

# CIPP-E Verified Answers, CIPP-E Test Simulator

## Full CIPP/E Exam 2023-2024 Questions and Answers 100% VERIFIED

**Accountability - ANSWER-**The implementation of appropriate "technical and organisational measures" to ensure and be able to "demonstrate" that the handling of personal data is performed in accordance with relevant law, an idea codified in the EU General Data Protection Regulation and other frameworks, including APEC's Cross Border Privacy Rules. Traditionally has been a "fair information practices principle", that due diligence and reasonable steps will be undertaken to ensure that personal information will be protected and handled consistently with relevant law and other fair use principles.

**Accuracy - ANSWER-**Organizations must take every "reasonable" step to ensure the data processed is this and, where "necessary", kept up to date. Reasonable measures should be understood as implementing processes to prevent inaccuracies during the data collection process as well as during the ongoing data processing in relation to the specific use for which the data is processed. The organization must consider the type of data and the specific purposes to maintain the accuracy of personal data in relation to the purpose. Also embodies the responsibility to respond to data subject requests to correct records that contain incomplete information or misinformation.

**Adequate Level of Protection - ANSWER-**A transfer of personal data from the European Union to a third country or an international organisation may take place where the European Commission has decided that the third country, a territory or one or more specified sectors within that third country, or the international organisation in question, ensures this by taking into account the "following elements": "(a)" the rule of law, respect for "human rights" and fundamental freedoms, both "general and sectoral legislation", data protection rules, professional rules and security measures, effective and "enforceable data subject rights" and "effective administrative and judicial redress" for the data subjects whose personal data is being transferred; "(b)" the existence and "effective" functioning of independent "supervisory authorities" with responsibility for ensuring and enforcing compliance with the data protection rules; (c) the "international commitments" the third country or international organisation concerned has entered into in relation "to the protection of personal data".

**Annual Reports - ANSWER-**The requirement under the GDPR that the European Data Protection Board and each supervisory authority "periodically report on their activities". The supervisory authority report should include infringements and the activities that the

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In addition to demonstrating expertise in privacy and data protection, a CIPP-E certification can also open up new career opportunities. Many organizations are looking for professionals who can help them navigate the complex landscape of privacy and data protection laws, and a CIPP-E certification can be a valuable credential for those seeking to advance their careers in this field.

The Certified Information Privacy Professional/Europe (CIPP/E) Certification Exam is a globally recognized certification program designed to help professionals enhance their knowledge and skills in the field of data privacy and protection in Europe. CIPP-E Exam covers a variety of topics related to the European Union's General Data Protection Regulation (GDPR) and other privacy laws and regulations in Europe. The CIPP/E certification is ideal for professionals who deal with personal data and are responsible for ensuring compliance with privacy laws in their organization.

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## **IAPP Certified Information Privacy Professional/Europe (CIPP/E) Sample Questions (Q282-Q287):**

### **NEW QUESTION # 282**

There are three domains of security covered by Article 32 of the GDPR that apply to both the controller and the processor. These include all of the following EXCEPT?

- A. Incident detection and response.
- B. Preventative security.
- C. Remedial security.
- **D. Consent management and withdrawal.**

**Answer: D**

Explanation:

A) Consent management and withdrawal. Comprehensive Explanation: Article 32 of the GDPR requires the controller and the processor to implement appropriate technical and organizational measures to ensure a level of security appropriate to the risk of the processing. These measures should take into account the state of the art, the costs of implementation, the nature, scope, context and purposes of processing, and the risks of varying likelihood and severity for the rights and freedoms of natural persons. The three domains of security covered by Article 32 are:

Preventative security: This refers to the measures that aim to prevent or reduce the likelihood of security incidents, such as unauthorized or unlawful access, disclosure, alteration, loss or destruction of personal data. Examples of preventative security measures include encryption, pseudonymization, access control, firewalls, antivirus software, etc.

Incident detection and response: This refers to the measures that aim to detect, analyze, contain, eradicate and recover from security incidents, as well as to notify the relevant authorities and data subjects, and to document the facts and actions taken. Examples of incident detection and response measures include security monitoring, logging, auditing, incident response plans, breach notification procedures, etc.

