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NEW QUESTION: 1

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 (LEAVE A REPLY)

Explanation/Reference: <https://rm.coe.int/090000168093b851>

NEW QUESTION: 2

SCENARIO

Please use the following to answer the next question:

Ben is a member of the fitness club STAYFIT. This company has branches in many EU member states, but for the purposes of the GDPR maintains its primary establishment in France. Ben lives in Newry, Northern Ireland (part of the U.K.), and commutes across the border to work in Dundalk, Ireland. Two years ago while on a business trip, Ben was photographed while working out at a branch of STAYFIT in Frankfurt, Germany. At the time, Ben gave his consent to being included in the photograph, since he was told that it would be used for promotional purposes only. Since then, the photograph has been used in the club's U.K. brochures, and it features in the landing page of its U.K. website. However, the fitness club has recently fallen into disrepute due to widespread mistreatment of members at various branches of the club in several EU member states. As a result, Ben no longer feels comfortable with his photograph being publicly associated with the fitness club.

After numerous failed attempts to book an appointment with the manager of the local branch to discuss this matter, Ben sends a letter to STAYFIT requesting that his image be removed from the website and all promotional materials. Months pass and Ben, having received no acknowledgment of his request, becomes very anxious about this matter. After repeatedly failing to contact STAYFIT through alternate channels, he decides to take action against the company.

Ben contacts the U.K. Information Commissioner's Office ('ICO' - the U.K.'s supervisory authority) to lodge a complaint about this matter.

Assuming that multiple STAYFIT branches across several EU countries are acting as separate data controllers, and that each of those branches were responsible for mishandling Ben's request, how may Ben proceed in order to seek compensation?

- A.** He will have to sue the STAYFIT's head office in France, where STAYFIT has its main establishment.
- B.** He will be able to apply to the European Data Protection Board in order to determine which particular STAYFIT branch is liable for damages, based on the decision that was made by the board.
- C.** He will be able to sue any one of the relevant STAYFIT branches, as each one may be held liable for the entire damage.
- D.** He will have to sue each STAYFIT branch so that each branch provides proportionate compensation commensurate with its contribution to the damage or distress suffered by Ben.

Answer: A (LEAVE A REPLY)

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

Answer: A (LEAVE A REPLY)

NEW QUESTION: 4

What term BEST describes the European model for data protection?

- A. Sectoral
- B. Self-regulatory
- C. Market-based
- D. Comprehensive

Answer: D (LEAVE A REPLY)

Reference https://ec.europa.eu/info/sites/info/files/communication-european-strategy-data-19feb2020_en.pdf

NEW QUESTION: 5

Bioface is a company based in the United States. It has no servers, personnel or assets in the European Union. By collecting photographs from social media and other web-based services, such as newspapers and blogs, it uses machine learning to develop a facial recognition algorithm. The algorithm identifies individuals in photographs who are not in its data set based the algorithm and its existing data. The service collects photographs of data subjects in the European Union and will identify them if presented with their photographs. Bioface offers its service to government agencies and companies in the United States and Canada, but not to those in the European Union. Bioface does not offer the service to individuals.

Why is Bioface subject to the territorial scope of the General Data Protection Regulation?

- A. It collects data from subjects and uses it for automated processing.
- B. It offers services in the European Union by identifying data subjects in the European Union.
- C. It collects data from European Union websites, which constitutes an establishment in the European Union.
- D. It monitors the behavior of data subjects in the European Union.

Answer: ([SHOW ANSWER](#))

NEW QUESTION: 6

Which of the following countries will continue to enjoy adequacy status under the GDPR, pending any future European Commission decision to the contrary?

- A. Greece
- B. Norway
- C. Australia
- D. Switzerland

Answer: ([SHOW ANSWER](#))

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

NEW QUESTION: 7

A grade school is planning to use facial recognition to track student attendance. Which of the following may provide a lawful basis for this processing?

- A. The school places a notice near each camera.
- B. A state law requires facial recognition to verify attendance.
- C. Processing is necessary for the legitimate interests pursued by the school.
- D. The school gets explicit consent from the students.

Answer: A ([LEAVE A REPLY](#))

NEW QUESTION: 8

What is the key difference between the European Council and the Council of the European Union?

- A. The Council of the European Union is helmed by a president.
- B. The Council of the European Union has a degree of legislative power.
- C. The European Council focuses primarily on issues involving human rights.
- D. The European Council is comprised of the heads of each EU member state.

Answer: ([SHOW ANSWER](#))

Section: (none)

NEW QUESTION: 9

According to Article 14 of the GDPR, how long does a controller have to provide a data subject with necessary privacy information, if that subject's personal data has been obtained from other sources?

- A. As soon as possible after obtaining the personal data.
- B. As soon as possible after the first communication with the data subject.
- C. Within a reasonable period after obtaining the personal data, but no later than one month.
- D. Within a reasonable period after obtaining the personal data, but no later than eight weeks.

Answer: C ([LEAVE A REPLY](#))

Reference <https://dataprivacymanager.net/gdpr-exemptions-from-the-obligation-to-provide-information-to-the-individual-data-subject/>

NEW QUESTION: 10

What obligation does a data controller or processor have after appointing a data protection officer?

- A.** To submit for approval to the data protection officer a code of conduct to govern organizational practices and demonstrate compliance with data protection principles.
- B.** To ensure that the data protection officer acts as the sole point of contact for individuals' questions about their personal data.
- C.** To ensure that the data protection officer receives sufficient instructions regarding the exercise of his or her defined tasks.
- D.** To provide resources necessary to carry out the defined tasks of the data protection officer and to maintain his or her expert knowledge.

Answer: A (LEAVE A REPLY)

NEW QUESTION: 11

What is the MAIN reason GDPR Article 4(22) establishes the concept of the "concerned supervisory authority"?

- A.** To ensure that the interests of individuals residing outside the lead authority's jurisdiction are represented.
- B.** To ensure the GDPR covers controllers that do not have an establishment in the EU but have a representative in a member state.
- C.** To encourage the consistency of local data processing activity.
- D.** To give corporations a choice about who their supervisory authority will be.

Answer: A (LEAVE A REPLY)

NEW QUESTION: 12

Company X has entrusted the processing of their payroll data to Provider Y. Provider Y stores this encrypted data on its server. The IT department of Provider Y finds out that someone managed to hack into the system and take a copy of the data from its server. In this scenario, whom does Provider Y have the obligation to notify?

- A.** The supervisory authority
- B.** Company X
- C.** The public
- D.** Law enforcement

Answer: (SHOW ANSWER)

NEW QUESTION: 13

Which GDPR requirement will present the most significant challenges for organizations with Bring Your Own Device (BYOD) programs?

- A.** Data subjects must be sufficiently informed of the purposes for which their personal data is processed.
- B.** Processing of special categories of personal data on a large scale requires appointing a DPO.
- C.** Personal data of data subjects must always be accurate and kept up to date.
- D.** Data controllers must be in control of the data they hold at all times.

Answer: (SHOW ANSWER)

Reference <https://blog.rsisecurity.com/why-byod-is-bad-for-gdpr-compliance/>

NEW QUESTION: 14

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.

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

A. More information about the extent of the information loss.

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

Answer: C (LEAVE A REPLY)

NEW QUESTION: 15

A U.S. company's website sells widgets. Which of the following factors would NOT in itself subject the company to the GDPR?

- A. The widgets are offered in EU and priced in euro.
- B. The website places cookies to monitor the EU website user behavior.
- C. An affiliate office is located in France but the processing is in the U.S.
- D. The website is in English and French, and is accessible in France.

Answer: (SHOW ANSWER)

NEW QUESTION: 16

Pursuant to Article 17 and EDPB Guidelines S'2019 on RTBF criteria in search engines cases, all of the following would be valid grounds for data subject delisting requests EXCEPT?

- A. The processing is necessary for exercising the right of freedom of expression and information
- B. The personal data has been collected in relation to the offer of Information society services (ISS) to a child.
- C. The personal data is no longer necessary in relation to the search engine provider's processing
- D. The data subject withdraws consent and there is no other legal basis for the processing.

Answer: A (LEAVE A REPLY)

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NEW QUESTION: 17

Select the answer below that accurately completes the following:

"The right to compensation and liability under the GDPR...

- A. ...is limited to a maximum amount of EUR 20 million per event of damage or loss."
- B. ...can only be exercised against the data controller, even if a data processor was involved in the same processing."
- C. ...provides for an exemption from liability if the data controller (or data processor) proves that it is not in any way responsible for the event giving rise to the damage."

D. ...precludes any subsequent recourse proceedings against other controllers or processors involved in the same processing."

Answer: D (LEAVE A REPLY)

NEW QUESTION: 18

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: D (LEAVE A REPLY)

Reference <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02002L0058-20091219&from=RO>

NEW QUESTION: 19

If a multi-national company wanted to conduct background checks on all current and potential employees, including those based in Europe, what key provision would the company have to follow?

- A. Background checks on employees could be performed only under prior notice to all employees.
- B. Background checks may not be allowed on European employees, but the company can create lists based on its legitimate interests, identifying individuals who are ineligible for employment.
- C. Background checks on European employees will stem from data protection and employment law, which can vary between member states.
- D. Background checks are only authorized with prior notice and express consent from all employees including those based in Europe.

Answer: C (LEAVE A REPLY)

NEW QUESTION: 20

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

- A. Incidents of personal data breaches, whether disclosed or not.
- B. Data inventory or data mapping exercises that have been conducted.
- 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: D (LEAVE A REPLY)

Section: (none)

Explanation

NEW QUESTION: 21

A U.S.-based online shop uses sophisticated software to track the browsing behavior of its European customers and predict future purchases. It also shares this information with third parties. Under the GDPR, what is the online shop's PRIMARY obligation while engaging in this kind of profiling?

- A. It must solicit informed consent through a notice on its website
- B. It must seek authorization from the European supervisory authorities
- C. It must prove that it uses sufficient security safeguards to protect customer data
- D. It must be able to demonstrate a prior business relationship with the customers

Answer: A (LEAVE A REPLY)

NEW QUESTION: 22

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 Asia. 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. In light of the requirements of Article 32 of the GDPR (related to the Security of Processing), which practice should the company institute?

- A. Encrypt the data in transit over the wireless Bluetooth connection.
- B. Include dual-factor authentication before each use by a child in order to ensure a minimum amount of security.

C. Insert contractual clauses into the contract between the toy manufacturer and the cloud service provider, since South Africa is outside the European Union.

D. Include three-factor authentication before each use by a child in order to ensure the best level of security possible.

Answer: A (LEAVE A REPLY)

NEW QUESTION: 23

Article 29 Working Party has emphasized that the GDPR forbids "forum shopping", which occurs when companies do what?

A. Choose the data protection officer that is most sympathetic to their business concerns.

B. Designate their main establishment in member state with the most flexible practices.

C. File appeals of infringement judgments with more than one EU institution simultaneously.

D. Select third-party processors on the basis of cost rather than quality of privacy protection.

Answer: B (LEAVE A REPLY)

Reference <https://gdprinformer.com/gdpr-articles/forum-shopping-illegal-gdpr>

NEW QUESTION: 24

A Spanish electricity customer calls her local supplier with questions about the company's upcoming merger. Specifically, the customer wants to know the recipients to whom her personal data will be disclosed once the merger is final. According to Article 13 of the GDPR, what must the company do before providing the customer with the requested information?

