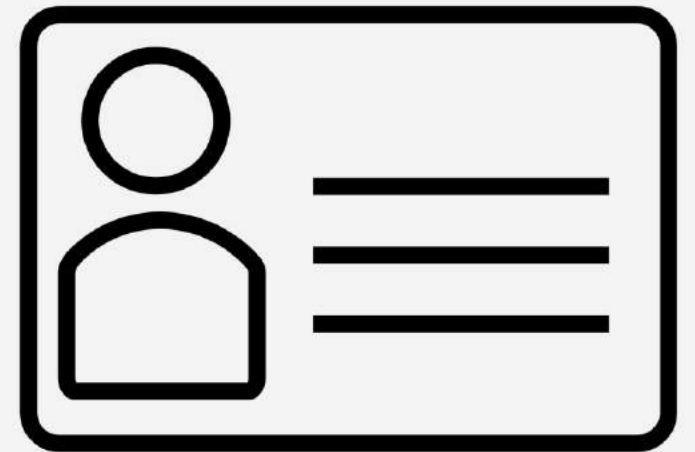


New Horizons for Data Protection Act

*A few prompts to support
privacy across Europe involving
G.D.P.R.*



G.D.P.R.
definition

Connection

Ourselves

Entities

What are them?

Who gathers them?

Personal Data

How can they be used?

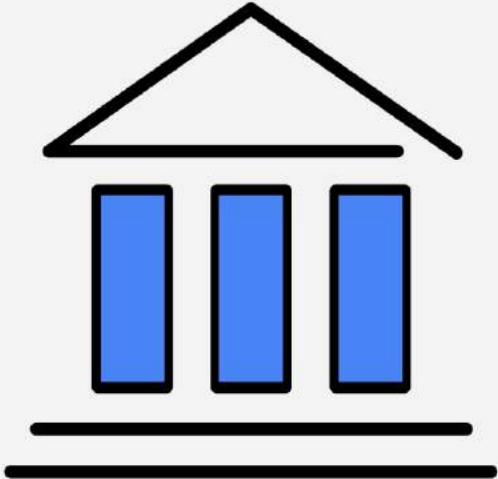


Benevolently

Neutrally

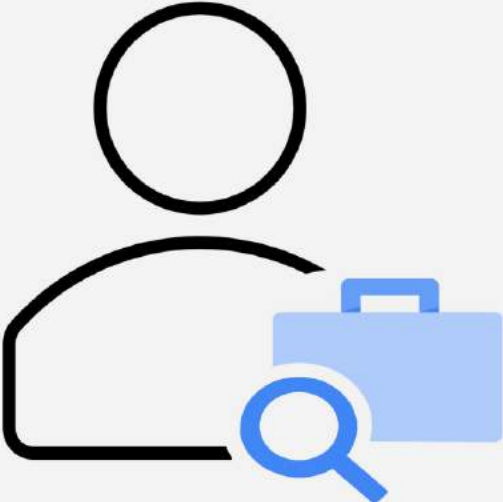
Malevolently

New enforcement
measure:



Personal Data
Ombudsman

New concept:



