



PDPF^{Q&As}

Privacy and Data Protection Foundation

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QUESTION 1

One of the objectives of a data protection impact assessment (DPIA) is to strengthen the confidence of customers or citizens in the way personal data is processed and privacy is respected. How can a DPIA strengthen the confidence?

- A. The organization proves that it takes privacy seriously and aims for compliance with the GDPR.
- B. The organization minimizes the risk of costly adjustments in processes or the redesign of systems in a later stage.
- C. The organization prevents non-compliance with the GDPR and minimizes the risk of fines

Correct Answer: A

The organization minimizes the risk of costly adjustments in processes or the redesign of systems in a later stage. Incorrect. This aspect may strengthen the confidence of management, but not of customers or citizens.

The organization prevents non-compliance with the GDPR and minimizes the risk of fines. Incorrect. Preventing fines may strengthen the confidence of management, but not of customers or citizens.

The organization proves that it takes privacy seriously and aims for compliance with the GDPR. Correct. Doing a DPIA shows customers or citizens that the company is serious about data protection. (Literature: A, Chapter 8)

QUESTION 2

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

- 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.

Correct Answer: B

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 Directive 95/46 / EC is repealed with effect from 25 May 2018."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

What is the purpose of Data Lifecycle Management (DLM)?



- A. Ensure data integrity and its periodic update
- B. Ensure data confidentiality and availability throughout its useful life.
- C. Ensure that the processing of personal data, throughout its useful life complies with the GDPR
- D. Ensure data confidentiality throughout its useful life, from collection to deletion.

Correct Answer: C

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 4

One of the seven principles of data protection by design is Functionality - Positive-Sum, not Zero-Sum. What is the essence of this principle?

- A. If different types of legitimate objectives are contradictory, the privacy objectives must be given priority over other security objectives.
- B. Applied security standards must assure the confidentiality, integrity and availability of personal data throughout their lifecycle.
- C. Wherever possible, detailed privacy impact and risk assessments should be carried out and published, clearly documenting the privacy risks.
- D. When embedding privacy into a given technology, process, or system, it should be done in such a way that full functionality is not impaired.

Correct Answer: D

Applied security standards must assure the confidentiality, integrity and availability of personal data throughout their lifecycle. Incorrect. This is an aspect of End-to-End Security - Lifecycle Protection, one of the other six basic principles.

If different types of legitimate objectives are contradictory, the privacy objectives must be given priority over other security objectives. Incorrect. Data protection by design rejects the idea that privacy competes with other interests, design objectives, and technical capabilities.

When embedding privacy into a given technology, process, or system, it should be done in such a way that full functionality is not impaired. Correct. This is the essence. (Literature: A, Chapter 8; GDPR Article 25)

Wherever possible, detailed privacy impact and risk assessments should be carried out and published, clearly documenting the privacy risks. Incorrect. This is an aspect of Privacy Embedded into Design, one of the other six basic principles.

QUESTION 5

Which of the following options is provided for in the GDPR and can be made by Member States?

- A. Approve national provisions for implementation of GDPR.



- B. Forcing the controller to notify the data subject of a breach.
- C. Audit controller and processor safety processes.
- D. Penalize controllers and processors.

Correct Answer: A

Recital 10 of GDPR states:

"Regarding the processing of personal data for compliance with a legal obligation, for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, Member States should be allowed to maintain or introduce national provisions to further specify the application of the rules of this Regulation."

It also says: "This Regulation also provides a margin of manoeuvre for Member States to specify its rules, including for the processing of special categories of personal data ('sensitive data')."

However, this does not mean that Member States can approve a rule that goes against a GDPR guideline. Note that these national provisions are measures to increase the effectiveness of the law. Here is an example the case of Ireland where it was established that the DPO is responsible for data breaches, something that is not provided for in the GDPR.

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