

Quiz 2026 IAPP CIPP-E: Reliable Certified Information Privacy Professional/Europe (CIPP/E) Formal Test



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IAPP Certified Information Privacy Professional/Europe (CIPP/E) Sample Questions (Q152-Q157):

NEW QUESTION # 152

Which of the following is NOT exempt from the material scope of the GDPR, insofar as the processing of personal data is concerned?

- A. A natural person in the course of processing purely personal or household data on behalf of a spouse who is beyond the age of majority.
- **B. A natural person in the course of a large-scale but purely personal or household activity.**
- C. A natural person in the course of activity conducted purely for a personally-owned sole proprietorship.
- D. A natural person processing data for a small-scale, purely personal or household activity.

Answer: B

Explanation:

The material scope of the GDPR is outlined in Article 21. The Regulation applies to 'processing of personal data wholly or partly by automated means and to the processing other than by automated means of personal data which form part of a filing system or are intended to form part of a filing system.'¹ However, the Regulation does not apply to the processing of personal data by a natural person in the course of a purely personal or household activity¹. This exemption is meant to protect the privacy of individuals in their private sphere and to exclude activities that have no connection with a professional or commercial activity². The exemption covers activities such as correspondence, social networking, online publication of photos or videos, and the use of online services for personal purposes². However, the exemption does not apply if the processing of personal data affects the rights and freedoms of others, such as when the data is made accessible to an indefinite number of people³. Therefore, the processing of personal data by a natural person in the course of a large-scale but purely personal or household activity is not exempt from the material scope of the GDPR, as it may have an impact on the privacy of other individuals. The other options are exempt from the material scope of the GDPR, as they involve small-scale, purely personal or household activities that do not affect the rights and freedoms of others.

Reference: 1: Article 2 of the GDPR²; Recital 18 of the GDPR³; CJEU, Case C-101/01, Lindqvist, 2003.

NEW QUESTION # 153

SCENARIO

Please use the following to answer the next question:

Outliers Inc. is a travel service company which has lost substantial revenue over the last few years. Their new manager, Jonathan, suspects that this is partly due to the company's outdated website. After doing some research, he meets with a sales representative from the up-and-coming IT company ZenFiTech, hoping that they can design a new, cutting-edge website for Outliers Inc.'s foundering business.

During negotiations, a ZenFiTech representative describes a plan for gathering more customer information through detailed questionnaires, which could be used to tailor their preferences to specific travel destinations. Outliers Inc. can choose any number of data categories - age, income, ethnicity - that would help them best accomplish their goals. Jonathan loves this idea, but would also like to have some way of gauging how successful this approach is, especially since the questionnaires will require customers to provide explicit consent to having their data collected. The ZenFiTech representative suggests that they also run a program to analyze the new website's traffic, in order to get a better understanding of how customers are using it. He explains his plan to place a number of cookies on customer devices. The cookies will allow the company to collect IP addresses and other information, such as the sites from which the customers came, how much time they spend on the Outliers Inc. website, and which pages on the site they visit. All of this information will be compiled in log files, which ZenFiTech will analyze by means of a special program. Outliers Inc. would receive aggregate statistics to help them evaluate the website's effectiveness. Jonathan enthusiastically engages ZenFiTech for these services.

If Outliers Inc. decides not to report the incident to the supervisory authority, what would be their BEST defense?

- A. The resulting obligation to notify data subjects would involve disproportionate effort.
- B. The destruction of the stolen data makes any risk to the affected data subjects unlikely.
- **C. The incident resulted from the actions of a third-party that were beyond their control.**
- D. The sensitivity of the categories of data involved in the incident was not substantial enough.

Answer: C

NEW QUESTION # 154

Under Article 21 of the GDPR, a controller must stop profiling when requested by a data subject, unless it can demonstrate compelling legitimate grounds that override the interests of the individual. In the Guidelines on Automated individual decision-making and Profiling, the WP 29 says the controller needs to do all of the following to demonstrate that it has such legitimate grounds EXCEPT?

- A. Carry out an exercise that weighs the interests of the controller and the basis for the data subject's objection.
- B. Consider the importance of the profiling to their particular objective.
- C. Consider the impact of the profiling on the data subject's interest, rights and freedoms.
- **D. Demonstrate that the profiling is for the purposes of direct marketing.**

Answer: D

Explanation:

Reference <https://gdpr-info.eu/art-21-gdpr/>

NEW QUESTION # 155

SCENARIO

Please use the following to answer the next question:

Javier is a member of the fitness club EVERFIT. This company has branches in many EU member states, but for the purposes of the GDPR maintains its primary establishment in France. Javier lives in Newry, Northern Ireland (part of the U.K.), and commutes across the border to work in Dundalk, Ireland. Two years ago while on a business trip, Javier was photographed while working out at a branch of EVERFIT in Frankfurt, Germany. At the time, Javier gave his consent to being included in the photograph, since he was told that it would be used for promotional purposes only. Since then, the photograph has been used in the club's U.K. brochures, and it features in the landing page of its U.K. website. However, the fitness club has recently fallen into disrepute due to widespread mistreatment of members at various branches of the club in several EU member states. As a result, Javier no longer feels comfortable with his photograph being publicly associated with the fitness club.

After numerous failed attempts to book an appointment with the manager of the local branch to discuss this matter, Javier sends a letter to EVERFIT requesting that his image be removed from the website and all promotional materials. Months pass and Javier, having received no acknowledgment of his request, becomes very anxious about this matter. After repeatedly failing to contact EVERFIT through alternate channels, he decides to take action against the company.

