

Law Hero



**International Association of Privacy Professionals (IAPP)
Certified International Privacy Practitioner for Europe (CIPP/E) Exam**

Study Notes

These notes are not from the IAPP

Updated as of October 2024



Welcome!

Thank you very much for coming to **Law Hero**. I am dedicated to sharing everything I know about succeeding in the law game. From a first-class honours law degree (72%) to 3.9 GPA in an LL.M. to bagging a training contract, I think everyone should have the chance to excel if they put in the hard work. Not only will this be a career which will feed and clothe you your entire life, but you will also make a considerable impact on the lives of others. The hard work starts now, though. And this is no easy ride. You must be prepared to encounter failure and disappointment in all areas of your career, not only at the beginning. Life is a series of twists and turns and your career as a lawyer will be no different. As the old saying goes; *“If it was easy, everyone would do it”*. Therefore, I implore you to really think about that long winding road ahead of you. Will you embrace it? Will you embrace knowing that the upside will eventually come if you persevere? Good things come to those who wait. And in the legal profession, this could not be truer. It is a long patient waiting game.

“We are what we repeatedly do. Excellence, then, is not an act, but a habit”



I am a UCC Law and German graduate (2013), Goethe University LL.M. Law and Finance graduate (2014), and I finished the Law Society of Ireland’s Professional Practice Course in 2017, where I was admitted to the profession as a solicitor. I also have completed a certificate in Commercial Contracts, the Diploma in International Financial Services Law, the Diploma in IP and IT law, and the Diploma in Risk and Compliance at the Law Society of Ireland. Recently, I completed the IAPP CIPP/E qualification. I trained at Arthur Cox solicitors and now I am a Senior Legal Counsel at Volkswagen.

In my spare time, I work on my lifelong project called **Law Hero**. Through Law Hero, I have assisted countless people to get interviews and training contracts over the last 10 years. I am addicted to their success and progression in the legal profession. I am also addicted to the progress of our profession. I am an ex-member of the In-House Committee, the Guidance and Ethics Committee, the Younger Members Committee and the Task Force for Gender, Equality, Diversity and Inclusion of the Law Society of Ireland. It is my opinion that our profession should adequately and properly reflect the image and diversity of the public in a fair, diverse and equal manner. If you want more of a look at my professional background, just connect with me on **LinkedIn**.

Remember to stay connected with your girl on **Instagram** and **YouTube**.

I believe in you!

Jennifer

Law Hero



Chapter 1

CIPPE/E Exam Breakdown

Part 1 Basics

1. Understand the Exam Format:

- The CIPP/E exam consists of 90 multiple-choice questions. You may take a break between each half i.e. 75 minutes for 45 questions each. In total, you have 2.5 hours to complete the exam.
- The passing score is 300/500.
- There is a comprehensive explanation of the exam [here](#).
- This is a glossary of terms relevant to the exam: [here](#).
- There are also differences if you are taking the exam online, or in person. Please check the IAPP website for these.

2. Obtain Study Materials:

- Purchase the official IAPP CIPP/E textbook or this eBook (thank you!). I made my own notes as I work in the area of privacy every day and am up to date on the law (that's the important part really!).
- Consider additional resources like online courses, practice exams, and flashcards.

3. Develop a Study Plan:

- Create a study schedule that suits your availability and allows for focused study sessions.
- Break down the material into manageable sections and allocate specific time for each.

4. Study the GDPR and privacy:

- Understand the GDPR thoroughly, as it forms the core of the CIPP/E exam.
- Study the fundamental principles, data subject rights, and the roles and responsibilities of data controllers and processors.

5. **Use Multiple Learning Methods:** Combine reading with other learning methods such as videos, online courses, and practice exams to reinforce your understanding.

6. Take Practice Exams:

- Complete practice exams to get a sense of the exam format and question types.
 - Analyse your performance to identify areas where you need improvement.
 - I used this one under exam conditions.
7. **Time Management:**
- During the exam, pace yourself. Don't spend too much time on any one question.
 - Flag difficult questions for review and return to them later. There is an actual red flag you can tick in the exam and you can come back to it later.
8. **Test-Taking Strategies:**
- Read each question carefully, paying attention to key terms and details.
 - Eliminate obviously incorrect answer choices.
 - If you're unsure about a question, make an educated guess.
9. **Relax and Take Breaks:**
- Get a good night's sleep before the exam and avoid cramming the night before.
 - Stay well-hydrated and take short breaks during the exam to stay focused.
10. **Confidence and Positive Mindset:** Believe in your preparation and maintain a positive attitude. Confidence can help reduce exam anxiety.

Part 2 Examination Blueprint

- This is the official exam blueprint: [here](#). This tells you about the number and weighting of questions asked from each topic.
- The Body of Knowledge as set out in **Part 3** essentially mirrors this.

