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DSCI Certified Privacy Lead Assessor DCPLA certification Sample Questions (Q86-Q91):

NEW QUESTION # 86

Which of the following are the key factors that need to be considered for determining the applicability of the privacy principles? (Choose all that apply.)

- A. Requirements stipulated by the local authorities from where the organization operating
- B. The role of the organization in determining the purpose of the data collection
- C. How and where the data is coming in the organization
- D. Organization's commitment to the external stakeholder with respect to privacy

Answer: B,C

NEW QUESTION # 87

What is the maximum compensation that can be imposed on an organization for negligence in implementing reasonable security practices as defined in Section 43A of ITAA, 2008?

- A. 15 crores or 4% of the global turnover
- B. 5 crores
- C. 5 lakhs
- D. **Uncapped compensation**

Answer: D

Explanation:

Section 43A of the Information Technology (Amendment) Act, 2008 does not prescribe a cap on the compensation amount. Instead, it states that if a body corporate fails to implement and maintain reasonable security practices and causes wrongful loss or gain, it shall be liable to pay damages by way of compensation.

The compensation is determined based on the extent of harm or damage caused, and no maximum limit is specified in the provision.

NEW QUESTION # 88

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RCI and PCM

Given its global operations, the company is exposed to multiple regulations (privacy related) across the globe and needs to comply mostly through contracts for client relationships and directly for business functions. The corporate legal team is responsible for managing the contracts and understanding, interpreting and translating the legal requirements. There is no formal tracking of regulations done. The knowledge about regulations mainly comes through interaction with the client team. In most of the contracts, the clients have simply referred to the applicable legislations without going any further in terms of their applicability and impact on the company. Since business expansion is the priority, the contracts have been signed by the company without fully understanding their applicability and impact. Incidentally, when the privacy initiatives were being rolled out, a major data breach occurred at one of the healthcare clients located in the US. The US state data protection legislation required the client to notify the data breach. During investigations, it emerged that the data breach happened because of some vulnerability in the system owned by the client but managed by the company and the breach actually happened 5 months back and came to notice now. The system was used to maintain medical records of the patients. This vulnerability had been earlier identified by a third party vulnerability assessment of the system and the closure of vulnerability was assigned to the company. The company had made the requisite changes and informed the client. The client, however, was of the view that the changes were actually not made by the company and they therefore violated the terms of contract which stated that - "the company shall deploy appropriate organizational and technology measures for protection of personal information in compliance with the XX state data protection legislation." The company could not produce necessary evidences to prove that the configuration changes were actually made by it (including when these were made).

(Note: Candidates are requested to make and state assumptions wherever appropriate to reach a definitive conclusion) Introduction and Background XYZ is a major India based IT and Business Process Management (BPM) service provider listed at BSE and NSE. It has more than 1.5 lakh employees operating in 100 offices across 30 countries. It serves more than 500 clients across industry verticals - BFSI, Retail, Government, Healthcare, Telecom among others in Americas, Europe, Asia-Pacific, Middle East and Africa. The company provides IT services including application development and maintenance, IT Infrastructure management, consulting, among others. It also offers IT products mainly for its BFSI customers.

The company is witnessing phenomenal growth in the BPM services over last few years including Finance and Accounting including credit card processing, Payroll processing, Customer support, Legal Process Outsourcing, among others and has rolled out platform based services. Most of the company's revenue comes from the US from the BFSI sector. In order to diversify its portfolio, the company is looking to expand its operations in Europe. India, too, has attracted company's attention given the phenomenal increase in domestic IT spend esp. by the government through various large scale IT projects. The company is also very aggressive in the cloud and mobility space, with a strong focus on delivery of cloud services. When it comes to expanding operations in Europe, company is facing difficulties in realizing the full potential of the market because of privacy related concerns of the clients arising from the stringent regulatory requirements based on EU General Data Protection Regulation (EU GDPR).

To get better access to this market, the company decided to invest in privacy, so that it is able to provide increased assurance to potential clients in the EU and this will also benefit its US operations because privacy concerns are also on rise in the US. It will also help company leverage outsourcing opportunities in the Healthcare sector in the US which would involve protection of sensitive medical records of the US citizens.

The company believes that privacy will also be a key differentiator in the cloud business going forward. In short, privacy was taken up as a strategic initiative in the company in early 2011.

Since XYZ had an internal consulting arm, it assigned the responsibility of designing and implementing an enterprise wide privacy program to the consulting arm. The consulting arm had very good expertise in information security consulting but had limited expertise in the privacy domain. The project was to be driven by CIO's office, in close consultation with the Corporate Information Security and Legal functions.

What should be the learning for the company going forward? What should the consultants suggest? (250 to

500 words)

Answer:

Explanation:

See the answer in explanation below.

Explanation:

The consultants should suggest a comprehensive and integrated privacy program for the company which addresses the current regulatory requirements while being proactive in anticipating any changes to these regulations. The program should be effective, flexible, cost-efficient and easy to understand and implement.

To begin with, the program should involve an assessment of all existing processes and procedures that are related to personal data processing in order to identify potential areas of risk. The potential risks along with recommended mitigating controls should then be documented in a Privacy Impact Assessment (PIA) report.

This will enable the organization to assess its compliance level against applicable regulations.

It is also important for XYZ to have strong Data Governance policies and procedures along with appropriate organizational structures and accountability mechanisms in place. This will include a Data Privacy Officer (DPO) who is responsible for overseeing the compliance program and being the point of contact for data protection supervisory authorities. The DPO should be part of the management team and report to the CIO's office as well as senior-level executives.

A consultant should also recommend data minimization, pseudonymization, encryption, and other security measures to protect personal information. In addition, they can recommend regular privacy awareness training sessions for employees, so that they are up-to-date on changes in regulations and understand how their role impacts data privacy and security. Lastly, all systems and processes should be monitored and audited to ensure compliance with relevant regulations.

As a result, consultants should provide clients in the EU and US with an integrated and comprehensive privacy program that provides the necessary assurances and protects sensitive data from unauthorized access or misuse. By leveraging outsourcing opportunities in the healthcare sector in the US, XYZ could potentially gain competitive advantage.

NEW QUESTION # 89

Who is a Data Processor?

- A. Entity that controls the data
- B. Entity that collects personal data
- **C. Entity that acts on behalf of Data Fiduciary**
- D. Entity that decides the means and purposes of processing

Answer: C

Explanation:

A Data Processor under the Digital Personal Data Protection Act, 2023 is any entity that processes personal data on behalf of a Data Fiduciary. It does not independently determine the purpose or means of processing but strictly follows the instructions of the Data Fiduciary. Therefore, D is the correct answer.

NEW QUESTION # 90

Which of the following factors is least likely to be considered while implementing or augmenting data security solution for privacy protection?

- A. Information security infrastructure up-gradation in the organization
- **B. Training and awareness program for third party organizations**
- C. Security controls deployment at the database level
- D. Classification of data type and its usage by various functions in the organization

Answer: B

Explanation:

While training third-party organizations is a relevant privacy governance function, it is not a primary technical or operational consideration when implementing data security solutions.

The other options (A, B, and C) directly relate to core security architecture, system-level controls, and data governance - all essential for privacy protection at a system level.

Hence, D is least likely to be considered in technical implementation.

NEW QUESTION # 91

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