A. Verify that the personal data has not already been sent to the customer.

B. Verify that the request is applicable to the data collected before the GDPR entered into force.

C. Verify that the purpose of the request from the customer is in line with the GDPR.

D. Verify that the identity of the customer can be proven by other means.

Answer: B (LEAVE A REPLY)

NEW QUESTION: 25

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

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

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

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

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

Answer: B (LEAVE A REPLY)

NEW QUESTION: 26

How does the GDPR now define "processing"?

A. Any act involving the collecting and recording of personal data.

B. Any operation or set of operations performed on personal data or on sets of personal data.

C. Any use or disclosure of personal data compatible with the purpose for which the data was collected.

D. Any operation or set of operations performed by automated means on personal data or on sets of personal data.

Answer: B (LEAVE A REPLY)

Reference <https://gdpr-info.eu/issues/processing/>

NEW QUESTION: 27

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 (LEAVE A REPLY)

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

NEW QUESTION: 28

If a French controller has a car-sharing app available only in Morocco, Algeria and Tunisia, but the data processing activities are carried out by the appointed processor in Spain, the GDPR will apply to the processing of the personal data so long as?

- A. The individuals are European citizens or residents.
- B. The data processing activities are in Spain.
- C. The data controller is in France.
- D. The EU individuals are targeted.

Answer: D (LEAVE A REPLY)

NEW QUESTION: 29

What ruling did the Planet 49 CJEU judgment make regarding the issue of pre-ticked boxes?

- A. They are allowed if recorded in the register of processing activities.
- B. They are allowed if determined to be technically necessary.
- C. They do not amount to valid consent under any circumstances.
- D. They constitute valid consent if the processing is necessary for purposes of legitimate interest

Answer: C (LEAVE A REPLY)

NEW QUESTION: 30

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. Department for Education records
- C. Staff and alumni records
- D. Frank's performance database

Answer: C (LEAVE A REPLY)

NEW QUESTION: 31

Which of the following countries will continue to enjoy adequacy status under the GDPR, pending any future European Commission decision to the contrary?

- A. Greece
- B. Norway
- C. Australia

D. Switzerland

Answer: (SHOW ANSWER)

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

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NEW QUESTION: 32

How is the GDPR's position on consent MOST likely to affect future app design and implementation?

- A. App developers will expand the amount of data necessary to collect for an app's functionality.
- B. Users will be given granular types of consent for particular types of processing.
- C. App developers' responsibilities as data controllers will increase.
- D. Users will see fewer advertisements when using apps.

Answer: (SHOW ANSWER)

NEW QUESTION: 33

Which of the following is NOT considered a fair processing practice in relation to the transparency principle?

- A. Providing a QR code linking to more detailed privacy notice, in a CCTV sign.
- B. Providing a "just-in-time" contextual pop-up privacy notice, in an online application from field.
- C. Providing a hyperlink to the organization's home page, in a hard copy application form.
- D. Providing a multi-layered privacy notice, in a website environment.

Answer: (SHOW ANSWER)

NEW QUESTION: 34

Please use the following to answer the next question:

ProStorage is a multinational cloud storage provider headquartered in the Netherlands. Its CEO, Ruth Brown, has developed a two-pronged strategy for growth: 1) expand ProStorage's global customer base and 2) increase ProStorage's sales force by efficiently onboarding effective teams. Enacting this strategy has recently been complicated by Ruth's health condition, which has limited her working hours, as well as her ability to travel to meet potential customers. ProStorage's Human Resources department and Ruth's Chief of Staff now work together to manage her schedule and ensure that she is able to make all her medical appointments. The latter has become especially crucial after Ruth's last trip to India, where she suffered a medical emergency and was hospitalized in New Delhi. Unable to reach Ruth's family, the hospital reached out to ProStorage and was able to connect with her Chief of Staff, who in coordination with Mary, the head of

HR. provided information to the doctors based on accommodate on requests Ruth made when she started a: ProStorage Why is the additional measure recommended by Jackie sufficient for using UpFinance?

- A. UpFinance is in a highly regulated financial industry
- B. UpFinance implements sufficient data protection measures
- C. UpFinance is an established 7-year-old business.
- D. UpFinance is based in a country without surveillance laws.

Answer: D (LEAVE A REPLY)

NEW QUESTION: 35

Why is advisable to avoid consent as a legal basis for an employer to process employee data?

- A. Employee data can only be processed if there is an approval from the data protection officer.
- B. Data protection laws do not apply to processing of employee data.
- C. Consent may not be valid if the employee feels compelled to provide it.
- D. An employer might have difficulty obtaining consent from every employee.

Answer: (SHOW ANSWER)

NEW QUESTION: 36

SCENARIO

Please use the following to answer the next question:

The fitness company Vigotron has recently developed a new app called M-Health, which it wants to market on its website as a free download. Vigotron's marketing manager asks his assistant Emily to create a webpage that describes the app and specifies the terms of use. Emily, who is new at Vigotron, is excited about this task. At her previous job she took a data protection class, and though the details are a little hazy, she recognizes that Vigotron is going to need to obtain user consent for use of the app in some cases. Emily sketches out the following draft, trying to cover as much as possible before sending it to Vigotron's legal department.

Registration Form

Vigotron's new M-Health app makes it easy for you to monitor a variety of health-related activities, including diet, exercise, and sleep patterns. M-Health relies on your smartphone settings (along with other third-party apps you may already have) to collect data about all of these important lifestyle elements, and provide the information necessary for you to enrich your quality of life. (Please click here to read a full description of the services that M-Health provides.) Vigotron values your privacy. The M-Health app allows you to decide which information is stored in it, and which apps can access your data. When your device is locked with a passcode, all of your health and fitness data is encrypted with your passcode. You can back up data stored in the Health app to Vigotron's cloud provider, Stratculous. (Read more about Stratculous here.) Vigotron will never trade, rent or sell personal information gathered from the M-Health app. Furthermore, we will not provide a customer's name, email address or any other information gathered from the app to any third-party without a customer's consent, unless ordered by a court, directed by a subpoena, or to enforce the manufacturer's legal rights or protect its business or property.

We are happy to offer the M-Health app free of charge. If you want to download and use it, we ask that you first complete this registration form. (Please note that use of the M-Health app is restricted to adults aged 16 or older, unless parental consent has been given to minors intending to use it.) First name:

Surname:

Year of birth:

Email:

Physical Address (optional*):

Health status:

*If you are interested in receiving newsletters about our products and services that we think may be of interest to you, please include your physical address. If you decide later that you do not wish to receive these newsletters, you can unsubscribe by sending an email to unsubscribe@vigotron.com or send a letter with your request to the address listed at the bottom of this page.

Terms and Conditions

1. Jurisdiction. [...]

2. Applicable law. [...]

3. Limitation of liability. [...]

Consent

By completing this registration form, you attest that you are at least 16 years of age, and that you consent to the processing of your personal data by Vigotron for the purpose of using the M-Health app. Although you are entitled to opt out of any advertising or marketing, you agree that Vigotron may contact you or provide you with any required notices, agreements, or other information concerning the services by email or other electronic means. You also agree that the Company may send automated emails with alerts regarding any problems with the M-Health app that may affect your well being.

What is one potential problem Vigotron's age policy might encounter under the GDPR?

- A. Organizations that tie a service to marketing must seek consent for each purpose.
- B. Organizations must make reasonable efforts to verify parental consent.
- C. Users are only required to be aged 13 or over to be considered adults.
- D. Age restrictions are more stringent when health data is involved.

Answer: ([SHOW ANSWER](#))

NEW QUESTION: 37

Which of the following is an example of direct marketing that would be subject to European data protection laws?

- A. A revision of contract terms conveyed to an individual by SMS from a marketing organization.
- B. A service outage notification provided to an individual by recorded telephone message.
- C. A charity fundraising event notice sent to an individual at her business address.
- D. An updated privacy notice sent to an individual's personal email address.

Answer: ([SHOW ANSWER](#))

NEW QUESTION: 38

Please use the following to answer the next question:

Jack worked as a Pharmacovigilance Operations Specialist in the Irish office of a multinational pharmaceutical company on a clinical trial related to COVID-19. As part of his onboarding process Jack received privacy training. He was explicitly informed that while he would need to process confidential patient data in the course of his work, he may under no circumstances use this data for anything other than the performance of work-related tasks. This was also specified in the privacy policy, which Jack signed upon conclusion of the training.

After several months of employment, Jack got into an argument with a patient over the phone. Out of anger he later posted the patient's name and health information, along with disparaging comments, on a social media website. When this was discovered by his Pharmacovigilance supervisors, Jack was immediately dismissed. Jack's lawyer sent a letter to the company stating that dismissal was a disproportionate sanction, and that if Jack was not reinstated within 14 days his firm would have no alternative but to commence legal proceedings against the company. This letter was accompanied by a data access request from Jack requesting a copy of "all personal data, including internal emails that were sent/received by Jack or where Jack is directly or indirectly identifiable from the contents." In relation to the emails Jack listed six members of the management team whose inboxes he required access.

The company conducted an initial search of its IT systems, which returned a large amount of information. They then contacted Jack, requesting that he be more specific regarding what information he required, so that they could carry out a targeted search. Jack responded by stating that he would not narrow the scope of the information requested.

What would be the most appropriate response to Jack's data subject access request?

- A.** The company should provide all requested information except for the emails, as they are excluded from data access request requirements under the GDPR.
- B.** The company should not provide any information, as the company is headquartered outside of the EU.
- C.** The company should cite the need for an extension, and agree to provide the information requested in Jack's original DSAR within a period of 3 months.
- D.** The company should decline to provide any information, as the amount of information requested is too excessive to provide in one month.

Answer: ([SHOW ANSWER](#))

NEW QUESTION: 39

When would a data subject NOT be able to exercise the right to portability?

- A.** When the processing is necessary to perform a task in the exercise of authority vested in the controller.
- B.** When the processing is based on consent.
- C.** When the processing is carried out pursuant to a contract with the data subject.
- D.** When the data was supplied to the controller by the data subject.

Answer: ([SHOW ANSWER](#))

NEW QUESTION: 40

Which statement provides an accurate description of a directive?

- A.** A directive is a legal act relating to specific cases and directed towards member states, companies or private individuals.

- B.** A directive specifies certain results that must be achieved, but each member state is free to decide how to turn it into a national law
- C.** A directive has binding legal force throughout every member state and enters into force on a set date in all the member states.
- D.** A directive is a legal act that applies automatically and uniformly to all EU countries as soon as it enters into force.

Answer: [\(SHOW ANSWER\)](#)

NEW QUESTION: 41

SCENARIO

Please use the following to answer the next question:

Sandy recently joined Market4U, an advertising technology company founded in 2016, as their VP of Privacy and Data Governance. Through her first initiative in conducting a data inventory, Sandy learned that Market4U maintains a list of 19 million global contacts that were collected throughout the course of Market4U's existence. Knowing the risk of having such a large amount of data, Sandy wanted to purge all contacts that were entered into Market4U's systems prior to May 2018, unless such contacts had a more recent interaction with Market4U content. However, Dan, the VP of Sales, informed Sandy that all of the contacts provide useful information regarding successful marketing campaigns and trends in industry verticals for Market4U's clients.

