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Question 1

Question Type: MultipleChoice

The General Data Protection Regulation (GDPR) in its Article 30 legislates on the Records of treatment activities.

If requested, the controller must provide these records:

Options:

- A- To the data processor
- B- To the Data Protection Officer (DPO)
- C- The supervisory authority
- D- To the European Commission

Answer:

C

Explanation:

Article 30 in its first paragraph legislates:

1. Each controller and, where applicable, the controller's representative, shall maintain a record of processing activities under its responsibility.

Recital 82 mentions:

In order to demonstrate compliance with this Regulation, the controller or processor should maintain records of processing activities under its responsibility. Each controller and processor should be obliged to cooperate with the supervisory authority and make those records, on request, available to it, so that it might serve for monitoring those processing operations.

Question 2

Question Type: MultipleChoice

What is the main difference between Directive 95/46 / EC and the General Data Protection Regulation (GDPR)?

Options:

A- The GDPR offers guidance for EU Member States and can create their own laws to comply with the regulation. Directive 95/46 / EC has the force of law and all EU Member States must follow it without changing.

B- Directive 95/46 / EC offers guidance for EU Member States and can create their own laws to suit the directive. The GDPR has the force of law and all EU Member States must follow it without changing it.

Answer:

B

Explanation:

When we have a Regulation, such as the GDPR, all EU Member States are obliged to follow it and have a fixed date to entry into force. The regulation is a law and Member States cannot create laws that oppose it. Unlike the Directives that set objectives to be achieved, however, each Member State is free to decide how to apply them in their countries.

Important

Prior to the GDPR, there was a Directive "95/46 / EC First Data Protection Directive. Approved in 1995, it was already aimed at protecting personal data. This directive was replaced by GDPR.

"Article 94: 1. Directive 95/46 / EC is repealed with effect from 25 May 2018."

In the EXIN PDPF exam this is an issue that is routinely asked. "Which directive has been replaced by GDPR?" Answer: 95/46 / EC.

Question 3

Question Type: MultipleChoice

What is the definition of Processor according to GDPR?

Options:

- A-** Individual or legal entity that is not authorized to process personal data
- B-** An independent public authority created by a Member State
- C-** Individual or legal entity that processes personal data on behalf of the person responsible for processing personal data.
- D-** Individual or legal entity that, individually or in conjunction with others, determines the purposes and means of processing personal data.

Answer:

C

Explanation:

Article 4 dealing with the GDPR Definitions says in its paragraph 8:

'processor' means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

Question 4

Question Type: MultipleChoice

According to the principle of purpose limitation, data should not be processed beyond the legitimate purpose defined. However, further processing is allowed in a few specific cases, provided that appropriate safeguards for the rights and freedoms of the data subjects are taken. For which purpose is further processing not allowed?

Options:

- A- For archiving purposes in the public interest
- B- For generalized statistical purposes
- C- For scientific or historical research purposes
- D- For direct marketing and commercial purposes

Answer:

D

Explanation:

For archiving purposes in the public interest. Incorrect. With the safeguards in place, further processing is allowed for archiving purposes in the public interest.

For direct marketing and commercial purposes. Correct. This is not a purpose that is allowed, if it is not the original legitimate purpose of the processing. (Literature: A, Chapter 2)

For generalized statistical purposes. Incorrect. With the safeguards in place, further processing is allowed for generalized statistical purposes.

For scientific or historical research purposes. Incorrect. With the safeguards in place, further processing is allowed for research purposes.

Question 5

Question Type: MultipleChoice

How is Data Lifecycle Management (DLM) related to data protection?

Options:

A- The DLM makes it possible to create a profile of the data subject.

B- DLM manages the data flow throughout its life cycle.

C- DLM makes it possible to know the risks and plans how to mitigate them.

Answer:

B

Explanation:

It aims to manage the flow of data throughout the life cycle, from collection, processing, sharing, storage and deletion.

Having the knowledge where the data travels, who is responsible, who has access, helps and a lot to implement security measures.

Question 6

Question Type: MultipleChoice

How should data protection between the processor and controller be regulated in accordance with the General Data Protection Regulation (GDPR)?

Options:

- A- Contract
- B- Supervisory Authority endorsement.
- C- Compulsory Corporate Rules.
- D- Standard contractual clauses.

Answer:

A

Explanation:

GDPR requires that there is a contract between the processor and the controller. This contract establishes rules and responsibilities such as: the object and duration of the processing, the nature and purpose of the processing, the type of personal data and the categories of data subjects, and the obligations and rights of the controller.

Quote from Article 28:

3. Processing by a processor shall be governed by a contract or other legal act under Union or Member State law, that is binding on the processor with regard to the controller and that sets out the subject-matter and duration of the processing, the nature and purpose of the processing, the type of personal data and categories of data subjects and the obligations and rights of the controller.

Question 7

Question Type: MultipleChoice

An Independent Supervisory Authority has several responsibilities. Which of the following is one of these?

Options:

- A-** Supervise the application of the General Data Protection Regulation (GDPR).
- B-** Assist in the elaboration and adaptation of the specific data protection laws of each country.
- C-** Conduct a Data Protection Impact Assessment (DPIA).
- D-** Assist in the planning of a Personal Data Protection Management System when requested by the Controller.

Answer:

A

Explanation:

It is up to a supervisory authority to inspect and take measures to compel companies to conform to the GDPR.

According to paragraph 1 of Article 51.

1. Each Member State shall provide for one or more independent public authorities to be responsible for monitoring the application of this Regulation, in order to protect the fundamental rights and freedoms of natural persons in relation to processing and to facilitate the free flow of personal data within the Union ('supervisory authority').

Chapter VI of the GDPR talks about laws on independent supervisory authorities.

Question 8

Question Type: MultipleChoice

A gentleman has a loan denied by the bank's system that he has been a customer for many years. He is disgusted, because the loan would make it possible to hold the wedding of his only granddaughter.

He contacts the bank and asks for explanations. He wants to know exactly why his loan was denied and based on what information.

What right is required by the data subject according to the GDPR?

Options:

A- Right to limitation of treatment

- B- Right to rectification
- C- Data subject's right of access
- D- Right to object and automated individual decision-making

Answer:

D

Explanation:

Article 22 provides for this type of damage to the data subject and legislates on "Automated individual decisions, including profiling":

1. The data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.

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