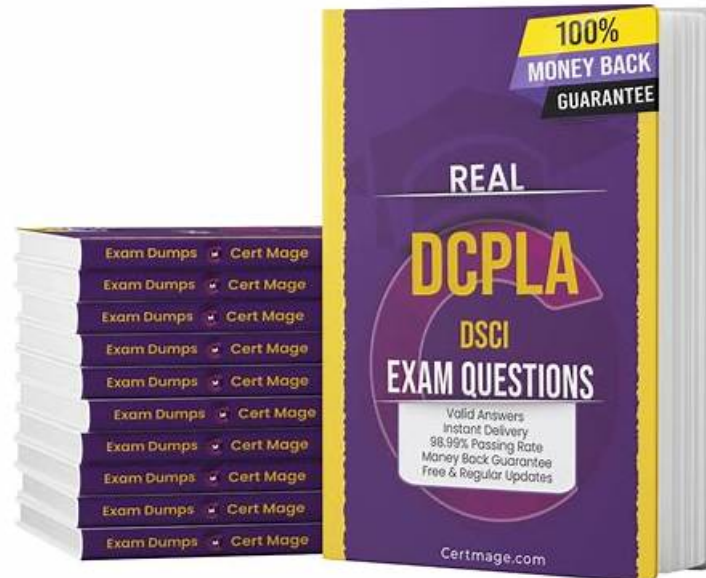


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問題 #71

Which of the following are key contributors that would enhance the complexity in implementing security measures for protection of personal information? (Choose all that apply.)

- A. Data collection through multiple modes and channels
- B. None of the above

- C. Evolution of nimble and flexible business processes affecting access management
- D. Regulatory requirements to issue privacy notice and data breach notification in specified format

答案: A,C,D

問題 #72

What is a Data Subject? (Choose all that apply.)

- A. A company providing PI of its employees for processing
- B. An individual who collects data from illegitimate sources
- C. An individual who processes the data/information of individuals for providing necessary services
- D. An individual whose data/information is processed
- E. An individual who provides his/her data/information for availing any service

答案: D,E

解題說明:

According to the DSCI Privacy Framework and aligned international frameworks such as GDPR and APEC, a "Data Subject" refers to:

"An identified or identifiable natural person to whom the personal data relates." This includes individuals whose data is being collected, held, or processed by any entity. Thus:

* A (an individual providing their data to avail a service) is a data subject because the data is about them.

* C (an individual whose data/information is processed) directly matches the definition.

Options B, D, and E refer to entities or persons involved in processing or handling the data, not the individuals to whom the data belongs.

問題 #73

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PIS

The company has a well-defined and effectively implemented security policy. As in case of access control, the security controls vary in different client relationships based on the client requirements but certain basic or hygiene security practices / controls are implemented organization wide. The consultants have advised the information security function to realign the company's security policy, risk assessment, data classification, etc to include privacy aspects. But the consultants are struggling to make information security function understand what exact changes need to be made and the security function itself is unable to figure it out.

(Note: Candidates are requested to make and state assumptions wherever appropriate to reach a definitive conclusion) Introduction and Background XYZ is a major India based IT and Business Process Management (BPM) service provider listed at BSE and NSE. It has more than 1.5 lakh employees operating in 100 offices across 30 countries. It serves more than 500 clients across industry verticals - BFSI, Retail, Government, Healthcare, Telecom among others in Americas, Europe, Asia-Pacific, Middle East and Africa. The company provides IT services including application development and maintenance, IT Infrastructure management, consulting, among others. It also offers IT products mainly for its BFSI customers.

