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Question 1

A shopkeeper wants to register how many visitors enter his shop every day. A system detects the MAC- address of each visitor's smartphone. It is impossible for the shopkeeper to identify the owner of the phone from this signal, but telephone providers can link the MAC-address to the owner of the phone. According to the GDPR, is the shopkeeper allowed to use this method?

Options:

A- Yes, because the shopkeeper cannot identify the owner of the telephone

B- No, because the telephone providers are the owners of the MAC-addresses.

C- No, because the telephone's MAC-address must be regarded as personal data.

D- Yes, because the visitor has automatically consented by connecting to the Wi-Fi

Answer:

C

Explanation:

Yes, because the shopkeeper cannot identify the owner of the telephone. Incorrect. The issue is not whether the shopkeeper can identify the visitor, but that it is technically possible to do so.

Yes, because the visitor has automatically consented by connecting to the Wi-Fi. Incorrect. Consent must be an active, informed and free act of agreement to the processing. To see a MAC-address, the visitor does not need to be logged onto the Wi-Fi.

No, because the telephones MAC-address must be regarded as personal data. Correct. The phone's signal is a unique code that can be linked to the owner of the phone. The data must be regarded as personal data, because it is technically possible to identify the visitor. (Literature: A, Chapter 3; GDPR Article 26 and 30)

No, because the telephone providers are the owners of the MAC-addresses. Incorrect. The shopkeeper is not allowed to keep the data or process it because it must be regarded as personal data. The telephone provider is not the owner of the MAC-address, nor is the telephone provider protected by the GDPR.

Question 2

Question Type: MultipleChoice

The GDPR refers to the principles of proportionality and subsidiarity. What is the meaning of subsidiarity in this context?

Options:

A- Personal data may only be processed when there are no other means to achieve the purposes.

B- Personal data cannot be reused without explicit and informed consent.

C- Personal data can only be processed in accordance with the purpose specification.

D- Personal data must be adequate, relevant and not excessive in relation to the purposes.

Answer:

A

Explanation:

Personal data can only be processed in accordance with the purpose specification. Incorrect. This is one of the legal limitations.

Personal data cannot be reused without explicit and informed consent. Incorrect. This is one of the legal limitations.

Personal data may only be processed when there are no other means to achieve the purposes. Correct. This is the definition of subsidiarity. (Literature: A, Chapter 3; GDPR Article 35(7))

Personal data must be adequate, relevant and not excessive in relation to the purposes. Incorrect. This is the definition of proportionality.

Question 3

A company wishes to use personal data of their customers. They wish to start sending all female customers a customized newsletter. What right do all data subjects have in this scenario?

Options:

A- The right to rectification

B- The right to compensation

C- The right to object to profiling

Answer:

C

Explanation:

The right to compensation. Incorrect. It is unlikely that all data subjects will suffer harm that must be compensated in this scenario.

The right to object to profiling. Correct. All data subjects have a right to object to the processing of personal data for direct marketing, including profiling. This is clearly profiling. (Literature: A, Chapter 4)

The right to rectification. Incorrect. It is unlikely that the company has incorrect data on all data subjects, so the right to rectification does not apply.

Question 4

What is the purpose of a data protection audit by the supervisory authority?

Options:

A- To monitor and enforce the application of the GDPR by assessing that processing is performed in compliance with the GDPR.

B- To fulfill the obligation in the GDPR to implement appropriate technical and organizational measures for data protection.

C- To advise the controller on the mitigation of privacy risks to protect the controller from liability claims for non-compliance.

Answer:

A

Explanation:

To advise the controller on the mitigation of privacy risks to protect the controller from liability claims for non-compliance. Incorrect. The supervisory authority has the task to monitor compliance and to advise on enhancements, but its purpose is not to protect the controller.

To fulfill the obligation in the GDPR to implement appropriate technical and organizational measures for data protection. Incorrect. The audit is not the implementation of the measures, but an assessment of the effectiveness of them.

