such contacts had a more recent interaction with Market4U content. However, Dan, the VP of Sales, informed Sandy that all of the contacts provide useful information regarding successful marketing campaigns and trends in industry verticals for Market4U's clients.

Dan also informed Sandy that he had wanted to focus on gaining more customers within the sports and entertainment industry. To assist with this behavior, Market4U's marketing

team decided to add several new fields to Market4U's website forms, including forms for downloading white papers, creating accounts to participate in Market4U's forum, and attending events. Such fields include birth date and salary.

What is the best way that Sandy can gain the insights that Dan seeks while still minimizing risks for Market4U?

- A. Conduct analysis only on pseudonymized personal data.
- B. Procure a third party to conduct the analysis and delete the data from Market4U's systems.
- C. Delete all data collected prior to May 2018 after conducting the trend analysis.
- D. Conduct analysis only on anonymized personal data.

**Answer: D (LEAVE A REPLY)**

### **NEW QUESTION: 35**

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

**Answer: B (LEAVE A REPLY)**

### **NEW QUESTION: 36**

Which of the following is NOT one of the 4 principles developed by the European AI Alliance regarding the ethical use of Artificial Intelligence?

- A. It should prevent harm
- B. It should be fair.
- C. It should respect human autonomy.
- D. It should be lawful

**Answer: D (LEAVE A REPLY)**

### **NEW QUESTION: 37**

What ruling did the Planet 49 CJEU judgment make regarding the issue of pre-ticked boxes?

- A. They are allowed if determined to be technically necessary.
- B. They do not amount to valid consent under any circumstances.
- C. They constitute valid consent if the processing is necessary for purposes of legitimate interest
- D. They are allowed if recorded in the register of processing activities.

**Answer: C (LEAVE A REPLY)**

### **NEW QUESTION: 38**

What is the most frequently used mechanism for legitimizing cross-border data transfer?

- A. Binding Corporate Rules.
- B. Derogations.
- C. Approved Code of Conduct.
- D. Standard Contractual Clauses.

**Answer: D (LEAVE A REPLY)**

### **NEW QUESTION: 39**

#### SCENARIO

Please use the following to answer the next question:

ABC Hotel Chain and XYZ Travel Agency are U.S.-based multinational companies. They use an internet-based common platform for collecting and sharing their customer data with each other, in order to integrate their marketing efforts. Additionally, they agree on the data to be stored, how reservations will be booked and confirmed, and who has access to the stored data.

Mike, an EU resident, has booked travel itineraries in the past through XYZ Travel Agency to stay at ABC Hotel Chain's locations. XYZ Travel Agency offers a rewards program that allows customers to sign up to accumulate points that can later be redeemed for free travel. Mike has signed the agreement to be a rewards program member.

Now Mike wants to know what personal information the company holds about him. He sends an email requesting access to his data, in order to exercise what he believes are his data subject rights.

What are ABC Hotel Chain and XYZ Travel Agency's roles in this relationship?

- A. ABC Hotel Chain and XYZ Travel Agency are independent controllers.
- B. ABC Hotel Chain and XYZ Travel Agency are joint controllers.
- C. XYZ Travel Agency is the controller and ABC Hotel Chain is the processor.
- D. ABC Hotel Chain is the controller and XYZ Travel Agency is the processor.

**Answer: D (LEAVE A REPLY)**

### **NEW QUESTION: 40**

Please use the following to answer the next question:

ProStorage is a multinational cloud storage provider headquartered in the Netherlands. Its CEO, Ruth Brown, has developed a two-pronged strategy for growth: 1) expand ProStorage's global customer base and 2) increase ProStorage's sales force by efficiently onboarding effective teams. Enacting this strategy has recently been complicated by Ruth's health condition, which has limited her working hours, as well as her ability to travel to meet potential customers. ProStorage's Human Resources department and Ruth's Chief of Staff now work together to manage her schedule and ensure that she is able to make all her medical appointments. The latter has become especially crucial after Ruth's last trip to India, where she suffered a medical emergency and was hospitalized in New Delhi. Unable to reach Ruth's family, the hospital reached out to ProStorage and was able to connect with

her Chief of Staff, who in coordination with Mary, the head of HR. provided information to the doctors based on accommodate on requests Ruth made when she started a: ProStorage What transfer mechanism did ProStorage most likely rely on to transfer Ruth's medical information to the hospital?