Dan also informed Sandy that he had wanted to focus on gaining more customers within the sports and entertainment industry. To assist with this behavior, Market4U's marketing team decided to add several new fields to Market4U's website forms, including forms for downloading white papers, creating accounts to participate in Market4U's forum, and attending events. Such fields include birth date and salary.

What should Sandy give as feedback to Dan and the marketing team regarding the new fields Dan wants to add to Market4U's forms?

- A.** Eliminate the fields as they are not necessary for the purposes of providing white papers or registration for events.
- B.** Eliminate the fields, as they are not proportional to the services being offered.
- C.** Only request the information in brackets (i.e., age group and salary range).
- D.** Make all the fields optional.

Answer: [A \(LEAVE A REPLY\)](#)

NEW QUESTION: 42

SCENARIO

Please use the following to answer the next question:

Javier is a member of the fitness club EVERFIT. This company has branches in many EU member states, but for the purposes of the GDPR maintains its primary establishment in France. Javier lives in Newry, Northern Ireland (part of the U.K.), and commutes across the border to work in Dundalk, Ireland. Two years ago while on a business trip, Javier was photographed while working out at a branch of EVERFIT in Frankfurt, Germany. At the time, Javier gave his consent to being included in the photograph, since he was told that it would be used for promotional purposes only. Since then, the photograph has been used in the

club's U.K. brochures, and it features in the landing page of its U.K. website. However, the fitness club has recently fallen into disrepute due to widespread mistreatment of members at various branches of the club in several EU member states. As a result, Javier no longer feels comfortable with his photograph being publicly associated with the fitness club.

After numerous failed attempts to book an appointment with the manager of the local branch to discuss this matter, Javier sends a letter to EVETFIT requesting that his image be removed from the website and all promotional materials. Months pass and Javier, having received no acknowledgment of his request, becomes very anxious about this matter. After repeatedly failing to contact EVETFIT through alternate channels, he decides to take action against the company.

Javier contacts the U.K. Information Commissioner's Office ('ICO' - the U.K.'s supervisory authority) to lodge a complaint about this matter. The ICO, pursuant to Article 56 (3) of the GDPR, informs the CNIL (i.e. the supervisory authority of EVERFIT's main establishment) about this matter. Despite the fact that EVERFIT has an establishment in the U.K., the CNIL decides to handle the case in accordance with Article 60 of the GDPR. The CNIL liaises with the ICO, as relevant under the cooperation procedure. In light of issues amongst the supervisory authorities to reach a decision, the European Data Protection Board becomes involved and, pursuant to the consistency mechanism, issues a binding decision.

Additionally, Javier sues EVERFIT for the damages caused as a result of its failure to honor his request to have his photograph removed from the brochure and website.

Assuming that multiple EVETFIT branches across several EU countries are acting as separate data controllers, and that each of those branches were responsible for mishandling Javier's request, how may Javier proceed in order to seek compensation?

- A.** He will be able to sue any one of the relevant EVETFIT branches, as each one may be held liable for the entire damage.
- B.** He will have to sue each EVETFIT branch so that each branch provides proportionate compensation commensurate with its contribution to the damage or distress suffered by Javier.
- C.** He will have to sue the EVETFIT's head office in France, where EVETFIT has its main establishment.
- D.** He will be able to apply to the European Data Protection Board in order to determine which particular EVETFIT branch is liable for damages, based on the decision that was made by the board.

Answer: C (LEAVE A REPLY)

NEW QUESTION: 43

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 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.
- C.** Because of the categories of data involved, explicit consent for the use of cookies must be obtained separately from customers.
- D.** Because the use of cookies involves the potential for location tracking, explicit consent must be obtained from customers.

Answer: C (LEAVE A REPLY)

NEW QUESTION: 44

In which situation would a data controller most likely be able to justify the processing of the data of a child without parental consent?

- A.** When a legitimate business interest makes obtaining consent impractical.
- B.** When the data is to be processed for market research.
- C.** When providing preventive or counselling services to the child.
- D.** When providing the child with materials purely for educational use.

Answer: C (LEAVE A REPLY)

NEW QUESTION: 45

What was the aim of the European Data Protection Directive 95/46/EC?

- A. To harmonize the implementation of the European Convention of Human Rights across all member states.
- B. To implement the OECD Guidelines on the Protection of Privacy and trans-border flows of Personal Data.
- C. To completely prevent the transfer of personal data out of the European Union.
- D. To further reconcile the protection of the fundamental rights of individuals with the free flow of data from one member state to another.

Answer: (SHOW ANSWER)

Reference https://www.oecd.org/sti/ieconomy/oecd_privacy_framework.pdf (3)

NEW QUESTION: 46

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 technical, financial, and staff resources available to an authority in the third country concerned that may access the personal data to be transferred
- C. The process of modernization in the third country concerned and their access to emerging technologies that rely on international transfers of personal data
- 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: C (LEAVE A REPLY)

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NEW QUESTION: 47

The European Parliament jointly exercises legislative and budgetary functions with which of the following?

- A. The European Data Protection Board.
- B. The Article 29 Working Party.
- C. The Council of the European Union.
- D. The European Commission.

Answer: C (LEAVE A REPLY)

NEW QUESTION: 48

WP29's "Guidelines on Personal data breach notification under Regulation 2016/679" provides examples of ways to communicate data breaches transparently. Which of the following was listed as a method that would NOT be effective for communicating a breach to data subjects?

- A. A notice on a corporate blog
- B. A direct electronic message
- C. A prominent advertisement in print media
- D. A postal notification

Answer: A (LEAVE A REPLY)

NEW QUESTION: 49

An employee of company ABCD has just noticed a memory stick containing records of client data, including their names, addresses and full contact details has disappeared. The data on the stick is unencrypted and in clear text. It is uncertain what has happened to the stick at this stage, but it likely was lost during the travel of an employee. What should the company do?

- A. Launch an investigation and if nothing is found within one month, notify the data protection supervisory authority.
- B. Notify as soon as possible the data protection supervisory authority that a data breach may have taken place.
- C. Invoke the "disproportionate effort" exception under Article 33 to postpone notifying data subjects until more information can be gathered.
- D. Immediately notify all the customers of the company that their information has been accessed by an unauthorized person.

Answer: B (LEAVE A REPLY)

NEW QUESTION: 50

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.

In preparing the company for its impending lawsuit, Alice's instruction to the company's IT Department violated Article 5 of the GDPR because the company failed to first do what?

- A. Encrypt the data from all of its employees.
- B. Inform all of its employees about the lawsuit.
- C. Send out consent forms to all of its employees.
- D. Minimize the amount of data collected for the lawsuit.

Answer: D (LEAVE A REPLY)

NEW QUESTION: 51

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 high risks to individuals' rights and freedoms that the controller can take steps to reduce.
- B. Where the DPIA identifies that personal data needs to be transferred to other countries outside of the EEA.
- C. Where the DPIA identifies risks that will require insurance for protecting its business interests.
- D. Where the DPIA identifies that the processing being proposed collects the sensitive data of EU citizens.

Answer: A (LEAVE A REPLY)

NEW QUESTION: 52

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.

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

- A. The data subjects gave their unambiguous consent for the original processing
- 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 are no longer current students of Frank's

Answer: A (LEAVE A REPLY)

NEW QUESTION: 53

Under Article 80(1) of the GDPR, individuals can elect to be represented by not-for-profit organizations in a privacy group litigation or class action. These organizations are commonly known as?

- A. Constitutional rights organizations.

- B. Law firm organizations.
- C. Civil society organizations.
- D. Human rights organizations.

Answer: B (LEAVE A REPLY)

NEW QUESTION: 54

SCENARIO

Please use the following to answer the next question:

Javier is a member of the fitness club EVERFIT. This company has branches in many EU member states, but for the purposes of the GDPR maintains its primary establishment in France. Javier lives in Newry, Northern Ireland (part of the U.K.), and commutes across the border to work in Dundalk, Ireland. Two years ago while on a business trip, Javier was photographed while working out at a branch of EVERFIT in Frankfurt, Germany. At the time, Javier gave his consent to being included in the photograph, since he was told that it would be used for promotional purposes only. Since then, the photograph has been used in the club's U.K. brochures, and it features in the landing page of its U.K. website. However, the fitness club has recently fallen into disrepute due to widespread mistreatment of members at various branches of the club in several EU member states. As a result, Javier no longer feels comfortable with his photograph being publicly associated with the fitness club.

After numerous failed attempts to book an appointment with the manager of the local branch to discuss this matter, Javier sends a letter to EVETFIT requesting that his image be removed from the website and all promotional materials. Months pass and Javier, having received no acknowledgment of his request, becomes very anxious about this matter. After repeatedly failing to contact EVETFIT through alternate channels, he decides to take action against the company.

Javier contacts the U.K. Information Commissioner's Office ('ICO' - the U.K.'s supervisory authority) to lodge a complaint about this matter. The ICO, pursuant to Article 56 (3) of the GDPR, informs the CNIL (i.e. the supervisory authority of EVERFIT's main establishment) about this matter. Despite the fact that EVERFIT has an establishment in the U.K., the CNIL decides to handle the case in accordance with Article 60 of the GDPR.

The CNIL liaises with the ICO, as relevant under the cooperation procedure. In light of issues amongst the supervisory authorities to reach a decision, the European Data Protection Board becomes involved and, pursuant to the consistency mechanism, issues a binding decision.

Additionally, Javier sues EVERFIT for the damages caused as a result of its failure to honor his request to have his photograph removed from the brochure and website.

Assuming that multiple EVETFIT branches across several EU countries are acting as separate data controllers, and that each of those branches were responsible for mishandling Javier's request, how may Javier proceed in order to seek compensation?

- A. He will have to sue each EVETFIT branch so that each branch provides proportionate compensation commensurate with its contribution to the damage or distress suffered by Javier.
- B. He will have to sue the EVETFIT's head office in France, where EVETFIT has its main establishment.
- C. He will be able to sue any one of the relevant EVETFIT branches, as each one may be held liable for the entire damage.

D. He will be able to apply to the European Data Protection Board in order to determine which particular EVETFIT branch is liable for damages, based on the decision that was made by the board.

Answer: B (LEAVE A REPLY)

NEW QUESTION: 55

Which of the following was the first to implement national law for data protection in 1973?

- A. Germany
- B. United Kingdom
- C. France
- D. Sweden

Answer: (SHOW ANSWER)

NEW QUESTION: 56

MagicClean is a web-based service located in the United States that matches home cleaning services to customers. It offers its services exclusively in the United States. It uses a processor located in France to optimize its data. Is MagicClean subject to the GDPR?

- A. No, because MagicClean is not offering services to EU data subjects.
- B. Yes, because MagicClean is processing data in the EU.
- C. No, because MagicClean is located in the United States only.
- D. Yes, because MagicClean's data processing agreement with the French processor is an establishment in the EU.

Answer: D (LEAVE A REPLY)

NEW QUESTION: 57

SCENARIO

Please use the following to answer the next question:

Jane Stan's new role as a Data Protection Officer (DPO) at a Malta-based company that allows anyone to buy and sell cryptocurrencies via its online platform. The company stores and processes the personal data of its customers in a dedicated data center located in Malta (EU).

People wishing to trade cryptocurrencies are required to open an online account on the platform. They then must successfully pass a KYC due diligence procedure aimed at preventing money laundering and ensuring compliance with applicable financial regulations.

