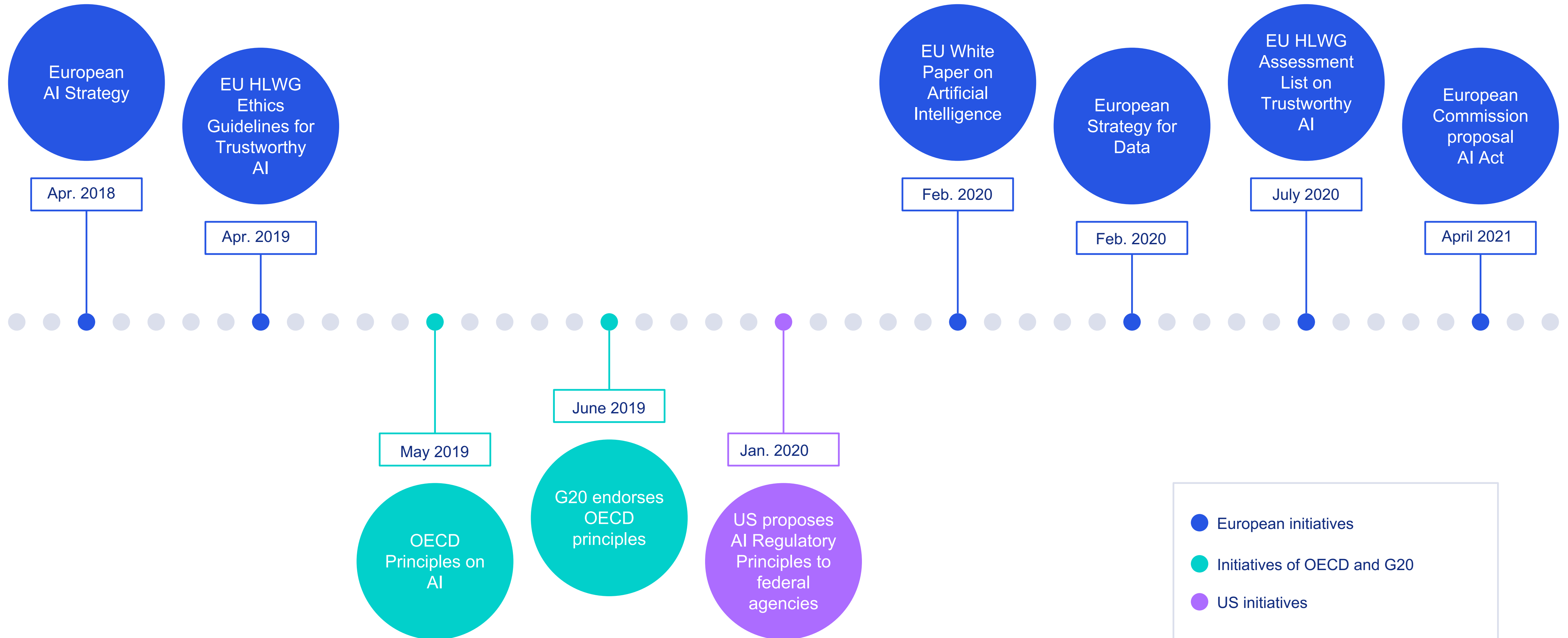


# Regulatory approaches on AI (selection)



# AI Act's "pyramid"



NB: "pyramid" because each level applies to much fewer "AI use cases" than the level below.



# Requirements for AI in high-risk applications (European Commission proposal)



**Human agency and ensure oversight:**  
Ability to review and intervene before and after



**Technical robustness and safety:**  
accurate, reproducible, resilient to attacks



**Training Data:**  
representative, inclusive, privacy-compliant



**Information to be provided:**  
how data was selected and processed, identification



**Data and record-keeping:**  
ability to track back for regulatory review



**Special rules for remote biometric identification:**  
only when justified, proportionate and protected

## State of Play for the AI Act

**European Commission:** already called the standard-setting organisations to develop standards for operationalising the EU AI Act; managing the process.

**Council of the EU:** has been progressing through its first reading of the Act, asking many clarifying questions to the Commission and Member States have started to form their own positions. PFEU will likely not finish it.

**European Parliament:** after long “Competency fight”, IMCO & LIBE in charge, JURI, ITRE & CULT associated to the process for specific subsets of the Act  
Current best guesses indicate agreement could be reached by 2022Q4 (optimistic) or 2023Q4 (pessimistic)

# The AI Act is one of many digital policies

## 1. **GDPR**

- a. General Data Protection Regulation
- b. Protecting citizens' privacy

## 2. **DSA**

- a. Digital Service Act
- b. Making intermediary, hosting platform services accountable

## 3. **DMA**

- a. Digital Market Act
- b. Making dominant digital players accountable

## 4. **DGA & Data Act**

- a. Data Governance Act & Data Act
- b. Establishing data sharing & re-use

## 5. **GPSR**

- a. General Product Safety Regulation update for AI and IoT technologies
- b. Ensuring AI systems are safe for consumers

## 6. **PLD**

- a. Product Liability Directive update
- b. Extending liability rules to AI software

## Practices that AI providers should establish internally to prepare for the EU AI Act:

- **familiarize themselves with the proposed EU rules** across functions
- **set up an easily updated inventory of AI systems** and check against the Commission's list of prohibited and high-risk uses
- **implement operational controls** around the company's high-risk systems, have a plan to **roll out preventive controls** over the coming years
- **report findings and document processes** and make these reports available to regulators, buyers, providers, to consumer associations and other civil society organizations



## Questions to ask in the process of building a product containing AI:

What are my objectives for using AI in this work?

Why do we need this?

Why now?

Where does my training data come from?

How diverse is the dataset?

Am I respecting data creators and subjects?

Whose code am I depending on to make my work?

What are the environmental costs for this dataset?

How does this AI system impact our revenue, cost, and profit?

How does this AI system impact society?

What evidence is available that proves the AI system can deliver a more valuable and ethical outcome than a human, or can it augment a human to operate at a higher commercial and ethical level?

What advantage would the competition have if they had this AI system already in place?





# **EU AI Act: Policymakers' and Policytakers' Perspectives**



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