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**CIPP/E Certification from IAPP (Questionnaire aimed at preparing for the CIPP/E (Certified Information Privacy Professional / Europe) certification from the IAPP (International Association of Privacy Professionals) Sources: - European Privacy / Law and Practice for Data Protection Professionals (E. Ustaran) - CIPP/E Prep Class (IAPP) Actual Quizzes & Ans.**

## Terms in this set (53)

Adoption year of the Universal Declaration of Human Rights	1948
Who ratified the Declaration of Human Rights	Universal General Assembly of United Nations
What is Art. 12 of Universal Declaration of Human Rights about	Privacy of family, home & correspondence Protection of law against inferences to privacy
What is Art. 19 of Universal Declaration of Human Rights about	Freedom of opinion & expression Any media, regardless of frontiers
Which Art. of Universal Declaration of Human Rights solves conflicts between Art. 12 & Art. 19 And how,	Art. 29(2) - Individual rights are NOT absolute, such as to protect freedom of others, morality, public order, etc.

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### IAPP Certified Information Privacy Professional/Europe (CIPP/E) Sample Questions (Q83-Q88):

#### NEW QUESTION # 83

Based on GDPR Article 35, which of the following situations would trigger the need to complete a DPIA?

- A. A company wants to use location data to infer information on a person's clothes purchasing habits.
- B. A company wants to combine location data with other data in order to offer more personalized service for the customer.
- **C. A company wants to build a dating app that creates candidate profiles based on location data and data from third-party sources.**
- D. A company wants to use location data to track delivery trucks in order to make the routes more efficient.

**Answer: C**

Explanation:

According to Article 35 of the GDPR, a Data Protection Impact Assessment (DPIA) is required when the processing of data is likely to result in a high risk to the rights and freedoms of natural persons, especially when using new technologies. A DPIA is supposed to show the characteristics of the processing, the risks and the measures adopted to mitigate them. The GDPR also provides some examples of processing operations that require a DPIA, such as:

- \* a systematic and extensive evaluation of personal aspects based on automated processing, including profiling, and on which decisions are based that produce legal or significant effects on the data subject;
- \* processing on a large scale of special categories of data or data relating to criminal convictions and offences; or
- \* a systematic monitoring of a publicly accessible area on a large scale.

Among the answer choices, only option C falls under the first example, as it involves a systematic and extensive evaluation of personal aspects based on location data and data from third-party sources, which could be used for profiling and matching purposes. This could have significant effects on the data subjects' privacy, personal relationships and reputation. Therefore, a DPIA would be required for this processing operation.

Option A does not necessarily involve a systematic and extensive evaluation of personal aspects, nor does it produce legal or significant effects on the data subject. It could be considered a legitimate interest of the company to offer more personalized service, as long as it respects the principles of data minimization, purpose limitation and transparency.

Option B does not involve a decision based on the processing, nor does it produce legal or significant effects on the data subject. It could be considered a form of direct marketing, which is subject to specific rules under the GDPR and the ePrivacy Directive.

Option D does not involve personal data relating to natural persons, but rather to delivery trucks. Therefore, it does not pose a high risk to the rights and freedoms of natural persons.

References:

- \* GDPR Article 35
- \* Guidelines on DPIA
- \* Art. 35 GDPR - Data protection impact assessment - GDPR.eu

#### NEW QUESTION # 84

When does the GDPR provide more latitude for a company to process data beyond its original collection purpose?

- A. When the data subject has failed to use a provided opt-out mechanism.
- B. When the data has been pseudonymized.
- **C. When the data serves legitimate interest of third parties.**
- D. When the data is protected by technological safeguards.

**Answer: C**

Explanation:  
Section: (none)

### NEW QUESTION # 85

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

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

**Answer: C**

Explanation:

Article 8 of the ECHR protects the right to respect for private and family life, home and correspondence. However, this right is not absolute and can be subject to limitations by a public authority in accordance with the law and for a legitimate aim. The European Court of Human Rights (ECtHR) has developed a two-stage test to determine whether such limitations are justified. First, the court must examine whether there is a legitimate aim pursued by the public authority, such as national security, public safety or the prevention of crime. Second, the court must assess whether the means used by the public authority are appropriate and necessary to achieve that aim, taking into account all relevant factors such as proportionality, necessity and less restrictive alternatives<sup>12</sup>.

Therefore, the right to privacy is not an absolute right but a qualified one that has to be balanced against other rights under the ECHR. Reference:

Article 8 - Protection of personal data

Your right to respect for private and family life

Right to respect for private and family life

Guide on Article 8 of the European Convention on Human Rights

European Convention on Human Rights - Article 8

### NEW QUESTION # 86

Article 5(1)(b) of the GDPR states that personal data must be "collected for specified, explicit and legitimate purposes and not further processed in a way incompatible with those purposes." Based on Article 5(1)(b), what is the impact of a member state's interpretation of the word "incompatible"?

- A. It sets the standard for the level of detail a controller must record when documenting the purpose for collecting personal data.
- **B. It indicates the degree of flexibility a controller has in using personal data in ways that may vary from its original intended purpose.**
- C. It dictates the level of security a processor must follow when using and storing personal data for two different purposes.
- D. It guides the courts on the severity of the consequences for those who are convicted of the intentional misuse of personal data.

**Answer: B**

Explanation:

The purpose limitation principle requires that personal data be collected for specified, explicit and legitimate purposes and not be further processed in a manner that is incompatible with those purposes. However, the GDPR does not provide a clear definition of what constitutes an incompatible purpose. Instead, it leaves room for interpretation by the member states, taking into account the context and circumstances of the processing.

This means that the degree of flexibility a controller has in using personal data for a new purpose may vary depending on the member state's law and guidance. Some factors that may affect the compatibility assessment include the link between the original and the new purpose, the expectations of the data subject, the nature of the data, the impact of the further processing, and the safeguards applied by the controller. References:

\* GDPR Article 5(1)(b), which states the purpose limitation principle.

\* GDPR Article 6(4), which lists the criteria for assessing the compatibility of a new purpose.

\* ICO guidance, which explains the purpose limitation principle and provides examples of compatible and incompatible purposes.

\* [EDPB guidelines], which provide further guidance on the application of the purpose limitation principle.

### NEW QUESTION # 87

Which type of personal data does the GDPR define as a "special category" of personal data?

- A. Closed Circuit Television (CCTV) footage.
- B. Financial information.
- **C. Trade-union membership.**
- D. Educational history.

**Answer: C**

Explanation:

According to Article 9 of the GDPR, special category data is personal data that needs more protection because it is sensitive. The GDPR defines 10 types of personal data as special categories, which are:

personal data revealing racial or ethnic origin;

personal data revealing political opinions;

personal data revealing religious or philosophical beliefs;

personal data revealing trade union membership;

genetic data;

biometric data (where used for identification purposes);

data concerning health;

data concerning a person's sex life; and

data concerning a person's sexual orientation.

Among the answer choices, only option B falls under one of these categories, as trade union membership is considered to reveal political opinions or beliefs. Option A, C and D are not considered as special category data, as they do not reveal any sensitive information about the data subject. However, they are still subject to the general principles and rules of the GDPR, such as lawfulness, fairness, transparency, accuracy, security, etc. Reference:

Special category data | ICO

Art. 9 GDPR Processing of special categories of personal data

Special Categories of Data - International Association of Privacy Professionals

### NEW QUESTION # 88

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