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CIPP-E試験の準備方法 | 検証するCIPP-E PDF試験 | ユニークなCertified Information Privacy Professional/Europe (CIPP/E)復習過去問

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IAPP Certified Information Privacy Professional/Europe (CIPP/E) 認定CIPP-E 試験問題 (Q36-Q41):

質問 #36

Under what circumstances might the "soft opt-in" rule apply in relation to direct marketing?

- A. When an individual's details are obtained from their inquiries about buying a product.
- B. Where an individual is given the ability to unsubscribe from marketing emails sent to him.
- C. When an individual has not consented to the marketing.
- D. Where an individual's details have been obtained from a bought-in marketing list.

正解: A

解説:

The "soft opt-in" rule is an exception to the general requirement of obtaining consent before sending electronic mail marketing to individuals. It applies when the following conditions are met¹²:

the sender has obtained the contact details of the recipient in the context of the sale or negotiations for the sale of a product or service to that recipient; the sender only sends direct marketing relating to its own similar products or services; and the recipient has been given a simple opportunity to refuse or opt out of the marketing, both when the details were initially collected and in every subsequent message.

The option B matches these conditions, as it implies that the individual has shown an interest in buying a product from the sender, and that the sender can use the individual's details to send marketing about similar products, as long as the individual can easily opt out. The other options do not qualify for the "soft opt-in" rule, as they either involve no consent, no prior relationship, or no opt-out mechanism. Reference: Electronic mail marketing | ICO, Direct marketing rules and exceptions under the GDPR

質問 #37

In the event of a data breach, which type of information are data controllers NOT required to provide to either the supervisory authorities or the data subjects?

- A. The type of security safeguards used to protect the data.
- B. **The predicted consequences of the breach.**
- C. The contact details of the appropriate data protection officer.
- D. The measures being taken to address the breach.

正解: B

解説:

According to the CIPP/E study guide, Article 33 of the GDPR requires data controllers to notify the supervisory authority of a personal data breach without undue delay and, where feasible, not later than 72 hours after becoming aware of it, unless the breach is unlikely to result in a risk to the rights and freedoms of natural persons¹. Article 34 of the GDPR requires data controllers to communicate the personal data breach to the data subject without undue delay when the breach is likely to result in a high risk to the rights and freedoms of natural persons². Both articles specify the minimum information that the data controller must provide to the supervisory authority and the data subject, which includes: the nature of the breach, the categories and approximate number of data subjects and personal data records concerned, the name and contact details of the data protection officer or other contact point, the likely consequences of the breach, and the measures taken or proposed to address the breach and mitigate its possible adverse effects¹². However, neither article requires the data controller to disclose the type of security safeguards used to protect the data, as this information is not relevant for the purposes of notification and may even compromise the security of the data further³.

References: 1: CIPP/E study guide, page 84; Art. 33 GDPR; Guidelines 01/2021 on Examples regarding Data Breach Notification²: CIPP/E study guide, page 85; [Art. 34 GDPR]; Guidelines 01/2021 on Examples regarding Data Breach Notification³: Personal Data Breach | European Data Protection Supervisor; What is a data breach and what do we have to do ... - European Commission.

質問 #38

You have just been hired by a toy manufacturer based in Hong Kong. The company sells a broad range of dolls, action figures and plush toys that can be found internationally in a wide variety of retail stores.

Although the manufacturer has no offices outside Hong Kong and in fact does not employ any staff outside Hong Kong, it has entered into a number of local distribution contracts. The toys produced by the company can be found in all popular toy stores throughout Europe, the United States and Asia. A large portion of the company's revenue is due to international sales.

The company now wishes to launch a new range of connected toys, ones that can talk and interact with children. The CEO of the company is touting these toys as the next big thing, due to the increased possibilities offered: The figures can answer children's Questions: on various subjects, such as mathematical calculations or the weather. Each figure is equipped with a microphone and speaker and can connect to any smartphone or tablet via Bluetooth. Any mobile device within a 10-meter radius can connect to the toys via Bluetooth as well. The figures can also be associated with other figures (from the same manufacturer) and interact with each other for an enhanced play experience.

