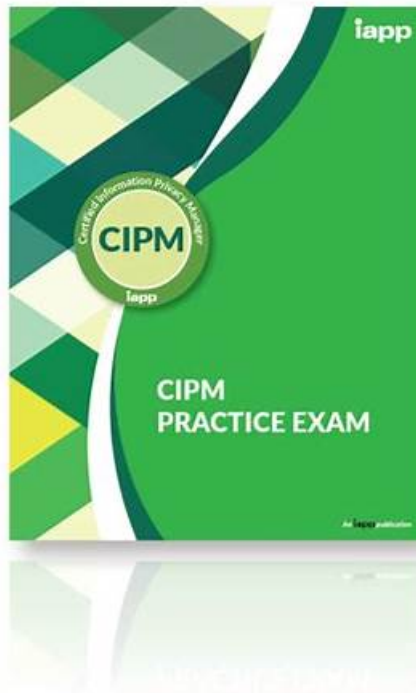


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## IAPP Certified Information Privacy Manager (CIPM) Sample Questions (Q83-Q88):

NEW QUESTION # 83

What is one reason the European Union has enacted more comprehensive privacy laws than the United States?

- A. To allow separate industries to set privacy standards.
- **B. To allow the free movement of data between member countries.**
- C. To ensure there is adequate funding for enforcement.
- D. To ensure adequate enforcement of existing laws.

**Answer: B**

Explanation:

One reason the European Union has enacted more comprehensive privacy laws than the United States is to allow the free movement of data between member countries. The EU considers data protection as a fundamental right that applies to all individuals within its territory, regardless of their nationality or residence. The EU has adopted a harmonized legal framework for data protection, such as the GDPR<sup>1</sup> and the ePrivacy Directive<sup>5</sup>, that applies to all member states and ensures a consistent level of protection across the EU. The EU also requires that any transfers of personal data outside the EU are subject to adequate safeguards or exceptions that guarantee an equivalent level of protection. The EU's approach to data protection aims to facilitate the internal market and promote economic and social integration among member states by removing barriers and restrictions to the cross-border flow of data. The other options are not reasons why the EU has enacted more comprehensive privacy laws than the US. The EU does not necessarily have more adequate enforcement or funding for its privacy laws than the US, although it does have a network of independent supervisory authorities that monitor and enforce compliance with the EU data protection rules. The EU does not allow separate industries to set privacy standards, but rather imposes uniform and binding rules for all sectors and activities that involve personal data processing. References: GDPR; ePrivacy Directive

#### **NEW QUESTION # 84**

Under the General Data Protection Regulation (GDPR), which of the following situations would LEAST likely require a controller to notify a data subject?

- A. Personal data of a group of individuals is erroneously sent to the wrong mailing list
- B. A direct marketing email is sent with recipients visible in the 'cc' field
- **C. An encrypted USB key with sensitive personal data is stolen**
- D. A hacker publishes usernames, phone numbers and purchase history online after a cyber-attack

**Answer: C**

Explanation:

Under the GDPR, a controller must notify a data subject of a personal data breach without undue delay when the breach is likely to result in a high risk to the rights and freedoms of the data subject, unless one of the following conditions applies: the personal data are rendered unintelligible to any person who is not authorized to access it, such as by encryption; the controller has taken subsequent measures to ensure that the high risk is no longer likely to materialize; or the notification would involve disproportionate effort, in which case a public communication or similar measure may suffice. In this case, an encrypted USB key with sensitive personal data is stolen, but the personal data are presumably unintelligible to the thief, so the controller does not need to notify the data subject. However, the controller still needs to notify the supervisory authority within 72 hours of becoming aware of the breach, unless the breach is unlikely to result in a risk to the rights and freedoms of natural persons.

