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Privacy and Data Protection Foundation

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QUESTION 1

Regarding the Portability Law for data subjects, which option is correct?

- A. The data subject has the right to object at any time, for reasons related to their particular situation, so that the data is not shared between controllers.
- B. The data subject has the right to ask the controller to rectify, erase or limit the processing of personal data with respect to the data subject if he has shared his data.
- C. The data owner has the right to transmit his data to another controller without the controller that already has the personal data provided being able to prevent it.
- D. The data subject has the right to obtain from the controller the limitation of processing so that the data is shared.

Correct Answer: C

Article 20 Right to data portability:

1. 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 and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided.
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QUESTION 2

What should be done by the EU member states and is not a responsibility of the supervisory authorities?

- A. Impose administrative fines to controllers
- B. Make rules for penalizing other GDPR infringements
- C. Order the controller to notify the data subject about a breach
- D. Receive and process data breach notifications from controllers

Correct Answer: B

QUESTION 3

What is a responsibility of Supervisory Authorities in EEA countries?

- A. Research on security breaches of corporate information
- B. Supervision of all data processing operations controlled by a controller in an EEA country
- C. Supervision of all data processing operations where the data subjects are residents of an EEA country

Correct Answer: C

QUESTION 4

Which of the following conflicts with the principle of limiting the purposes?

- A. The data is sold to another company without the consent of the data subject.
- B. Adapt the data to the purpose of the treatment.
- C. Store the data in a way that allows the identification of the data subjects.
- D. Data is used in an obscure manner to the data subject.

Correct Answer: A

The principle of limitation of purposes says that personal data must be collected for specific, explicit and legitimate purposes and cannot be further processed in a way incompatible with those purposes.

When the data is sold to another company, we can conclude that it was acquired by a controller for a specific purpose and that it subsequently sold it without the owner's knowledge and consent.

QUESTION 5

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.

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