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QUESTION 1

In the Planet 49 case, what was the main judgement of the Court of Justice of the European Union (CJEU) regarding the issue of cookies?

- A. If the cookies do not track personal data, then pre-checked boxes are acceptable.
- B. If the ePrivacy Directive requires consent for cookies, then the GDPR's consent requirements apply.
- C. If a website's cookie notice makes clear the information gathered and the lifespan of the cookie, then pre-checked boxes are acceptable.
- D. If a data subject continues to scroll through a website after reading a cookie banner, this activity constitutes valid consent for the tracking described in the cookie banner.

Correct Answer: B

QUESTION 2

Articles 13 and 14 of the GDPR provide details on the obligation of data controllers to inform data subjects when collecting personal data. However, both articles specify an exemption for situations in which the data subject already has the information.

Which other situation would also exempt the data controller from this obligation under Article 14?

- A. When providing the information would go against a police order.
- B. When providing the information would involve a disproportionate effort
- C. When the personal data was obtained through multiple source in the public domain
- D. When the personal data was obtained 5 years before the entry into force of the GDPR

Correct Answer: B

QUESTION 3

SCENARIO

Please use the following to answer the next question:

Joe started the Gummy Bear Company in 2000 from his home in Vermont, USA. Today, it is a multi-billion-dollar candy company operating in every continent. All of the company's IT servers are located in Vermont. This year Joe hires his son Ben to join the company and head up Project Big, which is a major marketing strategy to triple gross revenue in just 5 years. Ben graduated with a PhD in computer software from a top university. Ben decided to join his father's company, but is also secretly working on launching a new global online dating website company called Ben Knows Best.

Ben is aware that the Gummy Bear Company has millions of customers and believes that many of them might also be interested in finding their perfect match. For Project Big, Ben redesigns the company's online web portal and requires customers in the European Union and elsewhere to provide additional personal information in order to remain a



customer. Project Ben begins collecting data about customers\' philosophical beliefs, political opinions and marital status.

If a customer identifies as single, Ben then copies all of that customer\'s personal data onto a separate database for Ben Knows Best. Ben believes that he is not doing anything wrong, because he explicitly asks each customer to give their consent by requiring them to check a box before accepting their information. As Project Big is an important project, the company also hires a first year college student named Sam, who is studying computer science to help Ben out.

Ben calls out and Sam comes across the Ben Knows Best database. Sam is planning on going to Ireland over Spring Break with 10 of his friends, so he copies all of the customer information of people that reside in Ireland so that he and his friends can contact people when they are in Ireland.

Joe also hires his best friend\'s daughter, Alice, who just graduated from law school in the U.S., to be the company\'s new General Counsel. Alice has heard about the GDPR, so she does some research on it. Alice approaches Joe and informs him that she has drafted up Binding Corporate Rules for everyone in the company to follow, as it is important for the company to have in place a legal mechanism to transfer data internally from the company\'s operations in the European Union to the U.S. Joe believes that Alice is doing a great job, and informs her that she will also be in-charge of handling a major lawsuit that has been brought against the company in federal court in the U.S. To prepare for the lawsuit, Alice instructs the company\'s IT department to make copies of the computer hard drives from the entire global sales team, including the European Union, and send everything to her so that she can review everyone\'s information. Alice believes that Joe will be happy that she did the first level review, as it will save the company a lot of money that would otherwise be paid to its outside law firm. When Ben had the company collect additional data from its customers, the most serious violation of the GDPR occurred because the processing of the data created what?

- A. An information security risk by copying the data into a new database.
- B. A potential legal liability and financial exposure from its customers.
- C. A significant risk to the customers\' fundamental rights and freedoms.
- D. A significant risk due to the lack of an informed consent mechanism.

Correct Answer: C

QUESTION 4

In which of the following cases, cited as an example by a WP29 guidance, would conducting a single data protection impact assessment to address multiple processing operations be allowed?

- A. A medical organization that wants to begin genetic testing to support earlier research for which they have performed a DPIA.
- B. A data controller who plans to use a new technology product that has already undergone a DPIA by the product\'s provider.
- C. A marketing team that wants to collect mailing addresses of customers for whom they already have email addresses.
- D. A railway operator who plans to evaluate the same video surveillance in all the train stations of his company.

Correct Answer: D



QUESTION 5

What is the consequence if a processor makes an independent decision regarding the purposes and means of processing it carries out on behalf of a controller?

- A. The controller will be liable to pay an administrative fine
- B. The processor will be liable to pay compensation to affected data subjects
- C. The processor will be considered to be a controller in respect of the processing concerned
- D. The controller will be required to demonstrate that the unauthorized processing negatively affected one or more of the parties involved

Correct Answer: B

Reference: <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/key-definitions/controllers-and-processors/>

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