To monitor and enforce the application of the GDPR by assessing that processing is performed in compliance with the GDPR. Correct. According to the GDPR this is an important task of a supervisory authority. (Literature: A, Chapter 7; GDPR Article 57 (1)(a))

Question 5

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

Options:

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.

Answer:

D

Explanation:

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 6

According to the GDPR, what is a task of a supervisory authority?

Options:

A- Investigate security breaches of corporate information

B- Implement technical and organizational measures to ensure compliance

C- Monitor and enforce the application of the GDPR

Answer:

C

Explanation:

Implement technical and organizational measures to ensure compliance. Incorrect. This is the task of the controller.

Investigate security breaches of corporate information. Incorrect. Only breaches of personal data are a concern of the supervisory authority.

Monitor and enforce the application of the GDPR. Correct. This is the main task of any supervisory authority. (Literature: A, Chapter 7)

Question 7

A Belgian company has their headquarters in France for tax purposes. They enter into a legally binding contract with a processor in the Netherlands for the processing of personal data of data subjects with various nationalities. A personal data breach occurs. The supervisory authorities start an investigation. Why is the French supervisory authority seen as the lead supervisory authority?

Options:

A- Because the company has their headquarters in France

B- Because France is located in the middle of Europe

C- Because France is the largest of the three EEA countries

Answer:

A

Explanation:

Because France is located in the middle of Europe. Incorrect. The geographical position of the countries is irrelevant.

Because France is the largest of the three EEA countries. Incorrect. The size of the countries is irrelevant.

Because the company has their headquarters in France. Correct. The country of the main establishment determines the lead supervisory authority. The 'main establishment' is the place of the central administration of that organization, or in other words: headquarters. (Literature: A, Chapter 7)

Question 8

Question Type: **MultipleChoice**

To plan the amount of parking space needed, a local government monitors and saves the license plate number of every car that enters and leaves the city center. They have obtained permission to collect data on the number of cars present in the city center. By comparing the license plate time of entry and exit the number of cars present every moment of each day is calculated. Each month a report is created detailing the average number of cars in the city center at specific moments for every day of the week. At every entrance to the city center, a billboard clearly states what data is collected by whom, the purpose of the processing and the fact that the license plate numbers are saved securely for up to two years, because the measurements will be repeated next year. Which of the basic principles for legitimate processing of personal data is violated in this scenario?

Options:

A- Personal data are processed in a manner that ensures appropriate security of the personal data.

B- Personal data are processed in a transparent manner in relation to the data subject

C- Personal data are kept in a form permitting identification of data subjects for no longer than is necessary.

D- Personal data are collected for specified, explicit and legitimate purposes and not further processed.

Answer:

C

Explanation:

Personal data are collected for specified, explicit and legitimate purposes and not further processed. Incorrect. The local government is entitled to collect data on the number of cars present.

Personal data are kept in a form permitting identification of data subjects for no longer than is necessary. Correct. In the given scenario, there is no need to retain the data of a specific car identifying the owner once it has left the area (Literature: A, Chapter 2; GDPR Article 5)

Personal data are processed in a manner that ensures appropriate security of the personal data. Incorrect. The scenario does not suggest inappropriate security.

Personal data are processed in a transparent manner in relation to the data subject. Incorrect. The processing is taking place transparently, since it is communicated properly to the data subjects.

Question 9

In the GDPR, some types of personal data are regarded as special category personal dat

a. Which personal data are considered special category personal data?

Options:

A- An address list of members of a political party

B- A genealogical register of someone's ancestors

C- A list of payments made using a credit card

Answer:

A

Explanation:

A list of payments made using a credit card. Incorrect. Credit card data is personal data, but not special category data.

An address list of members of a political party. Correct. Personal data revealing political opinions is special personal data (Literature: A, Chapter 1; GDPR Article 9(1))

A genealogical register of someone's ancestors. Incorrect. Genealogical information on living persons is personal data, but not special category. The GDPR does not apply to data on deceased persons.

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