When a child asks the toy a question, the request is sent to the cloud for analysis, and the answer is generated on cloud servers and sent back to the figure. The answer is given through the figure's integrated speakers, making it appear as though that the toy is actually responding to the child's question. The packaging of the toy does not provide technical details on how this works, nor does it mention that this feature requires an internet connection. The necessary data processing for this has been outsourced to a data center located in South Africa. However, your company has not yet revised its consumer-facing privacy policy to indicate this.

In parallel, the company is planning to introduce a new range of game systems through which consumers can play the characters they acquire in the course of playing the game. The system will come bundled with a portal that includes a Near-Field Communications

(NFC) reader. This device will read an RFID tag in the action figure, making the figure come to life onscreen. Each character has its own stock features and abilities, but it is also possible to earn additional ones by accomplishing game goals. The only information stored in the tag relates to the figures' abilities. It is easy to switch characters during the game, and it is possible to bring the figure to locations outside of home and have the character's abilities remain intact.

Why is this company obligated to comply with the GDPR?

- A. The company's data center is located in a country outside the EU.
- B. The company employs staff in the EU.
- C. The company's products are marketed directly to EU customers.
- D. The company has offices in the EU.

正解：C

解説:

The company's products are marketed directly to EU customers.

質問 #39

SCENARIO

Please use the following to answer the next question:

ProStorage is a multinational cloud storage provider headquartered in the Netherlands. Its CEO, Ruth Brown, has developed a two-pronged strategy for growth: 1) expand ProStorage's global customer base and 2) increase ProStorage's sales force by efficiently onboarding effective teams. Enacting this strategy has recently been complicated by Ruth's health condition, which has limited her working hours, as well as her ability to travel to meet potential customers. ProStorage's Human Resources department and Ruth's Chief of Staff now work together to manage her schedule and ensure that she is able to make all her medical appointments. The latter has become especially crucial after Ruth's last trip to India, where she suffered a medical emergency and was hospitalized in New Delhi. Unable to reach Ruth's family, the hospital reached out to ProStorage and was able to connect with her Chief of Staff, who in coordination with Mary, the head of HR, provided information to the doctors based on accommodations Ruth made when she started at ProStorage. What transfer mechanism should Jackie recommend for using InstaHR?

- A. Binding corporate rules.
- B. Standard contractual clauses
- C. Adequacy
- D. Explicit consent of employees

正解・D

質問 #40

The Planet 49 CJEU Judgement applies to?

- A. Cookies used only by third parties.
- B. Cookies where the data accessed is considered as personal data only.
- C. Cookies regardless of whether the data accessed is personal or not.
- D. Cookies that are deemed technically necessary.

正解: C

解說：

References:

The Planet 49 CJEU Judgement applies to cookies regardless of whether the data accessed is personal or not. The Court of Justice

of the European Union (the 'CJEU') delivered this judgement on 1 October 2019, in response to a request for a preliminary ruling from the German Federal Court of Justice (the 'Bundesgerichtshof'). The case concerned the validity of consent for the use of cookies and similar technologies under the e-Privacy Directive and the GDPR.

The CJEU ruled that Article 5 (3) of the e-Privacy Directive, which requires consent for the storage of, or access to, information stored in the user's terminal equipment, applies to any information installed or accessed from an individual's device, regardless of whether it constitutes personal data or not. The Court reasoned that the aim of the provision is to protect the user from interference with his or her private sphere, which may occur irrespective of the nature of the information stored or accessed. Therefore, the consent requirement applies to all cookies and similar technologies, except for those that are strictly necessary for the provision of a service explicitly requested by the user.

The CJEU also clarified that the consent required for cookies under the e-Privacy Directive must comply with the standard of consent under the GDPR, which means that it must be freely given, specific, informed and unambiguous, and given by a clear affirmative action. The Court held that a pre-ticked checkbox does not constitute valid consent, as it does not imply active behaviour by the user. The Court also stated that the user must be provided with clear and comprehensive information about the cookies, including their duration and whether third parties will have access to them. Reference:

Planet 49 Judgment - takeaways for Cookie Monsters

The Planet 49 decision: Implications for organisations that use cookies CURIA - List of results

質問 # 41

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CIPP-E復習過去問: <https://www.mogixexam.com/CIPP-E-exam.html>

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