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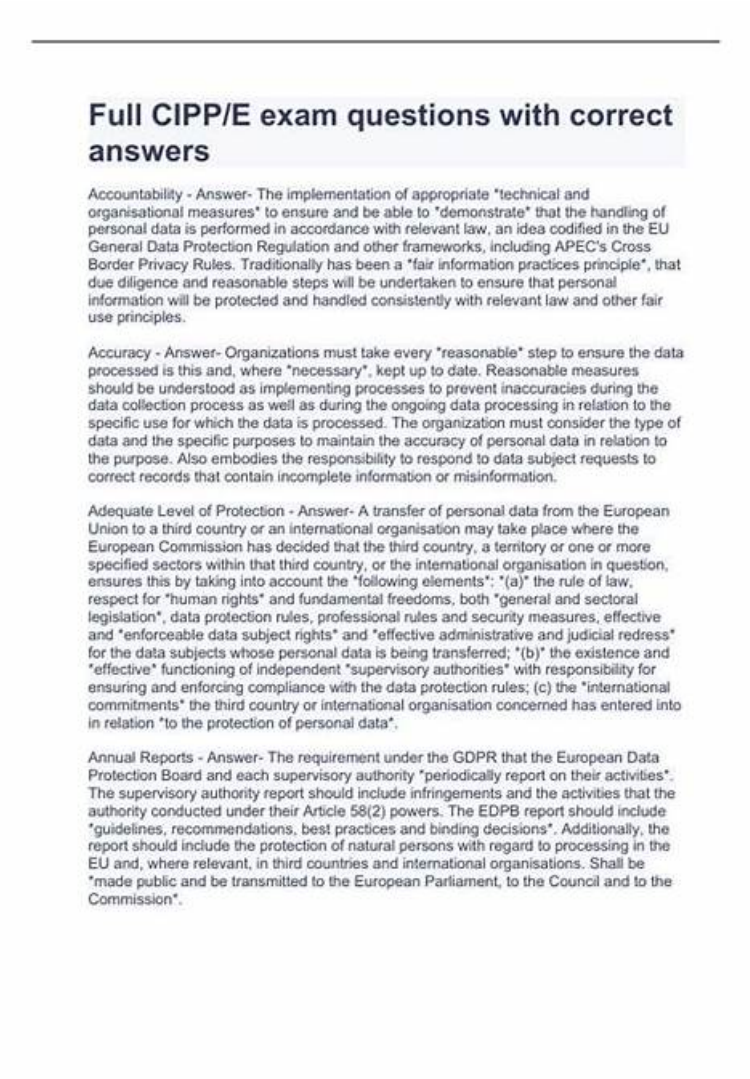

**Full CIPP/E exam questions with correct answers**

Accountability - Answer- The implementation of appropriate "technical and organisational measures" to ensure and be able to "demonstrate" that the handling of personal data is performed in accordance with relevant law, an idea codified in the EU General Data Protection Regulation and other frameworks, including APEC's Cross Border Privacy Rules. Traditionally has been a "fair information practices principle", that due diligence and reasonable steps will be undertaken to ensure that personal information will be protected and handled consistently with relevant law and other fair use principles.

Accuracy - Answer- Organizations must take every "reasonable" step to ensure the data processed is this and, where "necessary", kept up to date. Reasonable measures should be understood as implementing processes to prevent inaccuracies during the data collection process as well as during the ongoing data processing in relation to the specific use for which the data is processed. The organization must consider the type of data and the specific purposes to maintain the accuracy of personal data in relation to the purpose. Also embodies the responsibility to respond to data subject requests to correct records that contain incomplete information or misinformation.

Adequate Level of Protection - Answer- A transfer of personal data from the European Union to a third country or an international organisation may take place where the European Commission has decided that the third country, a territory or one or more specified sectors within that third country, or the international organisation in question, ensures this by taking into account the "following elements": "(a)" the rule of law, respect for "human rights" and fundamental freedoms, both "general and sectoral legislation", data protection rules, professional rules and security measures, effective and "enforceable data subject rights" and "effective administrative and judicial redress" for the data subjects whose personal data is being transferred; "(b)" the existence and "effective" functioning of independent "supervisory authorities" with responsibility for ensuring and enforcing compliance with the data protection rules; (c) the "international commitments" the third country or international organisation concerned has entered into in relation "to the protection of personal data".