The company is witnessing phenomenal growth in the BPM services over last few years including Finance and Accounting including credit card processing, Payroll processing, Customer support, Legal Process Outsourcing, among others and has rolled out platform based services. Most of the company's revenue comes from the US from the BFSI sector. In order to diversify its portfolio, the company is looking to expand its operations in Europe. India, too has attracted company's attention given the phenomenal increase in domestic IT spend esp. by the government through various large scale IT projects. The company is also very aggressive in the cloud and mobility space, with a strong focus on delivery of cloud services. When it comes to expanding operations in Europe, company is facing difficulties in realizing the full potential of the market because of privacy related concerns of the clients arising from the stringent regulatory requirements based on EU General Data Protection Regulation (EU GDPR).

To get better access to this market, the company decided to invest in privacy, so that it is able to provide increased assurance to potential clients in the EU and this will also benefit its US operations because privacy concerns are also on rise in the US. It will also help company leverage outsourcing opportunities in the Healthcare sector in the US which would involve protection of sensitive medical records of the US citizens.

The company believes that privacy will also be a key differentiator in the cloud business going forward. In short, privacy was taken up as a strategic initiative in the company in early 2011.

Since XYZ had an internal consulting arm, it assigned the responsibility of designing and implementing an enterprise wide privacy program to the consulting arm. The consulting arm had very good expertise in information security consulting but had limited expertise in the privacy domain. The project was to be driven by CIO's office, in close consultation with the Corporate Information Security and Legal functions.

Can you please guide the information security function to realign company's security initiatives to include privacy protection, keeping in mind that the client security requirements would vary across relationships?
(250 to 500 words)

答案:

解題說明:

See the answer in explanation below.

Explanation:

The information security function of XYZ needs to realign the company's security initiatives to include privacy protection and make sure that it meets its client's requirements. The Information Security team must understand the legal and regulatory requirements for data privacy for each region in which XYZ operates, as well as industry standards such as ISO 27001/2 or NIST 800-53. This will help ensure that the organization is complying with applicable laws and regulations, while also helping build trust with clients by demonstrating that they take privacy seriously.

The Information Security team should also identify the most important risks associated with data privacy in order to determine what additional measures need to be taken in order to protect sensitive data from misuse or loss. The team should then assess the appropriate risk management and privacy controls to ensure that the data is being managed in a secure manner. This could include encryption of sensitive data, access control measures such as role-based permissions, and regular reviews of user access rights to ensure proper security protocols are being followed.

In addition, XYZ should create an internal privacy policy which outlines its commitment to protecting the privacy of customers and employees. The policy should be reviewed periodically to ensure it meets changing regulatory requirements and industry standards. The policy must also be communicated to all staff members so they know what their responsibilities are with regards to protecting personal data.

Finally, XYZ should have a robust incident response plan in place for when breaches or unauthorized access occur. This should cover procedures for detecting, investigating, and responding to potential data breaches. It should also include measures to prevent future incidents and ensure that customer data is protected going forward.

By taking these measures, XYZ will be able to meet its client's security requirements while also demonstrating its commitment to protecting the privacy of their customers. This can help build trust with existing clients as well as new ones, making it easier for them to do business with the company. In addition, a comprehensive privacy protection program can help protect XYZ from costly legal or regulatory penalties in case of a data breach. Therefore, it is crucial for XYZ to invest in robust privacy protection initiatives in order to realize the full potential of the market.

問題 #74

A newly appointed Data Protection Officer is reviewing the organization's existing privacy policy. Which of the following would be the most critical factor for the review process?

- A. Foreseeable challenges in the effective implementation of the policy
- **B. Changes in the legal/regulatory regime**
- C. Awareness of the business units about the privacy policy
- D. Privacy policies of industry peers

答案: B

解題說明:

While several factors can influence the review of a privacy policy, changes in the legal or regulatory environment are the most critical. The DSCI Privacy Framework underscores that privacy policies must be aligned with applicable laws and standards.

A change in the legal/regulatory regime may necessitate revisions to ensure ongoing compliance and avoid legal risks. Internal awareness and peer practices are secondary considerations in comparison.