- A. Performance of a contract with Ruth.
- B. Protecting against legal liability from Ruth.
- C. Ruth's implied consent.
- D. Protecting the vital interest of Ruth

**Answer: B (LEAVE A REPLY)**

#### **NEW QUESTION: 41**

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

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

**Answer: C (LEAVE A REPLY)**

#### **NEW QUESTION: 42**

Which sentence best describes proper compliance for an international organization using Binding Corporate Rules (BCRs) as a controller or processor?

- A. All employees must follow the privacy regulations of the jurisdictions where the current scope of their work is established.
- B. Employees must sign an ad hoc contractual agreement each time personal data is exported.
- C. All employees are subject to the rules in their entirety, regardless of where the work is taking place.
- D. Employees who control personal data must complete a rigorous certification procedure, as they are exempt from legal enforcement.

**Answer: A (LEAVE A REPLY)**

#### **NEW QUESTION: 43**

##### **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.

Why would the consent provided by Ms. Iman NOT be considered valid in regard to JaphSoft?

- A. She was not told which controller would be processing her personal data.
- B. She has never made any purchases from JaphSoft and has no relationship with the company.
- C. She only viewed the visual representations of the privacy notice Liem provided.
- D. She did not read the privacy notice stating that her personal data would be shared.

**Answer:** ([SHOW ANSWER](#))

## **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.

Why is this company obligated to comply with the GDPR?

- A. The company's data center is located in a country outside the EU.
- B. The company's products are marketed directly to EU customers.
- C. The company employs staff in the EU.
- D. The company has offices in the EU.

**Answer: (SHOW ANSWER)**

### **NEW QUESTION: 45**

According to the GDPR, Article 4(14), biometric data is defined as:

"Personal data resulting from specific technical processing relating to

the \_\_\_\_\_ characteristics of a natural person" Which term could NOT be placed in the above definition?

- A. Behavioral
- B. Intellectual.
- C. Physical.
- D. Psychological.

**Answer: (SHOW ANSWER)**

**NEW QUESTION: 46**

Which of the following is NOT a role of works councils?

- A. Determining what changes will affect employee working conditions.
- B. Determining whether to approve or reject certain decisions of the employer that affect employees.
- C. Determining whether employees' personal data can be processed or not.
- D. Determining the monetary fines to be levied against employers for data breach violations of employee data.

**Answer: C (LEAVE A REPLY)**

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**NEW QUESTION: 47**

In the Planet 49 case, what was the main judgement of the Court of Justice of the European Union (CJEU) regarding the issue of cookies?

- A. If a website's cookie notice makes clear the information gathered and the lifespan of the cookie, then pre-checked boxes are acceptable.
- B. If a data subject continues to scroll through a website after reading a cookie banner, this activity constitutes valid consent for the tracking described in the cookie banner.
- C. If the cookies do not track personal data, then pre-checked boxes are acceptable.
- D. If the ePrivacy Directive requires consent for cookies, then the GDPR's consent requirements apply.

**Answer: B (LEAVE A REPLY)**

**NEW QUESTION: 48**

If two controllers act as joint controllers pursuant to Article 26 of the GDPR, which of the following may NOT be validly determined by said controllers?

- A. The rules regarding the exercising of data subjects' rights.

- B. The non-disclosure of the essence of their arrangement to data subjects
- C. The rules to provide information to data subjects in Articles 13 and 14.
- D. The definition of a central contact point for data subjects.

