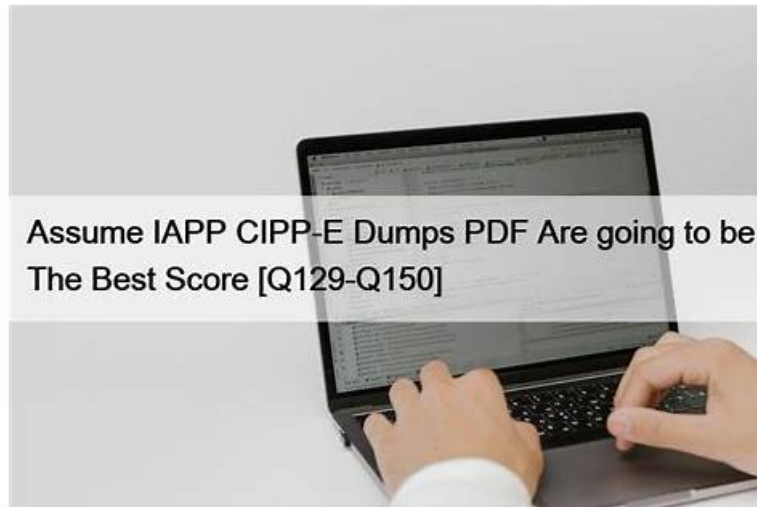


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IAPP Certified Information Privacy Professional/Europe (CIPP/E) Sample Questions (Q174-Q179):

NEW QUESTION # 174

What is the consequence if a processor makes an independent decision regarding the purposes and means of processing it carries out on behalf of a controller?

- A. The processor will be liable to pay compensation to affected data subjects
- **B. The processor will be considered to be a controller in respect of the processing concerned**
- C. The controller will be required to demonstrate that the unauthorized processing negatively affected one or more of the parties involved

- D. The controller will be liable to pay an administrative fine

Answer: B

Explanation:

According to the UK GDPR, a processor is a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller¹. A processor must act only on the documented instructions of the controller and must not process the data for its own purposes or in a way that is incompatible with the controller's purposes¹. If a processor makes an independent decision regarding the purposes and means of processing it carries out on behalf of a controller, it will be considered to be a controller in respect of that processing and will be subject to the same obligations and liabilities as a controller under the UK GDPR¹. This means that the processor will have to comply with the data protection principles, ensure the rights of data subjects, implement appropriate technical and organisational measures, report data breaches, conduct data protection impact assessments, appoint a data protection officer if required, and cooperate with the supervisory authority¹. The processor will also be exposed to the risk of administrative fines, compensation claims, and reputational damage¹. References: 1

<https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/controllers-and-processors/controllers-and-processors/what-are-controllers-and-processors/>

NEW QUESTION # 175

Which of the following is NOT an explicit right granted to data subjects under the GDPR?

- A. The right to opt-out of the sale of their personal data to third parties.
- B. The right to request the deletion of data a controller holds about them.
- **C. The right to request access to the personal data a controller holds about them.**
- D. The right to request restriction of processing of personal data, under certain scenarios.

Answer: C

Explanation:

Reference <https://www.i-scoop.eu/gdpr/data-subject-rights-gdpr/>

NEW QUESTION # 176

Please use the following to answer the next question:

Jane Stan's her new role as a Data Protection Officer (DPO) at a Malta-based company that allows anyone to buy and sell cryptocurrencies via its online platform. The company stores and processes the personal data of its customers in a dedicated data center located in Malta (EU).

People wishing to trade cryptocurrencies are required to open an online account on the platform. They then must successfully pass a KYC due diligence procedure aimed at preventing money laundering and ensuring compliance with applicable financial regulations. The non-European customers are also required to waive all their GDPR rights by reading a disclaimer written in bold and belong a checkbox on a separate page in order to get their account approved on the platform.

The customers must likewise accept the terms of service of the platform. The terms of service also include a privacy policy section, saying, among other things, that if a Are the cybersecurity assessors required to sign a data processing agreement with the company in order to comply with the GDPR"

- **A. Yes, the assessors are data processors and their processing of personal data must be governed by a separate contract or other legal act.**
- B. Yes, the assessors a-e considered to be joint data controllers and must sign a mutual data processing agreement.
- C. No, the assessors do not qualify as data processors as they do not copy the data to their facilities.
- D. No, the assessors do not qualify as data processors as they only have access to encrypted data.

Answer: A

NEW QUESTION # 177

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. Intellectual.
- B. Behavioral

- Answer: D**

Under Article 30 of the GDPR, controllers are required to keep records of all of the following EXCEPT?

- Answer: D**

Article 30 of the GDPR requires controllers and processors to maintain records of their processing activities, which include information such as the purposes of the processing, the categories of personal data, the recipients of the data, the retention periods, and the security measures¹². However, Article 30 does not require controllers to keep records of incidents of personal data breaches, whether disclosed or not. This is a separate obligation under Article 33 and Article 34, which require controllers to notify the supervisory authority and the data subjects of any personal data breach, unless the breach is unlikely to result in a risk to the rights and freedoms of natural persons³⁴. Reference: 1: Article 30 of the GDPR 2: What do we need to document under Article 30 of the UK GDPR? | ICO 3: Article 33 of the GDPR 4: Article 34 of the GDPR Section: (none) Explanation

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