



PDPF^{Q&As}

Privacy and Data Protection Foundation

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QUESTION 1

According to the GDPR, in what situation must data subjects always be notified of a personal data breach?

- A. When personal data is processed at a facility of the processor that is not located within the borders of the EEA
- B. When personal data is processed by a party that agreed to the draft processing contract but has not yet signed it
- C. When the system on which the personal data is processed is attacked causing damage to its storage devices
- D. When there is a significant probability that the breach will lead to a high risk for the privacy of the data subjects

Correct Answer: D

When personal data is processed at a facility of the processor that is not located within the borders of the EEA. Incorrect. The location where the data is processed is of no significance to the obligation to notify data subjects of personal data breaches.

When personal data is processed by a party that agreed to the draft processing contract but has not yet sign it. Incorrect. Personal data processed by another party than the controller without a valid written contract is considered a personal data breach. In the given situation however, negative consequences for the data subjects are unlikely. Notifying the data subject is not obligatory in that case.

When the system on which the personal data is processed is attacked causing damage to its storage devices. Incorrect. Damage to storage devices will make access to the data difficult or even impossible but does not imply illegal processing.

When there is a significant probability that the breach will lead to a high risk for the privacy of the data subjects. Correct. If there is a significant probability of negative impact on the data subjects, the controller is obliged to notify them of the breach. (Literature: A, Chapter 5)

QUESTION 2

Organizations are obliged to keep a number of records to demonstrate compliance with the GDPR. Which record is not obligatory according to the GDPR?

- A. A record of notifications sent to the supervisory authority regarding processing of personal data
- B. A record of all intended processing together with the processing purpose(s) and legal justifications
- C. A record of processors including personal data provided and the period this data can be retained
- D. A record of data breaches with all relevant characteristics, including notifications

Correct Answer: A

A record of all intended processing together with the processing purpose(s) and legal justifications.

Incorrect. A record of all intended processing with the purpose(s) and legal justifications must be kept.

A record of data breaches with all relevant characteristics, including notifications. Incorrect. A record of data breaches must be kept.



A record of notifications sent to the supervisory authority regarding processing of personal data. Correct.

Prior consultation of high-risk processing is obligatory, but there is no need for a separate record of notifications sent.

(Literature: A, Chapter 6;GDPR Article 36(1))

A record of processors including personal data provided and the period this data can be retained.

Incorrect. A record of processors and data provided must be kept.

QUESTION 3

According to the GDPR, what is the main reason to consider data protection in the initial design phase?

- A. It ensures efficiency in project phases
- B. It ensures privacy by default
- C. It reduces the risk of fraud
- D. It reduces the risk of liability

Correct Answer: B

QUESTION 4

The GDPR contains several items. Which of these contains mandatory requirements?

- A. Recitals
- B. Articles

Correct Answer: B

The GDPR has 173 recitals. The Recitals introduce a better understanding of the law and its articles. The Articles, which are 99 in total, contain the mandatory requirements of the law.

QUESTION 5

In its Article 9 the GDPR categorizes some types of personal data as "sensitive".

Of these below which are considered sensitive?

- A. Date of birth of a person.
- B. A person's home address.
- C. Soccer team that a person supports.



D. Result of a medical examination.

Correct Answer: D

As stated in the statement, Article 9 concerns the treatment of special categories of personal data, also called sensitive data.

This is a type of question that is often asked by EXIN. Important to remember which types of data are categorized as sensitive.

Article 9: Processing of special categories of personal data

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.

Examples of sensitive data: Race, skin color, family tree, political party, political party affiliation, religious beliefs, illness, test results, digital, facial recognition and sexual preference. These are just a few examples.

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