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IAPP Certified Information Privacy Professional/Europe (CIPP/E) Sample

Questions (Q106-Q111):

NEW QUESTION # 106

The European Data Protection Board (EDPB) recommends measures to supplement transfer tools, in order to ensure compliance with the European Union (EU) level of personal data protection. According to these recommendations, what additional actions should be taken when a transfer to a third country is based upon an adequacy decision?

- A. Monitor the ongoing validity of the data transfer mechanism.
- B. Adopt technical, contractual or organizational supplementary measures.
- C. Adopt a supplementary data transfer mechanism.
- D. **Monitor changes in the law or practice of the third country that would lower the level of protection of personal data**

Answer: D

NEW QUESTION # 107

Many businesses print their employees' photographs on building passes, so that employees can be identified by security staff. This is notwithstanding the fact that facial images potentially qualify as biometric data under the GDPR. Why would such practice be permitted?

- A. Because photographic ID is a physical security measure which is "necessary for reasons of substantial public interest".
- B. Because employees are deemed to have given their explicit consent when they agree to be photographed by their employer.
- C. **Because photographs qualify as biometric data only when they undergo a "specific technical processing".**
- D. Because use of biometric data to confirm the unique identification of data subjects benefits from an exemption.

Answer: C

Explanation:

According to Recital 51 of the GDPR, photographs are not automatically considered as biometric data, unless they are processed by a specific technical means that allows the unique identification or authentication of a natural person¹. This means that printing employees' photographs on building passes does not necessarily involve biometric data, as long as the photographs are not used for facial recognition or other similar purposes. The other options are incorrect, as they do not reflect the definition of biometric data or the conditions for processing special categories of personal data under the GDPR². Reference:

Recital 51 of the GDPR

ICO guidance on special category data

Reference <https://ess.csa.canon.com/rs/206-CLL-191/images/IAPP-Top-10-Operational-Impacts-of-GDPR.pdf?>

TC=DM&CN=CSA_OMNIA_Partners&CS=CSA&CR=T1_Gov%20GenNonProfit (11)

NEW QUESTION # 108

According to the GDPR, Article 4(14), biometric data is defined as:

"Personal data resulting from specific technical processing relating to the _____ characteristics of a natural person" Which term could NOT be placed in the above definition?

- A. Behavioral
- B. Psychological
- C. **Physical**
- D. Intellectual

Answer: C

NEW QUESTION # 109

SCENARIO

Please use the following to answer the next question:

Joe started the Gummy Bear Company in 2000 from his home in Vermont, USA. Today, it is a multi-billion- dollar candy company operating in every continent. All of the company's IT servers are located in Vermont.

This year Joe hires his son Ben to join the company and head up Project Big, which is a major marketing strategy to triple gross revenue in just 5 years. Ben graduated with a PhD in computer software from a top university. Ben decided to join his father's

company, but is also secretly working on launching a new global online dating website company called Ben Knows Best. Ben is aware that the Gummy Bear Company has millions of customers and believes that many of them might also be interested in finding their perfect match. For Project Big, Ben redesigns the company's online web portal and requires customers in the European Union and elsewhere to provide additional personal information in order to remain a customer. Project Ben begins collecting data about customers' philosophical beliefs, political opinions and marital status.

If a customer identifies as single, Ben then copies all of that customer's personal data onto a separate database for Ben Knows Best. Ben believes that he is not doing anything wrong, because he explicitly asks each customer to give their consent by requiring them to check a box before accepting their information. As Project Big is an important project, the company also hires a first year college student named Sam, who is studying computer science to help Ben out.

Ben calls out and Sam comes across the Ben Knows Best database. Sam is planning on going to Ireland over Spring Break with 10 of his friends, so he copies all of the customer information of people that reside in Ireland so that he and his friends can contact people when they are in Ireland.

Joe also hires his best friend's daughter, Alice, who just graduated from law school in the U.S., to be the company's new General Counsel. Alice has heard about the GDPR, so she does some research on it. Alice approaches Joe and informs him that she has drafted up Binding Corporate Rules for everyone in the company to follow, as it is important for the company to have in place a legal mechanism to transfer data internally from the company's operations in the European Union to the U.S.

Joe believes that Alice is doing a great job, and informs her that she will also be in-charge of handling a major lawsuit that has been brought against the company in federal court in the U.S. To prepare for the lawsuit, Alice instructs the company's IT department to make copies of the computer hard drives from the entire global sales team, including the European Union, and send everything to her so that she can review everyone's information. Alice believes that Joe will be happy that she did the first level review, as it will save the company a lot of money that would otherwise be paid to its outside law firm.

In preparing the company for its impending lawsuit, Alice's instruction to the company's IT Department violated Article 5 of the GDPR because the company failed to first do what?

- A. Inform all of its employees about the lawsuit.
- B. **Minimize the amount of data collected for the lawsuit.**
- C. Send out consent forms to all of its employees.
- D. Encrypt the data from all of its employees.

Answer: B

NEW QUESTION # 110

Which change was introduced by the 2009 amendments to the e-Privacy Directive 2002/58/EC?

- A. **A mandatory notification for personal data breaches applicable to electronic communication providers.**
- B. A voluntary notification for personal data breaches applicable to all data controllers.
- C. A mandatory notification for personal data breaches applicable to all data controllers.
- D. A voluntary notification for personal data breaches applicable to electronic communication providers.

Answer: A

Explanation:

Reference <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32009L0136>

NEW QUESTION # 111

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