Remedial security: This refers to the measures that aim to restore the availability and access to personal data in a timely manner in the event of a physical or technical incident, as well as to mitigate the adverse effects of security incidents on the data subjects. Examples of remedial security measures include backup, disaster recovery, business continuity, compensation, etc.

Consent management and withdrawal is not a domain of security covered by Article 32, but rather a requirement for the lawfulness of processing based on consent under Article 6(1)(a) and Article 7 of the GDPR. Consent management and withdrawal involves obtaining, recording, updating and revoking the consent of data subjects for specific purposes of processing, as well as informing them of their right to withdraw their consent at any time. Reference: Free CIPP/E Study Guide, page 35; CIPP/E Certification, page 17; GDPR, Article 32, Article 6(1)(a), Article 7.

### **NEW QUESTION # 283**

Under the GDPR, where personal data is not obtained directly from the data subject, a controller is exempt from directly providing information about processing to the data subject if?

- A. The processing of the data subject's data is protected by appropriate technical measures
- B. The provision of such information to the data subject would be too problematic
- C. Third-party data would be disclosed by providing such information to the data subject
- **D. The data subject already has information regarding how his data will be used**

**Answer: D**

Explanation:

According to Article 14 of the GDPR, where personal data is not obtained directly from the data subject, the controller must provide the data subject with certain information about the processing, such as the identity of the controller, the purposes and legal basis of the processing, the categories of personal data concerned, the recipients or categories of recipients of the personal data, and the rights of the data subject<sup>12</sup>. However, there are some exceptions to this obligation, as specified in Article 14(5). One of them is when the provision of such information proves impossible or would involve a disproportionate effort, in particular for processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, subject to the conditions and safeguards referred to in Article 89(1) or in so far as the obligation is likely to render impossible or seriously impair the achievement of the objectives of that processing<sup>12</sup>. In such cases, the controller must take appropriate measures to protect the data subject's rights and freedoms and legitimate interests, including making the information publicly available<sup>12</sup>. References: CIPP/E Certification - International Association of Privacy Professionals, Free CIPP/E Study Guide - International Association of Privacy Professionals, GDPR - EUR-Lex, Right to be Informed - General Data Protection Regulation (GDPR) Reference: <https://dataprivacymanager.net/gdpr-exemptions-from-the-obligation-to-provide-information-to-the-individual-data-subject/>

#### **NEW QUESTION # 284**

How is the retention of communications traffic data for law enforcement purposes addressed by European data protection law?

- **A. The ePrivacy Directive harmonizes EU member states' rules concerning such data retention.**
- B. The GDPR allows the retention of such data for the prevention, investigation, detection or prosecution of criminal offences only.
- C. The Data Retention Directive's annulment makes such data retention now permissible.
- D. The ePrivacy Directive allows individual EU member states to engage in such data retention.

**Answer: A**

Explanation:

The ePrivacy Directive is a European Union (EU) directive that aims to protect the confidentiality of electronic communications and prevent their indiscriminate interception or monitoring. It was adopted in 2002 and amended in 2009. It applies to all providers of electronic communication services, such as internet service providers, mobile network operators, and online platforms<sup>12</sup>.

One of the main objectives of the ePrivacy Directive is to ensure that the retention of communications traffic data for law enforcement purposes is subject to strict conditions and safeguards. Communications traffic data refers to any information relating to the transmission or routing of electronic communications, such as IP addresses, timestamps, and metadata<sup>3</sup>. Such data can be used by competent national authorities for the prevention, investigation, detection or prosecution of criminal offences and safeguarding national security<sup>4</sup>.

However, the ePrivacy Directive does not allow individual EU member states to engage in such data retention without harmonizing their rules. Article 6(1)(b) of the directive states that "Member States shall ensure that any measures taken by them in relation to the retention of traffic data are consistent with this Directive". Therefore, each EU member state must adopt a national law that complies with the requirements and limitations set by the directive<sup>12</sup>.