The non-European customers are also required to waive all their GDPR rights by reading a disclaimer written in bold and clicking a checkbox on a separate page in order to get their account approved on the platform.

The customers must likewise accept the terms of service of the platform. The terms of service also include a privacy policy section, saying, among other things, that if a What is potentially wrong with the backup system operated in the AWS cloud?

- A. The AWS servers are located in the EU but in a country different than the location of the corporate headquarters.
- B. AWS is a U.S. company, and no personal data of European residents may be transferred to it without explicit written consent from data subjects.

- C. The data storage period has to be revised, and a data processing agreement w*h AWS must be signed
- D. It is unlawful to process any personal data in a cloud unless the cloud is certified as GDPR-compliant by a competent supervisory authority.

Answer: C (LEAVE A REPLY)

NEW QUESTION: 58

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 Asia. 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. In light of the requirements of Article 32 of the GDPR (related to the Security of Processing), which practice should the company institute?

- A. Encrypt the data in transit over the wireless Bluetooth connection.
- B. Include dual-factor authentication before each use by a child in order to ensure a minimum amount of security.

C. Include three-factor authentication before each use by a child in order to ensure the best level of security possible.

D. Insert contractual clauses into the contract between the toy manufacturer and the cloud service provider, since South Africa is outside the European Union.

Answer: A (LEAVE A REPLY)

Explanation/Reference:

NEW QUESTION: 59

A company has collected personal data for direct marketing purpose on the basis of consent. It is now considering using this data to develop new products through analytics. What is the company first required to do?

A. Update the privacy notice upon which consent was given

B. Only inform the data subjects of the new purpose.

C. Obtain specific consent for the new processing

D. Proceed no further, as such repurposing is unlawful

Answer: C (LEAVE A REPLY)

NEW QUESTION: 60

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 Asia. 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's data center is located in a country outside the EU.
- B. The company employs staff in the EU.
- C. The company has offices in the EU.
- D. The company's products are marketed directly to EU customers.

Answer: D (LEAVE A REPLY)

NEW QUESTION: 61

The GDPR requires controllers to supply data subjects with detailed information about the processing of their data. Where a controller obtains data directly from data subjects, which of the following items of information does NOT legally have to be supplied?

- A. The right to lodge a complaint with a supervisory authority.
- B. The categories of personal data concerned.
- C. The recipients or categories of recipients.
- D. The rights of access, erasure, restriction, and portability.

Answer: (SHOW ANSWER)

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NEW QUESTION: 62

With respect to international transfers of personal data, the European Data Protection Board (EDPB) confirmed that derogations may be relied upon under what condition?

- A. If the data controller has received preapproval from a Data Protection Authority (DPA), after submitting the appropriate documents.
- B. When it has been determined that adequate protection can be performed.
- C. Only if the Data Protection Impact Assessment (DPIA) shows low risk.
- D. Only as a last resort and when interpreted restrictively.

Answer: B (LEAVE A REPLY)

Reference https://edpb.europa.eu/sites/edpb/files/files/file1/20200724_edpb_faqoncjeuc31118.pdf (4)

NEW QUESTION: 63

When hiring a data processor, which action would a data controller NOT be able to depend upon to avoid liability in the event of a security breach?

- A. Conducting a risk assessment to analyze possible outsourcing threats.
- B. Documenting due diligence steps taken in the pre-contractual stage.
- C. Requiring that the processor directly notify the appropriate supervisory authority.
- D. Maintaining evidence that the processor was the best possible market choice available.

Answer: B (LEAVE A REPLY)

NEW QUESTION: 64

In the Planet 49 case, what was the judgement of the Court of Justice of the European Union (CJEU) regarding the issue of cookies?

- A. If the ePrivacy Directive requires consent for cookies, then the GDPR's consent requirements apply.
- B. If a website's cookie notice makes clear the information gathered and the lifespan of the cookie, then pre-checked boxes are acceptable.
- C. If a data subject continues to scroll through a website after reading a cookie banner, this activity constitutes valid consent for the tracking described in the cookie banner.
- D. If the cookies do not track personal data, then pre-checked boxes are acceptable.

Answer: (SHOW ANSWER)

NEW QUESTION: 65

What must be included in a written agreement between the controller and processor in relation to processing conducted on the controller's behalf?

- A. An obligation on the processor to assist the controller in complying with the controller's obligations to notify the supervisory authority about personal data breaches.
- B. An obligation on both parties to report any serious personal data breach to the supervisory authority.
- C. An obligation on the processor to report any personal data breach to the controller within 72 hours.
- D. An obligation on both parties to agree to a termination of the agreement if the other party is responsible for a personal data breach.

Answer: B (LEAVE A REPLY)

NEW QUESTION: 66

SCENARIO

Please use the following to answer the next question:

Ben is a member of the fitness club STAYFIT. This company has branches in many EU member states, but for the purposes of the GDPR maintains its primary establishment in France. Ben lives in Newry, Northern Ireland (part of the U.K.), and commutes across the border to work in Dundalk, Ireland. Two years ago while on a business trip, Ben was photographed while working out at a branch of STAYFIT in Frankfurt, Germany. At the time, Ben gave his consent to being included in the photograph, since he was told that it would be

used for promotional purposes only. Since then, the photograph has been used in the club's U.K. brochures, and it features in the landing page of its U.K. website. However, the fitness club has recently fallen into disrepute due to widespread mistreatment of members at various branches of the club in several EU member states. As a result, Ben no longer feels comfortable with his photograph being publicly associated with the fitness club.

After numerous failed attempts to book an appointment with the manager of the local branch to discuss this matter, Ben sends a letter to STAYFIT requesting that his image be removed from the website and all promotional materials. Months pass and Ben, having received no acknowledgment of his request, becomes very anxious about this matter. After repeatedly failing to contact STAYFIT through alternate channels, he decides to take action against the company.

Ben contacts the U.K. Information Commissioner's Office ('ICO' - the U.K.'s supervisory authority) to lodge a complaint about this matter.

Under the cooperation mechanism, what should the lead authority (the CNIL) do after it has formed its view on the matter?

- A.** Submit a draft decision directly to the Commission to ensure the effectiveness of the consistency mechanism.
- B.** Request that the other supervisory authorities provide the lead authority with a draft decision for its consideration.
- C.** Submit a draft decision to other supervisory authorities for their opinion.
- D.** Request that members of the seconding supervisory authority and the host supervisory authority co-draft a decision.

Answer: B (LEAVE A REPLY)

NEW QUESTION: 67

Under the GDPR, who would be LEAST likely to be allowed to engage in the collection, use, and disclosure of a data subject's sensitive medical information without the data subject's knowledge or consent?

- A.** A member of the judiciary involved in adjudicating a legal dispute involving the data subject and concerning the health of the data subject.
- B.** A public authority responsible for public health, where the sharing of such information is considered necessary for the protection of the general populace.
- C.** A health professional involved in the medical care for the data subject, where the data subject's life hinges on the timely dissemination of such information.
- D.** A journalist writing an article relating to the medical condition in question, who believes that the publication of such information is in the public interest.

Answer: B (LEAVE A REPLY)

Explanation/Reference:

<https://www.eui.eu/Documents/ServicesAdmin/DeanOfStudies/ResearchEthics/Guide-Data-Protection-Research.pdf>

NEW QUESTION: 68

What is the consequence if a processor makes an independent decision regarding the purposes and means of processing it carries out on behalf of a controller?

- A. The controller will be liable to pay an administrative fine
- B. The processor will be liable to pay compensation to affected data subjects
- C. The processor will be considered to be a controller in respect of the processing concerned
- D. The controller will be required to demonstrate that the unauthorized processing negatively affected one or more of the parties involved

Answer: B (LEAVE A REPLY)

NEW QUESTION: 69

SCENARIO

Please use the following to answer the next question:

Jason, a long-time customer of ABC insurance, was involved in a minor car accident a few months ago. Although no one was hurt, Jason has been plagued by texts and calls from a company called Erbium Insurance offering to help him recover compensation for personal injury. Jason has heard about insurance companies selling customers' data to third parties, and he's convinced that Erbium must have gotten his information from ABC.

Jason has also been receiving an increased amount of marketing information from ABC, trying to sell him their full range of their insurance policies.

Perturbed by this, Jason has started looking at price comparison sites on the Internet and has been shocked to find that other insurers offer much cheaper rates than ABC, even though he has been a loyal customer for many years. When his ABC policy comes up for renewal, he decides to switch to Xentron Insurance.

In order to activate his new insurance policy, Jason needs to supply Xentron with information about his No Claims bonus, his vehicle and his driving history. After researching his rights under the GDPR, he writes to ask ABC to transfer his information directly to Xentron. He also takes this opportunity to ask ABC to stop using his personal data for marketing purposes.

ABC supplies Jason with a PDF and XML (Extensible Markup Language) versions of his No Claims Certificate, but tells Jason it cannot transfer his data directly to Xentron as this is not technically feasible. ABC also explains that Jason's contract included a provision whereby Jason agreed that his data could be used for marketing purposes; according to ABC, it is too late for Jason to change his mind about this. It angers Jason when he recalls the wording of the contract, which was filled with legal jargon and very confusing. In the meantime, Jason is still receiving unwanted calls from Erbium Insurance. He writes to Erbium to ask for the name of the organization that supplied his details to them. He warns Erbium that he plans to complain to the data protection authority because he thinks their company has been using his data unlawfully. His letter states that he does not want his data being used by them in any way.

Erbium's response letter confirms Jason's suspicions. Erbium is ABC's wholly owned subsidiary, and they received information about Jason's accident from ABC shortly after Jason submitted his accident claim. Erbium assures Jason that there has been no breach of the GDPR, as Jason's contract included a provision in which he agreed to share his information with ABC's affiliates for business purposes.

Jason is disgusted by the way in which he has been treated by ABC, and writes to them insisting that all his information be erased from their computer system.

After Jason has exercised his right to restrict the use of his data, under what conditions would Erbium have grounds for refusing to comply?

- A. If Erbium is entitled to use of the data as an affiliate of ABC.
- B. If Erbium also uses the data to conduct public health research.
- C. If the accuracy of the data is not an aspect that Jason is disputing.
- D. If the data becomes necessary to defend Erbium's legal rights.

Answer: A (LEAVE A REPLY)

NEW QUESTION: 70

An online company's privacy practices vary due to the fact that it offers a wide variety of services. How could it best address the concern that explaining them all would make the policies incomprehensible?

- A. Use a layered privacy notice on its website and in its email communications.
- B. Identify uses of data in a privacy notice mailed to the data subject.
- C. Provide only general information about its processing activities and offer a toll-free number for more information.
- D. Place a banner on its website stipulating that visitors agree to its privacy policy and terms of use by visiting the site.

Answer: B (LEAVE A REPLY)

Reference <https://www.ftc.gov/sites/default/files/documents/reports/federal-trade-commission-bureau-consumer-protection-preliminary-ftc-staff-report-protecting-consumer/101201privacyreport.pdf>

NEW QUESTION: 71

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 non-Canadian 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 decides to track locations using its app, what must it do to comply with the GDPR?

- A. Provide a transparent notice to users.
- B. Obtain a court order because location data is a special category of personal data.
- C. Get consent from the app users.
- D. Anonymize the data and add latency so it avoids disclosing real time locations.

