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Privacy and Data Protection Foundation

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**QUESTION 1**

A controller asks a processor to produce a report containing customers who have purchased a particular product more than once in the past 6 months.

The processor provides services to several companies (which in this case are the controllers).

When generating the requested report, it uses customer data collected by another controller, that is, for a different purpose.

Fortunately, the error is noticed in time, the report is not sent, and nobody has had access to this data.

In this case, how does the processor need to proceed and what action should the controller take?

- A. The processor notifies the Supervisory Authority that a violation has occurred. The controller will be notified and must perform a Data Protection Impact Assessment (DPIA).
- B. The processor needs to notify the controller. And the controller can assess whether there were risks to the data subjects.
- C. The processor needs to notify the controller so that the controller notifies the Supervisory Authority of the personal data breach.
- D. As the error was noticed in time and the report was not sent, there is no need for the processor to inform the controller. The processor must delete the wrong report and generate a new one, this time with the correct data.

Correct Answer: B

In the example of this question, there is likely to be no risk to the data subjects or if it exists it will be very low, but this does not exempt the processor from notifying the Controller. However, at least the Controller should assess whether there is a need to notify the Supervisory Authority.

QUESTION 2

The General Data Protection Regulation (GDPR) formalizes the data subject's right to data portability.

What is the objective of data portability?

- A. The controller has the right to move the data subject's personal data from one organization to another.
- B. The data subject has the right to move personal data concerning him or her.
- C. The data subject has the right to move his/her personal data when moving to another country.
- D. The Supervisory Authority authorizes the movement of personal data.

Correct Answer: B

QUESTION 3

According to the GDPR, in what situation must data subjects always be notified of a personal data breach?



- A. When personal data is processed at a facility of the processor that is not located within the borders of the EEA
- B. When personal data is processed by a party that agreed to the draft processing contract but has not yet signed it
- C. When the system on which the personal data is processed is attacked causing damage to its storage devices
- D. When there is a significant probability that the breach will lead to a high risk for the privacy of the data subjects

Correct Answer: D

When personal data is processed at a facility of the processor that is not located within the borders of the EEA. Incorrect. The location where the data is processed is of no significance to the obligation to notify data subjects of personal data breaches.

When personal data is processed by a party that agreed to the draft processing contract but has not yet sign it. Incorrect. Personal data processed by another party than the controller without a valid written contract is considered a personal data breach. In the given situation however, negative consequences for the data subjects are unlikely. Notifying the data subject is not obligatory in that case.

When the system on which the personal data is processed is attacked causing damage to its storage devices. Incorrect. Damage to storage devices will make access to the data difficult or even impossible but does not imply illegal processing.

When there is a significant probability that the breach will lead to a high risk for the privacy of the data subjects. Correct. If there is a significant probability of negative impact on the data subjects, the controller is obliged to notify them of the breach. (Literature: A, Chapter 5)

QUESTION 4

The illegal collection, storage, modification, disclosure or dissemination of personal data is an offense under European law.

What kind of offense is this?

- A. An offense related to content
- B. An offense to intellectual property
- C. An economic offense
- D. An offense to privacy

Correct Answer: D

An offense to privacy, as any illegal processing of personal data is considered an offense.

QUESTION 5

Which of the parts below can implement data protection by design (from conception)?

- A. The data subject.
- B. The Data Protection Officer (DPO).



C. The processor.

D. The supervisory authority.

Correct Answer: C

It is the duty of the processor to guarantee security in the treatment of the data entrusted to it by the controller.

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