Annual Reports - Answer- The requirement under the GDPR that the European Data Protection Board and each supervisory authority "periodically report on their activities". The supervisory authority report should include infringements and the activities that the authority conducted under their Article 58(2) powers. The EDPB report should include "guidelines, recommendations, best practices and binding decisions". Additionally, the report should include the protection of natural persons with regard to processing in the EU and, where relevant, in third countries and international organisations. Shall be "made public and be transmitted to the European Parliament, to the Council and to the Commission".

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IAPP CIPP/E certification exam is an essential certification for privacy professionals who work in or with organizations that operate within the EU or handle EU citizens' personal data. Certified Information Privacy Professional/Europe (CIPP/E) certification demonstrates an individual's knowledge and understanding of European data protection laws and regulations, particularly the GDPR, and is an excellent way to advance one's career in the privacy field.

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The CIPP-E certification is ideal for individuals who work with personal data in the EU, including privacy professionals, data protection officers, lawyers, consultants, and IT professionals. Certified Information Privacy Professional/Europe (CIPP/E) certification signifies that an individual is capable of providing advice and guidance on data protection compliance to organizations operating within the EU. Additionally, the CIPP-E Certification is a valuable asset for individuals who are looking to advance their career in the field of data protection and privacy. It is a testament to an individual's commitment to privacy and demonstrates their expertise and competence in the field.

## IAPP Certified Information Privacy Professional/Europe (CIPP/E) Sample Questions (Q32-Q37):

**NEW QUESTION # 32**
In the event of a data breach, which type of information are data controllers NOT required to provide to either the supervisory authorities or the data subjects?

- A. The type of security safeguards used to protect the data.
- B. The contact details of the appropriate data protection officer.
- C. The predicted consequences of the breach.
- D. The measures being taken to address the breach.

**Answer: C**

Explanation:
According to the CIPP/E study guide, Article 33 of the GDPR requires data controllers to notify the supervisory authority of a personal data breach without undue delay and, where feasible, not later than 72 hours after becoming aware of it, unless the breach is unlikely to result in a risk to the rights and freedoms of natural persons1. Article 34 of the GDPR requires data controllers to communicate the personal data breach to the data subject without undue delay when the breach is likely to result in a high risk to the rights and freedoms of natural persons2. Both articles specify the minimum information that the data controller must provide to the supervisory authority and the data subject, which includes: the nature of the breach, the categories and approximate number of data subjects and personal data records concerned, the name and contact details of the data protection officer or other contact point, the likely consequences of the breach, and the measures taken or proposed to address the breach and mitigate its possible adverse effects12. However, neither article requires the data controller to disclose the type of security safeguards used to protect the data, as this information is not relevant for the purposes of notification and may even compromise the security of the data further3.
References: 1: CIPP/E study guide, page 84; Art. 33 GDPR; Guidelines 01/2021 on Examples regarding Data Breach Notification2: CIPP/E study guide, page 85; [Art. 34 GDPR]; Guidelines 01
/2021 on Examples regarding Data Breach Notification3: Personal Data Breach | European Data Protection Supervisor; What is a data breach and what do we have to do ... - European Commission.
Reference: https://www.dataprotection.ie/en/organisations/know-your-obligations/data-protection-impact- assessments

**NEW QUESTION # 33**
SCENARIO
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 m New Delhi Unable to reach Ruths 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 was Jackie correct in not completing a transfer impact assessment for HRYourWay?

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

**Answer: A**

**NEW QUESTION # 34**
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. Incident detection and response.
- B. Consent management and withdrawal.
- C. Preventative security.
- D. Remedial security.