Consumer Data
Ownership



P. D. Ombudsman

Data
Protection
Agency

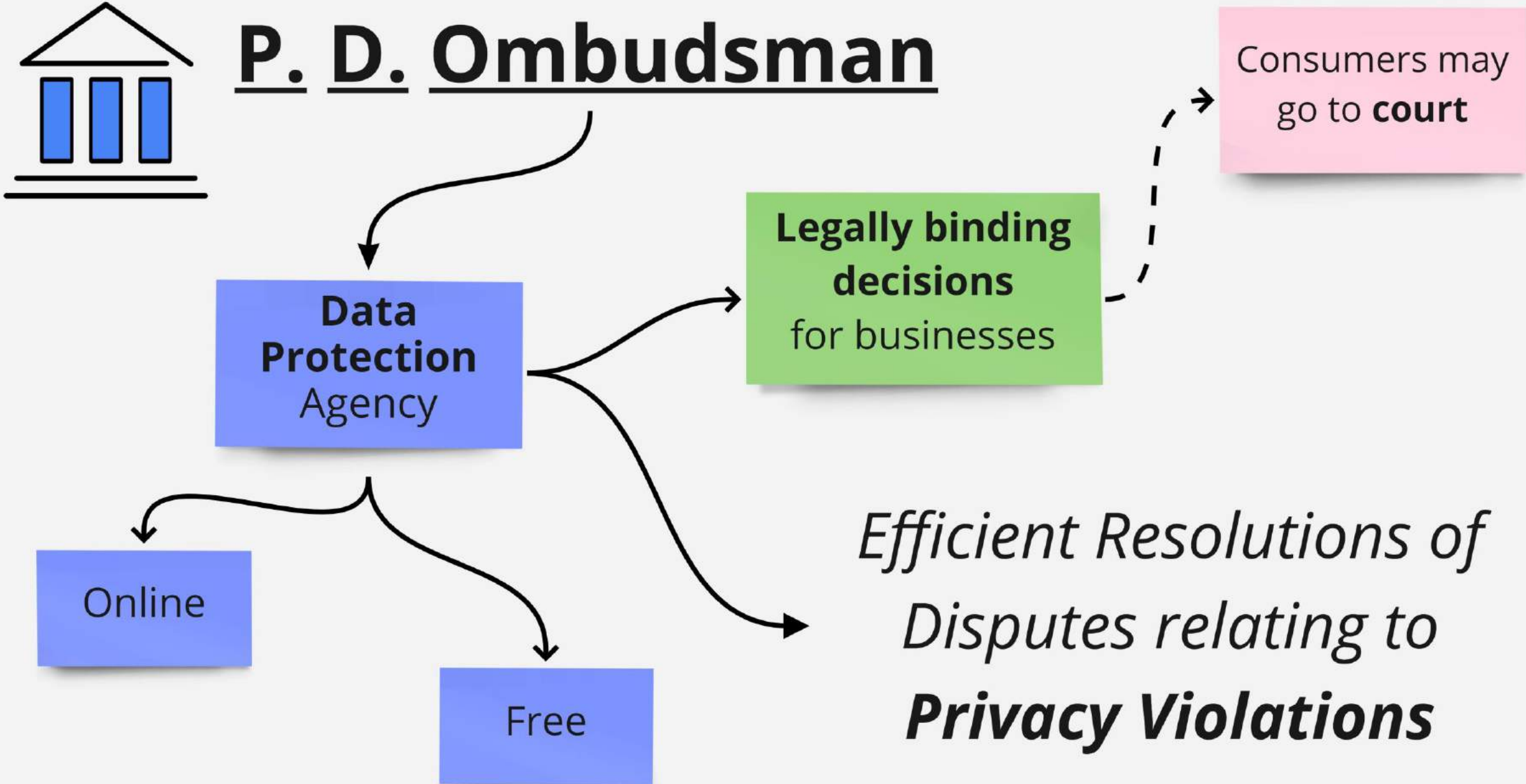
Legally binding
decisions
for businesses