Answer: C (LEAVE A REPLY)

NEW QUESTION: 72

Which of the following would require designating a data protection officer?

- A. The core activities of the controller or processor consist of processing operations that require systematic monitoring of data subjects on a large scale.
- B. Processing is carried out for the purpose of providing for-profit goods or services to individuals in the EU.
- C. Processing is carried out by an organization employing 250 persons or more.
- D. The core activities of the controller or processor consist of processing operations of financial information or information relating to children.

Answer: A (LEAVE A REPLY)

NEW QUESTION: 73

SCENARIO

Please use the following to answer the next question:

ProStorage is a multinational cloud storage provider headquartered in the Netherlands. Its CEO, Ruth Brown, has developed a two-pronged strategy for growth: 1) expand ProStorage's global customer base and 2) increase ProStorage's sales force by efficiently onboarding effective teams. Enacting this strategy has recently been complicated by Ruth's health condition, which has limited her working hours, as well as her ability to travel to meet potential customers. ProStorage's Human Resources department and Ruth's Chief of Staff now work together to manage her schedule and ensure that she is able to make all her medical appointments. The latter has become especially crucial after Ruth's last trip to India, where she suffered a medical emergency and was hospitalized in New Delhi. Unable to reach Ruth's family, the hospital reached out to ProStorage and was able to connect with her Chief of Staff, who in coordination with Mary, the head of

HR. provided information to the doctors based on accommodate on requests Ruth made when she started a: ProStorage Why was Jackie correct in not completing a transfer impact assessment for HRYourWay?

- A. ProStorage will obtain consent for all transfers.
- B. HRYourWay is not located in a third country.
- C. ProStorage can rely on its Binding Corporate Rules
- D. HRYourWay was ultimately not selected

Answer: A (LEAVE A REPLY)

NEW QUESTION: 74

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 (LEAVE A REPLY)

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

NEW QUESTION: 75

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 agrees to be fully liable for its use of BHealthy's customer information in its product improvement activities.

D. If Natural Insight satisfies the transparency requirement by notifying BHealthy's customers of its plans to use their information for its product improvement activities.

Answer: B (LEAVE A REPLY)

NEW QUESTION: 76

SCENARIO

Please use the following to answer the next question:

Jason, a long-time customer of ABC insurance, was involved in a minor car accident a few months ago. Although no one was hurt, Jason has been plagued by texts and calls from a company called Erbium Insurance offering to help him recover compensation for personal injury. Jason has heard about insurance companies selling customers' data to third parties, and he's convinced that Erbium must have gotten his information from ABC.

Jason has also been receiving an increased amount of marketing information from ABC, trying to sell him their full range of their insurance policies.

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In order to activate his new insurance policy, Jason needs to supply Xentron with information about his No Claims bonus, his vehicle and his driving history. After researching his rights under the GDPR, he writes to ask ABC to transfer his information directly to Xentron. He also takes this opportunity to ask ABC to stop using his personal data for marketing purposes.

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Erbium's response letter confirms Jason's suspicions. Erbium is ABC's wholly owned subsidiary, and they received information about Jason's accident from ABC shortly after Jason submitted his accident claim. Erbium assures Jason that there has been no breach of the GDPR, as Jason's contract included a provision in which he agreed to share his information with ABC's affiliates for business purposes.

Jason is disgusted by the way in which he has been treated by ABC, and writes to them insisting that all his information be erased from their computer system.

After Jason has exercised his right to restrict the use of his data, under what conditions would Erbium have grounds for refusing to comply?

A. If Erbium also uses the data to conduct public health research.

- B. If Erbium is entitled to use of the data as an affiliate of ABC.
- C. If the data becomes necessary to defend Erbium's legal rights.
- D. If the accuracy of the data is not an aspect that Jason is disputing.

Answer: B (LEAVE A REPLY)

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NEW QUESTION: 77

Under the Data Protection Law Enforcement Directive of the EU, a government can carry out covert investigations involving personal data, as long it is set forth by law and constitutes a measure that is both necessary and what?

- A. Proportionate.
- B. Prudent.
- C. Important.
- D. DPA-approved.

Answer: A (LEAVE A REPLY)

NEW QUESTION: 78

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 (LEAVE A REPLY)

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

NEW QUESTION: 79

Which sentence best describes proper compliance for an international organization using Binding Corporate Rules (BCRs) as a controller or processor?

- A. Employees who control personal data must complete a rigorous certification procedure, as they are exempt from legal enforcement.
- B. Employees must sign an ad hoc contractual agreement each time personal data is exported.

C. All employees must follow the privacy regulations of the jurisdictions where the current scope of their work is established.

D. All employees are subject to the rules in their entirety, regardless of where the work is taking place.

Answer: D (LEAVE A REPLY)

NEW QUESTION: 80

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.

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

A. More information about what students have been told and how the research will be used.

- 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 Frank's data protection training.

Answer: A ([LEAVE A REPLY](#))

NEW QUESTION: 81

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 hear appeals on human rights decisions made by national courts, while the ECHR cannot.
- C. ECHR can enforce human rights laws against governments that fail to implement them, while the CJEU cannot.
- D. CJEU can force national governments to implement and honor EU law, while the ECHR cannot.

Answer: ([SHOW ANSWER](#))

NEW QUESTION: 82

Read the following steps:

Discover which employees are accessing cloud services and from which devices and apps
Lock down the data in those apps and devices
Monitor and analyze the apps and devices for compliance
Manage application life cycles
Monitor data sharing
An organization should perform these steps to do which of the following?

- A. Institute a GDPR-compliant employee monitoring process.
- B. Pursue a GDPR-compliant Privacy by Design process.
- C. Ensure cloud vendors are complying with internal data use policies.
- D. Maintain a secure Bring Your Own Device (BYOD) program.

Answer: D ([LEAVE A REPLY](#))

NEW QUESTION: 83

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

- A. Incidents of personal data breaches, whether disclosed or not.
- B. Retention periods for erasure and deletion of categories of personal data.

Section: (none)

Explanation

- C. Data inventory or data mapping exercises that have been conducted.
- D. Categories of recipients to whom the personal data have been disclosed.

Answer: ([SHOW ANSWER](#))

NEW QUESTION: 84

Assuming that the "without undue delay" provision is followed, what is the time limit for complying with a data access request?

- A. Within 40 days of receipt

- B. Within 40 days of receipt, which may be extended by up to 40 additional days
- C. Within one month of receipt, which may be extended by up to an additional month
- D. Within one month of receipt, which may be extended by an additional two months

Answer: C (LEAVE A REPLY)

NEW QUESTION: 85

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.

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

A. The algorithms that Frank uses for the processing are technologically sound

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

Answer: C (LEAVE A REPLY)

NEW QUESTION: 86

Which of the following describes a mandatory requirement for a group of undertakings that wants to appoint a single data protection officer?

- A. The group of undertakings must obtain approval from a supervisory authority.
- B. The group of undertakings must be comprised of organizations of similar sizes and functions.
- C. The data protection officer must be located in the country where the data controller has its main establishment.
- D. The data protection officer must be easily accessible from each establishment where the undertakings are located.

Answer: D (LEAVE A REPLY)

Reference <https://www.privacy-regulation.eu/en/article-37-designation-of-the-data-protection-officer-GDPR.htm>

NEW QUESTION: 87

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.

What are ABC Hotel Chain and XYZ Travel Agency's roles in this relationship?

- A. ABC Hotel Chain and XYZ Travel Agency are independent controllers.
- B. ABC Hotel Chain and XYZ Travel Agency are joint controllers.
- C. XYZ Travel Agency is the controller and ABC Hotel Chain is the processor.
- D. ABC Hotel Chain is the controller and XYZ Travel Agency is the processor.

Answer: B (LEAVE A REPLY)

NEW QUESTION: 88

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

- A. The ePrivacy Directive harmonizes EU member states' rules concerning such data retention.
- B. The ePrivacy Directive allows individual EU member states to engage in such data retention.
- C. The GDPR allows the retention of such data for the prevention, investigation, detection or prosecution of criminal offences only.
- D. The Data Retention Directive's annulment makes such data retention now permissible.

Answer: C ([LEAVE A REPLY](#))

NEW QUESTION: 89

- A. Their decision to operate without a data protection officer.
- B. Their failure to provide sufficient security safeguards to Company A's data.
- C. Their omission of data protection provisions in their contract with Company C.
- D. She first considers whether Company A needs to carry out a data protection impact assessment in relation to the new time and attendance system, but isn't sure whether or not this is required.

Jenny does know, however, that under the GDPR there must be a formal written agreement requiring Company B to use the time and attendance data only for the purpose of providing the payroll service, and to apply appropriate technical and organizational security measures for safeguarding the data. Jenny suggests that Company B obtain advice from its data protection officer. The company doesn't have a DPO but agrees, in the interest of finalizing the contract, to sign up for the provisions in full. Company A enters into the contract.

Weeks later, while still under contract with Company A, Company B embarks upon a separate project meant to enhance the functionality of its payroll service, and engages Company C to help. Company C agrees to extract all personal data from Company B's live systems in order to create a new database for Company

- E. Their engagement of Company C to improve their payroll service.
- F. This database will be stored in a test environment hosted on Company C's U.S. server. The two companies agree not to include any data processing provisions in their services agreement, as data is only being used for IT testing purposes.

Unfortunately, Company C's U.S. server is only protected by an outdated IT security system, and suffers a cyber security incident soon after Company C begins work on the project. As a result, data relating to Company A's employees is visible to anyone visiting Company C's website. Company A is unaware of this until Jenny receives a letter from the supervisory authority in connection with the investigation that ensues. As soon as Jenny is made aware of the breach, she notifies all affected employees.

Under the GDPR, which of Company B's actions would NOT be likely to trigger a potential enforcement action?

Answer: ([SHOW ANSWER](#))

NEW QUESTION: 90

In which of the following cases would an organization MOST LIKELY be required to follow both ePrivacy and data protection rules?

- A. When creating an untargeted pop-up ad on a website.
- B. When calling a potential customer to notify her of an upcoming product sale.

- C. When emailing a customer to announce that his recent order should arrive earlier than expected.
- D. When paying a search engine company to give prominence to certain products and services within specific search results.

Answer: C (LEAVE A REPLY)

Reference <https://www.privacytrust.com/guidance/gdpr-vs-privacy-regulation.html>

NEW QUESTION: 91

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 (LEAVE A REPLY)

Explanation/Reference: <https://gdpr-info.eu/issues/consent/>

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NEW QUESTION: 92

Under Article 21 of the GDPR, a controller must stop profiling when requested by a data subject, unless it can demonstrate compelling legitimate grounds that override the interests of the individual. In the Guidelines on Automated individual decision-making and Profiling, the WP 29 says the controller needs to do all of the following to demonstrate that it has such legitimate grounds EXCEPT?

- A. Consider the impact of the profiling on the data subject's interest, rights and freedoms.
- B. Carry out an exercise that weighs the interests of the controller and the basis for the data subject's objection.
- C. Demonstrate that the profiling is for the purposes of direct marketing.
- D. Consider the importance of the profiling to their particular objective.

Answer: (SHOW ANSWER)

NEW QUESTION: 93

Which GDPR requirement will present the most significant challenges for organizations with Bring Your Own Device (BYOD) programs?

