Instituto
de Tecnologia
& Sociedade
do Rio

Dois axiomas para regulação de AI no Brasil

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ITS

Qual a limitação do PL 21/2020?

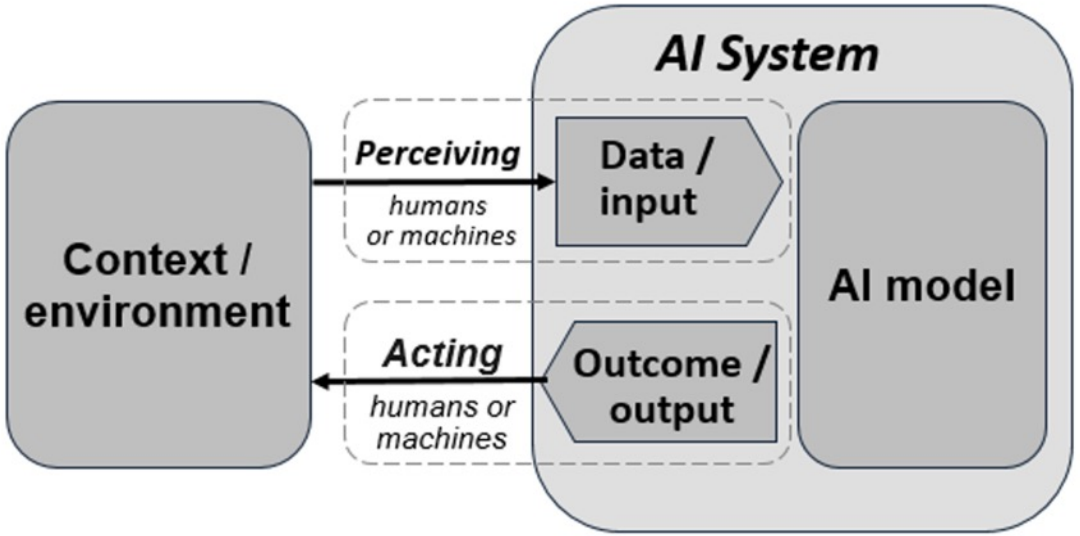
Problema 1 :

Definir a tecnologia como gênero, não com espécie

Art. 2º Para os fins desta Lei, considera-se:

I - sistema de inteligência artificial: o sistema baseado em processo computacional que pode, para um determinado conjunto de objetivos definidos pelo homem, fazer previsões e recomendações ou tomar decisões que influenciam ambientes reais ou virtuais;

AI system



https://www.oecd.ai/ai-principles

EUROPEAN
COMMISSION

Brussels, 21.4.2021
COM(2021) 206 final

2021/0106 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

LAYING DOWN HARMONISED RULES ON ARTIFICIAL INTELLIGENCE (ARTIFICIAL INTELLIGENCE ACT) AND AMENDING CERTAIN UNION LEGISLATIVE ACTS

{SEC(2021) 167 final} - {SWD(2021) 84 final} - {SWD(2021) 85 final}

Article 3
Definitions

For the purpose of this Regulation, the following definitions apply:

(1) 'artificial intelligence system' (AI system) means software that is developed with one or more of the techniques and approaches listed in Annex I and can, for a given set of human-defined objectives, generate outputs such as content, predictions, recommendations, or decisions influencing the environments they interact with;