**Answer: B**

Explanation:
A . Consent management and withdrawal. Article 32 of the GDPR requires the controller and the processor to implement appropriate technical and organizational measures to ensure a level of security appropriate to the risk of the processing. These measures should take into account the state of the art, the costs of implementation, the nature, scope, context and purposes of processing, and the risks of varying likelihood and severity for the rights and freedoms of natural persons. The three domains of security covered by Article 32 are:
Preventative security: This refers to the measures that aim to prevent or reduce the likelihood of security incidents, such as unauthorized or unlawful access, disclosure, alteration, loss or destruction of personal data. Examples of preventative security measures include encryption, pseudonymization, access control, firewalls, antivirus software, etc.
Incident detection and response: This refers to the measures that aim to detect, analyze, contain, eradicate and recover from security incidents, as well as to notify the relevant authorities and data subjects, and to document the facts and actions taken. Examples of incident detection and response measures include security monitoring, logging, auditing, incident response plans, breach notification procedures, etc.
Remedial security: This refers to the measures that aim to restore the availability and access to personal data in a timely manner in the event of a physical or technical incident, as well as to mitigate the adverse effects of security incidents on the data subjects. Examples of remedial security measures include backup, disaster recovery, business continuity, compensation, etc.
Consent management and withdrawal is not a domain of security covered by Article 32, but rather a requirement for the lawfulness of processing based on consent under Article 6(1)(a) and Article 7 of the GDPR. Consent management and withdrawal involves obtaining, recording, updating and revoking the consent of data subjects for specific purposes of processing, as well as informing them of their right to withdraw their consent at any time. Reference: Free CIPP/E Study Guide, page 35; CIPP/E Certification, page 17; GDPR, Article 32, Article 6(1)(a), Article 7.

**NEW QUESTION # 35**
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 Beak 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.
When Ben had the company collect additional data from its customers, the most serious violation of the GDPR occurred because the processing of the data created what?

- A. A significant risk to the customers' fundamental rights and freedoms.
- B. A significant risk due to the lack of an informed consent mechanism.
- C. An information security risk by copying the data into a new database.
- D. A potential legal liability and financial exposure from its customers.

**Answer: A**

Explanation:
According to the GDPR, personal data must be processed lawfully, fairly and in a transparent manner in relation to the data subject1. The GDPR also recognizes that the processing of special categories of personal data, such as data revealing political opinions, religious or philosophical beliefs, or data concerning health or sex life, may entail a high risk to the rights and freedoms of natural persons2. Therefore, such data can only be processed under certain conditions, such as when the data subject has given explicit consent, or when the processing is necessary for reasons of substantial public interest3.
In this scenario, Ben had the company collect additional data from its customers, including their philosophical beliefs, political opinions and marital status, without a valid legal basis or a legitimate purpose. He also copied the data of the single customers onto a separate database for his own online dating website, without informing them or obtaining their consent. This processing of special categories of personal data created a significant risk to the customers' fundamental rights and freedoms, such as their right to privacy, dignity, non-discrimination and self-determination. The customers may also suffer from identity theft, fraud, harassment, or unwanted marketing as a result of the unauthorized use of their data. Therefore, Ben's actions constituted the most serious violation of the GDPR in this scenario.
Reference:
Art. 5 GDPR - Principles relating to processing of personal data
Recital 51 GDPR - Protecting sensitive personal data
Art. 9 GDPR - Processing of special categories of personal data
[Guidelines 3/2019 on processing of personal data through video devices] I hope this helps you understand the GDPR and data processing better. If you have any other questions, please feel free to ask me.

**NEW QUESTION # 36**
In the Planet 49 case, what was the man judgement of the Coon 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 the cookies do not track personal data, then pre-checked boxes are acceptable.
- C. If the ePrivacy Directive requires consent for cookies, then the GDPR's consent requirements apply.
- D. 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.

**Answer: C**

Explanation:
According to the CJEU, the ePrivacy Directive does not define the concept of consent, but refers to the GDPR for its interpretation1. Therefore, the GDPR standard of consent applies to the use of cookies and similar technologies that require consent under the ePrivacy Directive. The GDPR defines consent as any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her2. The CJEU also clarified that the consent requirements apply regardless of whether the cookies constitute personal data or not, as the ePrivacy Directive covers any information stored or accessed on the user's device1. The other options are incorrect, as the CJEU ruled that pre-checked boxes, implicit consent by scrolling, and insufficient information on the cookies do not meet the GDPR standard of consent1. References:
* Free CIPP/E Study Guide, page 14, section 2.3
* GDPR, Article 4 (11)
* ePrivacy Directive, Article 5 (3)
* Planet49: CJEU Rules on Cookie Consent
* CURIA - List of results

**NEW QUESTION # 37**

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