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AI & The Law - Can The Law Keep Up With The Rapid Expansion Of AI Capabilities & Deployments?

Maury Shenk, CEO, LearnerShape

Monday, 03 April 2023



A Word From Today's Chairman

Bob McDowall
Partner
Florin Capital





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Today's Agenda



- 15:00 – 15:05 Chairman's Introduction
- 15:05 – 15:20 Keynote Presentation – Maury Shenk
- 15:20 – 15:30 Discussion
- 15:30 – 15:45 Question & Answer



Today's Speaker

Maury Shenk
CEO
LearnerShape





Which regulatory approach makes most sense to you?

- Social-policy-driven (EU)
- Light touch (US/UK)
- Industrial-policy-driven (China)



When will we have artificial general intelligence (AGI)?

- It's already here!
- Within 5-10 years
- Within 20-30 years
- Later
- Never

AI Regulatory Approaches: EU – Regulation with a Capital ‘R’

- **EU Digital Strategy Website:** “The European approach [to the digital future] ... will ... ensure that Europe seizes the opportunity and gives its citizens, businesses and governments control over the digital transformation.”
- **Proposed EU AI Act**
 - Unacceptable risk (prohibited) – e.g. public biometrics
 - High risk (regulated)
 - AI in many crucial sectors, including biometrics, critical infrastructure, education, employment, public services, law enforcement, migration and border control, and administration of justice
 - Detailed obligations, including risk management for “foreseeable” use and complete / error-free data
 - Limited risk (transparency only) – e.g. chatbots
 - Low risk (unregulated)



AI Regulatory Approaches: US & UK – Signals to the Market

➤ **US Blueprint for an AI Bill of Rights** (October 2022)

1. Safe and effective systems
2. Algorithmic non-discrimination
3. Data privacy
4. Notice and explanation
5. Human alternatives, consideration and fallback

➤ **UK AI Regulation Policy Paper** (July 2022)

1. Ensure that AI is used safely
2. Ensure that AI is technically secure and functions as designed
3. Make sure that AI is appropriately transparent and explainable
4. Embed considerations of fairness into AI
5. Define legal persons' responsibility for AI governance
6. Clarify routes to redress or contestability



AI Regulatory Approaches: China – Regulation as Industrial Policy

- **New Generation Artificial Intelligence Plan (2017):** “To seize the major strategic opportunity for the development of AI, to build China’s first-mover advantage in the development of AI, [and] to accelerate the construction of an innovative nation and global power in science and technology.”
- **Incremental regulation with local experimentation**
 - Regulation on Algorithmic Recommendations (2022) – rights to be informed, to opt out, to delete personal characteristics and not to be subject to unreasonable differential treatment
 - Deep Synthesis Provisions (2023) – governance of generative AI
 - Local examples – Shenzhen (2022), Shanghai (2022)