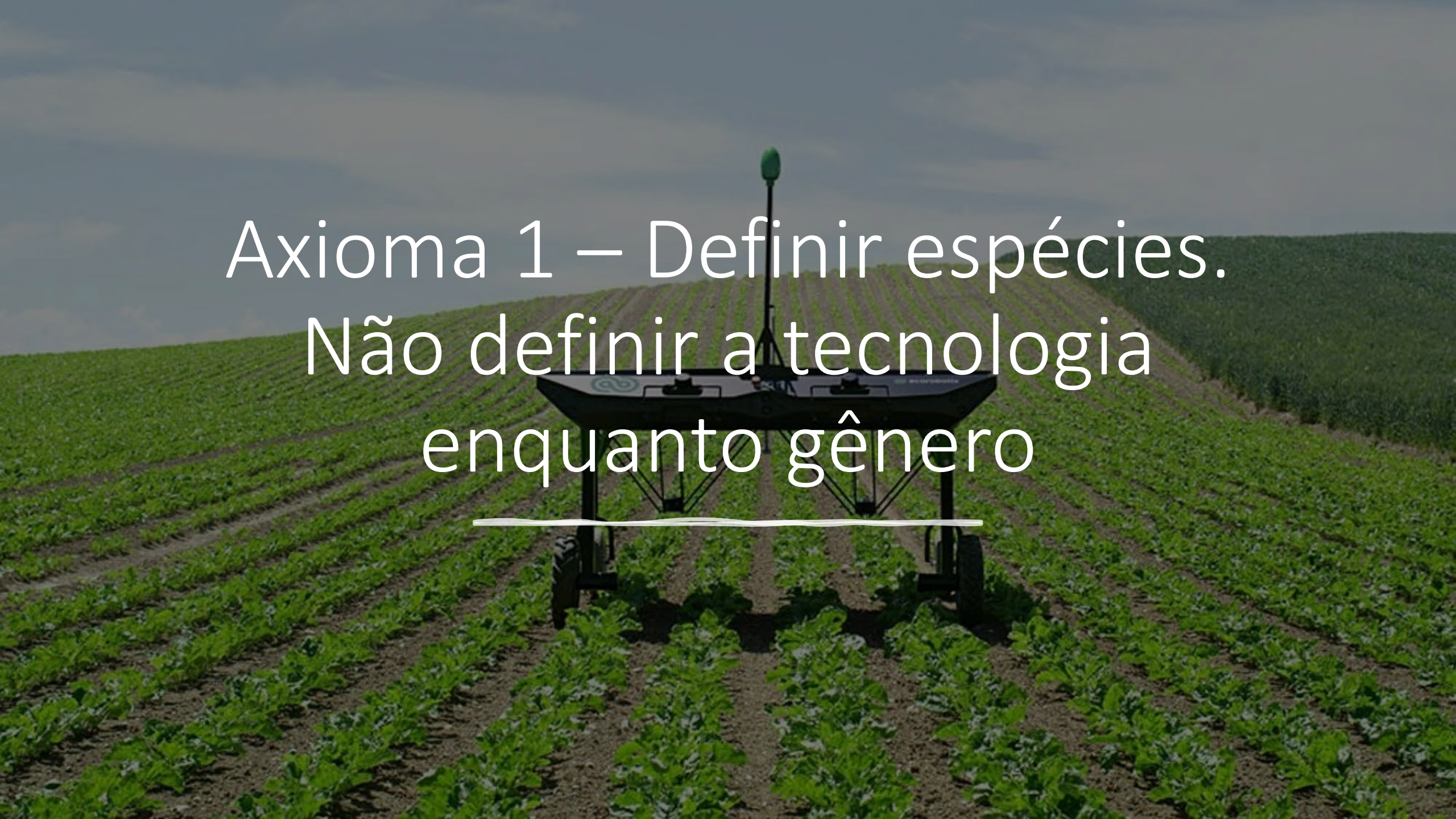
https://eur-lex.europa.eu/resource.html?uri=cellar:e0649735-a372-11eb-9585-01aa75ed71a1.0001.02/DOC_1&format=PDF

ANNEX I
ARTIFICIAL INTELLIGENCE TECHNIQUES AND APPROACHES
referred to in Article 3, point 1