References:

CIPM Body of Knowledge (2021), Domain IV: Privacy Program Operational Life Cycle, Section B:

Protecting Personal Information, Subsection 2: Data Breach Incident Planning and Management CIPM Study Guide (2021),

Chapter 8: Protecting Personal Information, Section 8.2: Data Breach Incident Planning and Management CIPM Textbook (2019),

Chapter 8: Protecting Personal Information, Section 8.2: Data Breach Incident Planning and Management CIPM Practice Exam (2021), Question 134 GDPR Article 33 and 3412

#### **NEW QUESTION # 85**

##### **SCENARIO**

Please use the following to answer the next QUESTION:

As they company's new chief executive officer, Thomas Goddard wants to be known as a leader in data protection. Goddard recently served as the chief financial officer of Hoopy.com, a pioneer in online video viewing with millions of users around the world. Unfortunately, Hoopy is infamous within privacy protection circles for its ethically questionable practices, including unauthorized sales of personal data to marketers.

Hoopy also was the target of credit card data theft that made headlines around the world, as at least two million credit card numbers were thought to have been pilfered despite the company's claims that

"appropriate" data protection safeguards were in place. The scandal affected the company's business as competitors were quick to market an increased level of protection while offering similar entertainment and media content. Within three weeks after the scandal broke, Hoopy founder and CEO Maxwell Martin, Goddard's mentor, was forced to step down.

Goddard, however, seems to have landed on his feet, securing the CEO position at your company, Medialite, which is just emerging from its start-up phase. He sold the company's board and investors on his vision of Medialite building its brand partly on the basis of industry-leading data protection standards and procedures.

He may have been a key part of a lapsed or even rogue organization in matters of privacy but now he claims to be reformed and a true believer in privacy protection. In his first week on the job, he calls you into his office and explains that your primary work responsibility is to bring his vision for privacy to life. But you also detect some reservations. "We want Medialite to have absolutely the highest standards," he says. "In fact, I want us to be able to say that we are the clear industry leader in privacy and data protection. However, I also need to be a responsible steward of the company's finances. So, while I want the best solutions across the board, they also need to be cost effective." You are told to report back in a week's time with your recommendations. Charged with this ambiguous mission, you depart the executive suite, already considering your next steps.

The CEO likes what he's seen of the company's improved privacy program, but wants additional assurance that it is fully compliant with industry standards and reflects emerging best practices. What would best help accomplish this goal?

- A. Creation of a self-certification framework based on company policies
- B. Revision of the strategic plan to provide a system of technical controls
- C. An internal audit team accountable to upper management
- D. An external audit conducted by a panel of industry experts

**Answer: D**

Explanation:

This approach provides an independent, unbiased review of the company's privacy program. External experts can assess the company's processes and controls against industry standards, benchmarks, and emerging best practices. This will not only provide the desired assurance but also potentially enhance the company's credibility in the eyes of stakeholders, as it shows a willingness to be transparent and undergo external scrutiny.

## NEW QUESTION # 86

### SCENARIO

Please use the following to answer the next QUESTION:

Henry Home Furnishings has built high-end furniture for nearly forty years. However, the new owner, Anton, has found some degree of disorganization after touring the company headquarters. His uncle Henry had always focused on production - not data processing - and Anton is concerned. In several storage rooms, he has found paper files, disks, and old computers that appear to contain the personal data of current and former employees and customers. Anton knows that a single break-in could irrevocably damage the company's relationship with its loyal customers. He intends to set a goal of guaranteed zero loss of personal information.

To this end, Anton originally planned to place restrictions on who was admitted to the physical premises of the company. However, Kenneth - his uncle's vice president and longtime confidante - wants to hold off on Anton's idea in favor of converting any paper records held at the company to electronic storage. Kenneth believes this process would only take one or two years. Anton likes this idea; he envisions a password-protected system that only he and Kenneth can access.

Anton also plans to divest the company of most of its subsidiaries. Not only will this make his job easier, but it will simplify the management of the stored data. The heads of subsidiaries like the art gallery and kitchenware store down the street will be responsible for their own information management. Then, any unneeded subsidiary data still in Anton's possession can be destroyed within the next few years.

After learning of a recent security incident, Anton realizes that another crucial step will be notifying customers. Kenneth insists that two lost hard drives in Question are not cause for concern; all of the data was encrypted and not sensitive in nature. Anton does not want to take any chances, however. He intends on sending notice letters to all employees and customers to be safe.

Anton must also check for compliance with all legislative, regulatory, and market requirements related to privacy protection. Kenneth oversaw the development of the company's online presence about ten years ago, but Anton is not confident about his understanding of recent online marketing laws. Anton is assigning another trusted employee with a law background the task of the compliance assessment. After a thorough analysis, Anton knows the company should be safe for another five years, at which time he can order another check.

