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IAPP CIPP E

Certified Information Privacy Professional/Europe (CIPP/E)

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Question 1

Which statement is correct when considering the right to privacy under Article 8 of the European Convention on Human Rights (ECHR)?

Options:

- A. The right to privacy is an absolute right
- B. The right to privacy has to be balanced against other rights under the ECHR
- C. The right to freedom of expression under Article 10 of the ECHR will always override the right to privacy
- D. The right to privacy protects the right to hold opinions and to receive and impart ideas without interference

Answer: B

Explanation:

Reference: https://www.echr.coe.int/Documents/Guide_Art_8_ENG.pdf (15)

Question 2

What is one major goal that the OECD Guidelines, Convention 108 and the Data Protection Directive (Directive 95/46/EC) all had in common but largely failed to achieve in Europe?

Options:

- A. The establishment of a list of legitimate data processing criteria
- B. The creation of legally binding data protection principles
- C. The synchronization of approaches to data protection
- D. The restriction of cross-border data flow

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The CIPP/E certification is an excellent way for privacy professionals to demonstrate their expertise and commitment to data protection to their employers, clients, and peers. It is also an opportunity to network with other privacy professionals and stay up-to-date with the latest developments in European data protection laws and regulations.

To qualify for the CIPP-E certification, candidates must pass an exam that consists of 90 multiple-choice questions. CIPP-E exam is administered by the IAPP and is available online or in-person at testing centers around the world. CIPP-E Exam is timed and candidates have two hours to complete it. To prepare for the exam, candidates can take advantage of the IAPP's training courses, study guides, and practice exams.

The CIPP-E exam covers a range of topics related to privacy and data protection, including the GDPR (General Data Protection Regulation), EU privacy laws, cross-border data transfers, and more. CIPP-E exam is designed for individuals who work with personal data on a regular basis, such as privacy officers, data protection officers, lawyers, and IT professionals.

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IAPP Certified Information Privacy Professional/Europe (CIPP/E) Sample Questions (Q82-Q87):

NEW QUESTION # 82

Under which of the following conditions does the General Data Protection Regulation NOT apply to the processing of personal data?

- A. When the personal data is collected and then pseudonymised by the controller
- B. When the personal data is processed only in non-electronic form
- C. When the personal data is processed by an individual only for their household activities
- D. When the personal data is held by the controller but not processed for further purposes

Answer: A

Explanation:

Explanation/Reference: <https://gdpr-info.eu/art-6-gdpr/>

NEW QUESTION # 83

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

Answer: A

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 effects². 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 # 84

Which mechanism, introduced by the GDPR as a means of ensuring both compliance and transparency, allows for the possibility of personal data transfers to third countries under Article 42?

- A. Standard contractual clauses.

- B. Law enforcement requests.
- **C. Approved certifications.**
- D. Binding corporate rules.

Answer: C

Explanation:

The General Data Protection Regulation (GDPR) introduces a mechanism for personal data transfers to third countries or international organisations that do not ensure an adequate level of data protection, based on approved certifications. According to Article 42 of the GDPR, the European Commission, the European Data Protection Board (EDPB) and the national data protection authorities (DPAs) shall encourage the establishment of data protection certification mechanisms and of data protection seals and marks, for the purpose of demonstrating compliance with the GDPR of processing operations by controllers and processors. The specific needs of micro, small and medium-sized enterprises shall be taken into account.

The GDPR also provides that the certification mechanisms shall be voluntary and available via a transparent process. The certification shall be issued by the competent supervisory authority or by the certification bodies accredited by the supervisory authority or by the national accreditation body. The certification shall be valid for a maximum period of three years and may be renewed, under the same conditions, if the relevant requirements continue to be met. The certification shall be withdrawn, as the case may be, by the competent supervisory authority or by the certification bodies, where the requirements for the certification are not or are no longer met.

The GDPR further stipulates that the certification shall be issued to a controller or processor who has demonstrated, in accordance with the approved certification criteria, that the processing of personal data is in compliance with the GDPR. The certification shall specify the scope and purpose of the processing, the criteria applied and the duration of the validity of the certification. The certification shall not reduce the responsibility of the controller or the processor for compliance with the GDPR and shall not be interpreted as an endorsement of the quality or reliability of the products or services of the controller or the processor by the supervisory authority or the certification body.

The GDPR also states that the certification mechanisms shall contribute to the proper application of the GDPR, taking account of the specific features of the various processing sectors and the different risks for the rights and freedoms of data subjects. The certification mechanisms shall allow for the verification of compliance with the GDPR of processing operations by controllers and processors not established in the EU, regardless of the location of the processing. The certification mechanisms shall also provide for the possibility to demonstrate compliance with the GDPR for personal data transfers to third countries or international organisations under Article 46, which sets out the rules and requirements for the transfer of personal data to third countries or international organisations based on appropriate safeguards, such as binding corporate rules, standard contractual clauses, codes of conduct or certification mechanisms.

Reference:

GDPR, Articles 42, 43, 44, 45, 46, 47, 48 and 49.

EDPB Guidelines 1/2018 on certification and identifying certification criteria in accordance with Articles 42 and 43 of the Regulation 2016/679, pages 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15.

Free CIPP/E Study Guide, pages 9, 10, 11 and 12.

NEW QUESTION # 85

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

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

Answer: A

NEW QUESTION # 86

What is true if an employee makes an access request to his employer for any personal data held about him?

- A. The employer can automatically decline the request if it contains personal data about a third person.
- B. The employer can decline the request if the information is only held electronically.
- **C. The employer must supply any information held about an employee unless an exemption applies.**
- D. The employer must supply all the information held about the employee.

Answer: C

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