



# PDPF<sup>Q&As</sup>

Privacy and Data Protection Foundation

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### QUESTION 1

Which of the options below best represents data protection by design?

- A. It aims to incorporate security measures to protect data from the moment it is collected, throughout the processing and until its destruction at the end of the process
- B. It aims to ensure that personal data is automatically part of a protection process.
- C. It aims to create privacy impact analysis procedures (DPIA), notifications of breaches of privacy and fulfil requests from data subjects.

Correct Answer: A

When we talk about protection by design, we are considering data protection throughout the data lifecycle, from collection, processing, sharing, storage and deletion.

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### QUESTION 2

A company CEO travels to a meeting in another city. He takes a notebook with information about the company's new projects and acquisitions, which will be the subject of discussion at this meeting. These are the only data stored on the notebook.

The notebook accidentally falls into the hotel's pool and all data is lost.

What happened, considering the General Data Protection Regulation (GDPR)?

- A. A security incident
- B. A vulnerability
- C. A data breach
- D. A security risk

Correct Answer: A

The purpose of GDPR is to protect personal data. In the case of this issue there was no loss of personal data, so it is not a data breach.

Important

A data breach is whenever something happens that has not been planned with the personal data, be it improper processing, improper sharing, loss of data, deletion, etc. That is, personal data must be used for a specific purpose, respecting the life cycle (from collection to exclusion), any situation that escapes this cycle must be reported as a data breach.

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### QUESTION 3

A person finds that a private videotape showing her in a very intimate situation has been published on a website. She never consented to publication and demands that the video is being removed without undue delay.



According to the GDPR, what should be done next?

- A. Nothing. The video may be regarded as 'news' and, therefore, the website is only exercising its right to freedom of expression and information.
- B. The controller erases the video from the website and, when possible, informs any controller who might process the same video, that it must be erased.
- C. The controller erases the video from the website. There is no obligation however, to inform others who might have copied it, that it should be erased.
- D. The controller directs the person to seek a lawyer and informs that he cannot exclude before a juridical authorization.

Correct Answer: B

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#### QUESTION 4

A gentleman has a loan denied by the bank's system that he has been a customer for many years. He is disgusted, because the loan would make it possible to hold the wedding of his only granddaughter.

He contacts the bank and asks for explanations. He wants to know exactly why his loan was denied and based on what information.

What right is required by the data subject according to the GDPR?

- A. Right to limitation of treatment
- B. Right to rectification
- C. Data subject's right of access
- D. Right to object and automated individual decision-making

Correct Answer: D

Article 22 provides for this type of damage to the data subject and legislates on "Automated individual decisions, including profiling":

1. The data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.
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#### QUESTION 5

A breach of security that leads to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed. What is the exact term that is associated with this definition in the GDPR?

- A. Security breach
- B. Personal data breach
- C. Confidentiality violation
- D. Security incident



Correct Answer: B

Confidentiality violation. Incorrect. GDPR uses the term personal data breach. Not every data breach is a confidentiality violation.

Personal data breach. Correct. This is the definition of a personal data breach. (Literature: A, Chapter 5; GDPR Article 4(12))

Security breach. Incorrect. GDPR uses the term personal data breach. Not every security breach is a data breach. Not every data breach is a personal data breach.

Security incident. Incorrect. GDPR uses the term personal data breach. Not every security incident is a data breach.

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