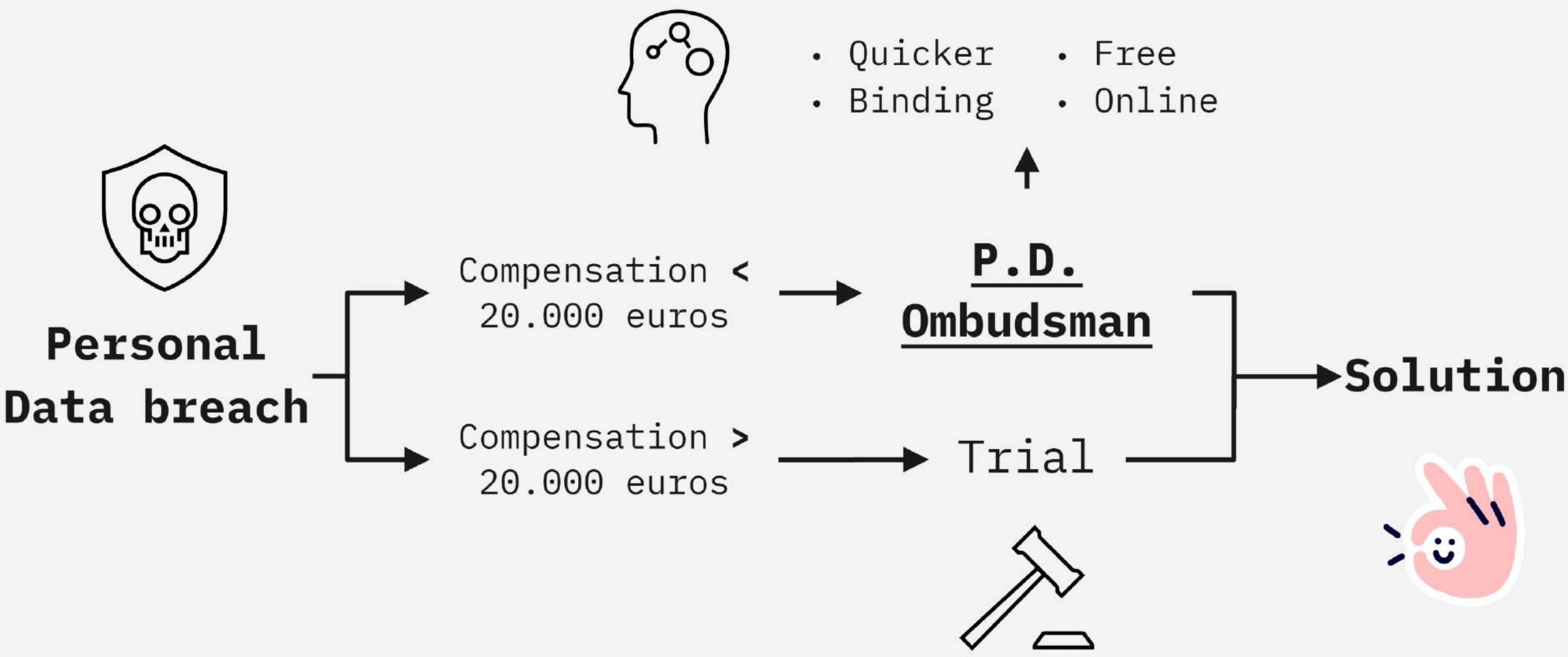
Consumers may
go to **court**

Online

Free

*Efficient Resolutions of
Disputes relating to
Privacy Violations*





Consumer Data Ownership



'Informational **identity**'

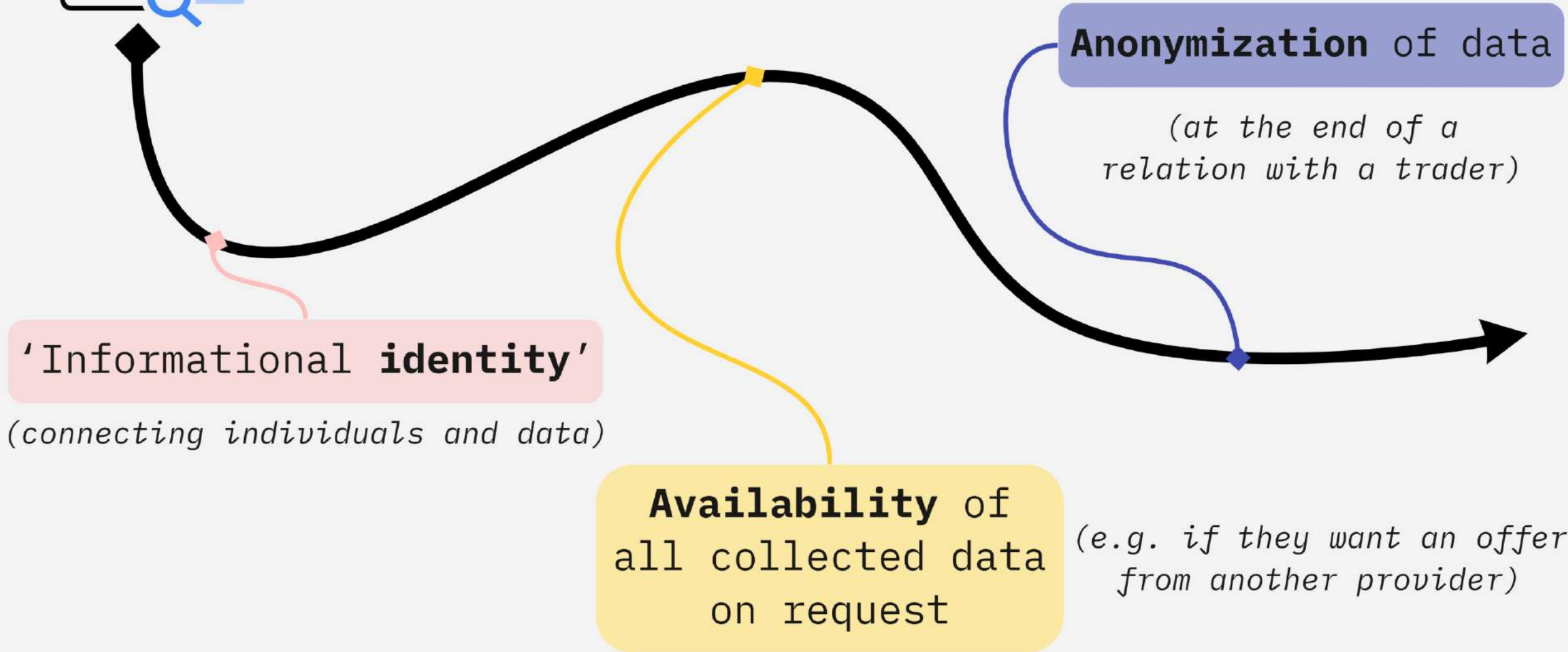
(connecting individuals and data)

