

ARTIFICIAL INTELLIGENCE

Artificial Intelligence ("AI") is transforming the way we do business. Companies across all industries are using AI technology to automate business processes, at a speed and scale that has never been seen before.

Matheson's cross-practice Digital Economy Group understands the legal issues that arise when deploying these new tools, and can help clients across the entire AI ecosystem. We draw on expertise across the spectrum of legal specialties, each of which impact on companies developing and using AI technology. Notably, this includes privacy, cybersecurity, contracting, intellectual property, corporate governance, employment, regulatory investigations and litigation. Our cross-practice expertise and collaboration makes us perfectly positioned to advise businesses on the risks and opportunities of developing and using this rapidly evolving technology.

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10 Key steps in the Al compliance life-cycle

Classify your AI systems or GPAI model:

Do your company's AI systems fall within the prohibited, high-risk limited risk or minimal risk categories? Is it a GPAI model with or without systemic risk?

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Mapping:

What AI systems are your company developing and / or planning to use? Consider the intended purpose and function of the systems, and the data processed.



Assess which operator role your company is playing:

Is your company a provider or deployer of a highrisk AI system, (or a provider of a GPAI model with or without systemic risk)?

Governance:

How will Al-related decisions will be made? How will compliance be signed off? Have you appointed an Al governance working group to steer Al compliance efforts?



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Policies and procedures:

Have you established AI policies and procedures for ongoing monitoring and assessment of your company's compliance with the AI Act and related laws? Have existing policies been updated to reflect these new technologies and unlock efficiency gains?

Training:

How are you meeting your new Al literacy obligations with appropriate training and guidance for all staff? Some groups may require specialised, tailored training to reflect their heavy use of Al systems (or the specific risks of the work they are doing).



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Supply chain management:

How does your procurement processes address Al-related risks? Do you know what to look for in contractual terms with suppliers at all levels of the Al supply chain? A model licensor will have a very different risk appetite to an implementation partner – know the difference.

Risk assessments:

Have you developed a model to holistically assess proposed Al use cases and the suitability of data used to train Al systems? Explainability is a key element in reducing the risk of algorithmic bias, and a necessity when preparing for legal proceedings.



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Keep up-to-date records:

How will your company demonstrate its compliance with the EU AI Act and related laws to regulatory authorities on request?

Consultation:

How will you inform employees and their representatives that they are subject to an AI system under the AI Act? Are there any consultation obligations with representative bodies under any collective or works council agreements?



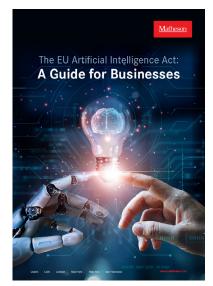
How can Matheson help?

We offer a full wraparound service to help Businesses achieve compliance at each stage of the Al lifecycle. Our services include:

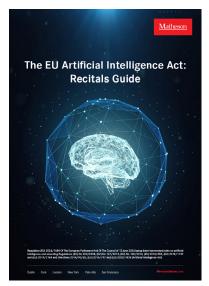
Training:	Provide bespoke training sessions to empower Businesses to optimise their use and deployment of Al in and reduce potential risks.
Build mapping and governance:	Help you develop your internal governance process and Al register, using our own materials. We can also work with you to enhance what you have in place to reflect legal requirements and the evolving best practice.
Policies and procedures:	Review and develop policies and guidance to enable Businesses to mitigate risk and articulate the guardrails for Al usage within the business.
Identification of bias / discrimination risks:	Assist you in assessing the data used to train or fine-tune AI systems, as well as the data that may be accessed out output by that system, and whether this could lead to biased or discriminatory outcomes.
Contract Negotiation and Sourcing:	Support you at every stage of the AI procurement lifecycle, to draft and negotiate contracts with the AI providers who will be getting access to the key data and processes that run your business.
Information and consultation:	Assist with any information and consultation processes that might arise as a result of your implementation and deployment of AI, including engagement with any employee representative bodies.
Workforce impact:	Advice in connection with role changes, upskilling / retraining employees, restructurings / redundancies as a consequence of increased automation in the workplace.
Incident response:	Leading you through the process of notifying significant incidents under the Al Act, by preparing for the inevitable and engaging with your existing incident response processes.



Our insights



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