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The CIPP-E certification exam is administered by the International Association of Privacy Professionals (IAPP), which is the largest and most comprehensive global information privacy community. It is a 90-minute exam that consists of 70 multiple-choice questions. CIPP-E exam covers a wide range of topics including data protection laws, data processing principles, data subject rights,

accountability, and much more.

The CIPP/E exam is a rigorous test of knowledge and understanding of European data protection laws and regulations. It is designed to test the candidate's ability to apply the principles and concepts of data protection to real-world scenarios. CIPP-E Exam consists of 90 multiple-choice questions that cover a wide range of topics, including data protection principles, data subject rights, data breaches, and cross-border data transfers.

The CIPP/E certification exam covers various topics related to European data protection laws and regulations, including the GDPR's principles, data subjects' rights, data controllers and processors' responsibilities, data protection impact assessments, international data transfers, and enforcement and compliance. CIPP-E exam consists of 90 multiple-choice questions, and candidates have two and a half hours to complete it.

## **IAPP Certified Information Privacy Professional/Europe (CIPP/E) Sample Questions (Q31-Q36):**

### **NEW QUESTION # 31**

Which of the following elements does NOT need to be presented to a data subject in order to collect valid consent for the use of cookies?

- A. A "Reject All" cookies button.
- B. A list of cookies that may be placed.
- C. Information on the purpose of the cookies.
- **D. A "Cookies Settings" button.**

**Answer: D**

Explanation:

According to the EDPB Guidelines 05/2020 on consent under Regulation 2016/6791, valid consent for the use of cookies must meet the following conditions:

- \* It must be freely given, which means that the data subject must have a genuine choice and the ability to refuse or withdraw consent without detriment.
- \* It must be specific, which means that the data subject must give consent for each distinct purpose of the processing and for each type of cookie.
- \* It must be informed, which means that the data subject must receive clear and comprehensive information about the identity of the controller, the purposes of the processing, the types of cookies used, the duration of the cookies, and the possibility of withdrawing consent.
- \* It must be unambiguous, which means that the data subject must express their consent by a clear affirmative action, such as clicking on an "I agree" button or selecting specific settings in a cookie banner.
- \* It must be granular, which means that the data subject must be able to consent to different types of cookies separately, such as essential, functional, performance, or marketing cookies.

Therefore, a "Cookies Settings" button is not a necessary element to collect valid consent for the use of cookies, as long as the data subject can exercise their choice and preference through other means, such as a cookie banner with different options. However, a "Cookies Settings" button may be a good practice to enhance transparency and user control, as it allows the data subject to access and modify their consent settings at any time.

On the other hand, a "Reject All" cookies button is a necessary element to collect valid consent for the use of cookies, as it ensures that the data subject can freely refuse consent without detriment. A list of cookies that may be placed and information on the purpose of the cookies are also necessary elements to collect valid consent for the use of cookies, as they ensure that the data subject is informed and can give specific consent for each type of cookie.

### **NEW QUESTION # 32**

#### **SCENARIO**

Please use the following to answer the next question:

ABC Hotel Chain and XYZ Travel Agency are U.S.-based multinational companies. They use an internet-based common platform for collecting and sharing their customer data with each other, in order to integrate their marketing efforts. Additionally, they agree on the data to be stored, how reservations will be booked and confirmed, and who has access to the stored data.

Mike, an EU resident, has booked travel itineraries in the past through XYZ Travel Agency to stay at ABC Hotel Chain's locations. XYZ Travel Agency offers a rewards program that allows customers to sign up to accumulate points that can later be redeemed for free travel. Mike has signed the agreement to be a rewards program member.

Now Mike wants to know what personal information the company holds about him. He sends an email requesting access to his data, in order to exercise what he believes are his data subject rights.

In which of the following situations would ABC Hotel Chain and XYZ Travel Agency NOT have to honor Mike's data access request?

- A. The request is to obtain access and correct inaccurate personal data in his profile.
- B. The request is to obtain access and information about the purpose of processing his personal data.
- **C. The request is to obtain access and erasure of his personal data while keeping his rewards membership.**
- D. The request is to obtain access and the categories of recipients who have received his personal data to process his rewards membership.

**Answer: C**

Explanation:

