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QUESTION 1

Which type of personal data does the GDPR define as a "special category" of personal data?

- A. Educational history.
- B. Trade-union membership.
- C. Closed Circuit Television (CCTV) footage.
- D. Financial information.

Correct Answer: B

Reference: [https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/#:~:text=The%20GDPR%20defines%20special%20category%20data%20as%3Aandtext=personal%20data%20revealing%20trade%20union,used%20for%20identification%20purposes\)%3B](https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/#:~:text=The%20GDPR%20defines%20special%20category%20data%20as%3Aandtext=personal%20data%20revealing%20trade%20union,used%20for%20identification%20purposes)%3B)

QUESTION 2

If a company chooses to ground an international data transfer on the contractual route, which of the following is NOT a valid set of standard contractual clauses?

- A. Decision 2001/497/EC (EU controller to non-EU or EEA controller).
- B. Decision 2004/915/EC (EU controller to non-EU or EEA controller).
- C. Decision 2007/72/EC (EU processor to non-EU or EEA controller).
- D. Decision 2010/87/EU (Non-EU or EEA processor from EU controller).

Correct Answer: B

QUESTION 3

There are three domains of security covered by Article 32 of the GDPR that apply to both the controller and the processor. These include all of the following EXCEPT?

- A. Consent management and withdrawal.
- B. Incident detection and response.
- C. Preventative security.
- D. Remedial security.

Correct Answer: A

QUESTION 4

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

- A. Outside the material scope of the GDPR, because transactions do not include personal data about data subjects in the European Union.
- B. Within the material scope of the GDPR but outside of the territorial scope, because blockchains are decentralized.
- C. Within the material scope of the GDPR to the extent that transactions include data subjects in the European Union.
- D. Outside the material scope of the GDPR, because transactions are for personal or household purposes

Correct Answer: C

QUESTION 5

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.

Emily sends the draft to Sam for review. Which of the following is Sam most likely to point out as the biggest problem with Emily's consent provision?

- A. It is not legal to include fields requiring information regarding health status without consent.
- B. Processing health data requires explicit consent, but the form does not ask for explicit consent.
- C. Direct marketing requires explicit consent, whereas the registration form only provides for a right to object
- D. The provision of the fitness app should be made conditional on the consent to the data processing for direct marketing.

Correct Answer: B

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