DUMPSQUEEN

Certified Information Privacy Professional/Europe (CIPP/E)

IAPP CIPP-E

Version Demo

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QUESTION NO: 1

A company wishes to transfer personal data to a country outside of the European Union/EEA In order to do so, they are planning an assessment of the country's laws and practices, knowing that these may impinge upon the transfer safeguards they intend to use

All of the following factors would be relevant for the company to consider EXCEPT'?

A. Any onward transfers, such as transfers of personal data to a sub-processor in the same or another third country.

B. The process of modernization in the third country concerned and their access to emerging technologies that rely on international transfers of personal data

C. The technical, financial, and staff resources available to an authority m the third country concerned that may access the personal data to be transferred

D. The contractual clauses between the data controller or processor established in the European Union/EEA and the recipient of the transfer established in the third country concerned

ANSWER: B

QUESTION NO: 2

SCENARIO

Please use the following to answer the next question:

WonderkKids provides an online booking service for childcare. Wonderkids is based in France, but hosts its website through a company in Switzerland. As part of their service, WonderKids will pass all personal data provided to them to the childcare provider booked through their system. The type of personal data collected on the website includes the name of the person booking the childcare, address and contact details, as well as information about the children to be cared for including name, age, gender and health information. The privacy statement on Wonderkids' website states the following:

"WonderkKids provides the information you disclose to us through this website to your childcare provider for scheduling and health and safety reasons. We may also use your and your child's personal information for our own legitimate business purposes and we employ a third-party website hosting company located in Switzerland to store the data. Any data stored on equipment located in Switzerland meets the European Commission provisions for guaranteeing adequate safeguards for you and your child's personal information. We will only share you and your child's personal information with businesses that we see as adding real value to you. By providing us with any personal data, you consent to its transfer to affiliated businesses and to send you promotional offers."

"We may retain you and your child's personal information for no more than 28 days, at which point the data will be depersonalized, unless your personal information is being used for a legitimate business purpose beyond 28 days where it may be retained for up to 2 years."

"We are processing you and your child's personal information with your consent. If you choose not to provide certain information to us, you may not be able to use our services. You have the right to:

request access to you and your child's personal information; rectify or erase you or your child's personal information; the right to correction or erasure of you and/or your child's personal information; object to any processing of you and your child's personal information. You also have the right to complain to the supervisory authority about our data processing activities."

What must the contract between WonderKids and the hosting service provider contain?

A. The requirement to implement technical and organizational measures to protect the data.

B. Controller-to-controller model contract clauses.

C. Audit rights for the data subjects.

D. A non-disclosure agreement.

ANSWER: A

QUESTION NO: 3

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 Beak 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 potential legal liability and financial exposure from its customers.

C. A significant risk to the customers' fundamental rights and freedoms.

D. A significant risk due to the lack of an informed consent mechanism.

ANSWER: C

QUESTION NO: 4

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.

Under the GDPR, what are Natural Insight's security obligations with respect to the customer information it received from BHealthy?

A. Appropriate security that takes into account the industry practices for protecting customer contact information and purchase history.

B. Only the security measures assessed by BHealthy prior to entering into the data processing contract.

C. Absolute security since BHealthy is sharing personal data, including purchase history, with Natural Insight.

D. The level of security that a reasonable data subject whose data is processed would expect in relation to the data subject's purchase history.

ANSWER: A

QUESTION NO: 5

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

Explanation:

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

QUESTION NO: 6

In which of the following cases, cited as an example by a WP29 guidance, would conducting a single data protection impact assessment to address multiple processing operations be allowed?

A. A medical organization that wants to begin genetic testing to support earlier research for which they have performed a DPIA.

B. A data controller who plans to use a new technology product that has already undergone a DPIA by the product's provider.

C. A marketing team that wants to collect mailing addresses of customers for whom they already have email addresses.

D. A railway operator who plans to evaluate the same video surveillance in all the train stations of his company.

ANSWER: D

QUESTION NO: 7

With the issue of consent, the GDPR allows member states some choice regarding what?

A. The mechanisms through which consent may be communicated

B. The circumstances in which silence or inactivity may constitute consent

C. The age at which children must be required to obtain parental consent

D. The timeframe in which data subjects are allowed to withdraw their consent

ANSWER: C

Explanation:

Reference: https://gdpr-info.eu/issues/consent/

QUESTION NO: 8

Which area of privacy is a lead supervisory authority's (LSA) MAIN concern?

A. Data subject rights

B. Data access disputes

C. Cross-border processing

D. Special categories of data

ANSWER: C

Explanation:

Reference: https://iapp.org/news/a/is-it-possible-to-choose-your-lead-supervisory-authority-under-the-gdpr/

QUESTION NO: 9

When may browser settings be relied upon for the lawful application of cookies?

A. When a user rejects cookies that are strictly necessary.

B. When users are aware of the ability to adjust their settings.

C. When users are provided with information about which cookies have been set.

D. When it is impossible to bypass the choices made by users in their browser settings.

ANSWER: B

QUESTION NO: 10

Under which of the following conditions does the General Data Protection Regulation NOT apply to the processing of personal data?

