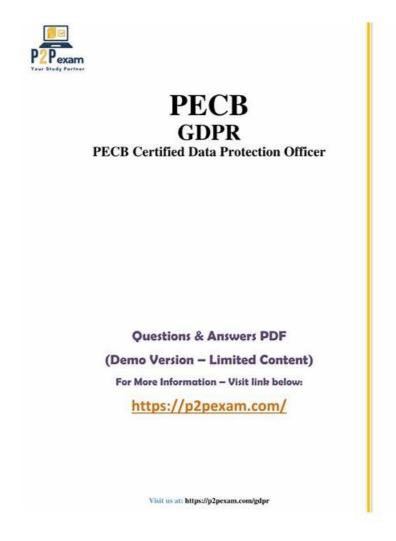
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PECB Certified Data Protection Officer Sample Questions (Q56-Q61):

NEW QUESTION #56

Question:

Which of the following scenarios does NOT require conducting a DPIA?

- A. When an organization installs AI-driven video analytics to track employees' work patterns.
- B. When ahospital collects and processes genetic and health data of its patients.
- C. When an organization collects public social media profiles for ad personalization.
- D. When an organization processes datato comply with legal obligation sunder applicable Union law.

Answer: D

Explanation:

Under Article 35(1) of GDPR, aDPIA is not required when processing is based on a legal obligation under EU or national law.

- * Option A is correctbecauselegal obligations provide a lawful basis for processing, making DPIAs unnecessary unless explicitly required by law.
- * Option B is incorrectbecausehealth and genetic data are special categories of data, requiring a DPIA under Article 35(3)(b).
- * Option C is incorrectbecause profiling and behavioral analysis require a DPIA, as perArticle 35(3) (a).
- * Option D is incorrectbecauseworkplace surveillance with AI requires a DPIA, as it involves automated monitoring. References:
- * GDPR Article 35(1)(DPIA requirement for high-risk processing)
- * Recital 91(Health data and large-scale profiling require DPIAs)

NEW QUESTION #57

Question:

Based on Article 58 of GDPR, what powers must the supervisory authority have?

- A. Toappoint a single DPOin a group of undertakings.
- B. Toassign the tasks of the controller or the processorand monitor their implementation.
- C. Toapprove all privacy policies before they are implemented.
- D. Toobtain access to any premises of the controller and processor, including data processing equipment.

Answer: D

Explanation:

Under Article 58 of GDPR, supervisory authorities have investigative and corrective powers, including the ability to access premises and equipmentused for personal data processing.

- * Option B is correctbecausesupervisory authorities can investigate controllers and processors, including accessing IT systems.
- * Option A is incorrectbecausesupervisory authorities do not appoint DPOs; controllers and processors must do this themselves.
- * Option C is incorrectbecausesupervisory authorities do not manage controllers' or processors' tasks.
- * Option D is incorrectbecausesupervisory authorities do not pre-approve privacy policies.

References:

- * GDPR Article 58(1)(f)(Supervisory authorities can access premises and data)
- * Recital 129(Authorities must have investigation powers)

NEW QUESTION #58

Scenario5:

Recpond is a German employment recruiting company. Their services are delivered globally and include consulting and staffing solutions. In the beginning. Recpond provided its services through an office in Germany. Today, they have grown to become one of the largest recruiting agencies, providing employment to more than 500,000 people around the world. Recpond receives most applications through its website. Job searchers are required to provide the job title and location. Then, a list of job opportunities is provided. When a job position is selected, candidates are required to provide their contact details and professional work experience records. During the process, they are informed that the information will be used only for the purposes and period determined by Recpond. Recpond's experts analyze candidates' profiles and applications and choose the candidates that are suitable for the job position. The list of the selected candidates is then delivered to Recpond's clients, who proceed with the recruitment process. Files of candidates that are not selected are stored in Recpond's databases, including the personal data of candidates who withdraw the consent on which the processing was based. When the GDPR came into force, the company was unprepared.

