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IAPP CIPP-E

Certified Information Privacy Professionals/Europe (CIPP/E)

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The CIPP-E certification exam covers a range of topics related to European data protection, including the GDPR, data protection laws in Europe, data protection principles and concepts, data subject rights, and the role of data protection officers (DPOs). CIPP-E exam is designed to be challenging and requires a deep understanding of the subject matter. Candidates must be able to demonstrate their knowledge of the GDPR and apply it to real-world scenarios.

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Target Audience

The CIPP/E certification and its exam are intended for anyone who wants to demonstrate competency in the General Data Protection Regulation (GDPR) and other legislation associated with the protection of the European Union citizens. This certificate is also suitable for any individual who is currently involved in using, processing, and maintaining personal data.

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IAPP Certified Information Privacy Professional/Europe (CIPP/E) Sample Questions (Q280-Q285):

NEW QUESTION # 280

SCENARIO

Please use the following to answer the next question:

Liem, an online retailer known for its environmentally friendly shoes, has recently expanded its presence in Europe. Anxious to achieve market dominance, Liem teamed up with another eco friendly company, EcoMick, which sells accessories like belts and bags. Together the companies drew up a series of marketing campaigns designed to highlight the environmental and economic benefits of their products. After months of planning, Liem and EcoMick entered into a data sharing agreement to use the same marketing database, MarketIQ, to send the campaigns to their respective contacts.

Liem and EcoMick also entered into a data processing agreement with MarketIQ, the terms of which included processing personal data only upon Liem and EcoMick's instructions, and making available to them all information necessary to demonstrate compliance with GDPR obligations.

Liem and EcoMick then procured the services of a company called JaphSoft, a marketing optimization firm that uses machine learning to help companies run successful campaigns. Clients provide JaphSoft with the personal data of individuals they would like to be targeted in each campaign. To ensure protection of its clients' data, JaphSoft implements the technical and organizational measures it deems appropriate. JaphSoft works to continually improve its machine learning models by analyzing the data it receives from its clients to determine the most successful components of a successful campaign. JaphSoft then uses such models in providing services to its client-base. Since the models improve only over a period of time as more information is collected, JaphSoft does not have a deletion process for the data it receives from clients. However, to ensure compliance with data privacy rules, JaphSoft pseudonymizes the personal data by removing identifying information from the contact information. JaphSoft's engineers, however, maintain all contact information in the same database as the identifying information.

Under its agreement with Liem and EcoMick, JaphSoft received access to MarketIQ, which included contact information as well as prior purchase history for such contacts, to create campaigns that would result in the most views of the two companies' websites. A prior Liem customer, Ms. Iman, received a marketing campaign from JaphSoft regarding Liem's as well as EcoMick's latest products. While Ms. Iman recalls checking a box to receive information in the future regarding Liem's products, she has never shopped EcoMick, nor provided her personal data to that company.

Why would the consent provided by Ms. Iman NOT be considered valid in regard to JaphSoft?

- A. She was not told which controller would be processing her personal data.
- **B. She did not read the privacy notice stating that her personal data would be shared.**
- C. She has never made any purchases from JaphSoft and has no relationship with the company.
- D. She only viewed the visual representations of the privacy notice Liem provided.

Answer: B

Explanation:

The reason why the consent provided by Ms. Iman would not be considered valid in regard to JaphSoft is not because she did not provide her consent for her personal data to be shared with EcoMick, but because she was not told which controller would be processing her personal data. JaphSoft is a controller, as it determines the purpose and means of the processing of personal data, which is to improve its marketing optimization models and to provide better services to its customers. JaphSoft does not act only on the instructions of Liem and EcoMick, who are the original controllers of the personal data, but rather uses the data for its own benefit and interest. Therefore, JaphSoft should have obtained a separate consent from Ms. Iman, or relied on another lawful basis, such as legitimate interest, to process her personal data. Ms. Iman only gave consent to Liem, not to JaphSoft, and she was not informed that her personal data would be shared with or processed by another controller.

NEW QUESTION # 281

Article 9 of the GDPR lists exceptions to the general prohibition against processing biometric data. Which of the following is NOT one of these exceptions?

- A. The processing is explicitly consented to by the data subject and he or she is allowed by Union or Member State law to lift the prohibition.
- B. The processing is necessary for the establishment, exercise or defense of legal claims when courts are acting in a judicial capacity.
- C. The processing is necessary to protect the vital interests of the data subject when he or she is incapable of giving consent.

- **D. The processing is done by a non-profit organization and the results are disclosed outside the organization.**

Answer: D

Explanation:

Article 9 of the GDPR prohibits the processing of special category data, which includes biometric data for the purpose of uniquely identifying a natural person¹. However, there are 10 exceptions to this general prohibition, usually referred to as 'conditions for processing special category data'². These are:

- * (a) Explicit consent
- * (b) Employment, social security and social protection (if authorised by law)
- * Vital interests
- * (d) Not-for-profit bodies
- * (e) Made public by the data subject
- * (f) Legal claims and judicial acts
- * (g) Substantial public interest conditions
- * (h) Health or social care
- * (i) Public health
- * (j) Archiving, research and statistics

Option A is not one of these exceptions, and therefore it is not a valid reason to process biometric data under Article 9. Option B, C and D are all valid exceptions, as they correspond to conditions , (f) and (a) respectively. Therefore, the correct answer is A.

References:

4: Art. 9 GDPR Processing of special categories of personal data

6: What are the rules on special category data? | ICO

Reference: <https://dataprivacymanager.net/sensitive-personal-data-special-category-under-the-gdpr/>

NEW QUESTION # 282

SCENARIO

Please use the following to answer the next question:

Sandy recently joined Market4U, an advertising technology company founded in 2016, as their VP of Privacy and Data Governance. Through her first initiative in conducting a data inventory, Sandy learned that Market4U maintains a list of 19 million global contacts that were collected throughout the course of Market4U's existence. Knowing the risk of having such a large amount of data, Sandy wanted to purge all contacts that were entered into Market4U's systems prior to May 2018, unless such contacts had a more recent interaction with Market4U content. However, Dan, the VP of Sales, informed Sandy that all of the contacts provide useful information regarding successful marketing campaigns and trends in industry verticals for Market4U's clients. Dan also informed Sandy that he had wanted to focus on gaining more customers within the sports and entertainment industry. To assist with this behavior, Market4U's marketing team decided to add several new fields to Market4U's website forms, including forms for downloading white papers, creating accounts to participate in Market4U's forum, and attending events. Such fields include birth date and salary.

What is the best way that Sandy can gain the insights that Dan seeks while still minimizing risks for Market4U?

- A. Delete all data collected prior to May 2018 after conducting the trend analysis.
- B. Procure a third party to conduct the analysis and delete the data from Market4U's systems.
- C. Conduct analysis only on pseudonymized personal data.
- **D. Conduct analysis only on anonymized personal data.**

Answer: D

NEW QUESTION # 283

Which of the following is the weakest lawful basis for processing employee personal data?

- A. Processing based on legitimate interests.
- B. Processing based on legal obligation.
- C. Processing based on fulfilling an employment contract.
- **D. Processing based on employee consent.**

Answer: D

NEW QUESTION # 284

Under which of the following conditions does the General Data Protection Regulation NOT apply to the processing of personal data?

- A. When the personal data is held by the controller but not processed for further purposes
- B. When the personal data is processed by an individual only for their household activities
- C. When the personal data is processed only in non-electronic form
- **D. When the personal data is collected and then pseudonymised by the controller**

Answer: D

Explanation:

Reference <https://gdpr-info.eu/art-6-gdpr/>

NEW QUESTION # 285

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