**Answer: C (LEAVE A REPLY)**

## **NEW QUESTION: 49**

### **SCENARIO**

Please use the following to answer the next question:

Brady is a computer programmer based in New Zealand who has been running his own business for two years. Brady's business provides a low-cost suite of services to customers throughout the European Economic Area (EEA). The services are targeted towards new and aspiring small business owners. Brady's company, called Brady Box, provides web page design services, a Social Networking Service (SNS) and consulting services that help people manage their own online stores.

Unfortunately, Brady has been receiving some complaints. A customer named Anna recently uploaded her plans for a new product onto Brady Box's chat area, which is open to public viewing. Although she realized her mistake two weeks later and removed the document, Anna is holding Brady Box responsible for not noticing the error through regular monitoring of the website. Brady believes he should not be held liable.

Another customer, Felipe, was alarmed to discover that his personal information was transferred to a third-party contractor called Hermes Designs and worries that sensitive information regarding his business plans may be misused. Brady does not believe he violated European privacy rules. He provides a privacy notice to all of his customers explicitly stating that personal data may be transferred to specific third parties in fulfillment of a requested service. Felipe says he read the privacy notice but that it was long and complicated. Brady continues to insist that Felipe has no need to be concerned, as he can personally vouch for the integrity of Hermes Designs. In fact, Hermes Designs has taken the initiative to create sample customized banner advertisements for customers like Felipe. Brady is happy to provide a link to the example banner ads, now posted on the Hermes Designs webpage. Hermes Designs plans on following up with direct marketing to these customers.

Brady was surprised when another customer, Serge, expressed his dismay that a quotation by him is being used within a graphic collage on Brady Box's home webpage. The quotation is attributed to Serge by first and last name. Brady, however, was not worried about any sort of litigation. He wrote back to Serge to let him know that he found the quotation within Brady Box's Social Networking Service (SNS), as Serge himself had posted the quotation. In his response, Brady did offer to remove the quotation as a courtesy.

Despite some customer complaints, Brady's business is flourishing. He even supplements his income through online behavioral advertising (OBA) via a third-party ad network with whom he has set clearly defined roles. Brady is pleased that, although some customers

are not explicitly aware of the OBA, the advertisements contain useful products and services.

Based on the scenario, what is the main reason that Brady should be concerned with Hermes Designs' handling of customer personal data?

- A. The data is sensitive.
- B. The data is uncategorized.
- C. The data is being processed via a new means.
- D. The data is being used for a new purpose.

**Answer: C (LEAVE A REPLY)**

#### **NEW QUESTION: 50**

Which kind of privacy notice, originally advocated by the Article 29 Working Party, is commonly recommended for AI-based technologies because of the way it provides processing information at specific points of data collection?

- A. Just-in-time notice.
- B. Layered notice.
- C. Visualization notice.
- D. Privacy dashboard notice

**Answer: D (LEAVE A REPLY)**

#### **NEW QUESTION: 51**

According to the European Data Protection Board, which of the following concepts or practices does NOT follow from the principles relating to the processing of personal data under EU data protection law?

- A. Error propagation avoidance along the processing chain.
- B. Access control management.
- C. Frequent pseudonymization key rotation.
- D. Data ownership allocation.

**Answer: (SHOW ANSWER)**

#### **NEW QUESTION: 52**

##### 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.

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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.

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

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

**Answer: A (LEAVE A REPLY)**

### **NEW QUESTION: 53**

MagicClean is a web-based service located in the United States that matches home cleaning services to customers. It offers its services exclusively in the United States. It uses a processor located in France to optimize its data. Is MagicClean subject to the GDPR?

- A. No, because MagicClean is located in the United States only.
- B. Yes, because MagicClean's data processing agreement with the French processor is an establishment in the EU
- C. Yes, because MagicClean is processing data in the EU

D. No. because MagicClean is not offering services to EU data subjects.

**Answer: B (LEAVE A REPLY)**

#### **NEW QUESTION: 54**

Under the Data Protection Law Enforcement Directive of the EU, a government can carry out covert investigations involving personal data, as long it is set forth by law and constitutes a measure that is both necessary and what?

