

## LAW AND DATA – MULTIPLE CHOICE QUESTIONS OVER THE YEARS

Note: each question is worth 2 points. When you can gain “up to 2 pts” it means that there are two right answers.

The European Data Protection Board is:

- An agency of the European Commission with the aim of protecting the fundamental right to data protection
- An independent body gathering the national supervisory authorities of each EU Member State
- An institution provided for by the Treaty on the European Union

The European Data Protection Supervisor is:

- a national authority supervising on data protection
- a supranational authority supervising on the activity of national supervisory authorities
- a supranational supervisor on any processing of personal data Member States citizens
- an independent body at the European level supervising on processing carried out by EU Institutions

The European Data Protection Supervisor:

- gathers the European Data Protection Board and the National Supervisory Authorities
- is responsible for handling individuals' reports of data breaches committed by EU institutions only
- is in charge for handling any report of personal data breach committed by any entity within the EU

Which of the following are legislative instruments belonging to EU primary law?

- Treaty of the European Union, Treaty on the functioning of the European Union, Charter of fundamental rights of the European Union
- Charter of fundamental rights of the European Union, Regulations, Case-law of the European Court of Justice
- Treaty of the European Union, Treaty on the functioning of the European Union, Case-law of the European Court of Justice

Which of the following statements is correct?

- Freedom of thought cannot be affected by AI technologies
- Freedom of thought is not considered as a human right in most jurisdictions
- Freedom of thought deserves protection only once the individual shares his thoughts with others
- Freedom of thought is considered as a human right in most jurisdictions but hardly protected in itself

The charter of fundamental rights recognizes the right to privacy and the right to data protection to:

- Only to individuals with EU citizenship
- All individuals in the EU
- Only to EU companies

Which of the following statements is correct?

- EU regulations and directives must be directly applied in any of their provision in all Member States
- Regulations are directly applicable in all Member States as such, whereas directives need to be implemented by every Member State
- Directives are directly applicable in all Member States as such, whereas regulations need to be implemented by every Member State

The processing of personal data pursuant to the GDPR may be lawfully carried out (up to 2 pts):

- When data subjects expressed their own consent
- Based on the controller's free choice
- When there is no consent by data subjects, but the processing is needed for protecting the data subjects' or other individuals' vital interests
- When there is no consent, but the processing must take place to perform a contract between the controller and any third party

When the European Court of Human Rights rules that a State has failed to protect a right of an individual:

- The Court's ruling replaces the domestic rule that is incompatible with the European Convention of Human Rights
- It is up to the State to remove the violation of the European Convention
- The individual can sue the State in the European Court of Human Rights

Why is the protection of personal data so important?

- Because the EU does not protect synthetic data
- The protection of personal data usually serves to protect people from manipulation and exploitation
- Because AI does not need personal data
- Because AI can be biased

A Data Protection Impact Assessment under the GDPR is:

- compulsory only in specific cases expressly set out by law
- compulsory only when the appointment of a DPO is required by law
- mandatory for any kind of processing activities involving non personal data
- compulsory for every kind of processing activities involving personal data

A data controller is (up to 2 pts):

- entitled to always deny the access to a data subject's personal data, except for the event where the latter's personal data are inaccurate
- always required to grant access to a data subject's personal data by anyone requesting it
- required to grant access to personal data held when requested by the data subject concerned
- required to grant access to personal data to subjects other than the data subject, when set forth by law

What is the difference between regulations and directives in EU law?

- Regulations are immediately enforceable, while directives need domestic execution
- Regulations are binding, while directives are only exhortations
- Regulations establish rules, whereas directives introduce principles
- There is no difference between the two notions

The EU Charter of fundamental rights expressly safeguards (up to 2 pts)

- The right of data controllers and processors to process anyone's personal data
- The right of individuals to personal data protection
- The right of individuals to private and family life
- The right of individuals to process any other individuals' personal data

Should data controllers and data processors be separate entities, the GDPR sets out that:

- data controllers are totally free to indicate one or more data processors, the latter not being bound by any obligation towards data controllers
- their relationships need to be regulated by specific contractual agreements or by different acts provided for by law
- their mutual relationships need to be regulated only by an order of any competent National Supervisory Authority

Why is the protection of personal data insufficient to protect fundamental rights?

- Because it only covers specific countries; there is no macroregional standardized regulation
- Internet users cannot cope with massive consent requests when they visit websites
- Because AI doesn't use personal data
- Because AI can be biased.

The E-Privacy Directive (up to 2 pts):

- provides for personal data protection in processing activities carried out by EU institutions
- was directly applicable in every Member State since its entry into force
- needed to be implemented in any Member State
- regulates personal data processing in connection with public communications services in public communications networks within the EU

The European Electronic Communications Code (so-called Recast Directive) (up to 2 pts):

- deals with personal data processing activities in the communication industry
- aims at ensuring equal and fair access to electronic communications services, promoting at the same time connectivity across the EU
- does not concern personal data processing activities

The main difference between the EU and the US approaches to the legal regime of personal data is:

- that the EU treats personal data as an aspect of individual personality, whereas the US treats data as a market
- that only EU protects privacy
- that only the US protect privacy
- that only the US approach leverages individual consent to protect privacy

The hierarchical system of EU law is structured as such:

- Primary Law, (2) Secondary Law, (3) International Agreements
- Founding treaties, (2) International Agreements, (3) Secondary Law
- Primary Law, (3) Secondary Law, (3) Member States law

Which of the following statements is correct

- Synthetic data is protected by GDPR
- The GDPR does not cover the protection of synthetic data
- The GDPR prohibits the creation and the dissemination of synthetic data
- Synthetic data and anonymized data are the same notion

Which EU institution is regarded as the Guardian of the Treaties and EU Law?

- The European Parliament
- The European Commission
- The European Court of Justice

Which of the following is not a function of the Court of Justice of the European Union (CJEU)?

- The consistent interpretation of European Union law
- Consideration of the validity of the acts of the Institutions
- Hearing appeals from national courts

Which statement best describes what the General Data Protection Regulation (GDPR) is?

- An update on the Directive 95/46, restricting personal data collection to companies certified under GDPR regulations
- A legal framework aimed at companies operating online in the EU, defining how and when data can be collected
- A legal framework regulating the collection, storage, and use of personal data, applicable to all organizations interacting with EU citizens

What are the types of personal data defined under GDPR?

- Any identifiable information
- Name, identification number, location data, online identifiers, or data revealing physical, genetic, mental, economic, cultural, or social identity
- Personally identifiable information and special categories of personal data

Which of the following is not an example of a special category of personal data?

- Ethnicity
- Religious beliefs
- Date of Birth

Considering the decision of the CJEU in the Google Spain case, which statement is correct?

- When insufficient legal references exist, the CJEU has unlimited power to create new rights addressing online personal data protection issues
- Overemphasis on data protection law categories can harm other fundamental rights in the digital age
- EU legal frameworks treat personal data protection law as the primary reference for data regulation, allowing flexible and creative application