

## ARTIFICIAL INTELLIGENCE: GOVERNMENT LAUNCHES NEW BILL

On 23 April 2024, the Italian Council of Ministers approved a draft law for the introduction of artificial intelligence (“AI”) legislation.

The bill is complementary to the regulatory framework of the AI Act approved on 13 March by the European Parliament and introduces specific criteria aimed at rebalancing the relationship between the opportunities offered by new technologies and the risks associated with their improper use.

The objective is twofold: to (i) promote the use of new technologies to improve living conditions and social cohesion, and (ii) provide solutions for risk management through rules of principle that respect human autonomy and decision-making power. Central to the legislation are themes regarding: respect for fundamental rights and freedoms guaranteed by the national and supranational legal system, as well as principles of transparency, proportionality, impartiality, security, valorisation (including economic valorisation of the data generated), privacy, non-discrimination, and sustainability.

Among the most significant interventions are the provision of instruments aimed at preventing the dissemination and removal of content generated unlawfully also by AI systems, the creation of autonomous offences, punishable by intent or negligence, as well as further offences aimed at protecting specific legal assets exposed to the risk of being compromised by the use of AI systems.

Of particular interest is the **introduction of aggravating factors for crimes in which the use of AI systems significantly impacts the offense such as:**

- publishing or disseminating fake news and executing schemes that harm market stability;
- fraud and computer fraud offenses;
- money laundering offences.

In the field of economic development, AI is promoted to increase productive capacity and initiate new economic activities for social welfare, in compliance with the general principle of competition, use, and availability of data.

In the administration of justice, likewise, the use of AI is increased (exclusively for instrumental and support purposes) for the organisation and simplification of judicial work as well as for jurisprudential and doctrinal research aimed at identifying interpretative guidelines. It remains entirely reserved to the magistrate to decide on the interpretation of law, the assessment of facts and evidence and the adoption of any measures. In addition, the civil court will have the exclusive jurisdiction on cases concerning the operation of AI systems.

In the labour sphere, the 'anthropocentric principle' in the use of AI is established (solely) to improve working conditions, protect the psycho-physical integrity of workers, and increase the quality of performance and



productivity with a view exclusively to supporting and increasing the worker's productivity. Finally, in support of copyright, under the “Unified text for the provision

of audiovisual media services “*Testo Unico per la fornitura di servizi di media audiovisivi*” there are rules to facilitate the identification and recognition of AI systems in the creation of textual, photographic, audiovisual and radio content. The edited content will have to have an identifying sign, also in watermark or embedded marking with the acronym 'IA'. Creative, satirical, and artistic content are exempt from this obligation.

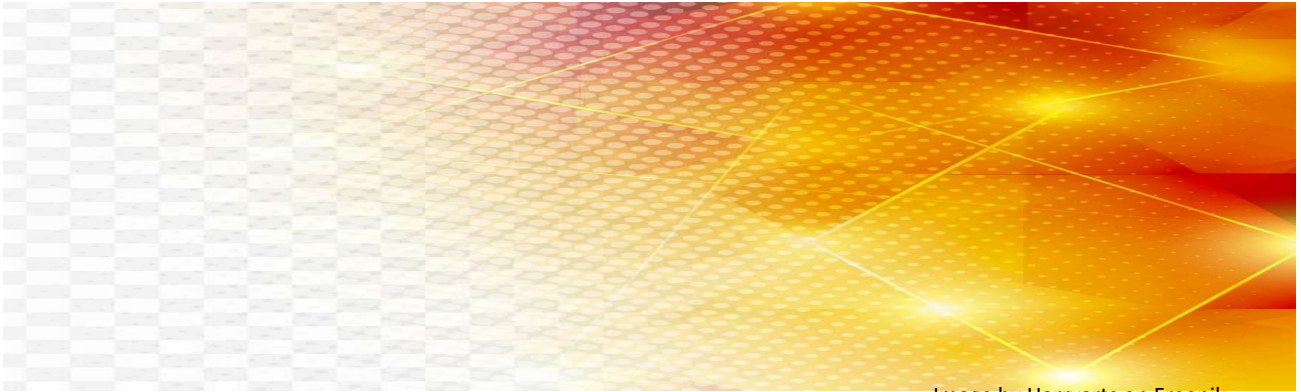


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