- A. Proportionate.
- B. DPA-approved.
- C. Prudent.
- D. Important.

**Answer: A (LEAVE A REPLY)**

#### **NEW QUESTION: 55**

##### SCENARIO

Please use the following to answer the next question:

BHealthy, a company based in Italy, is ready to launch a new line of natural products, with a focus on sunscreen. The last step prior to product launch is for BHealthy to conduct research to decide how extensively to market its new line of sunscreens across Europe. To do so, BHealthy teamed up with Natural Insight, a company specializing in determining pricing for natural products. BHealthy decided to share its existing customer information - name, location, and prior purchase history - with Natural Insight. Natural Insight intends to use this information to train its algorithm to help determine the price point at which BHealthy can sell its new sunscreens.

Prior to sharing its customer list, BHealthy conducted a review of Natural Insight's security practices and concluded that the company has sufficient security measures to protect the contact information. Additionally, BHealthy's data processing contractual terms with Natural Insight require continued implementation of technical and organization measures. Also indicated in the contract are restrictions on use of the data provided by BHealthy for any purpose beyond provision of the services, which include use of the data for continued improvement of Natural Insight's machine learning algorithms.

Under the GDPR, what are Natural Insight's security obligations with respect to the customer information it received from BHealthy?

- A. The level of security that a reasonable data subject whose data is processed would expect in relation to the data subject's purchase history.
- B. Appropriate security that takes into account the industry practices for protecting customer contact information and purchase history.
- C. Only the security measures assessed by BHealthy prior to entering into the data processing contract.
- D. Absolute security since BHealthy is sharing personal data, including purchase history, with Natural Insight.

**Answer: B (LEAVE A REPLY)**

**NEW QUESTION: 56**

A U.S. company's website sells widgets. Which of the following factors would NOT in itself subject the company to the GDPR?

- A. The website is in English and French, and is accessible in France.
- B. The widgets are offered in EU and priced in euro.
- C. The website places cookies to monitor the EU website user behavior.
- D. An affiliate office is located in France but the processing is in the U.S.

**Answer: A (LEAVE A REPLY)**

**NEW QUESTION: 57**

**SCENARIO**

Please use the following to answer the next question:

ABC Hotel Chain and XYZ Travel Agency are U.S.-based multinational companies. They use an internet-based common platform for collecting and sharing their customer data with each other, in order to integrate their marketing efforts. Additionally, they agree on the data to be stored, how reservations will be booked and confirmed, and who has access to the stored data.

Mike, an EU resident, has booked travel itineraries in the past through XYZ Travel Agency to stay at ABC Hotel Chain's locations. XYZ Travel Agency offers a rewards program that allows customers to sign up to accumulate points that can later be redeemed for free travel. Mike has signed the agreement to be a rewards program member.

Now Mike wants to know what personal information the company holds about him. He sends an email requesting access to his data, in order to exercise what he believes are his data subject rights.

In which of the following situations would ABC Hotel Chain and XYZ Travel Agency NOT have to honor Mike's data access request?

- A. The request is to obtain access and the categories of recipients who have received his personal data to process his rewards membership.
- B. The request is to obtain access and correct inaccurate personal data in his profile.
- C. The request is to obtain access and erasure of his personal data while keeping his rewards membership.
- D. The request is to obtain access and information about the purpose of processing his personal data.

**Answer: C (LEAVE A REPLY)**

**NEW QUESTION: 58**

Under Article 21 of the GDPR, a controller must stop profiling when requested by a data subject, unless it can demonstrate compelling legitimate grounds that override the interests of the individual. In the Guidelines on Automated individual decision-making and Profiling,

the WP 29 says the controller needs to do all of the following to demonstrate that it has such legitimate grounds EXCEPT?

- A. Consider the impact of the profiling on the data subject's interest, rights and freedoms.
- B. Consider the importance of the profiling to their particular objective.
- C. Demonstrate that the profiling is for the purposes of direct marketing.
- D. Carry out an exercise that weighs the interests of the controller and the basis for the data subject's objection.

