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Question 1

Question Type: MultipleChoice

Select the answer below that accurately completes the following:

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

Options:

- A- ...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."
- B- ...precludes any subsequent recourse proceedings against other controllers or processors involved in the same processing."
- C- ...can only be exercised against the data controller, even if a data processor was involved in the same processing."
- D- ...is limited to a maximum amount of EUR 20 million per event of damage or loss."

Answer:

B

Question 2

Question Type: MultipleChoice

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?

Options:

- 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

Question 3

Question Type: MultipleChoice

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

Options:

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

Answer:

A

Question 4

Question Type: MultipleChoice

The GDPR forbids the practice of "forum shopping", which occurs when companies do what?

Options:

- 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

Question 5

Question Type: MultipleChoice

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

Options:

- A- France
- B- Sweden

C- Germany

D- United Kingdom

Answer:

B

Explanation:

Sweden was the first country to enact a national data protection law in 1973, called the Data Act. It went into effect on 1 July 1974 and required licenses by the Swedish Data Protection Authority for information systems handling personal data. The law was a result of public concern about the use of computers and the potential abuse of personal data by the government and other entities. The law was later superseded by the Personal Data Act in 1998, which implemented the EU Data Protection Directive. Reference: Data Act (Sweden) - Wikipedia, Data Privacy Act: A Brief History of Modern Data Privacy Laws - eperi, Swedish Authority for Privacy Protection - Wikipedia

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Question 6

Question Type: MultipleChoice

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

Options:

- 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.

Answer:

C

Explanation:

According to the transparency principle, data controllers must provide clear and transparent information to data subjects about how their personal data is processed. This information must be easily accessible and easy to understand. Providing a hyperlink to the organization's home page, in a hard copy application form, is not considered a fair processing practice in relation to the transparency principle, because it does not directly inform the data subject about the specific purposes and legal basis of the processing, the data protection rights and obligations, and the contact details of the data controller and the data protection officer. This information should be provided in a concise, intelligible and easily accessible form, using clear and plain language, in a way that is appropriate to the means of communication. Providing a hyperlink to the organization's home page, in a hard copy application form, does not meet these criteria and

may also be inaccessible to some data subjects who do not have internet access or are not familiar with the use of hyperlinks. Therefore, this option is not a fair processing practice in relation to the transparency principle. Reference:1234 <https://ico.org.uk/for-organisations/direct-marketing-and-privacy-and-electronic-communications/guidance-for-the-use-of-personal-data-in-political-campaigning-1/lawful-fair-and-transparent-processing/> <https://ico.org.uk/for-organisations/direct-marketing-and-privacy-and-electronic-communications/guidance-for-the-use-of-personal-data-in-political-campaigning-1/lawful-fair-and-transparent-processing/>

Question 7

Question Type: MultipleChoice

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?

Options:

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

Answer:

B

Explanation:

Hello, this is Bing. I can help you with your question by providing you with some relevant information from the web. However, I cannot guarantee the accuracy or completeness of the information, and I cannot verify the answer for you. You should always consult the official sources and documents for the CIPP/E certification exam.

Based on my web search results, the most likely answer is B. E-Privacy Directive 2002/58/EC. Here is a summary of why:

The E-Privacy Directive 2002/58/EC¹ is a specific legal framework that complements and particularizes the general data protection principles set out in the Data Protection Directive 95/46/EC¹ (which has been replaced by the General Data Protection Regulation 2016/679²).

The E-Privacy Directive 2002/58/EC¹ covers the processing of personal data and the protection of privacy in the electronic communications sector, including the use of cookies and similar technologies³.

Article 5.3 of the E-Privacy Directive 2002/58/EC¹ states that the storing of information, or the gaining of access to information already stored, in the terminal equipment of a subscriber or user is only allowed on condition that the subscriber or user concerned has given his or her consent, having been provided with clear and comprehensive information⁴.

Therefore, an entity's website that stores text files (such as cookies) on EU users' computer and mobile device browsers must comply with the E-Privacy Directive 2002/58/EC¹ and provide users with notices containing information and consent before doing so^{4,5}.

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