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ACFE Certified Fraud Examiner Sample Questions (Q28-Q33):

NEW QUESTION # 28

Which of the following is NOT a requirement of the European Union's (EU) General Data Protection Regulation (GDPR)?

- A. An organization must confirm or deny that it possesses a data subject's personal data upon that individual's request
- **B. An organization must have a documented lawful basis for collecting or processing personal data.**
- C. An organization generally must notify all affected data subjects without undue delay when a high-risk data breach occurs
- D. An organization must delete a data subject's personal data automatically when the data are no longer in use.

Answer: B

NEW QUESTION # 29

Which of the following is a red flag that an entity is operating a security business without the proper license or registration?

- A. The entity's website contains detailed background information.
- **B. The agents working at the entity have criminal records.**
- C. There is an unexplained absence of customer complaints against the entity.
- D. There are justified gaps in the work history of promoters at the entity

Answer: B

NEW QUESTION # 30

Which of the following scenarios is an example of the criminal sanction known as criminal forfeiture?

- A. As part of her sentence for money laundering a defendant is sentenced to a three- to five-year term of incarceration
- B. As part of his sentence for embezzlement, a defendant is ordered to pay back his employer for the money he stole.
- C. As part of his sentence for tax evasion, a Defendant is ordered to pay a fine of \$10,000 to the government
- **D. As part of her sentence for bribery a defendant is ordered to transfer a car she received as a bribe to the government**

Answer: D

Explanation:

This question tests your knowledge of Domain 1.

In the context of Overview of the Legal System, specifically relating to criminal, the question asks about the core concepts in this area.

The correct answer is B: As part of her sentence for bribery a defendant is ordered to transfer a car she received as a bribe to the government.

This question relates to the legal system framework. Understanding the distinction between different legal systems and processes is crucial for fraud examiners. The correct answer accurately describes the relationship between different legal entities and their jurisdictions.

NEW QUESTION # 31

In most countries, it is not necessary for employers to provide notice to their employees before implementing an employee monitoring program.

- **A. False**
- B. True

Answer: A

Explanation:

According to the ACFE Fraud Examiners Manual, Law Section, particularly under Individual Rights During Examinations and Investigations in Private Actions, employee privacy rights vary by jurisdiction, but many countries require that employers provide notice before implementing monitoring programs. In numerous jurisdictions-especially those influenced by comprehensive data protection and privacy frameworks- employees have a reasonable expectation of privacy in certain communications and personal data.

The Manual explains that private-sector investigations and monitoring activities must comply with applicable labor laws, privacy statutes, and data protection regulations. In many countries, transparency is a key legal principle. Employers are commonly required to inform employees about the nature, scope, and purpose of monitoring activities, particularly when monitoring electronic communications, internet usage, or personal devices. Failure to provide such notice can expose employers to civil liability, regulatory penalties, or claims for invasion of privacy.

Although some jurisdictions allow limited monitoring without explicit notice under specific circumstances, the general rule internationally is that advance notice or a clearly communicated policy is required. Therefore, the statement that it is not necessary in most countries to provide notice before implementing an employee monitoring program is incorrect.

Accordingly, the correct answer is False.

NEW QUESTION # 32

Under the World Bank Principles for Effective Insolvency and Credit/Debtor Regimes (World Bank Principles), which of the following parties should administer the debtor's estate in liquidation bankruptcy proceedings?

- A. The debtor, supervised by an independent insolvency representative
- B. The jurisdiction's commerce department or equivalent agency
- **C. An independent insolvency representative**
- D. The creditor with the largest claim against the debtor

Answer: C

Explanation:

This question tests your knowledge of Domain 3.

In the context of Bankruptcy Fraud, specifically relating to bankruptcy, the question asks about the core concepts in this area.

The correct answer is D: An independent insolvency representative.

This question focuses on bankruptcy fraud concepts. The correct answer correctly identifies the relevant bankruptcy process, filing type, or fraud scheme. Understanding bankruptcy proceedings and the roles of various parties is essential for fraud examiners investigating these cases.

NEW QUESTION # 33

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