**Answer: C (LEAVE A REPLY)**

#### **NEW QUESTION: 59**

Under Article 9 of the GDPR, which of the following categories of data is NOT expressly prohibited from data processing?

- A. Personal data revealing financial data.
- B. Personal data revealing genetic data.
- C. Personal data revealing ethnic origin.
- D. Personal data revealing trade union membership.

**Answer: A (LEAVE A REPLY)**

#### **NEW QUESTION: 60**

In which situation would a data controller most likely be able to justify the processing of the data of a child without parental consent?

- A. When providing preventive or counselling services to the child.
- B. When a legitimate business interest makes obtaining consent impractical.
- C. When providing the child with materials purely for educational use.
- D. When the data is to be processed for market research.

**Answer: A (LEAVE A REPLY)**

#### **NEW QUESTION: 61**

Which of the following is the weakest lawful basis for processing employee personal data?

- A. Processing based on fulfilling an employment contract.
- B. Processing based on legitimate interests.
- C. Processing based on employee consent.
- D. Processing based on legal obligation.

**Answer: C (LEAVE A REPLY)**

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**NEW QUESTION: 62**

How does the GDPR now define "processing"?

- A. Any operation or set of operations performed by automated means on personal data or on sets of personal data.
- B. Any use or disclosure of personal data compatible with the purpose for which the data was collected.
- C. Any operation or set of operations performed on personal data or on sets of personal data.
- D. Any act involving the collecting and recording of personal data.

**Answer: C (LEAVE A REPLY)**

**NEW QUESTION: 63**

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 necessity of the bulk collection of personal data by the government.
- C. The requirement to demonstrate compliance to a supervisory authority.

**Answer: C (LEAVE A REPLY)**

**NEW QUESTION: 64**

When does the European Data Protection Board (EDPB) recommend reevaluating whether a transfer tool is effectively providing a level of personal data protection that is in compliance with the European Union (EU) level?

- A. After a personal data breach.
- B. Every year.
- C. Every three (3) years.
- D. On an ongoing basis.

**Answer: D (LEAVE A REPLY)**

**NEW QUESTION: 65**

Please use the following to answer the next question:

Jack worked as a Pharmacovigilance Operations Specialist in the Irish office of a multinational pharmaceutical company on a clinical trial related to COVID-19. As part of his onboarding process Jack received privacy training He was explicitly informed that while he would need to process confidential patient data in the course of his work, he may under no circumstances use this data for anything other than the performance of work-related (asks This was also specified in the privacy policy, which Jack signed upon conclusion of the training.

After several months of employment, Jack got into an argument with a patient over the phone. Out of anger he later posted the patient's name and health information, along with disparaging comments, on a social media website. When this was discovered by his Pharmacovigilance supervisors. Jack was immediately dismissed Jack's lawyer sent a letter to the company stating that dismissal was a disproportionate sanction, and that if Jack was not reinstated within 14 days his firm would have no alternative but to commence legal proceedings against the company. This letter was accompanied by a data access request from Jack requesting a copy of "all personal data, including internal emails that were sent/received by Jack or where Jack is directly or indirectly identifiable from the contents \* In relation to the emails Jack listed six members of the management team whose inboxes he required access.

The company conducted an initial search of its IT systems, which returned a large amount of information They then contacted Jack, requesting that he be more specific regarding what information he required, so that they could carry out a targeted search Jack responded by stating that he would not narrow the scope of the information requester. What would be the most appropriate response to Jack's data subject access request?

- A.** The company should provide all requested information except for the emails, as they are excluded from data access request requirements under the GDPR.
- B.** The company should decline to provide any information, as the amount of information requested is too excessive to provide in one month.
- C.** The company should not provide any information, as the company is headquartered outside of the EU.
- D.** The company should cite the need for an extension, and agree to provide the information requested in Jack's original DSAR within a period of 3 months.

**Answer:** [\(SHOW ANSWER\)](#)

### **NEW QUESTION: 66**

What type of data lies beyond the scope of the General Data Protection Regulation?

