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IAPP Certified Information Privacy Professional/Europe (CIPP/E) Sample Questions (Q145-Q150):

NEW QUESTION # 145

How does the GDPR now define "processing"?

- A. Any use or disclosure of personal data compatible with the purpose for which the data was collected.
- B. Any act involving the collecting and recording of personal data.
- C. Any operation or set of operations performed by automated means on personal data or on sets of personal data.
- **D. Any operation or set of operations performed on personal data or on sets of personal data.**

Answer: D

Explanation:

The GDPR defines processing as "any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction" (Article 4(2)). This is a broad definition that covers almost any activity involving personal data, regardless of the method or means used. The GDPR also specifies that processing should be lawful, fair and transparent, and should respect the principles of data protection by design and by default (Article 5). References: CIPP/E Certification - International Association of Privacy Professionals, Free CIPP/E Study Guide - International Association of Privacy Professionals, [GDPR - EUR-Lex] I hope this helps. If you have any other questions, please let me know. #

NEW QUESTION # 146

What must a data controller do in order to make personal data pseudonymous?

- A. Use the data only in aggregated form for research purposes.
- B. Encrypt the data in order to prevent any unauthorized access or modification.
- C. Remove all indirect data identifiers and dispose of them securely.
- **D. Separately hold any information that would allow linking the data to the data subject.**

Answer: D

Explanation:

Pseudonymisation is a method that allows you to switch the original data set (for example, e-mail or a name) with an alias or pseudonym, or, in other words, a value which does not allow the individual to be directly identified¹. It is a reversible process that de-identifies data but allows the re-identification later on if necessary¹. This is a well-known data management technique highly recommended by the General Data Protection Regulation (GDPR) as one of the data protection methods². To make personal data pseudonymous, a data controller must separately hold any information that would allow linking the data to the data subject, such as a key or a code, and ensure that this information is kept securely and subject to technical and organisational measures to prevent unauthorised access or re-identification²³. The other options are not correct, as they either describe other data protection methods, such as encryption or anonymisation, or do not meet the definition of pseudonymisation under the GDPR. Reference: Pseudonymization according to the GDPR, Pseudonymisation - Wikipedia, Anonymisation and pseudonymisation | Data Protection Commissioner

NEW QUESTION # 147

Data retention in the EU was underpinned by a legal framework established by the Data Retention Directive (2006/24/EC). Why is the Directive no longer part of EU law?

- A. The Directive was superseded by the General Data Protection Regulation.

- B. The Directive was superseded by the EU Directive on Privacy and Electronic Communications.
- **C. The Directive was annulled by the Court of Justice of the European Union.**
- D. The Directive was annulled by the European Court of Human Rights.

Answer: C

Explanation:

The Data Retention Directive (2006/24/EC) was a legal framework that required Member States to ensure that providers of publicly available electronic communications services or of public communications networks retained certain data for a period of between six months and two years, for the purpose of the prevention, investigation, detection and prosecution of serious crime¹. However, on 8 April 2014, the Court of Justice of the European Union (CJEU) declared the Directive invalid, as it entailed a wide-ranging and particularly serious interference with the fundamental rights to respect for private life and to the protection of personal data, without limiting the access of the competent national authorities to the data retained to what was strictly necessary². The CJEU also found that the Directive did not provide sufficient safeguards to ensure effective protection of the data against the risk of abuse and against any unlawful access and use of the data².

Therefore, the Directive is no longer part of EU law.

References:

* Directive 2006/24/EC of the European Parliament and of the Council

* Court of Justice of the European Union PRESS RELEASE No 54/14

I hope this helps you understand the GDPR and data retention better. If you have any other questions, please feel free to ask me. #

NEW QUESTION # 148

Which of the following is an accurate statement regarding the "one-stop-shop" mechanism of the GDPR?

- A. It gives competence to the lead supervisory authority to address privacy issues derived from processes carried out by public authorities established in different countries.
- **B. It allows supervisory authorities concerned (other than the lead supervisory authority) to act against organizations in exceptional cases even if they do not have any type of establishment in the Member State of the respective authority.**
- C. It applies only to direct enforcement of data protection supervisory authorities (e.g., finding a breach), but not to initiating or engaging in court proceedings
- D. It can result in several lead supervisory authorities in the EU assuming competence over the same data processing activities of an organization.

Answer: B

NEW QUESTION # 149

In 2016's Guidance, the United Kingdom's Information Commissioner's Office (ICO) reaffirmed the importance of using a "layered notice" to provide data subjects with what?

- A. A privacy notice explaining the consequences for opting out of the use of cookies on a website.
- B. An efficient means of providing written consent in member states where they are required to do so.
- **C. A privacy notice containing brief information whilst offering access to further detail.**
- D. An explanation of the security measures used when personal data is transferred to a third party.

Answer: C

NEW QUESTION # 150

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