問題 #75

RCI and PCM

The Digital Personal Data protection Act 2023 has been passed recently. The Act shall be supported by subordinate Rules for various sections that will gradually bring more clarity into various aspects of the law.

First set of Rules are yet to be formulated and notified. A public sector bank has identified that it collects and processes personal data in physical documents and electronic form. The bank intends to assess its existing compliance level and proactively undertake an exercise to ensure compliance. Since this is the first time the bank is attempting to comply with a comprehensive privacy law, it has hired a legal expert in Privacy law to assist with initial assessment and compliance activities. As part of the initial visibility exercise the consultant identified that the bank collects and generates a significant amount of personal data in physical and digital form. The data may be upto 200 million customers' data. It is identified that customer onboarding is also done through various business

correspondents in the field who collect and process personal data in physical and digital form on behalf of the bank for the purpose of opening bank accounts and this data is shared with the bank through various channels. There are upto 10 business correspondent companies that have been appointed by the bank across the country for such onboarding. These companies further appoint individual contractors on the field to face the customers. The legal consultant also identified that there are a huge number of employees and contractors engaged by the bank whose personal data is being collected and processed by the bank for HR purposes including biometric based attendance. While the intent of initial assessment was the new Act, the legal consultant has also identified that the Bank collects Aadhaar numbers (voluntary submission) from customers and employees and may be subject to Aadhaar Act compliance. It also came as a surprise that the bank wasn't aware of the data breach reporting mandate by one of the regulatory bodies under the Information Technology Act 2000 and that it was a criminal offense. The Bank generally outsources all non-core activities such as call centers which are handled by an Indian BPO company and document warehousing which is handled by another company. The Bank has also moved many of its applications to a known cloud provider as part of its digital strategy and there may be data transfer aspects associated with the same. On review of various contracts with third parties it was identified that the bank has signed standard terms of the cloud provider and has signed contracts with third parties which were in standard format of the third parties. Data protection obligations are not clear or available in these contracts. Bank leadership has been of the opinion that even the third parties should comply with the laws and robust contracts on legal compliance may not be needed. The legal consultant is not just expected to help identify gaps, assist in fixing the gaps but also to help implement controls and processes to continuously comply with evolving Rules under the new Act and also manage data protection with various third parties that may be appointed in the future.

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Why the client or company failed to identify data breach earlier? (upto 250 words)

答案:

解題說明:

See the Answer in explanation below.

Explanation:

The failure to identify the data breach earlier by the public sector bank stems from multiple gaps in privacy and compliance governance, particularly under the Risk and Compliance Infrastructure (RCI) and Privacy Contract Management (PCM) practice areas:

- * The bank was unaware of the data breach reporting requirement under the Information Technology Act, 2000, highlighting lack of legal and regulatory tracking mechanisms.

- * There was no designated team or Data Protection Officer (DPO) with the responsibility to monitor evolving regulatory requirements or implement controls for breach detection and reporting.

1. Absence of Regulatory Awareness and Compliance Tracking:

- * The bank relied heavily on third-party processors (e.g., cloud providers, BPOs, business correspondents), yet contracts lacked explicit data protection clauses including breach notification requirements.

- * Standard-form contracts were signed without negotiating privacy-specific safeguards, resulting in unclear responsibilities for breach detection, response, and escalation.

2. Poor Contractual Controls with Third Parties (PCM Weakness):

* There was no structured incident response framework, no defined breach identification/escalation protocol, and likely no log monitoring or threat detection systems tied to privacy operations.

* HR and onboarding functions that process sensitive data (including Aadhaar and biometrics) lacked privacy controls, making breaches hard to trace or classify as notifiable.

3. Lack of Internal Processes for Breach Detection:

* Senior management assumed third parties are independently compliant, which reflects a lack of privacy accountability and governance.

* No periodic audits or assessments of privacy posture across internal and external systems were conducted.

4. Leadership Assumptions and Governance Gaps:

問題 #76

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