- A.** Masked
- B.** Encrypted
- C.** Anonymized
- D.** Pseudonymized

**Answer:** **C** [\(LEAVE A REPLY\)](#)

### **NEW QUESTION: 67**

#### **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.

As a result of Sam's actions, the Gummy Bear Company potentially violated Articles 33 and 34 of the GDPR and will be required to do what?

- A. Notify its Data Protection Authority about the data breach.
- B. Analyze and evaluate all of its breach notification obligations.
- C. Notify all of its customers that reside in the European Union.
- D. Analyze and evaluate the liability for customers in Ireland.

**Answer: (SHOW ANSWER)**

**NEW QUESTION: 68**

Articles 13 and 14 of the GDPR provide details on the obligation of data controllers to inform data subjects when collecting personal data. However, both articles specify an exemption for situations in which the data subject already has the information.

Which other situation would also exempt the data controller from this obligation under Article 14?

- A. When providing the information would go against a police order.
- B. When providing the information would involve a disproportionate effort
- C. When the personal data was obtained through multiple source in the public domain
- D. When the personal data was obtained 5 years before the entry into force of the GDPR

**Answer:** ([SHOW ANSWER](#))

#### **NEW QUESTION: 69**

To which of the following parties does the territorial scope of the GDPR NOT apply?

- A. All member countries party to the Treaty of Lisbon.
- B. All member countries of the European Union.
- C. All member countries of the European Economic Area.
- D. All member countries party to the Paris Agreement.

**Answer:** ([SHOW ANSWER](#))

#### **NEW QUESTION: 70**

Tanya is the Data Protection Officer for Curtains Inc., a GDPR data controller. She has recommended that the company encrypt all personal data at rest. Which GDPR principle is she following?

- A. Lawfulness, fairness and transparency
- B. Integrity and confidentiality
- C. Accuracy
- D. Storage Limitation

**Answer:** B ([LEAVE A REPLY](#))

#### **NEW QUESTION: 71**

Please use the following to answer the next question:

ProStorage is a multinational cloud storage provider headquartered in the Netherlands. Its CEO, Ruth Brown, has developed a two-pronged strategy for growth: 1) expand ProStorage's global customer base and 2) increase ProStorage's sales force by efficiently onboarding effective teams. Enacting this strategy has recently been complicated by Ruth's health condition, which has limited her working hours, as well as her ability to travel to meet potential customers. ProStorage's Human Resources department and Ruth's Chief of Staff now work together to manage her schedule and ensure that she is able to make all her medical appointments. The latter has become especially crucial after Ruth's last trip to India, where she suffered a medical emergency and was hospitalized in New Delhi. Unable to reach Ruth's family, the hospital reached out to ProStorage and was able to connect with

her Chief of Staff, who in coordination with Mary, the head of HR. provided information to the doctors based on accommodate on requests Ruth made when she started a: ProStorage Why is the additional measure recommended by Jackie sufficient for using UpFinance?

- A. UpFinance is an established 7-year-old business.
- B. UpFinance is in a highly regulated financial industry
- C. UpFinance is based in a country without surveillance laws.
- D. UpFinance implements sufficient data protection measures

**Answer: C (LEAVE A REPLY)**

#### **NEW QUESTION: 72**

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

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

**Answer: B (LEAVE A REPLY)**

#### **NEW QUESTION: 73**

The European Parliament jointly exercises legislative and budgetary functions with which of the following?

- A. The Council of the European Union.
- B. The European Commission.
- C. The Article 29 Working Party.
- D. The European Data Protection Board.

**Answer: A (LEAVE A REPLY)**

#### **NEW QUESTION: 74**

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

**Answer: C (LEAVE A REPLY)**

## **NEW QUESTION: 75**

### **SCENARIO**

Please use the following to answer the next question:

T-Craze, a German-headquartered specialty t-shirt company, was successfully selling to large German metropolitan cities. However, after a recent merger with another German-based company that was selling to a broader European market, T-Craze revamped its marketing efforts to sell to a wider audience. These efforts included a complete redesign of

its logo to reflect the recent merger, and improvements to its website meant to capture more information about visitors through the use of cookies.