Availability of
all collected data
on request

Anonymization of data

*(at the end of a
relation with a trader)*

*(e.g. if they want an offer
from another provider)*





End User Data



Anonymization



"Depersonalized" Data

*Once you quit the trader, you are just an
element of statistics*



Thanks for your attention!



This presentation was the result of the
shared effort made by students:

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Angelika Kaczmarek

Nina Kirstine Falbe-Hansen

Agustin Gonçaves Borrega

Aleksandra Olbryk

Nicolò Bellotto

Driss Lahbabi

01.04.2022

Mandatory questions

group VI

Thibaut Moulin

Tanya Colle

Yman Hdiguellou

Matilda Mantovani

Federica Caivano

Mathieu Bangma

Konrad Rutkowski

Grzegorz Wasielewski



WYDZIAŁ PRAWA
i ADMINISTRACJI
Uniwersytet Łódzki





PROTECT THE CONSUMER BY:

1. Making concluding agreements with the chatbot understandable for most of the consumers
2. Ensuring a (better) balance between privacy and 'automatized' contract service
3. Give a better protection for the consumer by making sure he gave an informed consent
4. Prevent lawsuits that are caused by the misunderstanding of the contents of some contracts





THE CONCEPT OF MANDATORY QUESTIONS

* Required Information

Employee Satisfaction Survey Questions

* 1. Overall, how satisfied are you working for the Company

- Extremely Dissatisfied
- Very Dissatisfied
- Somewhat Dissatisfied
- Neutral
- Somewhat Satisfied
- Very Satisfied
- Extremely Satisfied



MAIN RULES

At least 5 mandatory questions

The mandatory questions must be ask by a chatbot

Can be use for any contract



Processing of data on social media

Our proposal must be a regulation



EXAMPLES:

- BANKING FIELD
- HEALTHCARE FIELD
- INSURANCE FIELD
- CASE TECH LAW CLINICS

THE OBJECTIVES:

- HELP THE UNDERSTANDING OF CONTRACT FOR EVERYONE
- THREE STAGES OF CONFIRMATION PROCESS
- CONTRACT SECURITY
- INFORMED CONSENT
- SURE SMART CONTRACT
- EMPEACH CHATBOT DARK PATTERN

CUSTOMER
SATISFACTION



WHY OUR PROPOSAL WILL SOLVE THE PROBLEMS?

- Use simple concept
- Make sure the consumer gave an informed consent

WHY OUR PROPOSAL IS THE BEST SOLUTION?

- Justified
- Adequate
- Proportionate
- Desirable

LEGAL BASIS:

ART. 114 TFEU

ART. 169 TFEU

CUSTOMER
SATISFACTION



CONCLUSIONS

THANK YOU FOR YOUR ATTENTION

Feel free to ask us any question!



GROUP 7

EU AND AI-BACKED MOBILE CONTRACTS



NEW CHALLENGES FOR AN INCREASINGLY DIGITAL
EUROPEAN UNION

COACHES: MIŁOSZ GAPSA, KATARZYNA POLUDNIAK

GROUP MEMBERS: DAVIDE VISIN, SRIVIDHYA IYER, ANNA WASIAK, ANNAÏG PIJOFF, LÉA TRAN, SILVIA ANGELINI, GAIA VERRIGNI

A REAL-LIFE CASE STUDY

A summary

Mr Munk, in conversation with an insurance company's chatbot, purchased insurance for his ski trip to France.

During the process, his personal data was accessed and he was not made aware that Paulo was a chatbot.



