EXAMS 4 SUCCESS

IAPP

CIPP-E

Questions & Answers

Certified Information Privacy Professional/Europe

(Demo Version - Limited Content)



Version: 5.0

Question: 1

Which statement is correct when considering the right to privacy under Article 8 of the European Convention on Human Rights (ECHR)?

A. The right to privacy is an absolute right
B. The right to privacy has to be balanced against other rights under the ECHR
C. The right to freedom of expression under Article 10 of the ECHR will always override the right to privacy
D. The right to privacy protects the right to hold opinions and to receive and impart ideas without interference

Answer: B

Reference: https://www.echr.coe.int/Documents/Guide_Art_8_ENG.pdf (15)

Question: 2

What is one major goal that the OECD Guidelines, Convention 108 and the Data Protection Directive (Directive 95/46/EC) all had in common but largely failed to achieve in Europe?

A. The establishment of a list of legitimate data processing criteria
B. The creation of legally binding data protection principles
C. The synchronization of approaches to data protection
D. The restriction of cross-border data flow

Answer: D

Reference: https://ico.org.uk/media/about-the-ico/documents/1042349/review-of-eu-dp-directive.pdf (99)

Question: 3

A key component of the OECD Guidelines is the "Individual Participation Principle". What parts of the General Data Protection Regulation (GDPR) provide the closest equivalent to that principle?

A. The lawful processing criteria stipulated by Articles 6 to 9
B. The information requirements set out in Articles 13 and 14
C. The breach notification requirements specified in Articles 33 and 34

D. The rights granted to data subjects under Articles 12 to 22

Answer: D

Question: 4

Which EU institution is vested with the competence to propose new data protection legislation on its own initiative?

A. The European Council
B. The European Parliament
C. The European Commission
D. The Council of the European Union

Answer: D

Reference: https://www.tandfonline.com/doi/full/10.1080/13600834.2019.1573501

Question: 5

What is an important difference between the European Court of Human Rights (ECHR) and the Court of Justice of the European Union (CJEU) in relation to their roles and functions?

A. ECHR can rule on issues concerning privacy as a fundamental right, while the CJEU cannot.
B. CJEU can force national governments to implement and honor EU law, while the ECHR cannot.
C. CJEU can hear appeals on human rights decisions made by national courts, while the ECHR cannot.
D. ECHR can enforce human rights laws against governments that fail to implement them, while the CJEU cannot.

Answer: B

Question: 6

SCENARIO
Please use the following to answer the next question:
Anna and Frank both work at Granchester University. Anna is a lawyer responsible for data protection, while Frank is a lecturer in the engineering department. The University maintains a number of types of records:
Student records, including names, student numbers, home addresses, pre-university information, university attendance and performance records, details of special educational needs and financial information.
Staff records, including autobiographical materials (such as curricula, professional contact files, student evaluations and other relevant teaching files).
Alumni records, including birthplaces, years of birth, dates of matriculation and conferrals of

degrees. These records are available to former students after registering through Granchester's Alumni portal. Department for Education records, showing how certain demographic groups (such as first-generation students) could be expected, on average, to progress. These records do not contain names or identification numbers.
Under their security policy, the University encrypts all of its personal data records in transit and at rest.
In order to improve his teaching, Frank wants to investigate how his engineering students perform in relational to Department for Education expectations. He has attended one of Anna's data protection training courses and knows that he should use no more personal data than necessary to accomplish his goal. He creates a
program that will only export some student data: previous schools attended, grades originally obtained, grades currently obtained and first time university attended. He wants to keep the records at the individual student level. Mindful of Anna's training, Frank runs the student numbers through an algorithm to transform them into different reference numbers. He uses the same algorithm on each occasion so that he can update each record over time.
One of Anna's tasks is to complete the record of processing activities, as required by the GDPR. After receiving her email reminder, as required by the GDPR. After receiving her email reminder, Frank informs
Anna about his performance database.
Ann explains to Frank that, as well as minimizing personal data, the University has to check that this new use of existing data is permissible. She also suspects that, under the GDPR, a risk analysis may have to be carried out before the data processing can take place. Anna arranges to discuss this further with Frank after she has done some additional research.
Frank wants to be able to work on his analysis in his spare time, so he transfers it to his home laptop (which is not encrypted). Unfortunately, when Frank takes the laptop into the University he loses it on the train. Frank has to see Anna that day to discuss compatible processing. He knows that he needs to report security incidents, so he decides to tell Anna about his lost laptop at the same time.
Which of the University's records does Anna NOT have to include in her record of processing activities?

A. Student records
B. Staff and alumni records
C. Frank's performance database
D. Department for Education records

Answer: C

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Before Anna determines whether Frank's performance database is permissible, what additional information does she need?

A. More information about Frank's data protection training.
B. More information about the extent of the information loss.
C. More information about the algorithm Frank used to mask student numbers.
D. More information about what students have been told and how the research will be used.

Answer: D

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Anna will find that a risk analysis is NOT necessary in this situation as long as?