T-Craze also opened various office locations throughout Europe to help expand its business. While Germany Target, a renowned marketing firm based in the Philippines, to run its latest marketing campaign. After thorough research, Right Target determined that T-Craze is most successful with customers between the ages of 18 and 22. Thus, its first campaign targeted university students in several European capitals, which yielded nearly 40% new customers for T-Craze in one quarter. Right Target also ran subsequent campaigns for T-Craze, though with much less success.

The last two campaigns included a wider demographic group and resulted in countless unsubscribe requests, including a large number in Spain. In fact, the Spanish data protection authority received a complaint from Sofia, a mid-career investment banker. Sofia was upset after receiving a marketing communication even after unsubscribing from such communications from the Right Target on behalf of T-Craze.

What is the best option for the lead regulator when responding to the Spanish supervisory authority's notice that it plans to take action regarding Sofia's complaint?

- A.** Reject, because Right Target's processing was conducted throughout Europe.
- B.** Accept, because it did not receive any complaints.
- C.** Reject, because GDPR does not allow other supervisory authorities to take action if there is a lead authority.
- D.** Accept, because GDPR permits non-lead authorities to take action for such complaints.

**Answer: C (LEAVE A REPLY)**

#### **NEW QUESTION: 76**

A company wishes to transfer personal data to a country outside of the European Union/EEA. In order to do so, they are planning an assessment of the country's laws and practices, knowing that these may impinge upon the transfer safeguards they intend to use. All of the following factors would be relevant for the company to consider EXCEPT?

- A.** The process of modernization in the third country concerned and their access to emerging technologies that rely on international transfers of personal data
- B.** Any onward transfers, such as transfers of personal data to a sub-processor in the same or another third country.
- C.** The contractual clauses between the data controller or processor established in the European Union/EEA and the recipient of the transfer established in the third country concerned
- D.** The technical, financial, and staff resources available to an authority in the third country concerned that may access the personal data to be transferred

**Answer: A (LEAVE A REPLY)**

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#### **NEW QUESTION: 77**

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 it is impossible to bypass the choices made by users in their browser settings.
- D. When users are provided with information about which cookies have been set.

**Answer: B (LEAVE A REPLY)**

#### **NEW QUESTION: 78**

When is data sharing agreement MOST likely to be needed?

- A. When anonymized data is being shared.
- B. When personal data is being shared between commercial organizations acting as joint data controllers.
- C. When personal data is being shared with a public authority with powers to require the personal data to be disclosed.
- D. When personal data is being proactively shared by a controller to support a police investigation.

**Answer: B (LEAVE A REPLY)**

#### **NEW QUESTION: 79**

Under what circumstances might the "soft opt-in" rule apply in relation to direct marketing?

- A. Where an individual's details have been obtained from a bought-in marketing list.
- B. When an individual's details are obtained from their inquiries about buying a product.
- C. Where an individual is given the ability to unsubscribe from marketing emails sent to him.
- D. When an individual has not consented to the marketing.

**Answer: (SHOW ANSWER)**

#### **NEW QUESTION: 80**

A German data subject was the victim of an embarrassing prank 20 years ago. A newspaper website published an article about the prank at the time, and the article is still available on the newspaper's website. Unfortunately, the prank is the top search result when a user searches on the victim's name. The data subject requests that SearchCo

delist this result. SearchCo agrees, and instructs its technology team to avoid scanning or indexing the article. What else must SearchCo do?

**A.** Prevent the article from being listed in search results no matter what search terms are entered into the search engine.

**B.** Identify other controllers who are processing the same information and inform them of the delisting request.

**C.** Fully erase the URL to the content, as opposed to delist which is mainly based on data subject's name.

**D.** Notify the newspaper that its article it is delisting the article.

**Answer: D (LEAVE A REPLY)**

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