THE TRADE-OFF BETWEEN LAW AND TECHNOLOGY

More digitalization means more problems to solve



Lowering the age of technology users



A society increasingly in a hurry to make choices

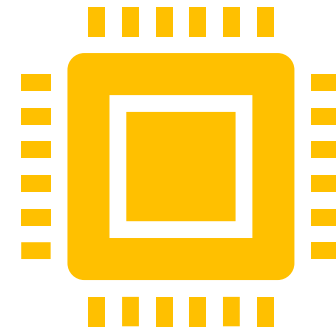


The growing importance of sustainability in technology

OUR PROPOSAL



A new EU directive to harmonize the law and to introduce minimum level of legal standards within the EU.



This proposal should facilitate the use of AI, within mobile contracts to ensure their fair and transparent conclusion in the online consumer market.

Some of the main objectives of this EU directive

- **Transparency policy for AI**
- **Consumer must be made aware of the data/information accessed by the AI**
- **Clear designation of AI systems in interactions with consumers**
- **Consumer should also have the option of being able to interact with a real person instead of an AI**
- **AI should provide all the key points of a contract to the consumer in a clear and easily understandable way**
- **Environmental sustainability of AI systems**
- **Certain technological standards must be maintained with the AI**

THE LEGAL BASIS OF OUR EU DIRECTIVE

Article 19 TFEU

Article 114
(adopting measures
for establishment
and functioning of
the internal market)

Charter of
fundamental rights.
(Article 38 –
consumer
protection)

Article 119 – Free
market of the EU
(TFEU)

TEAM 8

Proposal of Directive
harmonize Eu law

EU HARMONISATION

- ▶ The instrument of EU legislation, such as a directive, is binding and more effective than others;
- ▶ The directive's aim is to ensure the customers' privacy and protect them, who doesn't have the technical and juridical background of the companies;
- ▶ It also has to regulate the relationship between the always more developed tech instruments and consumers.

LEGAL BASIS

- ▶ Evaluation of the GDPR;
- ▶ Article 16 TFEU;
- ▶ Article 26 TFEU;
- ▶ Article 169 TFEU;
- ▶ Article 7 ECHR;
- ▶ Article 8 ECHR

**WE AIM TO CLARIFY THE SITUATION, FOR BOTH SIDES –CONSUMERS AND BUSINESSES.
IMPROVING THE GDPR SUPPLIES THE NEED OF REGULATION OF AI, SUCH AS CHATBOTS.**

Key points of the proposal

HOW TO ACHIEVE

- List of personal data that are prohibited for the companies: Localisation
- Nationality
- Age
- Profession
- Personal status
- Political orientation
- Religion
- Health status
- Sexual orientation
- Information on Social Media profile

List of data that are the minimum to communicate:

- ▶ Name;
- ▶ Surname;
- ▶ Email, or other way to contact the consumer, only for communications proposes;
- ▶ location, only for communications proposes.

If the company wants to change the clause of the contract they need to negotiate, and have a special agreement of the consumer for that.

The companies should be obliged to produce a report on how the data is used for and why it is necessary for the nature of the contract.

Companies should negotiate with the consumers to create personal clauses of the contract.

The directive will regulate the legal status of artificial intelligence, such as chatbots used to conclude contracts online.

Proposal of Team 9

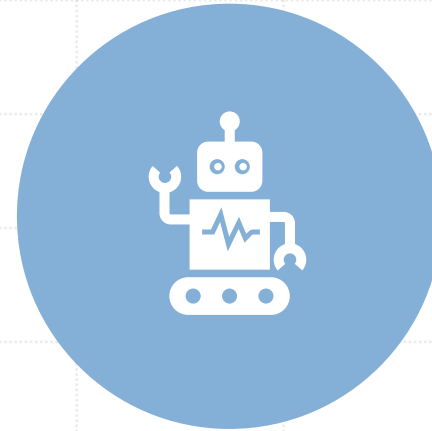
AI Act proposal amendment : adding Article 52 (5)

PAIA

TWO CLASSES OF CHATBOTS



PATTERN MATCHES BOT



NATURAL LANGUAGE PROCESSING (NLP) : CHATBOTS CAN RESPOND AND ANALYZE TO MORE COMPLICATED TASKS, LIKE SIRI OR ALEXA



ARTICLE 52(1) AI ACT

- Article 52(1) PAIA : providers and designers of Artificial Intelligence systems (including chatbots) are obliged to design and develop them in a way that natural persons are clearly informed that they are interacting with the AI

OUR PROPOSAL

- Art. 52(5) PAIA : « *to facilitate the compliance of developers and providers of chatbots with and the enforcement of the requirements of this Article, the Commission shall accompany the transparency requirements set out in this Article with guidelines.* »





