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QUESTION 1

SCENARIO

Please use the following to answer the next question:

Joe started the Gummy Bear Company in 2000 from his home in Vermont, USA. Today, it is a multi-billion-dollar candy company operating in every continent. All of the company's IT servers are located in Vermont. This year Joe hires his son Ben to join the company and head up Project Big, which is a major marketing strategy to triple gross revenue in just 5 years. Ben graduated with a PhD in computer software from a top university. Ben decided to join his father's company, but is also secretly working on launching a new global online dating website company called Ben Knows Best.

Ben is aware that the Gummy Bear Company has millions of customers and believes that many of them might also be interested in finding their perfect match. For Project Big, Ben redesigns the company's online web portal and requires customers in the European Union and elsewhere to provide additional personal information in order to remain a customer. Project Ben begins collecting data about customers' philosophical beliefs, political opinions and marital status.

If a customer identifies as single, Ben then copies all of that customer's personal data onto a separate database for Ben Knows Best. Ben believes that he is not doing anything wrong, because he explicitly asks each customer to give their consent by requiring them to check a box before accepting their information. As Project Big is an important project, the company also hires a first year college student named Sam, who is studying computer science to help Ben out.

Ben calls out and Sam comes across the Ben Knows Best database. Sam is planning on going to Ireland over Spring Break with 10 of his friends, so he copies all of the customer information of people that reside in Ireland so that he and his friends can contact people when they are in Ireland.

Joe also hires his best friend's daughter, Alice, who just graduated from law school in the U.S., to be the company's new General Counsel. Alice has heard about the GDPR, so she does some research on it. Alice approaches Joe and informs him that she has drafted up Binding Corporate Rules for everyone in the company to follow, as it is important for the company to have in place a legal mechanism to transfer data internally from the company's operations in the European Union to the U.S. Joe believes that Alice is doing a great job, and informs her that she will also be in-charge of handling a major lawsuit that has been brought against the company in federal court in the U.S. To prepare for the lawsuit, Alice instructs the company's IT department to make copies of the computer hard drives from the entire global sales team, including the European Union, and send everything to her so that she can review everyone's information. Alice believes that Joe will be happy that she did the first level review, as it will save the company a lot of money that would otherwise be paid to its outside law firm. Ben's collection of additional data from customers created several potential issues for the company, which would most likely require what?

- A. New corporate governance and code of conduct.
- B. A data protection impact assessment.
- C. A comprehensive data inventory.
- D. Hiring a data protection officer.

Correct Answer: B

QUESTION 2



Under which of the following conditions does the General Data Protection Regulation NOT apply to the processing of personal data?

- A. When the personal data is processed only in non-electronic form
- B. When the personal data is collected and then pseudonymised by the controller
- C. When the personal data is held by the controller but not processed for further purposes
- D. When the personal data is processed by an individual only for their household activities

Correct Answer: D

QUESTION 3

Which failing of Privacy Shield, cited by the CJEU as a reason for its invalidation, is the Trans-Atlantic Data Privacy Framework intended to address?

- A. Data Subject Rights.
- B. Right of Action.
- C. Necessity.
- D. Consent.

Correct Answer: B

QUESTION 4

According to the GDPR. Article 4(14). biometric data is defined as:

"Personal data resulting from specific technical processing relating to the_____characterstics of a natural person"

Which term could NOT be placed in the above definition?

- A. Psychological.
- B. Physical.
- C. Intellectual.
- D. Behavioral

Correct Answer: C



QUESTION 5

How can the relationship between the GDPR and the Digital Services Act, the Data Governance Act and the Digital Markets Act most accurately be described?

- A. The aforementioned legal acts do not refer to (i.e., do not mention) the GDPR.
- B. The aforementioned legal acts apply without prejudice (i.e., in parallel) to the GDPR.
- C. The aforementioned legal acts change specific provisions (i.e., certain articles) of the GDPR.
- D. The aforementioned legal acts contain some sector-specific exemptions (i.e., only for certain businesses) from the GDPR.

Correct Answer: B

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