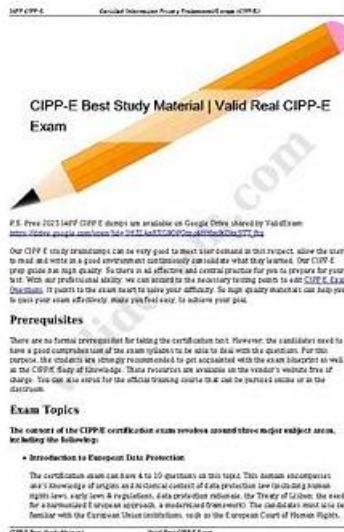


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IAPP CIPP-E (Certified Information Privacy Professional/Europe (CIPP/E)) Exam is a globally recognized certification program that aims to equip privacy professionals with the necessary knowledge and skills to effectively manage data privacy risks and compliance requirements in the European Union (EU). Certified Information Privacy Professional/Europe (CIPP/E) certification is designed for privacy professionals who are responsible for ensuring compliance with EU data protection laws and regulations, including the General Data Protection Regulation (GDPR).

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The CIPP-E Exam covers a wide range of topics related to privacy, including the legal and regulatory frameworks, data subjects' rights, data transfers, privacy impact assessments, and privacy by design. It is designed for professionals who work in the privacy industry, including privacy officers, data protection officers, privacy lawyers, and consultants.

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

NEW QUESTION # 208

SCENARIO

Please use the following to answer the next question:

Building Block Inc. is a multinational company, headquartered in Chicago with offices throughout the United States, Asia, and Europe (including Germany, Italy, France and Portugal). Last year the company was the victim of a phishing attack that resulted in a significant data breach. The executive board, in coordination with the general manager, their Privacy Office and the Information Security team, resolved to adopt additional security measures. These included training awareness programs, a cybersecurity audit, and use of a new software tool called SecurityScan, which scans employees' computers to see if they have software that is no longer being supported by a vendor and therefore not getting security updates. However, this software also provides other features, including the monitoring of employees' computers.

Since these measures would potentially impact employees, Building Block's Privacy Office decided to issue a general notice to all employees indicating that the company will implement a series of initiatives to enhance information security and prevent future data breaches.

After the implementation of these measures, server performance decreased. The general manager instructed the Security team on how to use SecurityScan to monitor employees' computers activity and their location. During these activities, the Information Security team discovered that one employee from Italy was daily connecting to a video library of movies, and another one from Germany worked remotely without authorization. The Security team reported these incidents to the Privacy Office and the general manager. In their report, the team concluded that the employee from Italy was the reason why the server performance decreased. Due to the seriousness of these infringements, the company decided to apply disciplinary measures to both employees, since the security and privacy policy of the company prohibited employees from installing software on the company's computers, and from working remotely without authorization.

In addition to notifying employees about the purpose of the monitoring, the potential uses of their data and their privacy rights, what information should Building Block have provided them before implementing the security measures?

- A. Information about how the measures are in the best interests of the company.
- B. **Information about what is specified in the employment contract.**
- C. Information about how providing consent could affect them as employees.
- D. Information about who employees should contact with any queries.

Answer: B

NEW QUESTION # 209

Which of the following is the weakest lawful basis for processing employee personal data?

- A. Processing based on fulfilling an employment contract.
- B. **Processing based on employee consent.**
- C. Processing based on legitimate interests.
- D. Processing based on legal obligation.

Answer: B

Explanation:

Reference:

According to the GDPR, consent is one of the six lawful bases for processing personal data, but it is not always the most appropriate one. Consent must be freely given, specific, informed and unambiguous, and the data subject must have the right to withdraw it at any time¹. In the context of employment, consent is often not a valid lawful basis, because there is a clear imbalance of power between the employer and the employee, which means that the consent is not freely given². Moreover, consent can be difficult to manage and document, and it can pose practical problems if the employee withdraws it. Therefore, consent is the weakest lawful basis for processing employee personal data, and employers should rely on other lawful bases, such as contract, legal obligation, vital interests, public task or legitimate interests, depending on the purpose and necessity of the processing³. Reference: 1: Article 4(11) and Article 7 of the GDPR; 2: [EDPB Guidelines], page 6; 3: A Guide to Lawful Basis for Processing Employee

Personal Data.

NEW QUESTION # 210

When does the European Data Protection Board (EDPB) recommend reevaluating whether a transfer tool is effectively providing a level of personal data protection that is in compliance with the European Union (EU) level?

- A. After a personal data breach.
- B. Every three (3) years.
- **C. On an ongoing basis.**
- D. Every year.

Answer: C

Explanation:

Reference

https://edpb.europa.eu/sites/default/files/consultation/edpb_recommendations_202001_supplementarymeasurestransfertools_en.pdf

NEW QUESTION # 211

Which statement provides an accurate description of a directive?

- A. A directive is a legal act that applies automatically and uniformly to all EU countries as soon as it enters into force.
- B. A directive has binding legal force throughout every member state and enters into force on a set date in all the member states.
- C. A directive is a legal act relating to specific cases and directed towards member states, companies or private individuals.
- **D. A directive specifies certain results that must be achieved, but each member state is free to decide how to turn it into a national law**

Answer: D

Explanation:

According to the EU glossary¹, a directive is a legal act that sets out a goal that EU countries must achieve, but leaves them the choice of form and methods to reach it. A directive is binding on the EU countries to which it is addressed, but it does not apply directly at the national level. Instead, it has to be transposed into national law by the national authorities, usually within a specified time limit. This allows for some flexibility and adaptation to the specific circumstances of each country. A directive is different from a regulation, which is a legal act that applies automatically and uniformly to all EU countries as soon as it enters into force, without needing to be transposed into national law. References:

* Free CIPP/E Study Guide, page 14, section 2.3

* Types of legislation, section 2

* What are EU directives?

NEW QUESTION # 212

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 must supply any information held about an employee unless an exemption applies.**
- C. The employer can decline the request if the information is only held electronically.
- D. The employer must supply all the information held about the employee.

Answer: B

Explanation:

According to the UK GDPR, employees have the right to access and receive a copy of their personal data, and other supplementary information, from their employer. This is known as a data subject access request (DSAR). Employers must respond to a DSAR without delay and within one month of receipt of the request, unless the request is complex or excessive. Employers should perform a reasonable search for the requested information and provide it in an accessible, concise and intelligible format. Employers can only refuse to provide the information if an exemption or restriction applies, or if the request is manifestly unfounded or excessive. Some of the exemptions that may apply in the employment context are: legal privilege, management forecasting, confidential references, negotiations, regulatory functions, and criminal convictions and offences. Employers should disclose the information securely and

inform the employee of their rights and the source of the data. References:

* Right of access | ICO

* Subject access request Q and As for employers | ICO

* Data Subject Access Request (Employers' Guide) | DavidsonMorris

NEW QUESTION # 213

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