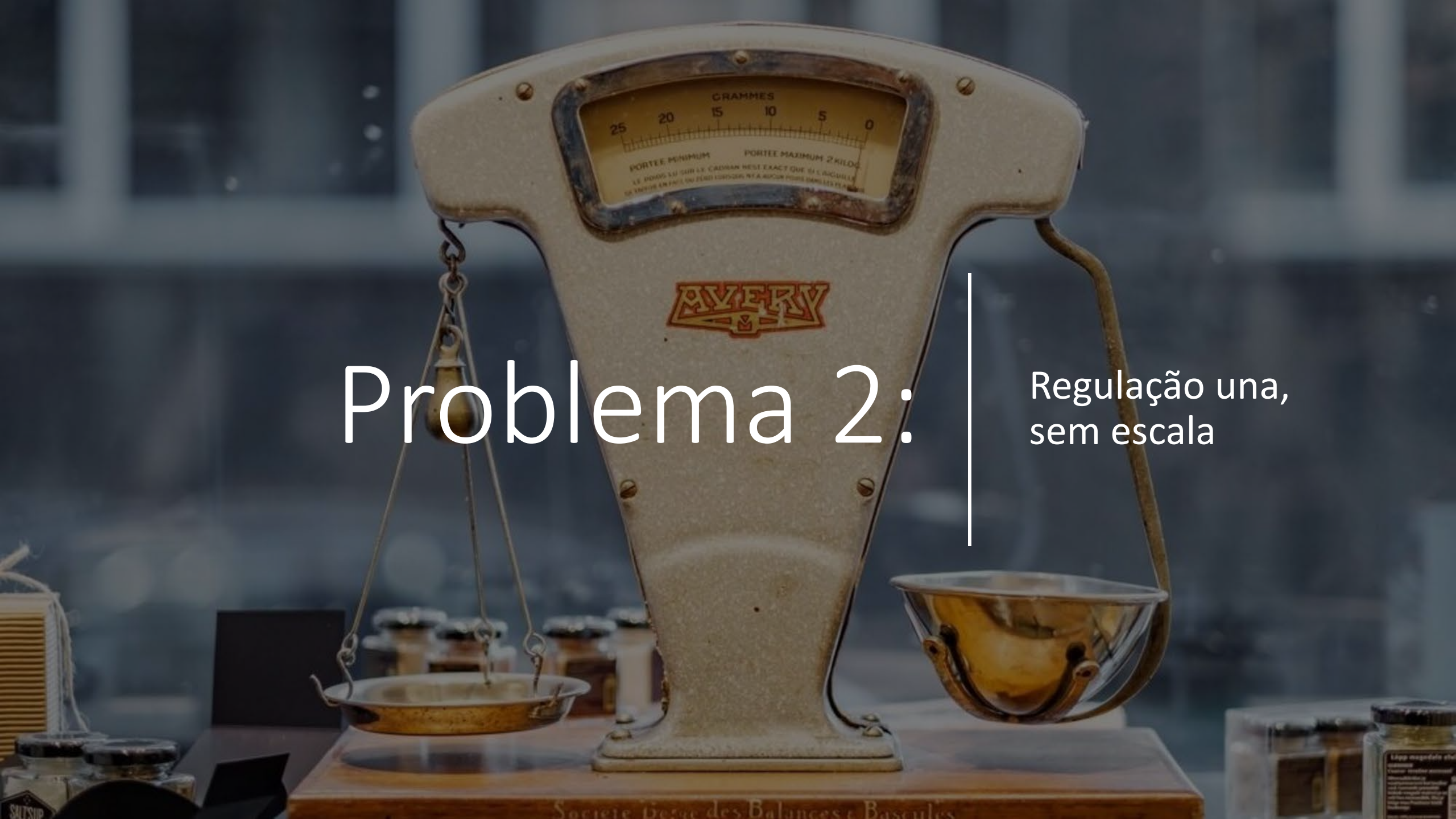
(a) Machine learning approaches, including supervised, unsupervised and reinforcement learning, using a wide variety of methods including deep learning;

(b) Logic- and knowledge-based approaches, including knowledge representation, inductive (logic) programming, knowledge bases, inference and deductive engines, (symbolic) reasoning and expert systems;

(c) Statistical approaches, Bayesian estimation, search and optimization methods.



Axioma 1 – Definir espécies. Não definir a tecnologia enquanto gênero



Problema 2:

Regulação una, sem escala

TITLE II

PROHIBITED ARTIFICIAL INTELLIGENCE PRACTICES

Article 5

1. The following artificial intelligence practices shall be prohibited:

TITLE III

HIGH-RISK AI SYSTEMS

CHAPTER 1

CLASSIFICATION OF AI SYSTEMS AS HIGH-RISK

Article 6
Classification rules for high-risk AI systems

1. Irrespective of whether an AI system is placed on the market or put into service independently from the products referred to in points (a) and (b), that AI system shall be considered high-risk where both of the following conditions are fulfilled:

   (a) the AI system is intended to be used as a safety component of a product, or is itself a product, covered by the Union harmonisation legislation listed in Annex II;

   (b) the product whose safety component is the AI system, or the AI system itself as a product, is required to undergo a third-party conformity assessment with a view to the placing on the market or putting into service of that product pursuant to the Union harmonisation legislation listed in Annex II.

2. In addition to the high-risk AI systems referred to in paragraph 1, AI systems referred to in Annex III shall also be considered high-risk.

