



UNIVERSITÀ DEGLI STUDI DI MILANO

Formal Exam

Unit of Data Protection Law 2020/21 Prof. Marco Orofino

Instructions:

- Read the following 2 scenarios and provide your advice.
- This is an open book exam, you can have your copy of the GDPR and the Handbook on European Data Protection Law with you.
- There are no min or max words to be used, just argue your case to the best.
- Please ensure your answer is detailed and descriptive, and not a simple copy and paste of GDPR articles.
- Email your answer to marco.orofino@unimi.it + beatrice.cavicchioli@gmail.com



Scenario 1

A friend of yours, Anna, just had a brilliant idea for a start-up and is looking to raise her first funds.

She finds it difficult to contain her enthusiasm and, after 15 min waiting for her UsualBank's customer support to answer her call, she finds out she can apply for a loan with UsualBank directly on their website.

Anna completes the online application form, the questionnaire is easy and makes her confident: she will get the loan within the month! Unfortunately, when she clicks 'submit' it only took 3 seconds to receive the pop-up *'We're very sorry, but our automatic credit score system has rejected your loan application'*.

The week after, you meet with Anna for a coffee and she provides you with further details. After UsualBank's rejection of her online loan application, she went to GreenBank's new offices - a new bank for young entrepreneurs. GreenBank told her that they can award her a loan under good terms and conditions, but Anna will have to provide a copy of her credit history information with her previous banks and move all her accounts (savings, investments, etc.) in a new GreenBank account.

Anna tells you that is very tempted by GreenBank's offer, however, she does not have any idea how she can provide all that information. On the one hand, she has always used UsualBank only so it should not be that complicated. On the other hand, Anna is still trying to understand why UsualBank rejected her loan application, but they are not replying to her calls and she cannot go to any UsualBank branches because they are a 100% online bank. She is so angry that she wishes UsualBank never knew of her existence!

Anna remembers that you did a data protection course and wonders if you know:

- What went wrong with her online loan application to UsualBank?
- What could she do to switch from UsualBank to GreenBank?
- Is there anything else you recommend her to do?



Scenario 2

You started a new job in the Business Intelligence team of Real Data, an analytics services company.

The team is working on a big project to develop a BI model that - regardless of your client's specific sector - will offer opportunities to transform their raw data into tactical and operational insights to take strategic decisions within a few minutes.

The project will use a gigantic amount of data, and Real Data is now assessing different cloud service providers to run the tests for your team's BI model.

Your manager has exchanged some emails with Nube, one of the cloud service providers. Nube says they have servers based all over the world to reduce the latency of your operations, and if a server is busy then their infrastructure will quickly switch Real Data to the next available server. By default the servers locations are initially set to 1) Germany 2) Israel 3) Mexico.

It's the first time Real Data needs to transfer data to a third party, and your manager is super nervous: if the project fails your team will not be promoted. During the recruiting process your interviewers were highly impressed by your knowledge of data protection law and your manager now really needs your help.

What do you advise your manager to discuss with Nube before signing the contract?
Is there anything else you recommend your manager doing?