Part 3 Body of Knowledge

I. Introduction to European Data Protection

1. *Origins and Historical Context of Data Protection Law*

- Rationale for data protection
- Human rights laws
- Early laws and regulations- OECD Guidelines and Convention 108
- The need for a harmonised European approach
- The Treaty of Lisbon
- Convention 108+
- Brexit

2. *European Union Institutions*

- European Court of Human Rights
- European Parliament
- European Commission
- European Council
- Court of Justice of the European Union

3. Legislative Framework

- The Council of Europe Convention for the Protection of Individuals with Regard to the Automatic Processing of Personal Data of 1981 (Convention 108 and 108+)
- The EU Data Protection Directive (95/46/EC)
- The EU Directive on Privacy and Electronic Communications (2002/58/EC) (ePrivacy Directive) – as amended, The EU Directive on Electronic Commerce (2000/31/EC)
- European data retention regimes
- The General Data Protection Regulation (GDPR) (EU) 2016/679 and related legislation (Payment Services Directive 2, Data Governance Act, Regulation (EU) 2018/1725, etc.)
- NIS Directive (2016) / NIS 2 Directive (2022)
- EU Artificial Intelligence Act (2021)

II. European Data Protection Law and Regulation

A. Data Protection Concepts

- Personal data
- Sensitive personal data- Special categories of personal data
- Pseudonymous and anonymous data
- Processing
- Controller
- Processor- **Guidelines 07/2020 on the concepts of controller and processor in the GDPR**
- Data subject

B. Territorial and Material Scope of the General Data Protection Regulation

- Establishment in the EU
- Non-establishment in the EU- **Guidelines 3/2018 on the territorial scope of the GDPR**

C. Data Processing Principles

- Fairness and lawfulness
- Purpose limitation
- Proportionality
- Accuracy

- Storage limitation (retention)
- Integrity and confidentiality

1. Lawful Processing Criteria

- Consent
- Contractual necessity
- Legal obligation, vital interests and public interest
- Legitimate interests
- Special categories of processing

2. Information Provision Obligations

- Transparency principle
- Privacy notices
- Layered notices

3. Data Subjects' Rights Access

- Access- **Guidelines 01/2022 on data subject rights - Right of access**
- Rectification
- Erasure and the right to be forgotten (RTBF)- **Guidelines 5/2019 on the criteria of the Right to be Forgotten in the search engines cases under the GDPR**
- Restriction and objection
- Consent, including right of withdrawal
- Automated decision making, including profiling
- Data portability
- **Article 23 Restrictions-Guideline 10/2020 on restrictions under Article 23 GDPR**

G. Security of Personal Data

- Appropriate technical and organisational measures- protection mechanisms (encryption, access controls, etc.)
- Breach notification
- Risk reporting requirements- **Guidelines 01/2021 on Examples regarding Personal Data Breach Notification and Guidelines 9/2022 on personal data breach notification under GDPR**
- Vendor Management
- Data sharing

H. Accountability Requirements

- Responsibility of controllers and processors a. joint controllers
- Data protection by design and by default
- Documentation and cooperation with regulators

- Data protection impact assessment (DPIA)-established criteria for conducting
 - Mandatory data protection officers
 - Auditing of privacy programs
- I. ***International Data Transfers***
- Rationale for prohibition- **Guidelines 05/2021 on the Interplay between the application of Article 3 and the provisions on international transfers as per Chapter V of the GDPR (now obsolete)**
 - Adequate jurisdictions
 - Safe Harbor, Privacy Shield, and the Transatlantic Data Privacy Framework- Schrems decisions
 - Standard Contractual Clauses
 - Binding Corporate Rules (BCRs)
 - Codes of Conduct and Certifications **Guidelines 04/2021 on codes of conduct as tools for transfers**
 - Derogations-**Guidelines 2/2018 on derogations of Article 49 under Regulation 2016/679**
 - Transfer impact assessments (TIAs)- **Recommendations 01/2020 on measures that supplement transfer tools to ensure compliance with the EU level of protection of personal data**

J. Supervision and enforcement

- Supervisory authorities and their powers- **Guidelines 8/2022 on identifying a controller or processor's lead supervisory authority**
- The European Data Protection Board (EDPB)
- Role of the European Data Protection Supervisor (EDPS)

K. Consequences for GDPR violations

- Process and procedures
- Infringements and fines
- Class actions
- Data subject compensation

III. Compliance with European Data Protection Law and Regulation

1. Employment Relationship

- Legal basis for processing of employee data
- Storage of personnel records
- Workplace monitoring and data loss prevention
- EU Works councils
- Whistleblowing systems
- 'Bring your own device' (BYOD) programs

- Risks involved in employee data e.g. via social media and AI

2. Surveillance Activities

- Surveillance by public authorities
- Interception of communications
- Closed-circuit television (CCTV)- **Guidelines 3/2019 on processing of personal data through video devices**
- Geolocation
- Biometrics / facial recognition: **Guidelines 05/2022 on the use of facial recognition technology in the area of law enforcement (now obsolete).**

3. Direct Marketing

- Telemarketing
- Direct marketing
- Online behavioural targeting- **Guidelines 8/2020 on the targeting of social media users**

4. Internet Technology and Communications

- Cloud computing
- Web cookies
- Search engine marketing (SEM)
- Social media platforms- dark patterns- **Guidelines 03/2022 on dark patterns in social media platform interfaces**
- Artificial Intelligence (AI)- machine learning and ethical issues.

Added for 2024/2025 exam

- GDPR relationships with other global legislations (U.S., U.K., Switzerland, Germany)
- Ransomware breach notification procedure