The top management appointed a DPO and consulted him for all data protection issues. The DPO, on the other hand, reported the progress of all data protection activities to the topmanagement. Considering the level of sensitivity of the personal data processed by Recpond, the DPO did not have direct access to the personal data of all clients, unless the top management deemed it necessary. The DPO planned the GDPR implementation by initially analyzing the applicable GDPR requirements. Recpond, on the other hand, initiated a risk assessment to understand the risks associated with processing operations. The risk assessment was conducted based on common risks that employment recruiting companies face. After analyzing different risk scenarios, the level of risk was determined and evaluated. The results were presented to the DPO, who then decided to analyze only the risks that have a greater impact on the company. The DPO concluded that the cost required for treating most of the identified risks was higher than simply accepting them. Based on this analysis, the DPO decided to accept the actual level of the identified risks. After reviewing policies and procedures of the company. Recpond established a new data protection policy. As proposed by the DPO, the information security policy was also updated. These changes were then communicated to all employees of Recpond. Based on this scenario, answer the following question:

Question:

Which statement regarding thematerial scope of the GDPRisincorrect?

- A. The GDPR applies to the processing of personal datawholly or partly by automated means.
- B. The GDPR applies to the processing of personal databy a company established in the EEA, even if the data subjects are located outside the EEA.
- C. The GDPR applies to the processing of personal datain the course of an activity that falls outside the scope of Union law.
- D. The GDPR does not apply to the processing of personal databy Member States when carrying out activities that fall within the scope of the Treaty on European Union (TEU).

Answer: C

Explanation:

Thematerial scope of the GDPR is outlined in Article 2. It applies to the processing of personal databy automated means and to non-automated processing if the datais part of a filing system. The GDPR does not apply to activities outside the scope of Union law, such a snational security activities, which are excluded under Recital 16.

- * Option B is correctbecause the GDPRdoes notapply to activitiesfalling outside the scope of Union law, such as law enforcement operations covered by the Law Enforcement Directive (EU 2016/680).
- * Option A is incorrectbecauseautomated processing is explicitly covered by GDPR.
- * Option C is incorrectbecausedata processing by Member States under TEU (e.g., national security and defense) is excluded.
- * Option D is incorrectbecause GDPRapplies to controllers/processors established in the EEA, even if data subjects are outside the EEA (Article 3(1)).

References:

- * GDPR Article 2(2)(a)(Exclusion of activities outside EU law)
- * GDPR Article 3(1)(Territorial scope)
- * Recital 16(GDPR does not apply to national security)

NEW QUESTION #59

Question:

What is therole of the European Data Protection Board (EDPB)?

- A. Tosupervise and monitor the application of GDPR within the EU.
- B. Toconduct audits on organizations suspected of GDPR violations.
- C. Toadvise the European Commissionregarding data protection issues in the EU.
- D. Tonegotiate and adopt EU lawsas per the proposals from the European Commission.

Answer: C

Explanation:

Under Article 70 of GDPR, the EDPB is responsible for ensuring consistency in GDPR application and advising the European Commission on data protection matters.

- * Option B is correctbecausethe EDPB provides opinions and guidelines on GDPR implementation.
- * Option A is incorrectbecausesupervision and enforcement are the responsibility of national supervisory authorities, not the EDPB.
- * Option C is incorrectbecause EU laws are adopted by the European Parliament and Council, not the EDPB.
- * Option D is incorrectbecause the EDPB does not conduct audits; national data protection authorities do.

References:

- * GDPR Article 70(1)(b)(EDPB's advisory role)
- * Recital 139(EDPB ensures consistency in GDPR application)

NEW QUESTION #60

Ouestion:

What is themain purpose of conducting a DPIA?

- A. Toextensively assess the impacts of the identified risks on individuals.
- B. Tomeasure the potential consequences of the identified risks on the organization.
- C. Toeliminate all risksassociated with processing personal data.
- D. Toidentify the causes of the identified risks.

Answer: A

Explanation:

UnderArticle 35 of GDPR, a DPIA's primary goal is toassess the risks to individuals' rights and freedoms arising from data processing.

- * Option B is correctbecauseDPIAs focus on evaluating and mitigating risks to data subjects.
- * Option A is incorrectbecauseDPIAs are not just about identifying causes but about assessing and mitigating risks.
- * Option C is incorrectbecauseGDPR prioritizes risks to individuals, not just organizations.
- st Option D is incorrect because eliminating all risks is not possible-DPIAs aim to manage and minimize risks.

References:

- * GDPR Article 35(1)(DPIA requirement for high-risk processing)
- * Recital 84(DPIAs help protect individuals' rights)

NEW QUESTION #61

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