



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

Privacy and Data Protection Foundation

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### QUESTION 1

What is the main use of a persistent cookie?

- A. To save the pages a user has bookmarked in the user's browser history
- B. To record every keystroke made by a computer user to find out passwords
- C. To ensure that the user's personal data are stored securely on the server
- D. To personalize the user's experience of the website during the next visit

Correct Answer: D

To ensure that the user's personal data are stored securely on the server. Incorrect. Cookies are not used to store data on the server.

To personalize the user's experience of the website during the next visit. Correct. This is the main purpose of a persistent cookie. (Literature: A, Chapter 8)

To record every keystroke made by a computer user to find out passwords. Incorrect. Cookies are not malicious by nature, but the mechanism can be exploited maliciously.

To save the pages a user has bookmarked in the user's browser history. Incorrect. The bookmarks and browser history are saved, but not in a cookie.

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### QUESTION 2

How should data protection between the processor and controller be regulated in accordance with the General Data Protection Regulation (GDPR)?

- A. Contract
- B. Supervisory Authority endorsement.
- C. Compulsory Corporate Rules.
- D. Standard contractual clauses.

Correct Answer: A

GDPR requires that there is a contract between the processor and the controller. This contract establishes rules and responsibilities such as: the object and duration of the processing, the nature and purpose of the processing, the type of personal data and the categories of data subjects, and the obligations and rights of the controller. Quote from Article 28:

3. Processing by a processor shall be governed by a contract or other legal act under Union or Member State law, that is binding on the processor with regard to the controller and that sets out the subject-matter and duration of the processing, the nature and purpose of the processing, the type of personal data and categories of data subjects and the obligations and rights of the controller.

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### QUESTION 3

A person buys a product at a store located in the European Economic Area (EEA). At the time of purchase, you are asked to fill out a registration form and he informs his personal email.

As is usual in many stores, in the next few days this person will start receiving several marketing emails. He considers the frequency of these emails to be very high. Demanding his rights, he asks the store to delete all his personal data.

What is the right required by the data subject?

- A. Right to erasure
- B. Data subject's right of access
- C. Right to limitation of treatment
- D. Right to rectification

Correct Answer: A

Article 17

The data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay and the controller shall have the obligation to erase personal data without undue delay.

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### QUESTION 4

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))



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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.

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#### QUESTION 5

Which of the following types of transfers of personal data outside the European Economic Area (EEA) is allowed?

- A. Transfer between country governments.
- B. Transfers subject to the law of the countries involved.
- C. Transfers conducted through Standard Contractual Clauses.
- D. Transfers conducted under Compulsory Corporate Rules.

Correct Answer: D

Compulsory Corporate Rules are rules used internally by multinational companies to transfer personal data. Thus, it is possible to transfer data between them, even if the destination company is in a country that does not have an adequate level of data protection. These rules are like an internal corporate code of conduct and do not cover transfers of personal data outside the corporate group.

Do not confuse "Compulsory Corporate Rules" with "Standard Contractual Clauses". The last are clauses in contracts for international data transfer between companies (customer and supplier relationship) where the destination country does not have an adequate level of data protection, and depends on authorization from the Supervisory Authority.

Article 58 of GDPR

3. supervisory authority shall have all of the following authorisation and advisory powers:

- a) to advise the controller in accordance with the prior consultation procedure referred to in Article 36.

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