A. The data subjects are no longer current students of Frank's
B. The processing will not negatively affect the rights of the data subjects
C. The algorithms that Frank uses for the processing are technologically sound
D. The data subjects gave their unambiguous consent for the original processing

Answer: D

Question: 9

Which institution has the power to adopt findings that confirm the adequacy of the data protection level in a non-EU country?

A. The European Parliament
B. The European Commission
C. The Article 29 Working Party
D. The European Council

Answer: B

Reference: https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/ adequacy-decisions_en

Question: 10

What is true of both the General Data Protection Regulation (GDPR) and the Council of Europe Convention 108?

A. Both govern international transfers of personal data
B. Both govern the manual processing of personal data
C. Both only apply to European Union countries
D. Both require notification of processing activities to a supervisory authority

Answer: D

Reference: https://rm.coe.int/090000168093b851

Question: 11

Which aspect of the GDPR will likely have the most impact on the consistent implementation of data protection
laws throughout the European Union?

A. That it essentially functions as a one-stop shop mechanism
B. That it takes the form of a Regulation as opposed to a Directive
C. That it makes notification of large-scale data breaches mandatory
D. That it makes appointment of a data protection officer mandatory

Answer: D

Reference: https://ec.europa.eu/info/law/law-topic/data-protection/data-protection-eu_en

Question: 12

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

A. The ePrivacy Directive allows individual EU member states to engage in such data retention.
B. The ePrivacy Directive harmonizes EU member states' rules concerning such data retention.

C. The Data Retention Directive's annulment makes such data retention now permissible.
D. The GDPR allows the retention of such data for the prevention, investigation, detection or prosecution of criminal offences only.

Answer: D

Reference: https://www.law.kuleuven.be/citip/en/archive/copy_of_publications/440retention-of-traffic-data- dumortier-goemans2f90.pdf (9)

Question: 13

What type of data lies beyond the scope of the General Data Protection Regulation?

A. Pseudonymized
B. Anonymized
C. Encrypted
D. Masked

Answer: B

Reference: https://www.datainspektionen.se/other-lang/in-english/the-general-data-protection-regulation-gdpr/ the-purposes-and-scope-of-the-general-data-protection-regulation/

Question: 14

Under what circumstances would the GDPR apply to personal data that exists in physical form, such as information contained in notebooks or hard copy files?

A. Only where the personal data is produced as a physical output of specific automated processing activities, such as printing, labelling, or stamping.
B. Only where the personal data is to be subjected to specific computerized processing, such as image
scanning or optical character recognition.
C. Only where the personal data is treated by automated means in some way, such as computerized distribution or filing.
D. Only where the personal data is handled in a sufficiently structured manner so as to form part of a filing system.

Answer: D

Reference: https://www.zimmerslaw.com/english-1/data-protection/

Question: 15

SCENARIO
Please use the following to answer the next question:

You have just been hired by a toy manufacturer based in Hong Kong. The company sells a broad range of dolls, action figures and plush toys that can be found internationally in a wide variety of retail stores. Although the manufacturer has no offices outside Hong Kong and in fact does not employ any staff outside Hong Kong, it has entered into a number of local distribution contracts. The toys produced by the company can be found in all popular toy stores throughout Europe, the United States and Asi

a. A large portion of the company's revenue is due to international sales.

The company now wishes to launch a new range of connected toys, ones that can talk and interact with children. The CEO of the company is touting these toys as the next big thing, due to the increased possibilities offered: The figures can answer children's Questions: on various subjects, such as mathematical calculations or the weather. Each figure is equipped with a microphone and speaker and can connect to any smartphone or tablet via Bluetooth. Any mobile device within a 10-meter radius can connect to the toys via Bluetooth as well. The figures can also be associated with other figures (from the same manufacturer) and interact with each other for an enhanced play experience.

When a child asks the toy a question, the request is sent to the cloud for analysis, and the answer is generated on cloud servers and sent back to the figure. The answer is given through the figure's integrated

speakers, making it appear as though that the toy is actually responding to the child's question. The packaging of the toy does not provide technical details on how this works, nor does it mention that this feature requires an internet connection. The necessary data processing for this has been outsourced to a data center located in South Africa. However, your company has not yet revised its consumer-facing privacy policy to indicate this.

In parallel, the company is planning to introduce a new range of game systems through which consumers can play the characters they acquire in the course of playing the game. The system will come bundled with a portal that includes a Near-Field Communications (NFC) reader. This device will read an RFID tag in the action figure, making the figure come to life onscreen. Each character has its own stock features and abilities, but it is also possible to earn additional ones by accomplishing game goals. The only information stored in the tag relates to the figures' abilities. It is easy to switch characters during the game, and it is possible to bring the figure to locations outside of the home and have the character's abilities remain intact.

Why is this company obligated to comply with the GDPR?

A. The company has offices in the EU.

B. The company employs staff in the EU.

C. The company's data center is located in a country outside the EU.

D. The company's products are marketed directly to EU customers.

Answer: D

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