

# Quiz IAPP - CIPP-E - Certified Information Privacy Professional/Europe (CIPP/E) Pass-Sure Passed

IAPP CIPP-E

Certified Information Privacy Professional/Europe (CIPP/E)

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## IAPP Certified Information Privacy Professional/Europe (CIPP/E) Sample Questions (Q22-Q27):

### NEW QUESTION # 22

#### SCENARIO

Please use the following to answer the next question:

TripBliss Inc. is a travel service company which has lost substantial revenue over the last few years. Their new manager, Oliver, suspects that this is partly due to the company's outdated website. After doing some research, he meets with a sales representative from the up-and-coming IT company Techiva, hoping that they can design a new, cutting-edge website for TripBliss Inc.'s foundering business.

During negotiations, a Techiva representative describes a plan for gathering more customer information through detailed questionnaires, which could be used to tailor their preferences to specific travel destinations.

TripBliss Inc. can choose any number of data categories - age, income, ethnicity - that would help them best accomplish their goals. Oliver loves this idea, but would also like to have some way of gauging how successful this approach is, especially since the questionnaires will require customers to provide explicit consent to having their data collected. The Techiva representative suggests that they also run a program to analyze the new website's traffic, in order to get a better understanding of how customers are using it. He explains his plan to place a number of cookies on customer devices. The cookies will allow the company to collect IP addresses and other information, such as the sites from which the customers came, how much time they spend on the TripBliss Inc. website, and which pages on the site they visit. All of this information will be compiled in log files, which Techiva will analyze by means of a special program. TripBliss Inc. would receive aggregate statistics to help them evaluate the website's effectiveness. Oliver enthusiastically engages Techiva for these services.

Techiva assigns the analytics portion of the project to longtime account manager Leon Santos. As is standard practice, Leon is given administrator rights to TripBliss Inc.'s website, and can authorize access to the log files gathered from it. Unfortunately for TripBliss Inc., however, Leon is taking on this new project at a time when his dissatisfaction with Techiva is at a high point. In order to take revenge for what he feels has been unfair treatment at the hands of the company, Leon asks his friend Fred, a hobby hacker, for help. Together they come up with the following plan: Fred will hack into Techiva's system and copy their log files onto a USB stick.

Despite his initial intention to send the USB to the press and to the data protection authority in order to denounce Techiva, Leon experiences a crisis of conscience and ends up reconsidering his plan. He decides instead to securely wipe all the data from the USB stick and inform his manager that the company's system of access control must be reconsidered.

With regard to TripBliss Inc.'s use of website cookies, which of the following statements is correct?

- A. Because Techiva will receive only aggregate statistics of data collected from the cookies, no additional consent is necessary.
- B. Because the use of cookies involves the potential for location tracking, explicit consent must be obtained from customers.
- C. Because not all of the cookies are strictly necessary to enable the use of a service requested from TripBliss Inc., consent requirements apply to their use of cookies.
- D. Because of the categories of data involved, explicit consent for the use of cookies must be

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### IAPP Certified Information Privacy Professional/Europe (CIPP/E) Sample Questions (Q235-Q240):

#### NEW QUESTION # 235

##### SCENARIO

Please use the following to answer the next question:

Joe started the Gummy Bear Company in 2000 from his home in Vermont, USA. Today, it is a multi-billion-dollar candy company operating in every continent. All of the company's IT servers are located in Vermont. This year Joe hires his son Ben to join the company and head up Project Big, which is a major marketing strategy to triple gross revenue in just 5 years. Ben graduated with a PhD in computer software from a top university. Ben decided to join his father's company, but is also secretly working on launching a new global online dating website company called Ben Knows Best.

Ben is aware that the Gummy Bear Company has millions of customers and believes that many of them might also be interested in finding their perfect match. For Project Big, Ben redesigns the company's online web portal and requires customers in the European Union and elsewhere to provide additional personal information in order to remain a customer. Project Ben begins collecting data about customers' philosophical beliefs, political opinions and marital status.