- A. Data subjects must be sufficiently informed of the purposes for which their personal data is processed.
- B. Personal data of data subjects must always be accurate and kept up to date.
- C. Processing of special categories of personal data on a large scale requires appointing a DPO.

D. Data controllers must be in control of the data they hold at all times.

Answer: D ([LEAVE A REPLY](#))

NEW QUESTION: 94

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: ([SHOW ANSWER](#))

NEW QUESTION: 95

The Planet 49 CJEU Judgement applies to?

- A. Cookies used only by third parties.
- B. Cookies that are deemed technically necessary.
- C. Cookies regardless of whether the data accessed is personal or not.
- D. Cookies where the data accessed is considered as personal data only.

Answer: C ([LEAVE A REPLY](#))

Reference <https://www.twobirds.com/en/news/articles/2019/global/planet49-cjeu-rules-on-cookie-consent>

NEW QUESTION: 96

Which of the following is NOT an explicit right granted to data subjects under the GDPR?

- A. The right to request access to the personal data a controller holds about them.
- B. The right to opt-out of the sale of their personal data to third parties.
- C. The right to request the deletion of data a controller holds about them.
- D. The right to request restriction of processing of personal data, under certain scenarios.

Answer: A ([LEAVE A REPLY](#))

NEW QUESTION: 97

To receive a preliminary interpretation on provisions of the GDPR, a national court will refer its case to which of the following?

- A. The Court of Justice of the European Union.
- B. The European Data Protection Supervisor.
- C. The European Court of Human Rights.
- D. The European Data Protection Board.

Answer: A ([LEAVE A REPLY](#))

Reference <https://www.privacy-regulation.eu/en/recital-143-GDPR.htm>

NEW QUESTION: 98

Which of the following is NOT considered a fair processing practice in relation to the transparency principle?

- A. Providing a QR code linking to more detailed privacy notice, in a CCTV sign.

- B. Providing a "just-in-time" contextual pop-up privacy notice, in an online application from field.
- C. Providing a hyperlink to the organization's home page, in a hard copy application form.
- D. Providing a multi-layered privacy notice, in a website environment.

Answer: C ([LEAVE A REPLY](#))

NEW QUESTION: 99

According to the GDPR, what is the main task of a Data Protection Officer (DPO)?

- A. To create procedures for notification of personal data breaches to competent supervisory authorities.
- B. To create and maintain records of processing activities.
- C. To monitor compliance with other local or European data protection provisions.
- D. To conduct Privacy Impact Assessments on behalf of the controller or processor.

Answer: ([SHOW ANSWER](#))

NEW QUESTION: 100

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 to the customers' fundamental rights and freedoms.
- C. A significant risk due to the lack of an informed consent mechanism.
- D. A potential legal liability and financial exposure from its customers.

Answer: B (LEAVE A REPLY)

NEW QUESTION: 101

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

- A. It can result in several lead supervisory authorities in the EU assuming competence over the same data processing activities of an organization.
- 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 gives competence to the lead supervisory authority to address privacy issues derived from processes carried out by public authorities established in different countries.
- D. 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

Answer: B (LEAVE A REPLY)

NEW QUESTION: 102

According to the GDPR, how is pseudonymous personal data defined?

- A. Data that can no longer be attributed to a specific data subject without the use of additional information kept separately.
- B. Data that can no longer be attributed to a specific data subject, with no possibility of re-identifying the data.
- C. Data that has been rendered anonymous in such a manner that the data subject is no longer identifiable.
- D. Data that has been encrypted or is subject to other technical safeguards.

Answer: (SHOW ANSWER)

Explanation/Reference: <https://www.chino.io/blog/what-is-pseudonymous-data-according-to-the-gdpr/>

NEW QUESTION: 103

SCENARIO

Please use the following to answer the next question:

T-Craze, a German-headquartered specialty t-shirt company, was successfully selling to large German metropolitan cities. However, after a recent merger with another German-based company that was selling to a broader European market, T-Craze revamped its marketing efforts to sell to a wider audience. These efforts included a complete redesign of its logo to reflect the recent merger, and improvements to its website meant to capture more information about visitors through the use of cookies.

T-Craze also opened various office locations throughout Europe to help expand its business. While Germany continued to host T-Craze's headquarters and main product-design office, its French affiliate became responsible for all marketing and sales activities. The French affiliate recently procured the services of Right Target, a renowned marketing firm based in the Philippines, to run its latest marketing campaign. After thorough research, Right Target determined that T-Craze is most successful with customers between the ages of 18 and 22. Thus, its first campaign targeted university students in several European capitals, which yielded nearly 40% new customers for T-Craze in one quarter. Right Target also ran subsequent campaigns for T-Craze, though with much less success.

The last two campaigns included a wider demographic group and resulted in countless unsubscribe requests, including a large number in Spain. In fact, the Spanish data protection authority received a complaint from Sofia, a mid-career investment banker. Sofia was upset after receiving a marketing communication even after unsubscribing from such communications from the Right Target on behalf of T-Craze.

Which of the following is T-Craze's lead supervisory authority?

- A. T-Craze may choose its lead supervisory authority where any of its affiliates are based, because it has presence in several European countries.
- B. Spain, because that is T-Craze's primary market based on its marketing campaigns.
- C. France, because that is where T-Craze conducts processing of personal information.
- D. Germany, because that is where T-Craze is headquartered.

Answer: A (LEAVE A REPLY)

NEW QUESTION: 104

The transparency principle is most directly related to which of the following rights?

- A. Right to restriction of processing.
- B. Right to be informed.
- C. Right to be forgotten.
- D. Right to object

Answer: D (LEAVE A REPLY)

NEW QUESTION: 105

Since blockchain transactions are classified as pseudonymous, are they considered to be within the material scope of the GDPR or outside of it?

- A. Within the material scope of the GDPR but outside of the territorial scope, because blockchains are decentralized.
- B. Outside the material scope of the GDPR, because transactions do not include personal data about data subjects in the European Union.

- C. Outside the material scope of the GDPR, because transactions are for personal or household purposes
- D. Within the material scope of the GDPR to the extent that transactions include data subjects in the European Union.

Answer: D ([LEAVE A REPLY](#))

NEW QUESTION: 106

An entity's website stores text files on EU users' computer and mobile device browsers. Prior to doing so, the entity is required to provide users with notices containing information and consent under which of the following frameworks?

- A. E-Commerce Directive 2000/31/EC.
- B. Data Protection Directive 95/46/EC.
- C. General Data Protection Regulation 2016/679.
- D. E-Privacy Directive 2002/58/EC.

Answer: ([SHOW ANSWER](#))

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NEW QUESTION: 107

Under Article 80(1) of the GDPR, individuals can elect to be represented by not-for-profit organizations in a privacy group litigation or class action. These organizations are commonly known as?

- A. Law firm organizations.
- B. Civil society organizations.
- C. Human rights organizations.
- D. Constitutional rights organizations.

Answer: ([SHOW ANSWER](#))

Reference <https://gdpr-info.eu/art-80-gdpr/>

NEW QUESTION: 108

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

Answer: D ([LEAVE A REPLY](#))

NEW QUESTION: 109

Which of the following is NOT one of the 4 principles developed by the European AI Alliance regarding the ethical use of Artificial Intelligence?

- A. It should respect human autonomy.
- B. It should be fair.
- C. It should be lawful
- D. It should prevent harm

Answer: C (LEAVE A REPLY)

NEW QUESTION: 110

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. An of the security measures used when personal data is transferred to a third party.
- D. A privacy notice containing brief information whilst offering access to further detail.

Answer: D (LEAVE A REPLY)

NEW QUESTION: 111

According to the European Data Protection Board, which of the following concepts or practices does NOT follow from the principles relating to the processing of personal data under EU data protection law?

- A. Error propagation avoidance along the processing chain.
- B. Frequent pseudonymization key rotation.
- C. Access control management.
- D. Data ownership allocation.

Answer: B (LEAVE A REPLY)

NEW QUESTION: 112

Articles 13 and 14 of the GDPR provide details on the obligation of data controllers to inform data subjects when collecting personal data. However, both articles specify an exemption for situations in which the data subject already has the information.

Which other situation would also exempt the data controller from this obligation under Article 14?

- A. When providing the information would involve a disproportionate effort
- B. When the personal data was obtained 5 years before the entry into force of the GDPR
- C. When providing the information would go against a police order.
- D. When the personal data was obtained through multiple source in the public domain

Answer: A (LEAVE A REPLY)

NEW QUESTION: 113

SCENARIO

Please use the following to answer the next question:

Louis, a long-time customer of Bedrock Insurance, was involved in a minor car accident a few months ago. Although no one was hurt, Louis has been plagued by texts and calls from a company called Accidentable offering to help him recover compensation for personal injury. Louis has heard about insurance companies selling customers' data to third parties, and he's convinced that Accidentable must have gotten his information from Bedrock Insurance.

Louis has also been receiving an increased amount of marketing information from Bedrock, trying to sell him their full range of their insurance policies.

Perturbed by this, Louis has started looking at price comparison sites on the internet and has been shocked to find that other insurers offer much cheaper rates than Bedrock, even though he has been a loyal customer for many years. When his Bedrock policy comes up for renewal, he decides to switch to Zantrum Insurance. In order to activate his new insurance policy, Louis needs to supply Zantrum with information about his No Claims bonus, his vehicle and his driving history. After researching his rights under the GDPR, he writes to ask Bedrock to transfer his information directly to Zantrum. He also takes this opportunity to ask Bedrock to stop using his personal data for marketing purposes.

Bedrock supplies Louis with a PDF and XML (Extensible Markup Language) versions of his No Claims Certificate, but tells Louis it cannot transfer his data directly to Zantrum as this is not technically feasible. Bedrock also explains that Louis's contract included a provision whereby Louis agreed that his data could be used for marketing purposes; according to Bedrock, it is too late for Louis to change his mind about this. It angers Louis when he recalls the wording of the contract, which was filled with legal jargon and very confusing.

In the meantime, Louis is still receiving unwanted calls from Accidentable Insurance. He writes to Accidentable to ask for the name of the organization that supplied his details to them. He warns Accidentable that he plans to complain to the data protection authority, because he thinks their company has been using his data unlawfully. His letter states that he does not want his data being used by them in any way. Accidentable's response letter confirms Louis's suspicions. Accidentable is Bedrock Insurance's wholly owned subsidiary, and they received information about Louis's accident from Bedrock shortly after Louis submitted his accident claim. Accidentable assures Louis that there has been no breach of the GDPR, as Louis's contract included, a provision in which he agreed to share his information with Bedrock's affiliates for business purposes.

Louis is disgusted by the way in which he has been treated by Bedrock, and writes to them insisting that all his information be erased from their computer system.

After Louis has exercised his right to restrict the use of his data, under what conditions would Accidentable have grounds for refusing to comply?

- A. If Accidentable is entitled to use of the data as an affiliate of Bedrock.
- B. If Accidentable also uses the data to conduct public health research.
- C. If the data becomes necessary to defend Accidentable's legal rights.
- D. If the accuracy of the data is not an aspect that Louis is disputing.

Answer: (SHOW ANSWER)

Explanation/Reference:

NEW QUESTION: 114

According to the E-Commerce Directive 2000/31/EC, where is the place of "establishment" for a company providing services via an Internet website confirmed by the GDPR?

