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IAPP Certified Information Privacy Professional/Europe (CIPP/E) Sample Questions (Q33-Q38):

NEW QUESTION # 33

SCENARIO

Please use the following to answer the next question:

Building Block Inc. is a multinational company, headquartered in Chicago with offices throughout the United States, Asia, and Europe (including Germany, Italy, France and Portugal). Last year the company was the victim of a phishing attack that resulted in a significant data breach. The executive board, in coordination with the general manager, their Privacy Office and the Information Security team, resolved to adopt additional security measures. These included training awareness programs, a cybersecurity audit, and use of a new software tool called SecurityScan, which scans employees' computers to see if they have software that is no longer being supported by a vendor and therefore not getting security updates. However, this software also provides other features, including the monitoring of employees' computers.

Since these measures would potentially impact employees, Building Block's Privacy Office decided to issue a general notice to all employees indicating that the company will implement a series of initiatives to enhance information security and prevent future data

breaches.

After the implementation of these measures, server performance decreased. The general manager instructed the Security team on how to use SecurityScan to monitor employees' computers activity and their location.

During these activities, the Information Security team discovered that one employee from Italy was daily connecting to a video library of movies, and another one from Germany worked remotely without authorization. The Security team reported these incidents to the Privacy Office and the general manager. In their report, the team concluded that the employee from Italy was the reason why the server performance decreased.

Due to the seriousness of these infringements, the company decided to apply disciplinary measures to both employees, since the security and privacy policy of the company prohibited employees from installing software on the company's computers, and from working remotely without authorization.

To comply with the GDPR, what should Building Block have done as a first step before implementing the SecurityScan measure?

- A. Consulted with the Information Security team to weigh security measures against possible server impacts.
- **B. Distributed a more comprehensive notice to employees and received their express consent.**
- C. Consulted with the relevant data protection authority about potential privacy violations.
- D. Assessed potential privacy risks by conducting a data protection impact assessment.

Answer: B

NEW QUESTION # 34

The transparency principle is most directly related to which of the following rights?

- A. Right to restriction of processing.
- **B. Right to be informed.**
- C. Right to be forgotten.
- D. Right to object

Answer: B

Explanation:

The transparency principle, as stated in Article 5(1)(a) of the GDPR, requires that personal data be processed lawfully, fairly and in a transparent manner in relation to the data subject. This principle is closely linked to the right to be informed, as specified in Articles 13 and 14 of the GDPR, which oblige the controller to provide the data subject with certain information about the processing of their personal data, such as the identity and contact details of the controller, the purposes and legal basis of the processing, the recipients or categories of recipients of the personal data, the existence of the data subject's rights, and the retention period or criteria for the personal data. The right to be informed aims to ensure that the data subject is aware of and can verify the lawfulness of the processing, and to enable them to exercise their rights effectively. Therefore, the transparency principle is most directly related to the right to be informed. Reference:

Article 5(1)(a) of the GDPR

Article 13 of the GDPR

Article 14 of the GDPR

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NEW QUESTION # 35

What is true of both the General Data Protection Regulation (GDPR) and the Council of Europe Convention 108?

- **A. Both require notification of processing activities to a supervisory authority**
- B. Both govern the manual processing of personal data
- C. Both only apply to European Union countries
- D. Both govern international transfers of personal data

Answer: A

Explanation:

The GDPR and the Convention 108 are two important data protection instruments that aim to protect the rights and freedoms of individuals with regard to their personal data. They both have some similarities and some differences, but one common feature is that they both require notification of processing activities to a supervisory authority.

A supervisory authority is an independent public body that monitors and enforces compliance with data protection laws. In the EU,

there are 47 national data protection authorities (DPAs) that have the power to impose administrative fines, issue guidelines, conduct investigations, and cooperate with other authorities¹. In the Council of Europe, there are 54 parties to the Convention 108 that have established their own supervisory authorities or have agreed to be supervised by an external authority².

Notification of processing activities is a requirement for any controller or processor of personal data that falls under the scope of the GDPR or the Convention 108. A controller is a natural or legal person who determines the purposes and means of the processing of personal data³. A processor is a natural or legal person who processes personal data on behalf of a controller³. Notification means informing the supervisory authority about certain aspects of the processing, such as:

- * The identity and contact details of the controller and processor
- * The categories and sources of personal data
- * The purposes and legal basis for processing
- * The recipients or categories of recipients of personal data
- * The retention period or criteria for determining it
- * The existence of any automated decision-making or profiling
- * The rights of data subjects and how they can exercise them

Notification can be done in various ways, such as:

- * Submitting a written notification form
- * Publishing a notice on a website or other platform
- * Sending an email or other electronic message
- * Using an online system or portal

Notification should be done as soon as possible after becoming aware of any relevant information about the processing. It should also be updated whenever there are significant changes in relation to the processing⁴.

Therefore, both the GDPR and the Convention 108 require notification of processing activities to a supervisory authority. This is one way to ensure transparency, accountability, and compliance with data protection laws.

Reference: <https://rm.coe.int/090000168093b851>

NEW QUESTION # 36

In which of the following situations would an individual most likely be able to withdraw her consent for processing?

- A. When she disagrees with a diagnosis her doctor has recorded on her records.
- B. When she is leaving her bank and moving to another bank.
- **C. When she no longer wishes to be sent marketing materials from an organization.**
- D. When she has recently changed jobs and no longer works for the same company.

Answer: C

NEW QUESTION # 37

SCENARIO

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

Answer: B

NEW QUESTION # 38

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
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