TITLE IV

TRANSPARENCY OBLIGATIONS FOR CERTAIN AI SYSTEMS

Article 52
Transparency obligations for certain AI systems

Article 55
Measures for small-scale providers and users

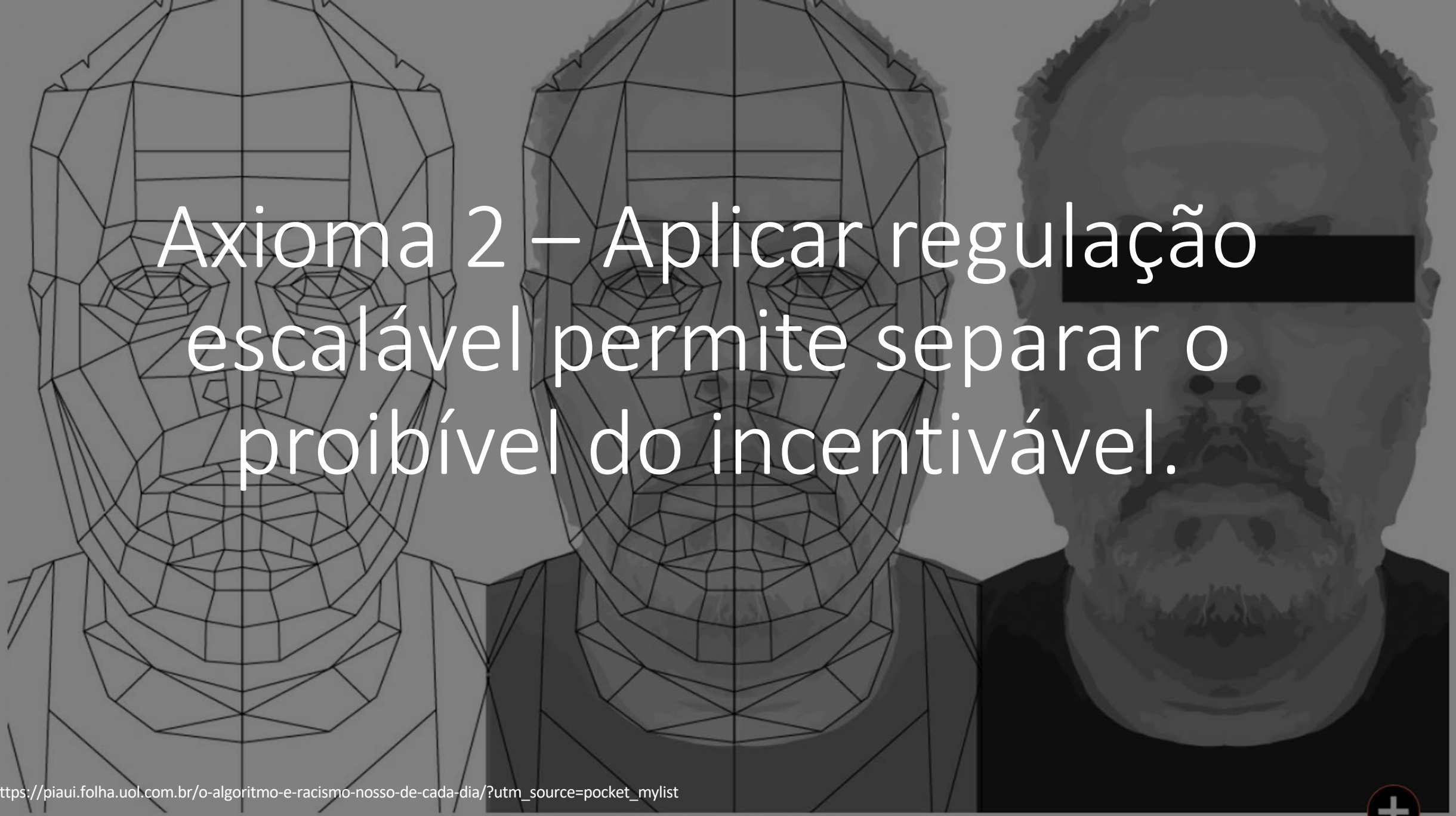
1. Member States shall undertake the following actions:

(a) provide small-scale providers and start-ups with priority access to the AI regulatory sandboxes to the extent that they fulfil the eligibility conditions;

(b) organise specific awareness raising activities about the application of this Regulation tailored to the needs of the small-scale providers and users;

(c) where appropriate, establish a dedicated channel for communication with small-scale providers and user and other innovators to provide guidance and respond to queries about the implementation of this Regulation.

Axioma 2 – Aplicar regulação escalável permite separar o proibível do incentivável.



https://piaui.folha.uol.com.br/o-algoritmo-e-racismo-nosso-de-cada-dia/?utm_source=pocket_mylist

Axiomas

Em vez de tecnologia gênero, espécie

Em vez de aplicação una, adotar escala

E o Sul Global?

- Em vez de gênero, espécie
- Em vez de una, em escala

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