A. When the personal data is processed only in non-electronic form

B. When the personal data is collected and then pseudonymised by the controller

C. When the personal data is held by the controller but not processed for further purposes

D. When the personal data is processed by an individual only for their household activities

ANSWER: D

QUESTION NO: 11

If a data subject puts a complaint before a DPA and receives no information about its progress or outcome, how long does the data subject have to wait before taking action in the courts?

A. 1 month.

B. 3 months.

C. 5 months.

D. 12 months.

ANSWER: B

QUESTION NO: 12

SCENARIO

Please use the following to answer the next question:

Joe is the new privacy manager for Who-R-U, a Canadian business that provides DNA analysis. The company is headquartered in Montreal, and all of its employees are located there. The company offers its services to Canadians only: Its website is in English and French, it accepts only Canadian currency, and it blocks internet traffic from outside of Canada (although this solution doesn't prevent all nonCanadian traffic). It also declines to process orders that request the DNA report to be sent outside of Canada, and returns orders that show a non-Canadian return address.

Bob, the President of Who-R-U, thinks there is a lot of interest for the product in the EU, and the company is exploring a number of plans to expand its customer base.

The first plan, collegially called We-Track-U, will use an app to collect information about its current Canadian customer base. The expansion will allow its Canadian customers to use the app while traveling abroad. He suggests that the company use this app to gather location information. If the plan shows promise, Bob proposes to use push notifications and text messages to encourage existing customers to pre-register for an EU version of the service. Bob calls this work plan, We-Text-U. Once the company has gathered enough pre-registrations, it will develop EU-specific content and services.

Another plan is called Customer for Life. The idea is to offer additional services through the company's app, like storage and sharing of DNA information with other applications and medical providers. The company's contract says that it can keep customer DNA indefinitely, and use it to offer new services and market them to customers. It also says that customers agree not to withdraw direct marketing consent. Paul, the marketing director, suggests that the company should fully exploit these provisions, and that it can work around customers' attempts to withdraw consent because the contract invalidates them.

The final plan is to develop a brand presence in the EU. The company has already begun this process. It is in the process of purchasing the naming rights for a building in Germany, which would come with a few offices that Who-R-U executives can use while traveling internationally. The office doesn't include any technology or infrastructure; rather, it's simply a room with a desk and some chairs.

On a recent trip concerning the naming-rights deal, Bob's laptop is stolen. The laptop held unencrypted DNA reports on 5,000 Who-R-U customers, all of whom are residents of Canada. The reports include customer name, birthdate, ethnicity, racial background, names of relatives, gender, and occasionally health information.

If Who-R-U adopts the We-Track-U pilot plan, why is it likely to be subject to the territorial scope of the GDPR?

A. Its plan would be in the context of the establishment of a controller in the Union.

B. It would be offering goods or services to data subjects in the Union.

C. It is engaging in commercial activities conducted in the Union.

D. It is monitoring the behavior of data subjects in the Union.

ANSWER: D

QUESTION NO: 13

In which case would a controller who has undertaken a DPIA most likely need to consult with a supervisory authority?

A. Where the DPIA identifies that personal data needs to be transferred to other countries outside of the EEA.

B. Where the DPIA identifies high risks to individuals' rights and freedoms that the controller can take steps to reduce.

C. Where the DPIA identifies that the processing being proposed collects the sensitive data of EU citizens.

D. Where the DPIA identifies risks that will require insurance for protecting its business interests.

ANSWER: B

Explanation:

Reference: https://www.dataguidance.com/opinion/eu-how-when-and-why-carrying-out-dpia

QUESTION NO: 14

In relation to third countries and international organizations, which of the following shall, along with the supervisory authorities, take appropriate steps to develop international cooperation mechanisms for the enforcement of data protection legislation?

A. The European Parliament

B. The Council of the European Union.

C. The designated Data Protection Officers

D. The European Commission

ANSWER: D

QUESTION NO: 15

SCENARIO

Please use the following to answer the next question:

ABC Hotel Chain and XYZ Travel Agency are U.S.-based multinational companies. They use an internet-based common platform for collecting and sharing their customer data with each other, in order to integrate their marketing efforts. Additionally, they agree on the data to be stored, how reservations will be booked and confirmed, and who has access to the stored data.

Mike, an EU resident, has booked travel itineraries in the past through XYZ Travel Agency to stay at ABC Hotel Chain's locations. XYZ Travel Agency offers a rewards program that allows customers to sign up to accumulate points that can later be redeemed for free travel. Mike has signed the agreement to be a rewards program member.

Now Mike wants to know what personal information the company holds about him. He sends an email requesting access to his data, in order to exercise what he believes are his data subject rights.

In which of the following situations would ABC Hotel Chain and XYZ Travel Agency NOT have to honor Mike's data access request?

A. The request is to obtain access and correct inaccurate personal data in his profile.

B. The request is to obtain access and information about the purpose of processing his personal data.

C. The request is to obtain access and erasure of his personal data while keeping his rewards membership.

D. The request is to obtain access and the categories of recipients who have received his personal data to process his rewards membership.

ANSWER: C