According to the GDPR, the data subject has the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the following information: (a) the purposes of the processing; (b) the categories of personal data concerned; the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations; (d) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period; (e) the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing; (f) the right to lodge a complaint with a supervisory authority; (g) where the personal data are not collected from the data subject, any available information as to their source; (h) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject<sup>1</sup>. The data subject also has the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her<sup>2</sup>. Therefore, options A, B and D are valid data access requests that ABC Hotel Chain and XYZ Travel Agency have to honor, as they fall within the scope of the right of access and rectification. However, option C is not a valid data access request, as it involves the right to erasure, which is a separate right from the right of access. The right to erasure, also known as the right to be forgotten, entitles the data subject to obtain from the controller the erasure of personal data concerning him or her without undue delay and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies: (a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; (b) the data subject withdraws consent on which the processing is based according to point (a) of Article 6(1), or point (a) of Article 9(2), and where there is no other legal ground for the processing; the data subject objects to the processing pursuant to Article 21(1) and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2); (d) the personal data have been unlawfully processed; (e) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject; (f) the personal data have been collected in relation to the offer of information society services referred to in Article 8(1)<sup>3</sup>. However, the right to erasure is not absolute and does not apply where processing is necessary: (a) for exercising the right of freedom of expression and information; (b) for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; for reasons of public interest in the area of public health in accordance with points (h) and (i) of Article 9(2) as well as Article 9(3); (d) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) in so far as the right referred to in paragraph 1 is likely to render impossible or seriously impair the achievement of the objectives of that processing; or (e) for the establishment, exercise or defence of legal claims<sup>4</sup>. In this scenario, Mike's request to obtain access and erasure of his personal data while keeping his rewards membership is not a valid data access request, as it contradicts the right to erasure. If Mike wants to exercise his right to erasure, he has to withdraw his consent for the processing of his personal data by ABC Hotel Chain and XYZ Travel Agency, which means that he cannot keep his rewards membership, as it is based on the processing of his personal data. Moreover, ABC Hotel Chain and XYZ Travel Agency may have other legal grounds for retaining his personal data, such as compliance with a legal obligation or the establishment, exercise or defence of legal claims. Therefore, option C is the correct answer, as it is the only situation where ABC Hotel Chain and XYZ Travel Agency do not have to honor Mike's data access request. Reference: 1: Article 15 of the GDPR; 2: Article 16 of the GDPR; 3: Article 17(1) of the GDPR; 4: Article 17(3) of the GDPR; Free CIPP/E Study Guide, pages 33-35.

## 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 in New

Delhi Unable to reach Ruth's 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 at ProStorage. In support of Ruth's strategic goals of hiring more sales representatives, the Human Resources team is focused on improving its processes to ensure that new employees are sourced, interviewed, hired, and onboarded efficiently. To help with this, Mary identified two vendors, HRYourWay, a German based company, and InstaHR, an Australian based company. She decided to have both vendors go through ProStorage's vendor risk review process so she can work with Ruth to make the final decision. As part of the review process, Jackie, who is responsible for maintaining ProStorage's privacy program (including maintaining controller BCRs and conducting vendor risk assessments), reviewed both vendors but completed a transfer impact assessment only for InstaHR. After her review of both, Jackie boasted a more established privacy program and provided third-party attestations, whereas HRYourWay was a small vendor with minimal data protection operations.

Thus, she recommended InstaHR.

ProStorage's marketing team also worked to meet the strategic goals of the company by focusing on industries where it needed to grow its market share. To help with this, the team selected as a partner UpFinance, a US based company with deep connections to financial industry customers. During ProStorage's diligence process, Jackie from the privacy team noted in the transfer impact assessment that UpFinance implements several data protection measures including end-to-end encryption, with encryption keys held by the customer.

Notably, UpFinance has not received any government requests in its 7 years of business. Still, Jackie recommended that the contract require UpFinance to notify ProStorage if it receives a government request for personal data. UpFinance processes on its behalf prior to disclosing such data.

What transfer mechanism did ProStorage most likely rely on to transfer Ruth's medical information to the hospital?

- A. Ruth's implied consent.
- **B. Protecting the vital interest of Ruth.**
- C. Performance of a contract with Ruth.
- D. Protecting against legal liability from Ruth.

**Answer: B**

Explanation:

According to the GDPR, one of the legal bases for transferring personal data to a third country or an international organization is when the transfer is necessary for the protection of the vital interests of the data subject or of another person, where the data subject is physically or legally incapable of giving consent (Article 49(1)). This exception applies only in very limited and exceptional situations, such as life-threatening medical emergencies. In this scenario, ProStorage most likely relied on this legal basis to transfer Ruth's medical information to the hospital in India, where she suffered a medical emergency and was hospitalized. Ruth was presumably unable to give her consent due to her health condition, and the transfer of her medical information was necessary to protect her vital interests, such as her life or health. Therefore, this transfer mechanism was more appropriate than the other options, which either require consent or are not relevant to the situation.

#### NEW QUESTION # 34

Pursuant to the EDPB Guidelines 8/2022, all of the following criteria must be considered when identifying a lead supervisory authority of a controller EXCEPT?

- A. Determining if decisions on the processing are taken in another establishment in the EEA, and if that establishment has the power to implement those decisions.
- B. Determining the supervisory authority where the place of central administration of the controller is located.
- C. Determining where the controller has its place of central administration in the EEA.
- **D. Determining the supervisory authority according to what has been identified by the controller as the authority to which data subjects can lodge complaints.**

**Answer: D**

Explanation:

According to the EDPB Guidelines 8/2022, the lead supervisory authority of a controller is the supervisory authority of the main or single establishment of the controller in the EEA. The main establishment is the place where the controller has its place of central administration in the EEA, unless decisions on the purposes and means of the processing are taken in another establishment in the EEA, and that establishment has the power to implement those decisions. The controller must be able to demonstrate that such an establishment exists. The supervisory authority of the main establishment is the lead supervisory authority, regardless of what the controller has identified as the authority to which data subjects can lodge complaints. Therefore, criterion C is not relevant for identifying the lead supervisory authority of a controller.

### NEW QUESTION # 35

According to Article 14 of the GDPR, how long does a controller have to provide a data subject with necessary privacy information, if that subject's personal data has been obtained from other sources?

- A. Within a reasonable period after obtaining the personal data, but no later than one month.
- B. As soon as possible after the first communication with the data subject.
- C. As soon as possible after obtaining the personal data.
- D. Within a reasonable period after obtaining the personal data, but no later than eight weeks.

**Answer: C**

### NEW QUESTION # 36

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