The Data Retention Directive (DRD) was a previous EU directive that aimed to establish a common framework for the retention of communications traffic data for law enforcement purposes across all EU member states. It was adopted in 2006 and amended in 2010. However, it was annulled by the Court of Justice of the European Union (CJEU) in 2014 on procedural grounds. The CJEU found that some provisions of the DRD were inconsistent with other EU directives and principles, such as Article 8(2) of the Charter of Fundamental Rights (CFR), which protects individuals from arbitrary interference with their privacy<sup>56</sup>.

The GDPR is a new EU regulation that implements some aspects of the DRD into national law through its provisions on processing personal data. However, it does not address directly the issue of communications traffic data retention for law enforcement purposes. Instead, it requires providers to implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk involved in processing personal data. These measures include encryption, pseudonymisation, access control, and accountability<sup>7</sup>. The GDPR also grants individuals certain rights regarding their personal data, such as access, rectification, erasure, portability, and objection<sup>7</sup>.

Therefore, under current EU law, there is no single legal basis for retaining communications traffic data for law enforcement purposes across all EU member states. Each member state must adopt its own national law that respects the principles and limitations established by the ePrivacy Directive.

Reference:

ePrivacy Directive

ePrivacy Regulation

What is Communications Traffic Data?

How is Communications Traffic Data Retained?

Data Retention Directive  
Data Retention Directive annulled by CJEU  
General Data Protection Regulation  
What are your rights regarding your personal data?

#### NEW QUESTION # 285

According to Article 14 of the GDPR, how long does a controller have to provide a data subject with necessary privacy information, if that subject's personal data has been obtained from other sources?

- A. Within a reasonable period after obtaining the personal data, but no later than eight weeks.
- B. As soon as possible after obtaining the personal data.
- C. As soon as possible after the first communication with the data subject.
- **D. Within a reasonable period after obtaining the personal data, but no later than one month.**

**Answer: D**

Explanation:

According to Article 14 of the GDPR, if the controller obtains personal data from other sources, such as third parties or publicly accessible sources, the controller must provide the data subject with the necessary privacy information, such as the identity and contact details of the controller, the purposes and legal basis of the processing, the categories of personal data concerned, the recipients or categories of recipients of the personal data, and the rights of the data subject. The controller must provide this information within a reasonable period after obtaining the personal data, but no later than one month, having regard to the specific circumstances in which the personal data are processed. However, there are some exceptions to this rule, such as if the data subject already has the information, if the provision of the information proves impossible or would involve a disproportionate effort, if the obtaining or disclosure of the data is expressly laid down by EU or member state law, or if the personal data must remain confidential subject to an obligation of professional secrecy<sup>12</sup>. References:

- \* GDPR, Article 14
- \* Free CIPP/E Study Guide, page 19, section 2.5.1
- \* CIPP/E Certification, page 14, section 1.2.1
- \* Art. 14 GDPR - Information to be provided where personal data have not been obtained from the data subject
- \* Article 14 GDPR - GDPRhub

#### NEW QUESTION # 286

Which failing of Privacy Shield, cited by the CJEU as a reason for its invalidation, is the Trans-Atlantic Data Privacy Framework intended to address?

- A. Right of Action.
- **B. Necessity.**
- C. Data Subject Rights.
- D. Consent.

**Answer: B**

Explanation:

One of the main reasons why the CJEU invalidated the Privacy Shield was that it found that the US surveillance programs were not limited to what is strictly necessary and proportionate, as required by the EU law. The CJEU also criticized the lack of effective judicial remedies for EU data subjects whose data was accessed by US authorities. The Trans-Atlantic Data Privacy Framework is intended to address these issues by introducing new safeguards to ensure that signals intelligence activities are necessary and proportionate in the pursuit of defined national security objectives, and by creating a new mechanism for EU individuals to seek redress if they believe they are unlawfully targeted by signals intelligence activities. The Framework also enhances the oversight and transparency of US surveillance practices.

#### NEW QUESTION # 287

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