If a customer identifies as single, Ben then copies all of that customer's personal data onto a separate database for Ben Knows Best. Ben believes that he is not doing anything wrong, because he explicitly asks each customer to give their consent by requiring them to check a box before accepting their information. As Project Big is an important project, the company also hires a first year college student named Sam, who is studying computer science to help Ben out.

Ben calls out and Sam comes across the Ben Knows Best database. Sam is planning on going to Ireland over Spring Break with 10 of his friends, so he copies all of the customer information of people that reside in Ireland so that he and his friends can contact people when they are in Ireland.

Joe also hires his best friend's daughter, Alice, who just graduated from law school in the U.S., to be the company's new General Counsel. Alice has heard about the GDPR, so she does some research on it. Alice approaches Joe and informs him that she has drafted up Binding Corporate Rules for everyone in the company to follow, as it is important for the company to have in place a legal mechanism to transfer data internally from the company's operations in the European Union to the U.S.

Joe believes that Alice is doing a great job, and informs her that she will also be in-charge of handling a major lawsuit that has been brought against the company in federal court in the U.S. To prepare for the lawsuit, Alice instructs the company's IT department to make copies of the computer hard drives from the entire global sales team, including the European Union, and send everything to her so that she can review everyone's information. Alice believes that Joe will be happy that she did the first level review, as it will save the company a lot of money that would otherwise be paid to its outside law firm.

When Ben had the company collect additional data from its customers, the most serious violation of the GDPR occurred because the processing of the data created what?

- A. An information security risk by copying the data into a new database.
- B. A significant risk due to the lack of an informed consent mechanism.
- **C. A significant risk to the customers' fundamental rights and freedoms.**
- D. A potential legal liability and financial exposure from its customers.

**Answer: C**

#### NEW QUESTION # 236

When is data sharing agreement MOST likely to be needed?

- **A. When personal data is being shared between commercial organizations acting as joint data controllers.**
- B. When anonymized data is being shared.
- C. When personal data is being shared with a public authority with powers to require the personal data to be disclosed.
- D. When personal data is being proactively shared by a controller to support a police investigation.

**Answer: A**

Explanation:

A data sharing agreement is a contract that documents what data is being shared and how it can be used. It can be used to make data sharing lawful and to demonstrate compliance with the accountability principle under the GDPR. A data sharing agreement is most likely to be needed when personal data is being shared between commercial organizations acting as joint data controllers, because they have to determine and agree on their respective roles and responsibilities, such as the purpose and legal basis of the data sharing, the rights of the data subjects, the security measures, and the liability for any breaches. A data sharing agreement is not mandatory, but it is good practice and can help to avoid disputes and confusion. A data sharing agreement may not be needed or may be less detailed in the other scenarios, depending on the circumstances and the nature of the data. For example, anonymized data is not personal data under the GDPR and does not require a data sharing agreement, although it may still be subject to other contractual or ethical obligations. Personal data that is proactively shared by a controller to support a police investigation may be covered by a legal obligation or a public interest, and the controller may not have much control over how the data is used by the police. Personal data that is shared with a public authority with powers to require the personal data to be disclosed may also be subject to a legal obligation or a public interest, and the controller may have to comply with the authority's request without a data sharing agreement. Reference:

Data sharing agreements | ICO, which provides guidance on the benefits and contents of a data sharing agreement.

Data Sharing Agreement - the Definition - GDPR Summary, which explains what a data sharing agreement is and when it can be used.

The role of data sharing and the GDPR | Data Republic, which discusses the impact of the GDPR on data sharing practices.

### NEW QUESTION # 237

#### SCENARIO

Please use the following to answer the next question:

BHealthy, a company based in Italy, is ready to launch a new line of natural products, with a focus on sunscreen. The last step prior to product launch is for BHealthy to conduct research to decide how extensively to market its new line of sunscreens across Europe. To do so, BHealthy teamed up with Natural Insight, a company specializing in determining pricing for natural products. BHealthy decided to share its existing customer information - name, location, and prior purchase history - with Natural Insight. Natural Insight intends to use this information to train its algorithm to help determine the price point at which BHealthy can sell its new sunscreens. Prior to sharing its customer list, BHealthy conducted a review of Natural Insight's security practices and concluded that the company has sufficient security measures to protect the contact information. Additionally, BHealthy's data processing contractual terms with Natural Insight require continued implementation of technical and organization measures. Also indicated in the contract are restrictions on use of the data provided by BHealthy for any purpose beyond provision of the services, which include use of the data for continued improvement of Natural Insight's machine learning algorithms.

