

## Lecture 2 – Governance of AI

Question: Can we rely on existing legal mechanisms (privacy, consumer protection, contract)?

Application of hard law in specific areas (i.e., already regulated)

- Autonomous vehicles
- Healthcare
- Finance
- Cybersecurity

Application of privacy law

Application of criminal laws

Application of antitrust / competition laws

*Legal precedents from around the world*

*The role of contract law and insurance to manage risk for developers and other participants*

Application of soft law

- e.g., Singapore Model AI Governance Framework
- Good data accountability practices
  - Data lineage issues
  - Ensuring data quality
  - Minimizing inherent bias
  - Different datasets for training, testing, and validation
- Algorithms and Models
  - Enhancing the transparency and trustworthiness of algorithms in AI
  - The ‘black box’ problem
- Other foundational AI ethical principles
  - EU draft ethic guidelines for trustworthy AI
  - China – development of model framework

Global overview of emerging laws and regulations

Most countries are adopting a ‘wait and see’ approach, at the same time, the EU is the most active player in shaping the legal and regulatory landscape

EU

The AI Act <https://eur-lex.europa.eu/TodayOJ/>

EU Artificial Intelligence Act: The European Approach to AI

[https://futurium.ec.europa.eu/sites/default/files/2021-10/Kop\\_EU%20Artificial%20Intelligence%20Act%20-%20The%20European%20Approach%20to%20AI\\_21092021\\_0.pdf](https://futurium.ec.europa.eu/sites/default/files/2021-10/Kop_EU%20Artificial%20Intelligence%20Act%20-%20The%20European%20Approach%20to%20AI_21092021_0.pdf)

US

The Blueprint for an AI Bill of Rights <https://www.whitehouse.gov/ostp/ai-bill-of-rights/>

The EU and U.S. diverge on AI regulation: A transatlantic comparison and steps to alignment <https://www.brookings.edu/research/the-eu-and-us-diverge-on-ai-regulation-a-transatlantic-comparison-and-steps-to-alignment/>

US Artificial Intelligence Regulations: Watch List for 2023 [https://www.goodwinlaw.com/en/insights/publications/2023/04/04\\_12-us-artificial-intelligence-regulations](https://www.goodwinlaw.com/en/insights/publications/2023/04/04_12-us-artificial-intelligence-regulations)

UK

AI regulation: a pro-innovation approach <https://www.gov.uk/government/publications/ai-regulation-a-pro-innovation-approach>

House of Lords Select Committee on AI, AI in the UK: ready, willing and able? (2018)

Singapore

Singapore's Approach to AI Governance <https://www.pdpc.gov.sg/help-and-resources/2020/01/model-ai-governance-framework>

Recommended reading:

Chris Reed, 'How should we regulate AI?' (2018); uploaded to IS

Shanno Vallor, *Technology and the Virtues: A Philosophical Guide to a Future Worth Wanting*, Chapter 7 (2016); uploaded to IS

Sandra Wachter, Brent Mittelstadt and Luciano Floridi, 'Why a Right to Explanation of Automated Decision-Making Does Not Exist in the General Data Protection Regulation', (2017); uploaded to IS