**WHAT MAKES
OUR
PROPOSAL
SPECIAL**

Guidelines provides an opportunity to the European Commission to clarify the provisions of the Regulation

Need of such non-binding instruments as guidelines to make it easier for law to catch up with the technology



GOALS OF OUR PROPOSAL

01

Facilitating the compliance and the enforcement of the requirements related to developing of AI technologies, especially chatbots

02

Starting debate about transparency and unfairness

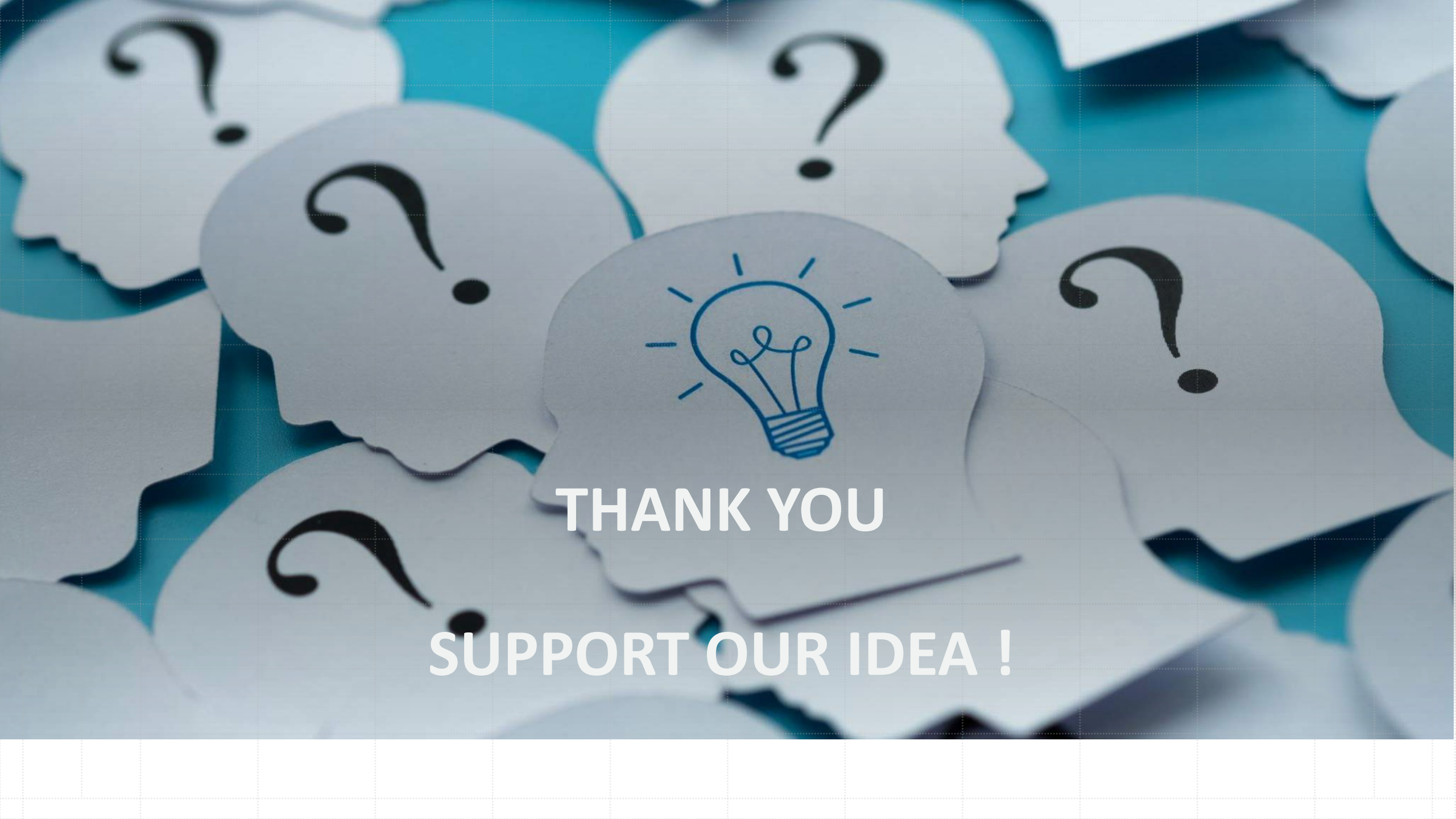
MAIN RULES



The design of chatbot to be in line with article 52 (1) PAIA



Fairly inform the consumers



THANK YOU

SUPPORT OUR IDEA !