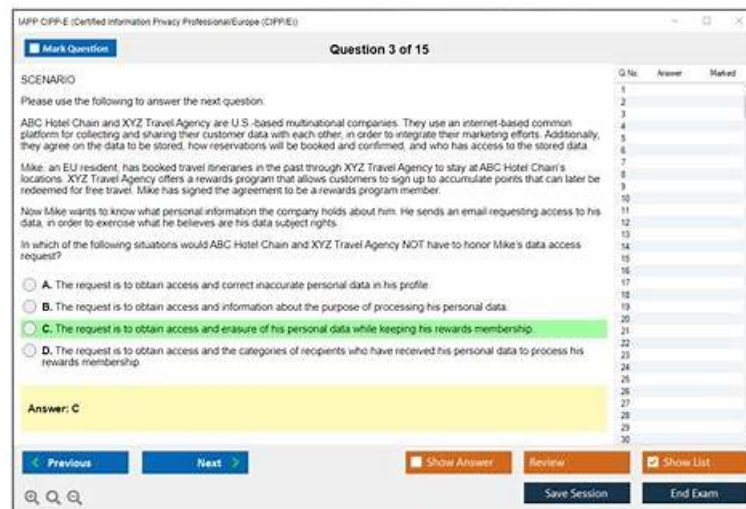


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## IAPP Certified Information Privacy Professional/Europe (CIPP/E) Sample Questions (Q208-Q213):

### NEW QUESTION # 208

The GDPR requires controllers to supply data subjects with detailed information about the processing of their data. Where a controller obtains data directly from data subjects, which of the following items of information does NOT legally have to be supplied?

- A. The recipients or categories of recipients.
- B. The right to lodge a complaint with a supervisory authority.
- C. The rights of access, erasure, restriction, and portability.
- D. The categories of personal data concerned.

**Answer: D**

### NEW QUESTION # 209

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.

The data transfer mechanism that Alice drafted violates the GDPR because the company did not first get approval from?

- A. The Data Protection Authority.
- B. The European Data Protection Board.
- C. The European Commission.
- D. The Court of Justice of the European Union.

**Answer: A**

### NEW QUESTION # 210

#### 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.

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

**Answer: A**

#### NEW QUESTION # 211

According to the E-Commerce Directive 2000/31/EC, where is the place of "establishment" for a company providing services via an Internet website confirmed by the GDPR?

- A. Where the decisions about processing are made
- B. Where the technology supporting the website is located
- C. Where the website is accessed
- D. Where the customer's Internet service provider is located

**Answer: A**

Explanation:

According to the E-Commerce Directive 2000/31/EC, the place of establishment for a company providing services via an Internet website is the place where the service provider effectively pursues an economic activity through a fixed establishment for an indefinite period of time. The presence and use of the technical means and technologies required to provide the service do not, in themselves, constitute an establishment of the provider. The place of establishment is determined by the place where the decisions about processing are made, not by the place where the technology supporting the website is located, where the website is accessed, or where the customer's Internet service provider is located. This is confirmed by the GDPR, which applies to the processing of personal data in the context of the activities of an establishment of a controller or a processor in the EU, regardless of whether the processing takes place in the EU or not. References:

\* E-Commerce Directive 2000/31/EC, Article 2(a), Recital 191

\* GDPR, Article 3(1)2

Reference: <https://www.ohiohar.org/member-tools-benefits/publications/Ohio-Lawyer/the-european-general-data-protection-regulation-gdpr/>

#### NEW QUESTION # 212

Which of the following was the first legally binding international instrument in the area of data protection?

- A. EU Directive on Privacy and Electronic Communications.
- B. Convention 108.
- C. Universal Declaration of Human Rights.
- D. General Data Protection Regulation.

**Answer: B**

Explanation:

Reference <https://www.coe.int/en/web/data-protection/convention108/background>

#### NEW QUESTION # 213

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