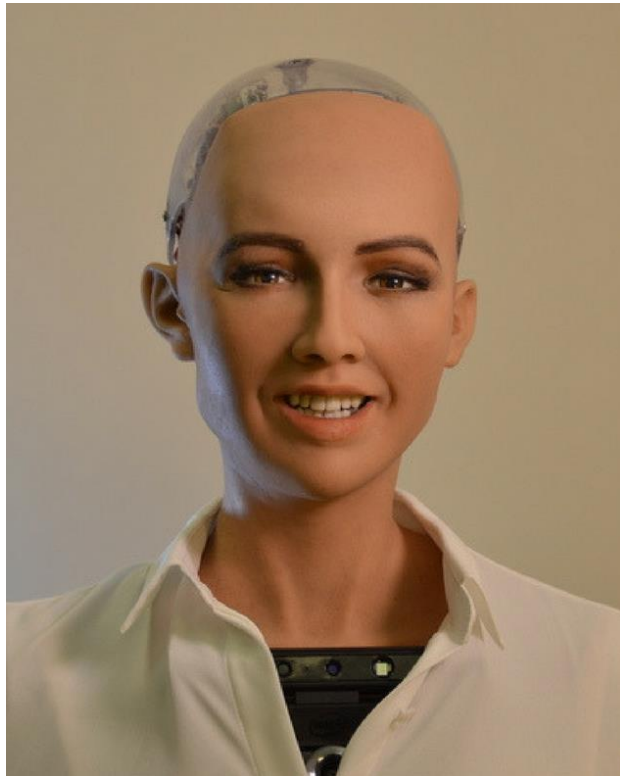


ChatGPT and Friends – What Everyone (Including ChatGPT) Is Talking About

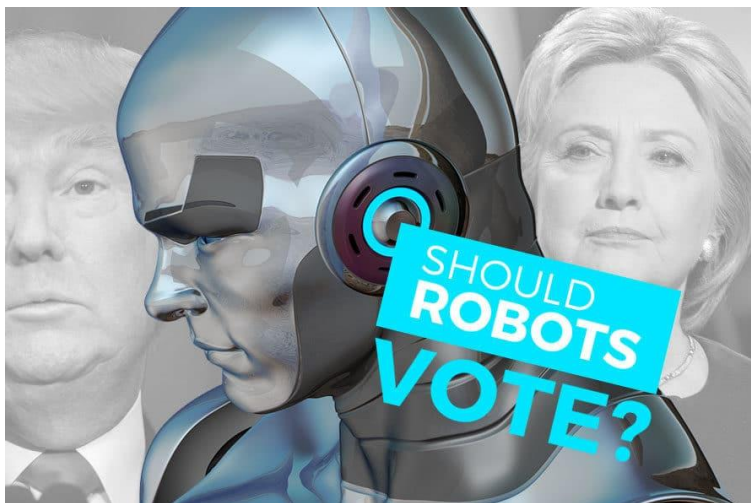
- **Risks and Opportunities of ChatGPT, Large Language Models and Other Generative AI**
 - “Too early to say”
 - Technology will keep improving – GPT-4, etc.
 - Risks
 - Ever easier disinformation
 - Disruption to job market and education
 - Opportunities – virtually limitless
 - General purpose technology for innovation
 - E.g. Toolformer, Midjourney, general ideation
 - Huge number of corporates and other entities are experimenting
- **What Can We Do?**
 - Let the market work it out – very limited current legal restrictions (e.g. GDPR Art. 22, China Regulation on Algorithmic Recommendations)
 - Voluntary restrictions – e.g. recent letter from Musk, Bengio, Marcus, Russell, Tegmark and over 1000 others suggesting pause on more powerful LLM systems
 - New legislation – tough balance between safety vs. innovation / free speech



AI Rights, Obligations and Accountability – Legal Personality and Sentience

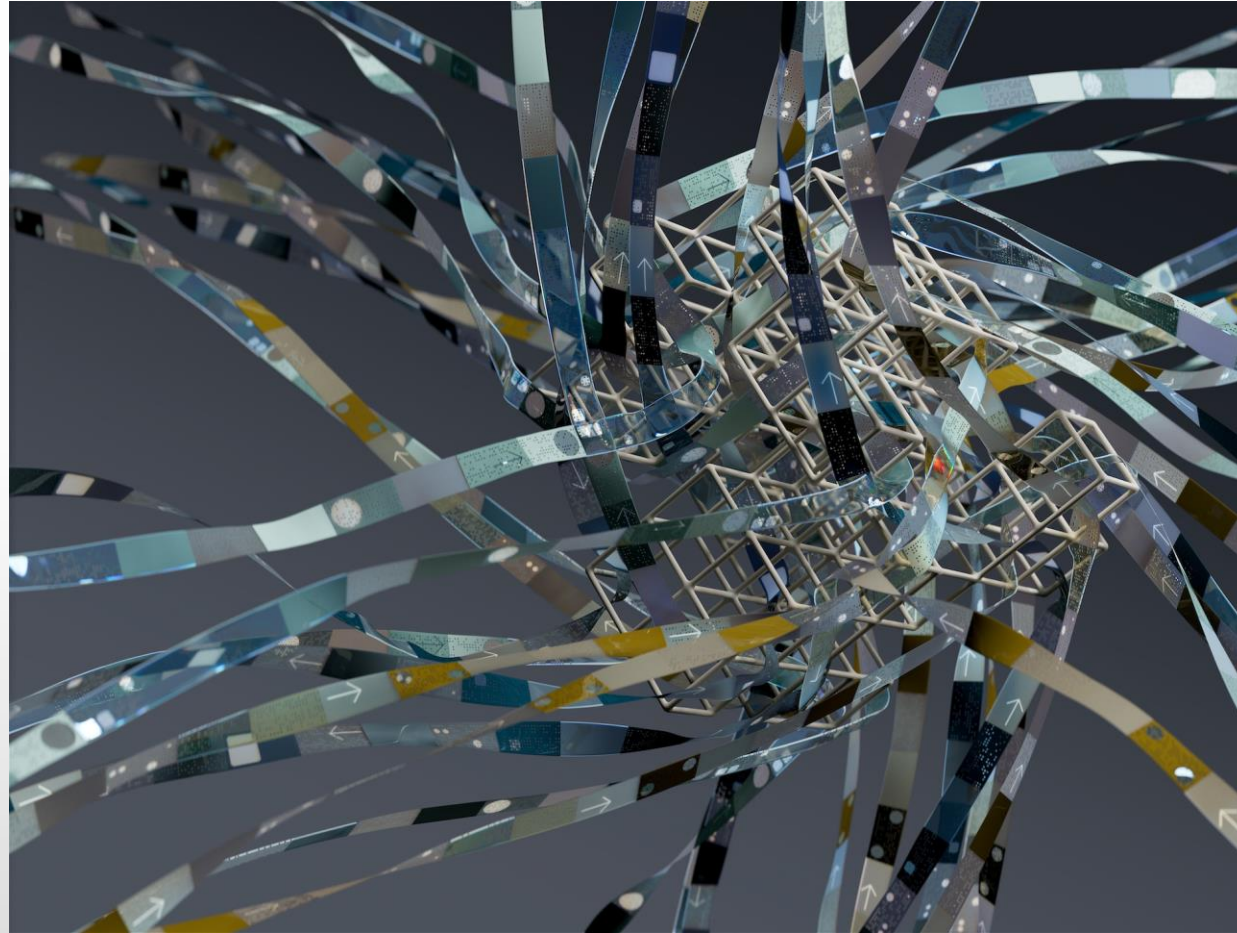


AI Rights, Obligations and Accountability – Granular Approach





Can the Law Keep Up with the Rapid Expansion of AI Capabilities and Deployments?





Comments, Questions & Answers



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Question & Answer

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西口

West Exit

西出口 서쪽



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Forthcoming Events

- Tue, 04 Apr (10:00-10:45) The Illusion Of Control: Why Financial Crises Happen, & What We Can (& Can't) Do About It

Visit <https://fsclub.zyen.com/events/forthcoming-events/>

Watch past webinars <https://www.youtube.com/zyengroup>