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IAPP Certified Information Privacy Professional/Europe (CIPP/E) Sample Questions (Q21-Q26):

NEW QUESTION # 21
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. Immediately notify all the customers of the company that their information has been accessed by an unauthorized person.
- B. Invoke the "disproportionate effort" exception under Article 33 to postpone notifying data subjects until more information can be gathered.
- C. Notify as soon as possible the data protection supervisory authority that a data breach may have taken place.
- D. Launch an investigation and if nothing is found within one month, notify the data protection supervisory authority.

Answer: C

NEW QUESTION # 22
Pursuant to Article 4(5) of the GDPR, data is considered "pseudonymized" if?

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

Answer: B

Explanation:
Reference:
According to Article 4(5) of the GDPR, pseudonymization is "the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organizational measures to ensure that the personal data are not attributed to an identified or identifiable natural person." Therefore, option A is the correct definition of pseudonymization. Option B is incorrect because pseudonymized data can still be attributed to a person with the use of additional information. Option C is incorrect because pseudonymization does not depend on who can attribute the data to a person, but on how the data is processed. Option D is incorrect for the same reason as option C. Reference:
GDPR Article 4(5)
CIPP/E Study Guide, page 9

NEW QUESTION # 23
The European Parliament jointly exercises legislative and budgetary functions with which of the following?

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

Answer: A

NEW QUESTION # 24
SCENARIO
Please use the following to answer the next question:
TripBliss Inc. is a travel service company which has lost substantial revenue over the last few years. Their new manager, Oliver, suspects that this is partly due to the company's outdated website. After doing some research, he meets with a sales representative from the up-and-coming IT company Techiva, hoping that they can design a new, cutting-edge website for TripBliss Inc.'s

foundering business.
During negotiations, a Techiva representative describes a plan for gathering more customer information through detailed Questionaires, which could be used to tailor their preferences to specific travel destinations.
TripBliss Inc. can choose any number of data categories - age, income, ethnicity - that would help them best accomplish their goals. Oliver loves this idea, but would also like to have some way of gauging how successful this approach is, especially since the Questionaires will require customers to provide explicit consent to having their data collected. The Techiva representative suggests that they also run a program to analyze the new website's traffic, in order to get a better understanding of how customers are using it. He explains his plan to place a number of cookies on customer devices. The cookies will allow the company to collect IP addresses and other information, such as the sites from which the customers came, how much time they spend on the TripBliss Inc. website, and which pages on the site they visit. All of this information will be compiled in log files, which Techiva will analyze by means of a special program. TripBliss Inc. would receive aggregate statistics to help them evaluate the website's effectiveness. Oliver enthusiastically engages Techiva for these services.
Techiva assigns the analytics portion of the project to longtime account manager Leon Santos. As is standard practice, Leon is given administrator rights to TripBliss Inc.'s website, and can authorize access to the log files gathered from it. Unfortunately for TripBliss Inc., however, Leon is taking on this new project at a time when his dissatisfaction with Techiva is at a high point. In order to take revenge for what he feels has been unfair treatment at the hands of the company, Leon asks his friend Fred, a hobby hacker, for help. Together they come up with the following plan: Fred will hack into Techiva's system and copy their log files onto a USB stick. Despite his initial intention to send the USB to the press and to the data protection authority in order to denounce Techiva, Leon experiences a crisis of conscience and ends up reconsidering his plan. He decides instead to securely wipe all the data from the USB stick and inform his manager that the company's system of access control must be reconsidered.
If TripBliss Inc. decides not to report the incident to the supervisory authority, what would be their BEST defense?

- A. The sensitivity of the categories of data involved in the incident was not substantial enough.
- B. The resulting obligation to notify data subjects would involve disproportionate effort.
- C. The destruction of the stolen data makes any risk to the affected data subjects unlikely.
- D. The incident resulted from the actions of a third-party that were beyond their control.

Answer: C

Explanation:
According to the GDPR, data controllers must report personal data breaches to the supervisory authority without undue delay and, where feasible, not later than 72 hours after having become aware of it (Art 33 of GDPR). However, the notification is not required if the personal data breach is unlikely to result in a risk to the rights and freedoms of natural persons (Art 33(1) of GDPR). In this case, TripBliss Inc. could argue that the stolen data was securely erased by Leon before it could be disclosed to anyone else, and therefore the risk of harm to the data subjects was minimal. TripBliss Inc. would have to provide evidence of the secure deletion of the data and the absence of any copies or backups. Alternatively, TripBliss Inc. could also invoke the exception of disproportionate effort to avoid notifying the data subjects directly, but only if they have made a public communication or similar measure to inform them in an equally effective manner (Art 34(3)(b) of GDPR). The other options are not valid defenses, as they do not affect the likelihood of risk to the data subjects. The incident was not caused by a third-party, but by an employee of Techiva, who was acting as a data processor on behalf of TripBliss Inc. As the data controller, TripBliss Inc. is responsible for ensuring that the data processor provides sufficient guarantees to implement appropriate technical and organisational measures to comply with the GDPR (Art 28 of GDPR). The sensitivity of the data categories is not relevant for the notification obligation, as any personal data breach could pose a risk to the data subjects, depending on the circumstances. The GDPR does not provide a threshold for the sensitivity of the data, but rather requires a case-by-case assessment of the potential impact of the breach. References:
* GDPR, Art 33, Art 34, Art 28
* Free CIPP/E Study Guide, p. 15
* European Data Protection Law & Practice, p. 123-124
* Personal data breach notification under the GDPR

NEW QUESTION # 25
Company X has entrusted the processing of their payroll data to Provider Y. Provider Y stores this encrypted data on its server. The IT department of Provider Y finds out that someone managed to hack into the system and take a copy of the data from its server. In this scenario, whom does Provider Y have the obligation to notify?

- A. Law enforcement
- B. The supervisory authority
- C. Company X
- D. The public

Answer: A

NEW QUESTION # 26
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