- A. Where the technology supporting the website is located
- B. Where the website is accessed
- C. Where the decisions about processing are made
- D. Where the customer's Internet service provider is located

Answer: ([SHOW ANSWER](#))

Reference <https://www.ohioabar.org/member-tools-benefits/publications/Ohio-Lawyer/the-european-general-data-protection-regulation-gdpr/>

NEW QUESTION: 115

What permissions are required for a marketer to send an email marketing message to a consumer in the EU?

- A. A prior opt-in consent for consumers unless they are already customers.
- B. A pre-checked box stating that the consumer agrees to receive email marketing.
- C. A notice that the consumer's email address will be used for marketing purposes.
- D. No prior permission required, but an opt-out requirement on all emails sent to consumers.

Answer: ([SHOW ANSWER](#))

Explanation/Reference: <https://www.forbes.com/sites/forbescommunicationscouncil/2018/06/27/what-gdpr-means-for-email-marketing-to-eu-customers/#64020aa8374a>

NEW QUESTION: 116

A. She first considers whether Company A needs to carry out a data protection impact assessment in relation to the new time and attendance system, but isn't sure whether or not this is required.

Jenny does know, however, that under the GDPR there must be a formal written agreement requiring Company B to use the time and attendance data only for the purpose of providing the payroll service, and to apply appropriate technical and organizational security measures for safeguarding the data. Jenny suggests that Company B obtain advice from its data protection officer. The company doesn't have a DPO but agrees, in the interest of finalizing the contract, to sign up for the provisions in full. Company A enters into the contract.

Weeks later, while still under contract with Company A, Company B embarks upon a separate project meant to enhance the functionality of its payroll service, and engages Company C to help. Company C agrees to extract all personal data from Company B's live systems in order to create a new database for Company

B. This database will be stored in a test environment hosted on Company C's U.S. server. The two companies agree not to include any data processing provisions in their services agreement, as data is only being used for IT testing purposes.

Unfortunately, Company C's U.S. server is only protected by an outdated IT security system, and suffers a cyber security incident soon after Company C begins work on the project. As a result, data relating to Company A's employees is visible to anyone visiting Company C's website. Company A is unaware of this

until Jenny receives a letter from the supervisory authority in connection with the investigation that ensues. As soon as Jenny is made aware of the breach, she notifies all affected employees.

The GDPR requires sufficient guarantees of a company's ability to implement adequate technical and organizational measures. What would be the most realistic way that Company B could have fulfilled this requirement?

- C. Hiring companies whose measures are consistent with recommendations of accrediting bodies.
- D. Requesting advice and technical support from Company A's IT team.
- E. Avoiding the use of another company's data to improve their own services.
- F. Vetting companies' measures with the appropriate supervisory authority.

Answer: A,C (LEAVE A REPLY)

Explanation/Reference: <https://www.knowyourcompliance.com/gdpr-technical-organisational-measures/>

NEW QUESTION: 117

What is true if an employee makes an access request to his employer for any personal data held about him?

- A. The employer can automatically decline the request if it contains personal data about a third person.
- B. The employer can decline the request if the information is only held electronically.
- C. The employer must supply any information held about an employee unless an exemption applies.
- D. The employer must supply all the information held about the employee.

Answer: C (LEAVE A REPLY)

NEW QUESTION: 118

When does the GDPR provide more latitude for a company to process data beyond its original collection purpose?

- A. When the data serves legitimate interest of third parties.
- B. When the data subject has failed to use a provided opt-out mechanism.

Section: (none)

Explanation

- C. When the data has been pseudonymized.
- D. When the data is protected by technological safeguards.

Answer: (SHOW ANSWER)

NEW QUESTION: 119

Please use the following to answer the next question:

Jane Stan's her new role as a Data Protection Officer (DPO) at a Malta-based company that allows anyone to buy and sell cryptocurrencies via its online platform. The company stores and processes the personal data of its customers in a dedicated data center located in Malta |EU).

People wishing to trade cryptocurrencies are required to open an online account on the platform. They then must successfully pass a KYC due diligence procedure aimed at preventing money laundering and ensuring compliance with applicable financial regulations.

The non-European customers are also required to waive all their GDPR rights by reading a disclaimer written in bold and belong a checkbox on a separate page in order to get their account approved on the platform.

The customers must likewise accept the terms of service of the platform. The terms of service also include a privacy policy section, saying, among other things, that if a Which of the following must be a component of the anti-money-laundering data-sharing practice of the platform?

- A. The terms of service shall also enumerate all applicable anti-money laundering few.
- B. Customers shall have an opt-out feature to restrict data sharing with law enforcement agencies after the registration.
- C. The terms of service shall include the address of the anti-money laundering agency and contacts of the investigators who may access me data.
- D. Customers snail receive a clear and conspicuous notice about such data sharing before submitting their data during the registration process.

Answer: ([SHOW ANSWER](#))

NEW QUESTION: 120

A Spanish electricity customer calls her local supplier with Questions: about the company's upcoming merger. Specifically, the customer wants to know the recipients to whom her personal data will be disclosed once the merger is final. According to Article 13 of the GDPR, what must the company do before providing the customer with the requested information?

- A. Verify that the request is applicable to the data collected before the GDPR entered into force.
- B. Verify that the purpose of the request from the customer is in line with the GDPR.
- C. Verify that the personal data has not already been sent to the customer.
- D. Verify that the identity of the customer can be proven by other means.

Answer: A ([LEAVE A REPLY](#))

Reference https://fpf.org/wp-content/uploads/2018/11/GDPR_CCPA_Comparison-Guide.pdf

NEW QUESTION: 121

To which of the following parties does the territorial scope of the GDPR NOT apply?

- A. All member countries party to the Treaty of Lisbon.
- B. All member countries of the European Economic Area.
- C. All member countries party to the Paris Agreement.
- D. All member countries of the European Union.

Answer: B ([LEAVE A REPLY](#))

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NEW QUESTION: 122

Please use the following to answer the next question:

ProStorage is a multinational cloud storage provider headquartered in the Netherlands. Its CEO, Ruth Brown, has developed a two-pronged strategy for growth: 1) expand ProStorage's global customer base and 2) increase ProStorage's sales force by efficiently onboarding effective teams. Enacting this strategy has recently been complicated by Ruth's health condition, which has limited her working hours, as well as her ability to travel to meet potential customers. ProStorage's Human Resources department and Ruth's Chief of Staff now work together to manage her schedule and ensure that she is able to make all her medical appointments. The latter has become especially crucial after Ruth's last trip to India, where she suffered a medical emergency and was hospitalized in New Delhi. Unable to reach Ruth's family, the hospital reached out to ProStorage and was able to connect with her Chief of Staff, who in coordination with Mary, the head of HR, provided information to the doctors based on accommodate on requests Ruth made when she started at ProStorage. Why was Jackie correct in not completing a transfer impact assessment for HRYourWay?

- A. ProStorage can rely on its Binding Corporate Rules
- B. HRYourWay was ultimately not selected
- C. HRYourWay is not located in a third country.
- D. ProStorage will obtain consent for all transfers.

Answer: D (LEAVE A REPLY)

NEW QUESTION: 123

Under what circumstances might the "soft opt-in" rule apply in relation to direct marketing?

- A. When an individual's details are obtained from their inquiries about buying a product.
- B. Where an individual's details have been obtained from a bought-in marketing list.
- C. When an individual has not consented to the marketing.
- D. Where an individual is given the ability to unsubscribe from marketing emails sent to him.

Answer: (SHOW ANSWER)

NEW QUESTION: 124

What is the most frequently used mechanism for legitimizing cross-border data transfer?

- A. Standard Contractual Clauses.
- B. Approved Code of Conduct.
- C. Binding Corporate Rules.
- D. Derogations.

Answer: (SHOW ANSWER)

Reference <https://www.dataguidance.com/opinion/international-eu-us-cross-border-data-transfers>

NEW QUESTION: 125

SCENARIO

Please use the following to answer the next question:

Building Block Inc. is a multinational company, headquartered in Chicago with offices throughout the United States, Asia, and Europe (including Germany, Italy, France and Portugal). Last year the company was the victim of a phishing attack that resulted in a significant data breach. The executive board, in coordination with

the general manager, their Privacy Office and the Information Security team, resolved to adopt additional security measures. These included training awareness programs, a cybersecurity audit, and use of a new software tool called SecurityScan, which scans employees' computers to see if they have software that is no longer being supported by a vendor and therefore not getting security updates. However, this software also provides other features, including the monitoring of employees' computers.

Since these measures would potentially impact employees, Building Block's Privacy Office decided to issue a general notice to all employees indicating that the company will implement a series of initiatives to enhance information security and prevent future data breaches.

After the implementation of these measures, server performance decreased. The general manager instructed the Security team on how to use SecurityScan to monitor employees' computers activity and their location. During these activities, the Information Security team discovered that one employee from Italy was daily connecting to a video library of movies, and another one from Germany worked remotely without authorization. The Security team reported these incidents to the Privacy Office and the general manager. In their report, the team concluded that the employee from Italy was the reason why the server performance decreased.

Due to the seriousness of these infringements, the company decided to apply disciplinary measures to both employees, since the security and privacy policy of the company prohibited employees from installing software on the company's computers, and from working remotely without authorization.

To comply with the GDPR, what should Building Block have done as a first step before implementing the SecurityScan measure?

- A. Consulted with the Information Security team to weigh security measures against possible server impacts.
- B. Distributed a more comprehensive notice to employees and received their express consent.
- C. Consulted with the relevant data protection authority about potential privacy violations.
- D. Assessed potential privacy risks by conducting a data protection impact assessment.

Answer: ([SHOW ANSWER](#))

NEW QUESTION: 126

In addition to the European Commission, who can adopt standard contractual clauses, assuming that all required conditions are met?

- A. Approved data controllers.
- B. The Council of the European Union.
- C. National data protection authorities.
- D. The European Data Protection Supervisor.

Answer: A ([LEAVE A REPLY](#))

Reference https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc_en

NEW QUESTION: 127

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: B (LEAVE A REPLY)

Reference <https://gdpr-info.eu/art-6-gdpr/>

NEW QUESTION: 128

Article 29 Working Party has emphasized that the GDPR forbids "forum shopping", which occurs when companies do what?

- A. Choose the data protection officer that is most sympathetic to their business concerns.
- B. Designate their main establishment in member state with the most flexible practices.
- C. Select third-party processors on the basis of cost rather than quality of privacy protection.
- D. File appeals of infringement judgments with more than one EU institution simultaneously.

Answer: (SHOW ANSWER)

NEW QUESTION: 129

Which mechanism, new to the GDPR, now allows for the possibility of personal data transfers to third countries under Article 42?

- A. Approved certifications.
- B. Binding corporate rules.
- C. Law enforcement requests.
- D. Standard contractual clauses.

Answer: A (LEAVE A REPLY)

NEW QUESTION: 130

What permissions are required for a marketer to send an email marketing message to a consumer in the EU?

- A. A pre-checked box stating that the consumer agrees to receive email marketing.
- B. No prior permission required, but an opt-out requirement on all emails sent to consumers.
- C. A prior opt-in consent for consumers unless they are already customers.
- D. A notice that the consumer's email address will be used for marketing purposes.

Answer: C (LEAVE A REPLY)

NEW QUESTION: 131

Under what circumstances might the "soft opt-in" rule apply in relation to direct marketing?

