

# DUMPS ARENA

## Privacy and Data Protection Foundation

Exin PDPF

Version Demo

Total Demo Questions: 7

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## Topic Break Down

Topic	No. of Questions
Topic 3, For the purpose of paragraph 1, personal data are transferred under the EU-U	0
Topic 4, Mixed Questions	149
<b>Total</b>	<b>149</b>

**QUESTION NO: 1**

One of the basic principles of the General Data Protection Regulation (GDPR) is subsidiarity.

What is subsidiarity to GDPR?

- A.** Personal data can only be collected for explicit, legitimate and specific purposes and cannot be processed for any other purpose.
- B.** Only the personal data needed to achieve a specific purpose should be collected.
- C.** The least privacy-violating means should be used when processing personal data.
- D.** Personal data must be kept for a period not longer than necessary.

**ANSWER: C****Explanation:**

Whereas Recital 170 mentions: "Since the objective of this Regulation, namely to ensure an equivalent level of protection of natural persons and the free flow of personal data throughout the Union, cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union (TEU). In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective".

Subsidiarity is a principle that says that personal data can only be processed if there are no other means to achieve the objective. Therefore, the less personal data used, the less the chances of violating privacy.

Note that in the quotation in Recital 170 above, the principle of proportionality was highlighted in bold. Equally important to subsidiarity. Proportionality says that personal data must be collected according to the purpose of processing, that is proportional, and data that will not be used for the purpose should not be collected.

These two principles Subsidiarity and Proportionality are constantly charged in the EXIN exam.

**QUESTION NO: 2**

In the European Union we have: Directives and Regulations. What is the difference between them?

- A.** A directive has the force of law and all EU Member States must follow it without changing it.
- B.** The regulation provides guidance for EU Member States and they can create their own laws to conform to the regulation.
- C.** The directive provides guidance for EU member states and they can create their own laws to suit the directive. A regulation has the force of law and all EU Member States must follow it without changing it.

**ANSWER: A**

**Explanation:**

When we have a Regulation, such as the GDPR, all EU member states are obliged to follow it and have a fixed date for entry into force. The regulation is a law and Member States cannot create laws that oppose it. Unlike the Directives that set objectives to be achieved, however, each Member State is free to decide how to apply them in its country.

Important

Prior to the GDPR, there was the “95/46 / EC First Data Protection Directive (European DP)”. Approved in 1995, it was already aimed to protect personal data. This directive was replaced by the GDPR. “Article 94: 1. Directive 95/46 / EC is repealed with effect from 25 May 2018.”

**Answer: In the EXIN PDPF exam this is a question that is routinely asked. “What directive has been replaced by GDPR?” 95/46 / EC.**

**QUESTION NO: 3**

A gentleman has a loan denied by the bank's system that he has been a customer for many years. He is disgusted, because the loan would make it possible to hold the wedding of his only granddaughter.

He contacts the bank and asks for explanations. He wants to know exactly why his loan was denied and based on what information.

What right is required by the data subject according to the GDPR?

- A. Right to limitation of treatment
- B. Right to rectification
- C. Data subject's right of access
- D. Right to object and automated individual decision-making

**ANSWER: D****Explanation:**

Article 22 provides for this type of damage to the data subject and legislates on “Automated individual decisions, including profiling”:

1. The data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.

**QUESTION NO: 4**

What is the main difference between Directive 95/46 / EC and the General Data Protection Regulation (GDPR)?

- A. Directive 95/46 / EC has the force of law and all EU Member States must follow it without changing.
- B. The GDPR offers guidance for EU Member States and can create their own laws to comply with the regulatio

C. Directive 95/46 / EC offers guidance for EU Member States and can create their own laws to suit the directive. The GDPR has the force of law and all EU Member States must follow it without changing it.

**ANSWER: A**

**Explanation:**

When we have a Regulation, such as the GDPR, all EU Member States are obliged to follow it and have a fixed date to entry into force. The regulation is a law and Member States cannot create laws that oppose it. Unlike the Directives that set objectives to be achieved, however, each Member State is free to decide how to apply them in their countries.

Important

Prior to the GDPR, there was a Directive "95/46 / EC First Data Protection Directive. Approved in 1995, it was already aimed at protecting personal data. This directive was replaced by GDPR. "Article 94: 1. Directive 95/46 / EC is repealed with effect from 25 May 2018."

**Answer: In the EXIN PDPF exam this is an issue that is routinely asked. "Which directive has been replaced by GDPR?" 95/46 / EC.**

**QUESTION NO: 5**

When is a Data Protection Impact Assessment (DPIA) under the General Data Protection Regulation (GDPR) mandatory?

- A. Application of new technologies that may imply a high risk to the rights and freedoms of data subjects.
- B. There is no security policy and information security risk analysis.
- C. In all types of personal data processing.

**ANSWER: A**

**Explanation:**

Whenever a new technology is applied, a DPIA must be performed. In addition, a DPIA must be performed before starting the processing of personal data. This is important to check for risks to data subjects since data collection.

In its Article 35 the GDPR legislates on the Impact assessment on data protection.

1. Where a type of processing in particular using new technologies, and taking into account the nature, scope, context and purposes of the processing, is likely to result in a high risk to the rights and freedoms of natural persons, the controller shall, prior to the processing, carry out an assessment of the impact of the envisaged processing operations on the protection of personal data. A single assessment may address a set of similar processing operations that present similar high risks.

**QUESTION NO: 6**

What is a description of data protection by design and by default?

- A. Not holding more data than is strictly required for processing
- B. An indication of timeframes if processing relates to erasure
- C. Data may only be collected for explicit and legitimate purposes
- D. An approach that implements data protection from the start (Correct)

**ANSWER: D**

**Explanation:**

An approach that implements data protection from the start. Correct. This is a correct description. (Literature: A, Chapter 8; GDPR Article 25(1))

An indication of timeframes if processing relates to erasure. Incorrect. This is a description of a data protection impact assessment (DPIA).

Data may only be collected for explicit and legitimate purposes. Incorrect. This is a description of measures taken to comply with the principle of purpose limitation.

Not holding more data than is strictly required for processing. Incorrect. This is a description of procedures to comply with the principle of data minimization.

**QUESTION NO: 7**

Personal data can be transferred outside of the EEA. According to the GDPR, which transfers outside the EEA are always lawful?

- A. Transfers based on the laws of the non-EEA country concerns
- B. Transfers falling under World Trade Organization rules
- C. Transfers governed by approved binding corporate rules (BCR)
- D. Transfers within a global corporation or organization

**ANSWER: C**

**Explanation:**

Transfers based on the laws of the non-EEA country concerned. Incorrect. This would also require an adequacy decision confirming that those laws are sufficient.

Transfers falling under World Trade Organization rules. Incorrect. WTO only covers free trade of goods and services.

Transfers governed by approved binding corporate rules (BCR). Correct. Binding corporate rules approved by a supervisory authority involved make the transfer lawful. (Literature: A, Chapter 7; GDPR Article 47) Transfers within a global corporation or organization. Incorrect. This would also require that they adopt official binding corporate rules.

Reference: [https://edps.europa.eu/data-protection/data-protection/reference-library/international-transfers\\_en](https://edps.europa.eu/data-protection/data-protection/reference-library/international-transfers_en)