Documentation of this analysis will show auditors due diligence.

Anton has started down a long road toward improved management of the company, but he knows the effort is worth it. Anton wants his uncle's legacy to continue for many years to come.

What would the company's legal team most likely recommend to Anton regarding his planned communication with customers?

- A. To delay communications until local authorities are informed.
- B. To send consistent communication.

- C. To shift to electronic communication.
- **D. To consider under what circumstances communication is necessary.**

**Answer: D**

Explanation:

The company's legal team would most likely recommend Anton to consider under what circumstances communication with customers is necessary after learning of a recent security incident. Communication with customers is an important aspect of data breach response as it can help to mitigate the harm caused by the breach, restore trust and confidence in the company, and comply with legal obligations or best practices. However, communication with customers is not always mandatory or advisable depending on the nature and severity of the breach and the potential impact on the customers<sup>7</sup> Therefore, Anton should consult with his legal team and evaluate the following factors before deciding whether to communicate with customers or not:

The type and amount of data involved in the breach and whether it includes personal or sensitive information that could expose the customers to identity theft, fraud, or other harms.

The likelihood and extent of harm that the customers could suffer as a result of the breach and whether they could take any actions to prevent or reduce it.

The legal or contractual obligations that the company has to notify the customers or the relevant authorities about the breach and the applicable laws or regulations that govern the notification process, such as the timing, content, and method of notification.

The potential benefits and risks of communicating with customers, such as enhancing transparency and accountability, providing assistance and remedies, or triggering negative reactions, reputational damage, or legal claims.

Based on these factors, Anton should determine whether communication with customers is necessary and appropriate in his case. If he decides to communicate with customers, he should follow some best practices, such as:

Communicating as soon as possible after discovering and containing the breach and having sufficient information to share.

Communicating clearly, honestly, and empathetically about what happened, what data was affected, what actions the company has taken or will take, and what steps the customers can or should take.

Communicating through multiple channels, such as email, phone, letter, website, or social media, depending on the preferences and expectations of the customers.

Communicating consistently and regularly with updates or follow-ups until the breach is resolved and the customers are satisfied<sup>8</sup>

## **NEW QUESTION # 87**

### **SCENARIO**

Please use the following to answer the next QUESTION:

As the Director of data protection for Consolidated Records Corporation, you are justifiably pleased with your accomplishments so far. Your hiring was precipitated by warnings from regulatory agencies following a series of relatively minor data breaches that could easily have been worse. However, you have not had a reportable incident for the three years that you have been with the company. In fact, you consider your program a model that others in the data storage industry may note in their own program development.

You started the program at Consolidated from a jumbled mix of policies and procedures and worked toward coherence across departments and throughout operations. You were aided along the way by the program's sponsor, the vice president of operations, as well as by a Privacy Team that started from a clear understanding of the need for change.

Initially, your work was greeted with little confidence or enthusiasm by the company's "old guard" among both the executive team and frontline personnel working with data and interfacing with clients. Through the use of metrics that showed the costs not only of the breaches that had occurred, but also projections of the costs that easily could occur given the current state of operations, you soon had the leaders and key decision-makers largely on your side. Many of the other employees were more resistant, but face-to-face meetings with each department and the development of a baseline privacy training program achieved sufficient "buy-in" to begin putting the proper procedures into place.

Now, privacy protection is an accepted component of all current operations involving personal or protected data and must be part of the end product of any process of technological development. While your approach is not systematic, it is fairly effective.

You are left contemplating:

What must be done to maintain the program and develop it beyond just a data breach prevention program?

How can you build on your success?

What are the next action steps?

What analytic can be used to track the financial viability of the program as it develops?

- A. Breach impact modeling.
- B. Gap analysis.
- C. Cost basis.
- **D. Return to investment.**

**Answer: D**

Explanation:

Explanation

This analytic can be used to track the financial viability of the program as it develops, as it measures the net benefit of the program compared to its cost. It can show how much value the program adds to the organization by preventing or reducing data breaches, fines, lawsuits, reputational damage and other potential costs.

## NEW QUESTION # 88

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