

# CIPP-EQ&As

Certified Information Privacy Professional/Europe (CIPP/E)

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#### **QUESTION 1**

**SCENARIO** 

Please use the following to answer the next question:

The fitness company Vigotron has recently developed a new app called M-Health, which it wants to market on its website as a free download. Vigotron\\'s marketing manager asks his assistant Emily to create a webpage that describes the app

and specifies the terms of use. Emily, who is new at Vigotron, is excited about this task. At her previous job she took a data protection class, and though the details are a little hazy, she recognizes that Vigotron is going to need to obtain user

consent for use of the app in some cases. Emily sketches out the following draft, trying to cover as much as possible before sending it to Vigotron\\'s legal department.

Registration Form

Vigotron\\'s new M-Health app makes it easy for you to monitor a variety of health-related activities, including diet, exercise, and sleep patterns. M-Health relies on your smartphone settings (along with other third-party apps you may already

have) to collect data about all of these important lifestyle elements, and provide the information necessary for you to enrich your quality of life. (Please click here to read a full description of the services that M-Health provides.)

Vigotron values your privacy. The M-Heaith app allows you to decide which information is stored in it, and which apps can access your data. When your device is locked with a passcode, all of your health and fitness data is encrypted with

your passcode. You can back up data stored in the Health app to Vigotron\\'s cloud provider, Stratculous. (Read more about Stratculous here.)

Vigotron will never trade, rent or sell personal information gathered from the M-Health app. Furthermore, we will not provide a customer\\'s name, email address or any other information gathered from the app to any third- party without a

customer\\'s consent, unless ordered by a court, directed by a subpoena, or to enforce the manufacturer\\'s legal rights or protect its business or property.

We are happy to offer the M-Health app free of charge. If you want to download and use it, we ask that you

first complete this registration form. (Please note that use of the M-Health app is restricted to adults aged 16 or older, unless parental consent has been given to minors intending to use it.)

First name:
Surname:
Year of birth:
Email:
Physical Address (optional*):
Health status:



Torms and Conditions

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unsubscribe by sending an email to unsubscribe@vigotron.com or send a letter with your request to the address listed at the bottom of this page.

Torrio di di Conditiono
1.Jurisdiction. []
2.Applicable law. []
3.Limitation of liability. []
Consent
By completing this registration form, you attest that you are at least 16 years of age, and that you consent to the processing of your personal data by Vigotron for the purpose ofusing the M-Health app. Although you are entitled to opt out of
any advertising or marketing, you agree that Vigotron may contact you or provide you with any required notices, agreements, or other information concerning the services by email or other electronic means. You also agree that the

may send automated emails with alerts regarding any problems with the M-Health app that may affect your well being.

Emily sends the draft to Sam for review. Which of the following is Sam most likely to point out as the biggest problem with Emily\\'s consent provision?

A. It is not legal to include fields requiring information regarding health status without consent.

- B. Processing health data requires explicit consent, but the form does not ask for explicit consent.
- C. Direct marketing requires explicit consent, whereas the registration form only provides for a right to object
- D. The provision of the fitness app should be made conditional on the consent to the data processing for direct marketing.

Correct Answer: B

Company

### **QUESTION 2**

Which of the following regulates the use of electronic communications services within the European Union?

- A. Regulator (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015.
- B. Regulation (EU) 2017/1953 of the European Parliament and of the Council of 25 October 2017.
- C. Directive 2002/58\\'EC of the European Parliament and of the Council of 12 July 2002.
- D. Directive (EU) 2019.789 of the European Parliament and of the Council of 17 April 2019.

Correct Answer: A



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#### **QUESTION 3**

#### **SCENARIO**

Please use the following to answer the next question:

BHealthy, a company based in Italy, is ready to launch a new line of natural products, with a focus on sunscreen. The last step prior to product launch is for BHealthy to conduct research to decide how extensively to market its new line of sunscreens across Europe. To do so, BHealthy teamed up with Natural Insight, a company specializing in determining pricing for natural products. BHealthy decided to share its existing customer information ?name, location, and prior purchase history ?with Natural Insight. Natural Insight intends to use this information to train its algorithm to help determine the price point at which BHealthy can sell its new sunscreens.

Prior to sharing its customer list, BHealthy conducted a review of Natural Insight\\'s security practices and concluded that the company has sufficient security measures to protect the contact information. Additionally, BHealthy\\'s data processing contractual terms with Natural Insight require continued implementation of technical and organization measures. Also indicated in the contract are restrictions on use of the data provided by BHealthy for any purpose beyond provision of the services, which include use of the data for continued improvement of Natural Insight\\'s machine learning algorithms.

What is the nature of BHealthy and Natural Insight\\'s relationship?

- A. Natural Insight is BHealthy\\'s processor because the companies entered into data processing terms.
- B. Natural Insight is BHealthy\\'s processor because BHealthy is sharing its customer information with Natural Insight.
- C. Natural Insight is the controller because it determines the security measures to implement to protect data it processes; BHealthy is a co-controller because it engaged Natural Insight to determine pricing for the new sunscreens.
- D. Natural Insight is a controller because it is separately determine the purpose of processing when it uses BHealthy\\'s customer information to improve its machine learning algorithms.

Correct Answer: A

#### **QUESTION 4**

What is one major goal that the OECD Guidelines, Convention 108 and the Data Protection Directive (Directive 95/46/EC) all had in common but largely failed to achieve in Europe?

- A. The establishment of a list of legitimate data processing criteria
- B. The creation of legally binding data protection principles
- C. The synchronization of approaches to data protection
- D. The restriction of cross-border data flow

Correct Answer: C

Reference: https://ico.org.uk/media/about-the-ico/documents/1042349/review-of-eu-dp- directive.pdf (99)

## **QUESTION 5**



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A homeowner has installed a motion-detecting surveillance system that films his front doc and entryway. The camera does not film any public areas only areas that are the property of the homeowner. The system has seen declared to the authorities per the homeowner\\'s country law, and a placard indicating the area is being video monitored is visible when entering the property

Why can the homeowner NOT depend on the household exemption with regards to the processing of the video images recorded by the surveillance camera system?

- A. The surveillance camera system can potentially capture biometric information of the homeowner\\'s family, which would be considered a processing of special categories of personal data.
- B. The homeowner has not specified which security measures ore in place as part of the surveillance camera system
- C. The GDPR specifically excludes surveillance camera images from the household exemption
- D. The surveillance camera system can potentially film individuals who enter its filming perimeter

Correct Answer: D

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