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**QUESTION 1**

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

- 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.

Correct Answer: D

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 2

The GDPR does not define privacy as a term but uses the concept implicitly throughout the text. What is a correct definition of privacy as implicitly used throughout the GDPR?

- A. The right to respect for one's private and family life, home and personal correspondence
- B. The right not to be disturbed by uninvited people, nor being followed, spied on or monitored
- C. The fundamental right to protection of personal data, regardless of how it was obtained
- D. The right to freedom of opinion and expression and to seeking, receiving and imparting information

Correct Answer: A

The fundamental right to protection of personal data, regardless of how it was obtained. Incorrect. This is a definition of data protection.

The right not to be disturbed by uninvited people, nor being followed, spied on or monitored. Incorrect. This is a definition of physical privacy. However, the GDPR does not concern itself with physical privacy.



The right to respect for one's private and family life, home and personal correspondence. Correct. This is the definition as implicitly used throughout the GDPR. (Literature: A, Chapter 1)

The right to freedom of opinion and expression and to seeking, receiving and imparting information. Incorrect. This is a short version of Universal Declaration of Human Rights Article 19: freedom of opinion and expression.

QUESTION 3

A company located in France wishes to enter into a compulsory contract with a processor located in Portugal. This contract aims to process sensitive French personal data. The Portuguese Supervisory Authority is informed about this contract and the type of processing.

How should Portuguese Supervisory Authority proceed, in accordance with the General Data Protection Regulation (GDPR)?

- A. Supervise the processing of personal data according to the guidelines of the Supervisory Authority of Portugal.
- B. Report the data processing to the French Supervisory Authority, which must take over the supervision.
- C. Verify that adequate compulsory contracts have been established and leave supervision to the French Supervisory Authority.
- D. Supervise the processing of personal data in accordance with the French Supervisory Authority legislation.

Correct Answer: C

When there is a processor and an operator in EEA countries, the competent authority will be the location of the Controller, however the Supervisory authority of the Controller is considered to be a concerned Supervisory Authority (who has interests).

Therefore, the Processor Supervisory Authority evaluates and approves the rules of the contract, in accordance with Article 57 of the GDPR, and must notify the Controller Supervisory Authority.

In its Article 57, the GDPR legislates on the Responsibilities of the Supervisory Authority.

In its first paragraph, items "r" and "s":

- r) Authorise contractual clauses and provisions referred to in Article 46(3);
 - s) Approve binding corporate rules pursuant to Article 47.
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QUESTION 4

How does GDPR regulate this specific case?

A woman uses the services of a gym in the city where she lives. Yet she will move to another town. So, she requests the current gym to transfer all her data, exercises, eating plans, physical evaluations, etc. to another gym in the new town.

- A. The current gym is not obliged to answer the holder request, because this could jeopardize the secret of its business.
- B. The current gym should send all her data directly to the new gym.



C. The gym of the new town should get in contact with the gym and request the data.

D. The current gym should provide the data to her.

Correct Answer: B

The Article 20 of GDPR establishes the Right to data portability.

The second paragraph mentions:

In exercising his or her right to data portability pursuant to paragraph 1, the data subject shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible.

However, it is worth noting that the paragraph 1 of this article mentions:

The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format...

The utterance explains that she requested that the data was transferred, that is why the correct answer is "The current gym should send all her data directly to the new gym." (B)

Yet she has the right to request her own data, so if the utterance was referenced in that way, the correct answer would be: "The current gym should provide the data to her." (D)

QUESTION 5

In the GDPR, some types of personal data are regarded as special category personal data. Which personal data are considered special category personal data?

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

Correct Answer: A

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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