- A. When an individual has not consented to the marketing.
- B. Where an individual is given the ability to unsubscribe from marketing emails sent to him.
- C. Where an individual's details have been obtained from a bought-in marketing list.
- D. When an individual's details are obtained from their inquiries about buying a product.

Answer: (SHOW ANSWER)

NEW QUESTION: 132

SCENARIO

Please use the following to answer the next question:

Brady is a computer programmer based in New Zealand who has been running his own business for two years. Brady's business provides a low-cost suite of services to customers throughout the European Economic Area (EEA). The services are targeted towards new and aspiring small business owners. Brady's company, called Brady Box, provides web page design services, a Social Networking Service (SNS) and consulting services that help people manage their own online stores.

Unfortunately, Brady has been receiving some complaints. A customer named Anna recently uploaded her plans for a new product onto Brady Box's chat area, which is open to public viewing. Although she realized her mistake two weeks later and removed the document, Anna is holding Brady Box responsible for not noticing the error through regular monitoring of the website. Brady believes he should not be held liable. Another customer, Felipe, was alarmed to discover that his personal information was transferred to a third-party contractor called Hermes Designs and worries that sensitive information regarding his business plans may be misused. Brady does not believe he violated European privacy rules. He provides a privacy notice to all of his customers explicitly stating that personal data may be transferred to specific third parties in fulfillment of a requested service. Felipe says he read the privacy notice but that it was long and complicated. Brady continues to insist that Felipe has no need to be concerned, as he can personally vouch for the integrity of Hermes Designs. In fact, Hermes Designs has taken the initiative to create sample customized banner advertisements for customers like Felipe. Brady is happy to provide a link to the example banner ads, now posted on the Hermes Designs webpage. Hermes Designs plans on following up with direct marketing to these customers.

Brady was surprised when another customer, Serge, expressed his dismay that a quotation by him is being used within a graphic collage on Brady Box's home webpage. The quotation is attributed to Serge by first and last name. Brady, however, was not worried about any sort of litigation. He wrote back to Serge to let him know that he found the quotation within Brady Box's Social Networking Service (SNS), as Serge himself had posted the quotation. In his response, Brady did offer to remove the quotation as a courtesy.

Despite some customer complaints, Brady's business is flourishing. He even supplements his income through online behavioral advertising (OBA) via a third-party ad network with whom he has set clearly defined roles. Brady is pleased that, although some customers are not explicitly aware of the OBA, the advertisements contain useful products and services.

Based on current trends in European privacy practices, which aspect of Brady Box' Online Behavioral Advertising (OBA) is most likely to be insufficient if the company becomes established in Europe?

- A. The lack of the option to opt in.
- B. The level of security within the website.
- C. The contract with the third-party advertising network.
- D. The need to have the contents of the advertising approved.

Answer: A (LEAVE A REPLY)

Section: (none)

NEW QUESTION: 133

An unforeseen power outage results in company Z's lack of access to customer data for six hours. According to article 32 of the GDPR, this is considered a breach. Based on the WP 29's February, 2018 guidance, company Z should do which of the following?

- A. Notify affected individuals that their data was unavailable for a period of time.
- B. Document the loss of availability to demonstrate accountability
- C. Notify the supervisory authority about the loss of availability
- D. Conduct a thorough audit of all security systems

Answer: C (LEAVE A REPLY)

Reference [https://www.google.com/url?](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwihmsidxtTqAhXvQUEAHXRaAdYQFjABegQIARAB&url=https%3A%2F%2Fec.europa.eu%2Fnewsroom%2Farticle29%2Fdocument.cfm%3Fdoc_id%3D49827&usg=AOvVaw2uhYsKyRzJ6lwhQyiMURJF)

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NEW QUESTION: 134

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

Answer: B (LEAVE A REPLY)

NEW QUESTION: 135

SCENARIO

Please use the following to answer the next question:

Due to rapidly expanding workforce, Company A has decided to outsource its payroll function to Company B. Company B is an established payroll service provider with a sizable client base and a solid reputation in the industry.

Company B's payroll solution for Company A relies on the collection of time and attendance data obtained via a biometric entry system installed in each of Company A's factories. Company B won't hold any biometric data itself, but the related data will be uploaded to Company B's UK servers and used to provide the payroll service. Company B's live systems will contain the following information for each of Company A's employees:

Name

Address

Date of Birth

Payroll number

National Insurance number

Sick pay entitlement

Maternity/paternity pay entitlement

Holiday entitlement

Pension and benefits contributions

Trade union contributions

Jenny is the compliance officer at Company A.

She first considers whether Company A needs to carry out a data protection impact assessment in relation to the new time and attendance system, but isn't sure whether or not this is required.

Jenny does know, however, that under the GDPR there must be a formal written agreement requiring Company B to use the time and attendance data only for the purpose of providing the payroll service, and to apply appropriate technical and organizational security measures for safeguarding the data. Jenny suggests that Company B obtain advice from its data protection officer. The company doesn't have a DPO but agrees, in the interest of finalizing the contract, to sign up for the provisions in full. Company A enters into the contract.

Weeks later, while still under contract with Company A, Company B embarks upon a separate project meant to enhance the functionality of its payroll service, and engages Company C to help. Company C agrees to extract all personal data from Company B's live systems in order to create a new database for Company B. This database will be stored in a test environment hosted on Company C's U.S. server. The two companies agree not to include any data processing provisions in their services agreement, as data is only being used for IT testing purposes.

Unfortunately, Company C's U.S. server is only protected by an outdated IT security system, and suffers a cyber security incident soon after Company C begins work on the project. As a result, data relating to Company A's employees is visible to anyone visiting Company C's website. Company A is unaware of this until Jenny receives a letter from the supervisory authority in connection with the investigation that ensues. As soon as Jenny is made aware of the breach, she notifies all affected employees.

The GDPR requires sufficient guarantees of a company's ability to implement adequate technical and organizational measures. What would be the most realistic way that Company B could have fulfilled this requirement?

- A. Avoiding the use of another company's data to improve their own services.
- B. Vetting companies' measures with the appropriate supervisory authority.
- C. Hiring companies whose measures are consistent with recommendations of accrediting bodies.
- D. Requesting advice and technical support from Company A's IT team.

Answer: C (LEAVE A REPLY)

NEW QUESTION: 136

Please use the following to answer the next question:

Javier is a member of the fitness club EVERFIT. This company has branches in many EU member states, but for the purposes of the GDPR maintains its primary establishment in France. Javier lives in Newry, Northern Ireland (part of the U.K.), and commutes across the border to work in Dundalk, Ireland. Two years ago while on a business trip, Javier was photographed while working out at a branch of EVERFIT in Frankfurt, Germany. At the time, Javier gave his consent to being included in the photograph, since he was told that it would be used for promotional purposes only. Since then, the photograph has been used in the club's U.K. brochures, and it features in the landing page of its U.K. website. However, the fitness club has recently fallen into disrepute due to widespread mistreatment of members at various branches of the club in

several EU member states. As a result, Javier no longer feels comfortable with his photograph being publicly associated with the fitness club.

After numerous failed attempts to book an appointment with the manager of the local branch to discuss this matter, Javier sends a letter to EVETFIT requesting that his image be removed from the website and all promotional materials. Months pass and Javier, having received no acknowledgment of his request, becomes very anxious about this matter. After repeatedly failing to contact EVETFIT through alternate channels, he decides to take action against the company.

Javier contacts the U.K. Information Commissioner's Office ('ICO' - the U.K.'s supervisory authority) to lodge a complaint about this matter. The ICO, pursuant to Article 56 (3) of the GDPR, informs the CNIL (i.e. the supervisory authority of EVERFIT's main establishment) about this matter. Despite the fact that EVERFIT has an establishment in the U.K., the CNIL decides to handle the case in accordance with Article 60 of the GDPR. The CNIL liaises with the ICO, as relevant under the cooperation procedure. In light of issues amongst the supervisory authorities to reach a decision, the European Data Protection Board becomes involved and, pursuant to the consistency mechanism, issues a binding decision.

Additionally, Javier sues EVERFIT for the damages caused as a result of its failure to honor his request to have his photograph removed from the brochure and website.

Under the cooperation mechanism, what should the lead authority (the CNIL) do after it has formed its view on the matter?

- A.** Submit a draft decision directly to the Commission to ensure the effectiveness of the consistency mechanism.
- B.** Submit a draft decision to other supervisory authorities for their opinion.
- C.** Request that members of the seconding supervisory authority and the host supervisory authority co-draft a decision.
- D.** Request that the other supervisory authorities provide the lead authority with a draft decision for its consideration.

Answer: D (LEAVE A REPLY)

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NEW QUESTION: 137

A multinational company is appointing a mandatory data protection officer. In addition to considering the rules set out in Article 37 (1) of the GDPR, which of the following actions must the company also undertake to ensure compliance in all EU jurisdictions in which it operates?

- A.** Assess whether the company has more than 250 employees in each of the EU member-states in which it is established.

- B.** Revise the data processing activities of the company that affect more than one jurisdiction to evaluate whether they comply with the principles of privacy by design and by default.
- C.** Conduct a Data Protection Privacy Assessment on the processing operations of the company in all the countries it operates.
- D.** Consult national derogations to evaluate if there are additional cases to be considered in relation to the matter.

Answer: C ([LEAVE A REPLY](#))

NEW QUESTION: 138

An online company's privacy practices vary due to the fact that it offers a wide variety of services. How could it best address the concern that explaining them all would make the policies incomprehensible?

- A.** Use a layered privacy notice on its website and in its email communications.
- B.** Provide only general information about its processing activities and offer a toll-free number for more information.
- C.** Place a banner on its website stipulating that visitors agree to its privacy policy and terms of use by visiting the site.
- D.** Identify uses of data in a privacy notice mailed to the data subject.

Answer: ([SHOW ANSWER](#))

NEW QUESTION: 139

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 Asia. 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. In light of the requirements of Article 32 of the GDPR (related to the Security of Processing), which practice should the company institute?

- A.** Include three-factor authentication before each use by a child in order to ensure the best level of security possible.
- B.** Encrypt the data in transit over the wireless Bluetooth connection.
- C.** Insert contractual clauses into the contract between the toy manufacturer and the cloud service provider, since South Africa is outside the European Union.
- D.** Include dual-factor authentication before each use by a child in order to ensure a minimum amount of security.

Answer: B (LEAVE A REPLY)

NEW QUESTION: 140

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 direct marketing information can WonderKids send by email without prior consent of the person booking the childcare?

- A. Marketing information for products or services similar to those purchased from WonderKids.
- B. Any marketing information at all.
- C. Marketing information related to other business operations of WonderKids.
- D. No marketing information at all.

Answer: (SHOW ANSWER)

NEW QUESTION: 141

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 (LEAVE A REPLY)

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

NEW QUESTION: 142

Assuming that the "without undue delay" provision is followed, what is the time limit for complying with a data access request?

- A. Within 40 days of receipt
- B. Within 40 days of receipt, which may be extended by up to 40 additional days
- C. Within one month of receipt, which may be extended by up to an additional month
- D. Within one month of receipt, which may be extended by an additional two months

Answer: (SHOW ANSWER)

Reference <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-of-access/>

NEW QUESTION: 143

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 designated Data Protection Officers
- B. The Council of the European Union.
- C. The European Parliament
- D. The European Commission

Answer: A ([LEAVE A REPLY](#))

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