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Privacy and Data Protection Foundation

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QUESTION 1

According to the GDPR, for which situations should a Data Protection Impact Assessment (DPIA) be conducted?

- A. For all projects that include technologies or processes that require data protection
- B. For all sets of similar processing operations with comparable risks
- C. For any situation where technologies and processes will be subject to a risk assessment
- D. For technologies and processes that are likely to result in a high risk to the rights of data subjects

Correct Answer: A

Reference: <https://eugdprcompliant.com/dpia-guidelines/>

QUESTION 2

When personal data are processed, who is ultimately responsible for demonstrating compliance with the GDPR?

- A. Data protection officer (DPO)
- B. Supervisory authority
- C. Processor
- D. Controller

Correct Answer: D

Controller. Correct. The controller is responsible for adequate data security measures and must be able to demonstrate compliance with the GDPR. (Literature:A, Chapter 2)

Data protection officer (DPO). Incorrect. The DPO has expert knowledge and assists the controller or processor to monitor internal compliance.

Processor. Incorrect. The processor is the one who processes personal data according to the instructions of the controller. The controller remains ultimately responsible though.

Supervisory authority. Incorrect. The controller needs to demonstrate compliance with the GDPR if requested by the supervisory authority.

QUESTION 3

For processing of personal data to be legal, a number of requirements must be fulfilled.

What is a requirement for lawful personal data processing?

- A. A code of conduct, describing what the processing exactly entails, must be in place.
- B. The data subject must have given consent, prior to the processing to begin.



- C. The processing must be reported to and allowed by the Data Processing Authority
- D. There must be a legitimate ground for the processing of personal data.

Correct Answer: D

QUESTION 4

A company located in France wishes to enter into a compulsory contract with a processor located in Portugal. This contract aims to process sensitive French personal data. The Portuguese Supervisory Authority is informed about this contract and the type of processing.

How should Portuguese Supervisory Authority proceed, in accordance with the General Data Protection Regulation (GDPR)?

- A. Supervise the processing of personal data according to the guidelines of the Supervisory Authority of Portugal.
- B. Report the data processing to the French Supervisory Authority, which must take over the supervision.
- C. Verify that adequate compulsory contracts have been established and leave supervision to the French Supervisory Authority.
- D. Supervise the processing of personal data in accordance with the French Supervisory Authority legislation.

Correct Answer: C

When there is a processor and an operator in EEA countries, the competent authority will be the location of the Controller, however the Supervisory authority of the Controller is considered to be a concerned Supervisory Authority (who has interests).

Therefore, the Processor Supervisory Authority evaluates and approves the rules of the contract, in accordance with Article 57 of the GDPR, and must notify the Controller Supervisory Authority.

In its Article 57, the GDPR legislates on the Responsibilities of the Supervisory Authority.

In its first paragraph, items "r" and "s":

- r) Authorise contractual clauses and provisions referred to in Article 46(3);
 - s) Approve binding corporate rules pursuant to Article 47.
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QUESTION 5

What is the most important difference between the 95/46/EC and the GDPR?

- A. 95/46/EC applies as law in all EEA member states while the GDPR is a guidance.
- B. 95/46/EC applies to processing of data on EEA residents worldwide and the GDPR does not.
- C. The GDPR applies as law in all EEA member states while 95/46/EC is a guidance.
- D. The GDPR applies to persons and organizations which process personal data within EEA member states. The scope of 95/46/EC is more restricted in this aspect.



Correct Answer: D

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