



PDPF^{Q&As}

Privacy and Data Protection Foundation

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**QUESTION 1**

According to the GDPR, when is a data protection impact assessment (DPIA) obligatory?

- A. When a project includes technologies or processes that use personal data
- B. When processing is likely to result in a high risk to the rights of data subjects
- C. When similar processing operations with comparable risks are repeated

Correct Answer: B

When a project includes technologies or processes that use personal data. Incorrect. Only for technologies and processes that are likely to result in a high risk to the rights of data subjects is the DPIA mandatory.

When processing is likely to result in a high risk to the rights of data subjects. Correct. For processing operations which are likely to result in a high risk, a DPIA is obligatory to assess those risks and to design mitigation measures.

(Literature: A, Chapter 6; GDPR Article 35)

When similar processing operations with comparable risks are repeated. Incorrect. This is a case in which a DPIA does not need to be repeated.

QUESTION 2

To comply with the General Data Protection Regulation (GDPR) it is necessary to create a procedure for reporting data breaches to the Supervisory Authority.

As the controller is a public administration agency, which option is a requirement for this procedure?

- A. It must contain a step to perform a Data Protection Impact Analysis (DPIA).
- B. It must include an audit step.
- C. It should include a step to consult the Data Protection Officer (DPO) in order to determine whether notification to the Supervisory Authority is necessary.
- D. It must contain a step to notify the data subject.

Correct Answer: C

It is not necessary to inform the Supervisory Authority of any violation that occurs. But every violation must be analyzed with caution and attention. It is not necessary to notify the Supervisory Authority only if it does not present risks to the data subjects.

The DPO must always be involved to guide the best strategy and action for each violation that occurs.

Article 38 legislates on the position of the data protection officer:



1. The controller and the processor shall ensure that the data protection officer is involved, properly and in a timely manner, in all issues which relate to the protection of personal data.

It is clear that the DPO (Data Protection Officer), must be involved in the entire data processing life cycle. From its collection to its exclusion.

QUESTION 3

The Traffic Department of a city wants to know how many cars travel daily in order to plan the number of spaces needed to implement a rotating parking system.

To do this, cameras were installed at strategic points. Through image recognition software it is possible to capture the license plate and know how many cars traveled in the city. A monthly report is issued with the average number of cars present each day.

Signs and posters were spread around the city informing drivers and citizens what is the purpose of processing and that the data will be stored for up to five years, for future comparison.

What basic principle of legitimate processing of personal data is being violated in this case?

- A. Personal data must be kept in a way that allows the identification of data subjects for a period not longer than necessary.
- B. Personal data must be processed transparently in relation to the data subject.
- C. Personal data must be processed in a way that guarantees the appropriate security of personal data.
- D. Personal data must be collected for specific, explicit and legitimate purposes and must not be further processed for incompatible purposes.

Correct Answer: A

Here we have a very common catch in EXIN exams.

As stated "monthly a report is issued". Therefore, the report issued and with the average number of cars for each day is known, there is no longer a need to keep the license plate records. The information on the average number of cars per day is already sufficient for the planning of rotating parking as well as sufficient for a future comparison. So, there is no need to keep personal data stored for 5 years.

You may be wondering if a license plate is personal data. The answer is yes. Any information that makes it possible to identify a person is considered personal data.

A real and interesting example was a wife who identified her husband's car at a friend's house through Google Maps. The license plates on Google Maps are erased for security, but the car had a specific sticker. See that the wife gathered two pieces of information: car model and sticker, to identify her husband. In isolation neither of these two is a personal data, but together they become, because it was possible to identify it.

Luckily for his wife, who discovered his affair with her friend.

QUESTION 4

What is the legal status of the GDPR?



- A. The GDPR is functional law in all member states of the EEA. Some Articles allow for member states law to provide for more specific rules.
- B. The GDPR sets out minimum conditions and requirements. Member states need to pass national laws to meet these minimum requirements.
- C. The GDPR is a recommendation of the European Commission that EEA countries\' law authorities improve their laws on the protection of personal data.

Correct Answer: A

The GDPR is functional law in all member states of the EEA. Some Articles allow for member states law to provide for more specific rules. Correct. The GDPR is European law but the Regulation does not exclude Member state law that sets out the circumstances for specific processing situations. (Literature: A, Chapter 1; GDPR Recital 10)

The GDPR is a recommendation of the European Commission that EEA countries\' law authorities improve their laws on the protection of personal data. Incorrect. An EU recommendation is not binding. The GDPR is a functional European law in all member states.

The GDPR sets out minimum conditions and requirements. Member states need to pass national laws to meet these minimum requirements. Incorrect. This is the description of an EU Directive.

QUESTION 5

What is the purpose of Data Lifecycle Management (DLM)?

- A. Ensure data integrity and its periodic update
- B. Ensure data confidentiality and availability throughout its useful life.
- C. Ensure that the processing of personal data, throughout its useful life complies with the GDPR
- D. Ensure data confidentiality throughout its useful life, from collection to deletion.

Correct Answer: C

It aims to manage the flow of data throughout the life cycle, from collection, processing, sharing, storage and deletion.

Having the knowledge where the data travels, who is responsible, who has access, helps and a lot to implement security measures.

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