**LAW AND DATA – MULTIPLE CHOICE QUESTIONS**

Note that when you can gain “up to 2 pts” it means that there are two right answers.

The European Dat 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 provided that they are 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

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

What is the legal treatment of synthetic data?

* Synthetic data are protected by the GDPR.
* Anonymized data are protected by the GDPR.
* Synthetic data are not covered by the GDPR.
* Synthetic data are prohibited under the GDPR.

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

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* only to EU companies

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

Social Credit Systems are:

* Intrinsically incompatible with basic legal principles
* problematic insofar as they are opaque and have wide ramifications for the legal, economic, and social life of a subject
* Forbidden under Chinese law
* Forbidden under U.S. Law

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 (up to 2 pts):

* 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

What is the difference between synthetic and anonymized data?

* Anonymized data lose most details and are therefore less useful to train algorithms
* Anonymized data are covered by the GDPR, whereas synthetic data are not
* Synthetic data are covered by the GDPR, whereas anonymized data are not
* Only anonymization can be reversed to reidentify individuals

Why is the protection of personal data insufficient to protect fundamental rights? (2 pt)

* 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 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

Correcting illegal bias in AI (up to 2pts)

* is always legitimate
* must be done in a way that does not violate basic legal principles such as equality
* is legally impossible
* can be done only by amending the algorithm or the dataset for the training

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