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QUESTION 1

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

Correct Answer: D

QUESTION 2

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

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

Correct Answer: C

QUESTION 3

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. Consult national derogations to evaluate if there are additional cases to be considered in relation to the matter.
- B. Conduct a Data Protection Privacy Assessment on the processing operations of the company in all the countries it operates.
- C. Assess whether the company has more than 250 employees in each of the EU member- states in which it is established.
- D. 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.

Correct Answer: B

QUESTION 4

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, colloquially 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. Get consent from the app users.
- B. Provide a transparent notice to users.

- C. Anonymize the data and add latency so it avoids disclosing real time locations.
- D. Obtain a court order because location data is a special category of personal data.

Correct Answer: A

QUESTION 5

SCENARIO

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The Customer for Life plan may conflict with which GDPR provision?

- A. Article 6, which requires processing to be lawful.
- B. Article 7, which requires consent to be as easy to withdraw as it is to give.
- C. Article 16, which provides data subjects with a rights to rectification.
- D. Article 20, which gives data subjects a right to data portability.

Correct Answer: B

QUESTION 6

A news website based in the United States reports primarily on North American events. The website is accessible to any user regardless of location, as the website operator does not block connections from outside of the U.S. The website offers a paid subscription that requires the creation of a user account; this subscription can only be paid in U.S. dollars.

Which of the following explains why the website operator, who is the responsible for all processing related to account creation and subscriptions, is NOT required to comply with the GDPR?

- A. Payments cannot be made in a European Union currency.
- B. The controller does not have an establishment in the European Union.
- C. The website is not available in several official languages of European Union Member States.
- D. The website cannot block connections from outside the U.S. that use a Virtual Private Network (VPN) to simulate a US location.

Correct Answer: B

QUESTION 7

Article 9 of the GDPR lists exceptions to the general prohibition against processing biometric data. Which of the following is NOT one of these exceptions?

- A. The processing is done by a non-profit organization and the results are disclosed outside the organization.
- B. The processing is necessary to protect the vital interests of the data subject when he or she is incapable of giving consent.
- C. The processing is necessary for the establishment, exercise or defense of legal claims when courts are acting in a judicial capacity.
- D. The processing is explicitly consented to by the data subject and he or she is allowed by Union or Member State law to lift the prohibition.

Correct Answer: A

Reference: <https://dataprivacymanager.net/sensitive-personal-data-special-category-under-the-gdpr/>

QUESTION 8

A homeowner has installed a motion-detecting surveillance system that films his front door and entryway. The camera does not film any public areas only areas that are the property of the homeowner. The system has been declared to the authorities per the homeowner's country law, and a placard indicating the area is being video monitored is visible when entering the property.

Why can the homeowner NOT depend on the household exemption with regards to the processing of the video images recorded by the surveillance camera system?

- A. The surveillance camera system can potentially capture biometric information of the homeowner's family, which

would be considered a processing of special categories of personal data.

- B. The homeowner has not specified which security measures are in place as part of the surveillance camera system
- C. The GDPR specifically excludes surveillance camera images from the household exemption
- D. The surveillance camera system can potentially film individuals who enter its filming perimeter

Correct Answer: D

QUESTION 9

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

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

Correct Answer: D

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

QUESTION 10

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 at ProStorage. Why was Jackie correct in not completing a transfer impact assessment for HRYourWay?

- A. HRYourWay was ultimately not selected
- B. HRYourWay is not located in a third country.
- C. ProStorage will obtain consent for all transfers.

D. ProStorage can rely on its Binding Corporate Rules

Correct Answer: C

QUESTION 11

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

- A. Employees must sign an ad hoc contractual agreement each time personal data is exported.
- B. All employees are subject to the rules in their entirety, regardless of where the work is taking place.
- C. All employees must follow the privacy regulations of the jurisdictions where the current scope of their work is established.
- D. Employees who control personal data must complete a rigorous certification procedure, as they are exempt from legal enforcement.

Correct Answer: B

QUESTION 12

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.

Correct Answer: A

QUESTION 13

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.

Correct Answer: B

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

QUESTION 14

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

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

Correct Answer: D

Reference:

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

QUESTION 15

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.

Correct Answer: C

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

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