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QUESTION 1

SCENARIO Please use the following to answer the next question: Liem, an online retailer known for its environmentally friendly shoes, has recently expanded its presence in Europe. Anxious to achieve market dominance, Liem teamed up with another eco friendly company, EcoMick, which sells accessories

like belts and bags. Together the companies drew up a series of marketing campaigns designed to highlight the environmental and economic benefits of their products. After months of planning, Liem and EcoMick entered into a data sharing

agreement to use the same marketing database, MarketIQ, to send the campaigns to their respective contacts.

Liem and EcoMick also entered into a data processing agreement with MarketIQ, the terms of which included processing personal data only upon Liem and EcoMick's instructions, and making available to them all information necessary to

demonstrate compliance with GDPR obligations.

Liem and EcoMick then procured the services of a company called JaphSoft, a marketing optimization firm that uses machine learning to help companies run successful campaigns. Clients provide JaphSoft with the personal data of

individuals they would like to be targeted in each campaign. To ensure protection of its

clients' data, JaphSoft implements the technical and organizational measures it deems appropriate. JaphSoft works to continually improve its machine learning models by analyzing the data it receives from its clients to determine the most

successful components of a successful campaign. JaphSoft then uses such models in providing services to its client-base. Since the models improve only over a period of time as more information

is collected, JaphSoft does not have a deletion process for the data it receives from clients. However, to ensure compliance with data privacy rules, JaphSoft pseudonymizes the personal data by removing identifying information from the contact information. JaphSoft's engineers, however, maintain all contact information in the same database as the identifying information. Under its agreement with Liem and EcoMick, JaphSoft received access to MarketIQ, which included contact information as well as prior purchase history for such contacts, to create campaigns that would result in the most views of the two

companies' websites. A prior Liem customer, Ms. Iman, received a marketing campaign from JaphSoft regarding Liem's as well as EcoMick's latest products. While Ms. Iman recalls checking a box to receive information in the future regarding

Liem's products, she has never shopped EcoMick, nor provided her personal data to that company.

For what reason would JaphSoft be considered a controller under the GDPR?

- A. It determines how long to retain the personal data collected.
- B. It has been provided access to personal data in the MarketIQ database.
- C. It uses personal data to improve its products and services for its client-base through machine learning.
- D. It makes decisions regarding the technical and organizational measures necessary to protect the personal data.

Correct Answer: D

**QUESTION 2**

Which of the following entities would most likely be exempt from complying with the GDPR?

- A. A South American company that regularly collects European customers' personal data.
- B. A company that stores all customer data in Australia and is headquartered in a European Union (EU) member state.
- C. A Chinese company that has opened a satellite office in a European Union (EU) member state to service European customers.
- D. A North American company servicing customers in South Africa that uses a cloud storage system made by a European company.

Correct Answer: D

QUESTION 3

If a multi-national company wanted to conduct background checks on all current and potential employees, including those based in Europe, what key provision would the company have to follow?

- A. Background checks on employees could be performed only under prior notice to all employees.
- B. Background checks are only authorized with prior notice and express consent from all employees including those based in Europe.
- C. Background checks on European employees will stem from data protection and employment law, which can vary between member states.
- D. Background checks may not be allowed on European employees, but the company can create lists based on its legitimate interests, identifying individuals who are ineligible for employment.

Correct Answer: C

Reference: <https://www.shrm.org/resourcesandtools/tools-and-samples/toolkits/pages/conductingbackgroundinvestigations.aspx>

QUESTION 4

In which case would a controller who has undertaken a DPIA most likely need to consult with a supervisory authority?

- A. Where the DPIA identifies that personal data needs to be transferred to other countries outside of the EEA.
- B. Where the DPIA identifies high risks to individuals' rights and freedoms that the controller can take steps to reduce.
- C. Where the DPIA identifies that the processing being proposed collects the sensitive data of EU citizens.
- D. Where the DPIA identifies risks that will require insurance for protecting its business interests.

Correct Answer: B

Reference: <https://www.dataguidance.com/opinion/eu-how-when-and-why-carrying-out-dpia>



QUESTION 5

What obligation does a data controller or processor have after appointing a data protection officer?

- A. To ensure that the data protection officer receives sufficient instructions regarding the exercise of his or her defined tasks.
- B. To provide resources necessary to carry out the defined tasks of the data protection officer and to maintain his or her expert knowledge.
- C. To ensure that the data protection officer acts as the sole point of contact for individuals\ Questions: about their personal data.
- D. To submit for approval to the data protection officer a code of conduct to govern organizational practices and demonstrate compliance with data protection principles.

Correct Answer: D

Reference: <https://www.i-scoop.eu/gdpr/data-controller-data-controller-duties/>

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