

PDPF^{Q&As}

Privacy and Data Protection Foundation

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QUESTION 1

In the GDPR, some types of personal data are regarded as special category personal data. Which personal data are considered special category personal data?

- A. An address list of members of a political party
- B. A genealogical register of someone's ancestors
- C. A list of payments made using a credit card

Correct Answer: A

A list of payments made using a credit card. Incorrect. Credit card data is personal data, but not special category data.

An address list of members of a political party. Correct. Personal data revealing political opinions is special personal data (Literature: A, Chapter 1; GDPR Article 9(1))

A genealogical register of someone's ancestors. Incorrect. Genealogical information on living persons is personal data, but not special category. The GDPR does not apply to data on deceased persons.

QUESTION 2

What does the principle of 'data minimization' mean?

- A. Personal data shall be accurate and where necessary kept up to date.
- B. Personal data shall be adequate and limited to what is necessary for the purposes of the processing.
- C. Personal data shall be processed in a manner that ensures appropriate security of the personal data.
- D. Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject.

Correct Answer: B

QUESTION 3

Regarding the Supervisory Authority's "Investigative Powers", it is correct to state:

- A. it has the power to order the suspension of sending data to recipients in third countries or to international organizations
- B. you have the power to order the controller to report a personal data breach to the data subject
- C. it has the power to notify the controller or processor of alleged GDPR violations
- D. it has the power to conduct impact assessments on data privacy

Correct Answer: C

The numerous powers of the Supervisory Authority are divided into:

- Investigative powers;
- Correcting powers;
- Advisory and authorization powers.

The investigative powers provided for in Article 58, Paragraph 1 are:

a) To order the controller and the processor, and, where applicable, the controller's or the processor's representative to provide any information it requires for the performance of its tasks; b) To carry out investigations in the form of data protection audits; c) To carry out a review on certifications issued pursuant to Article 42(7); d) To notify the controller or the processor of an alleged infringement of this Regulation; e) To obtain, from the controller and the processor, access to all personal data and to all information necessary for the performance of its tasks; f) To obtain access to any premises of the controller and the processor, including to any data processing equipment and means, in accordance with Union or Member State procedural law.

QUESTION 4

The GDPR refers to the principles of proportionality and subsidiarity. What is the meaning of subsidiarity in this context?

- A. Personal data may only be processed when there are no other means to achieve the purposes.
- B. Personal data cannot be reused without explicit and informed consent.
- C. Personal data can only be processed in accordance with the purpose specification.
- D. Personal data must be adequate, relevant and not excessive in relation to the purposes.

Correct Answer: A

Personal data can only be processed in accordance with the purpose specification. Incorrect. This is one of the legal limitations.

Personal data cannot be reused without explicit and informed consent. Incorrect. This is one of the legal limitations.

Personal data may only be processed when there are no other means to achieve the purposes. Correct. This is the definition of subsidiarity. (Literature: A, Chapter 3; GDPR Article 35(7))

Personal data must be adequate, relevant and not excessive in relation to the purposes. Incorrect. This is the definition of proportionality.

QUESTION 5

What is a description of data protection by design and by default?

- A. Not holding more data than is strictly required for processing
- B. An indication of timeframes if processing relates to erasure
- C. Data may only be collected for explicit and legitimate purposes
- D. An approach that implements data protection from the start (Correct)

Correct Answer: D

An approach that implements data protection from the start. Correct. This is a correct description. (Literature: A, Chapter 8; GDPR Article 25(1))

An indication of timeframes if processing relates to erasure. Incorrect. This is a description of a data protection impact assessment (DPIA).

Data may only be collected for explicit and legitimate purposes. Incorrect. This is a description of measures taken to comply with the principle of purpose limitation.

Not holding more data than is strictly required for processing. Incorrect. This is a description of procedures to comply with the principle of data minimization.

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