Javier contacts the U.K. Information Commissioner's Office ('ICO' - the U.K.'s supervisory authority) to lodge a complaint about this matter. The ICO, pursuant to Article 56 (3) of the GDPR, informs the CNIL (i.e. the supervisory authority of EVERFIT's main establishment) about this matter. Despite the fact that EVERFIT has an establishment in the U.K., the CNIL decides to handle the case in accordance with Article 60 of the GDPR. The CNIL liaises with the ICO, as relevant under the cooperation procedure. In light of issues amongst the supervisory authorities to reach a decision, the European Data Protection Board becomes involved and, pursuant to the consistency mechanism, issues a binding decision.

Additionally, Javier sues EVERFIT for the damages caused as a result of its failure to honor his request to have his photograph removed from the brochure and website.

Assuming that multiple EVERFIT branches across several EU countries are acting as separate data controllers, and that each of those branches were responsible for mishandling Javier's request, how may Javier proceed in order to seek compensation?

- A. He will be able to apply to the European Data Protection Board in order to determine which particular EVERFIT branch is liable for damages, based on the decision that was made by the board.
- B. He will have to sue the EVERFIT's head office in France, where EVERFIT has its main establishment.
- **C. He will be able to sue any one of the relevant EVERFIT branches, as each one may be held liable for the entire damage.**
- D. He will have to sue each EVERFIT branch so that each branch provides proportionate compensation commensurate with its contribution to the damage or distress suffered by Javier.

Answer: C

Explanation:

According to Article 82 of the GDPR, any person who has suffered material or non-material damage as a result of an infringement of the GDPR shall have the right to receive compensation from the controller or processor for the damage suffered. Any controller involved in processing shall be liable for the damage caused by processing which infringes the GDPR. Where more than one controller or processor, or both a controller and a processor, are involved in the same processing and where they are responsible for any damage caused by processing, each controller or processor shall be held liable for the entire damage in order to ensure effective compensation of the data subject. Therefore, Javier can sue any one of the EVERFIT branches that were involved in processing his personal data without his consent and in violation of his rights, and he can claim full compensation from that branch. The branch that pays the compensation can then claim back from the other branches involved in the same processing that part of the compensation corresponding to their part of responsibility for the damage. References: 1 Art. 82 GDPR - Right to compensation and liability - General Data Protection Regulation (GDPR)

NEW QUESTION # 156

A data controller appoints a data protection officer. Which of the following conditions would NOT result in an infringement of Articles 37 to 39 of the GDPR?

- A. If the data protection officer receives instructions from the data controller.
- **B. If the data protection officer lacks ISO 27001 auditor certification.**
- C. If the data protection officer also manages the marketing budget.
- D. If the data protection officer is provided by the data processor.

Answer: B

Explanation:

Reference: <https://www.itgovernance.eu/fr-lu/data-protection-officer-dpo-under-the-gdpr-lu> A data controller appointing a data protection officer who lacks ISO 27001 auditor certification would not result in an infringement of Articles 37 to 39 of the GDPR. According to Article 37 (5) of the GDPR, the data protection officer must be designated on the basis of professional qualities and, in particular, expert knowledge of data protection law and practices and the ability to fulfil the tasks referred to in Article 39 1. However, the GDPR does not specify any formal qualifications or certifications that the data protection officer must have, and leaves it to the discretion of the controller or the processor to determine the level of expertise required, depending on the complexity and sensitivity of the data processing activities 2. Therefore, the lack of ISO 27001 auditor certification, which is a standard for information security management systems, does not necessarily mean that the data protection officer is not qualified or competent for the role.

The other options are incorrect because they would result in an infringement of Articles 37 to 39 of the GDPR. According to Article 37 (6) of the GDPR, the data protection officer may be a staff member of the controller or the processor, or fulfil the tasks on the basis of a service contract 1. However, the data protection officer must be independent and report directly to the highest management level of the controller or the processor 3. Therefore, if the data protection officer is provided by the data processor, there may be a conflict of interest or a lack of autonomy, which would violate Article 38 (3) and (6) of the GDPR 4.

According to Article 38 (6) of the GDPR, the data protection officer may fulfil other tasks and duties, provided that they do not result in a conflict of interests 4. However, managing the marketing budget would likely involve a conflict of interests, as the data protection officer would have to oversee and advise on the data processing activities related to marketing, which may not be compatible with his or her role as a data protection officer 5. Therefore, if the data protection officer also manages the marketing budget, this would infringe Article 38 (6) of the GDPR 4.

According to Article 38 (3) of the GDPR, the data protection officer must not receive any instructions regarding the exercise of his or her tasks 4. The data protection officer must act in an independent manner and perform the tasks assigned by the GDPR, such as informing and advising the controller or the processor and the employees, monitoring compliance, cooperating with the supervisory authority, and acting as the contact point for data subjects and the supervisory authority 6. Therefore, if the data protection officer receives instructions from the data controller, this would infringe Article 38 (3) of the GDPR 4. References: 1: Article 37 of the GDPR 2: Guidelines on Data Protection Officers ('DPOs') 3: Article 38 (2) of the GDPR 4: Article 38 of the GDPR 5: Data protection officer (DPO) | European Commission 6: Article 39 of the GDPR

NEW QUESTION # 157

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