In which case would Natural Insight's use of BHealthy's data for improvement of its algorithms be considered data processor activity?

- A. If Natural Insight receives express contractual instructions from BHealthy to use its data for improving its algorithms.
- **B. If Natural Insight uses BHealthy's data for improving price point predictions only for BHealthy.**
- C. If Natural Insight satisfies the transparency requirement by notifying BHealthy's customers of its plans to use their information for its product improvement activities.
- D. If Natural Insight agrees to be fully liable for its use of BHealthy's customer information in its product improvement activities.

**Answer: B**

### NEW QUESTION # 238

Which marketing-related activity is least likely to be covered by the provisions of Privacy and Electronic Communications Regulations (Directive 2002/58/EC)?

- **A. Advertisements passively displayed on a website.**
- B. The use of cookies to collect data about an individual.
- C. A text message to individuals from a company offering concert tickets for sale.
- D. An email from a retail outlet promoting a sale to one of their previous customer.

**Answer: A**

Explanation:

The Privacy and Electronic Communications Regulations (PECR) are derived from the e-privacy Directive 2002/58/EC, which aims to protect the privacy and confidentiality of users of electronic communications services. The PECR cover various aspects of electronic marketing, such as the use of cookies, unsolicited communications, and traffic and location data.

According to the PECR, the following marketing-related activities require the consent of the user or subscriber, unless certain exemptions apply:

- \* The use of cookies or similar technologies to store or access information on the user's device (Regulation 6).
  - \* The sending of electronic mail for direct marketing purposes to individual subscribers who have not given their prior consent (Regulation 22).
  - \* The making of unsolicited calls for direct marketing purposes to individual subscribers who have registered their number with the Telephone Preference Service or who have objected to such calls from a specific caller (Regulation 21).
  - \* The sending of unsolicited communications for direct marketing purposes by means of electronic mail, fax, or automated calling systems to corporate subscribers, unless they have indicated that they do not wish to receive such communications (Regulation 23).
- Therefore, among the four options, the one that is least likely to be covered by the provisions of the PECR is the advertisements passively displayed on a website, as they do not involve the use of cookies, the sending of unsolicited communications, or the processing of traffic or location data. However, such advertisements may still be subject to other data protection laws, such as the GDPR, if they involve the processing of personal data of the users.

References:

- \* PECR
- \* e-privacy Directive
- \* ICO guide to PECR

### NEW QUESTION # 239

Under Article 30 of the GDPR, controllers are required to keep records of all of the following EXCEPT?

- A. Data inventory or data mapping exercises that have been conducted.
- **B. Incidents of personal data breaches, whether disclosed or not.**
- C. Categories of recipients to whom the personal data have been disclosed.
- D. Retention periods for erasure and deletion of categories of personal data.

**Answer: B**

Explanation:

Article 30 of the GDPR requires controllers and processors to maintain records of their processing activities, which include information such as the purposes of the processing, the categories of personal data, the recipients of the data, the retention periods, and the security measures<sup>12</sup>. However, Article 30 does not require controllers to keep records of incidents of personal data breaches, whether disclosed or not. This is a separate obligation under Article 33 and Article 34, which require controllers to notify the supervisory authority and the data subjects of any personal data breach, unless the breach is unlikely to result in a risk to the rights and freedoms of natural persons<sup>34</sup>. Reference: 1: Article 30 of the GDPR 2: What do we need to document under Article 30 of the UK GDPR? | ICO 3: Article 33 of the GDPR 4: Article 34 of the GDPR Section: (none) Explanation

### NEW QUESTION # 240

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