/ **Welcome**

Chris Combemale, CEO, DMA

DM/A

**Data &
Marketing
Association**

/ The AI Act at a glance

Enrico Girotto, Head of Policy, FEDMA

DM/

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Artificial Intelligence Act

FEDMA
Federation of European Data and Marketing

- Social scoring
- Biometric categorization systems based on sensitive data.
- Emotion recognition in workplace and educational institutions.
- Untargeted scraping of facial images
- Manipulation of human behaviour
- Exploitation of people's vulnerabilities

Art.5
Unacceptable risk
Prohibited

List of high-risk AI obligations

- Risk management system (Art.9)
- Data & Data Governance (Art.10)
- Technical documentation (Art.11)
- Record keeping (Art.12)
- Transparency (Art.13)
- Human oversight (Art.14)
- Accuracy, robustness & cybersecurity (Art.15)
- Fundamental rights impact assessment (Art.29a)

- Products or safety components under EU harmonization legislation (e.g. aviation, medical devices).
- Biometric identification
- Education
- Employment
- Critical infrastructure
- Essential private/public services
- Migration/border control
- Law enforcement & justice administration
- Democratic processes

Art.6 & ss
High-risk
Ex-ante conformity assessment & post-market obligations

Safeguards for General-Purpose AI
First tier – transparency & copyrights obligations.
Second tier – systemic risk assessment, adversarial testing, incident reporting, cybersecurity, energy efficiency reporting.

- Chatbots
- Emotion recognition
- Biometric categorization
- Deep fake

Art.52
Low-risk
Transparency obligations

Implementation and Enforcement
EU AI Office - administrative, standard setting and enforcement role
European AI Board – advisory & coordination role
National Market Surveillance Authorities – national enforcement

- AI enabled recommender systems
- Spam filters

Art.59
Minimal risk
Codes of Conduct

/ Defining the DMA's approach to AI guidance

Tim Roe, Compliance Director, Redeye

DM A

Data & Marketing Association

/ AI Taskforce Defining the DMA's approach to AI

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DMA

Who are the DMA AI Task Force

Multi-disciplinary group of experts from across the various DMA councils.

Representing Governance, Contact Centres, Customer Engagement, Media, Print, B2B, Creative, Data and Email.

Very broad range of experience, from the latest generative LLM's, to training, IP, ML and data modelling, building and training AI, to developing assurance models to help govern the use of AI.

/ **AI Taskforce** Focus

Focus on the themes of innovation, regulation, customer engagement, creativity and ethics to enable businesses to fully adopt the AI opportunity.

Identify critical areas for guidance as relates to AI in data and marketing

Evaluate the impact of AI to support the People Principle of the DMA Code

Help businesses mitigate the social and organisational risks of AI

Assess potential regulatory risks

/ What are the potential risks for AI

In the context of Marketing, risks were highlighted

- **Inaccuracy**
- **Data bias**
- **Data security**
- **Lack of control**
- **Insufficient user training**
- **Unintended Consequences**

The DMA code = principle-based code (2014)

Principles-based approach taken by the OECD and the UK government.

/ Forming a Positioning on AI

In line with the DMA Code, the DMA advocates for a customer focused / human centered approach to AI where the use of AI can truly be a force for good for businesses to prosper and customers to benefit.

Building trust through establishing and promoting best practice around the use of AI in data and marketing is key to delivering ethical and long-term growth.

/ Guidance approach

- Review the code in the context of AI and how to mitigate these risks
- Create guidance in the context of the code
  - Respect privacy
  - Be honest and fair
  - Be diligent with data
  - Take responsibility
  - Put your people at the heart of your marketing
- Create or update guidance to ensure that marketers are confident to realise the full opportunity of AI.

Watch this space

- Code has been reviewed

- Over the next few months, DMA industry guides will be reviewed and updated and re released (starting mid spring)

- DMA will be keeping a watching brief on AI best practices and changes in the regulatory regime.

THE UK APPROACH TO AI

FROM THE GOVERNMENT

National Data Strategy

National AI Strategy

Plan for Digital Regulation

Bletchley Declaration

AI regulation: a pro-innovation approach

And more...

POLICY PAPER: A PRO-INNOVATION APPROACH TO AI REGULATION UPDATED 3 AUGUST 2023

While we should capitalise on the benefits of these technologies, we should also not overlook the new **risks** that may arise from their use, nor the **unease** that the complexity of AI technologies can produce in the wider public.

Our approach relies on **collaboration** between government, regulators and business.
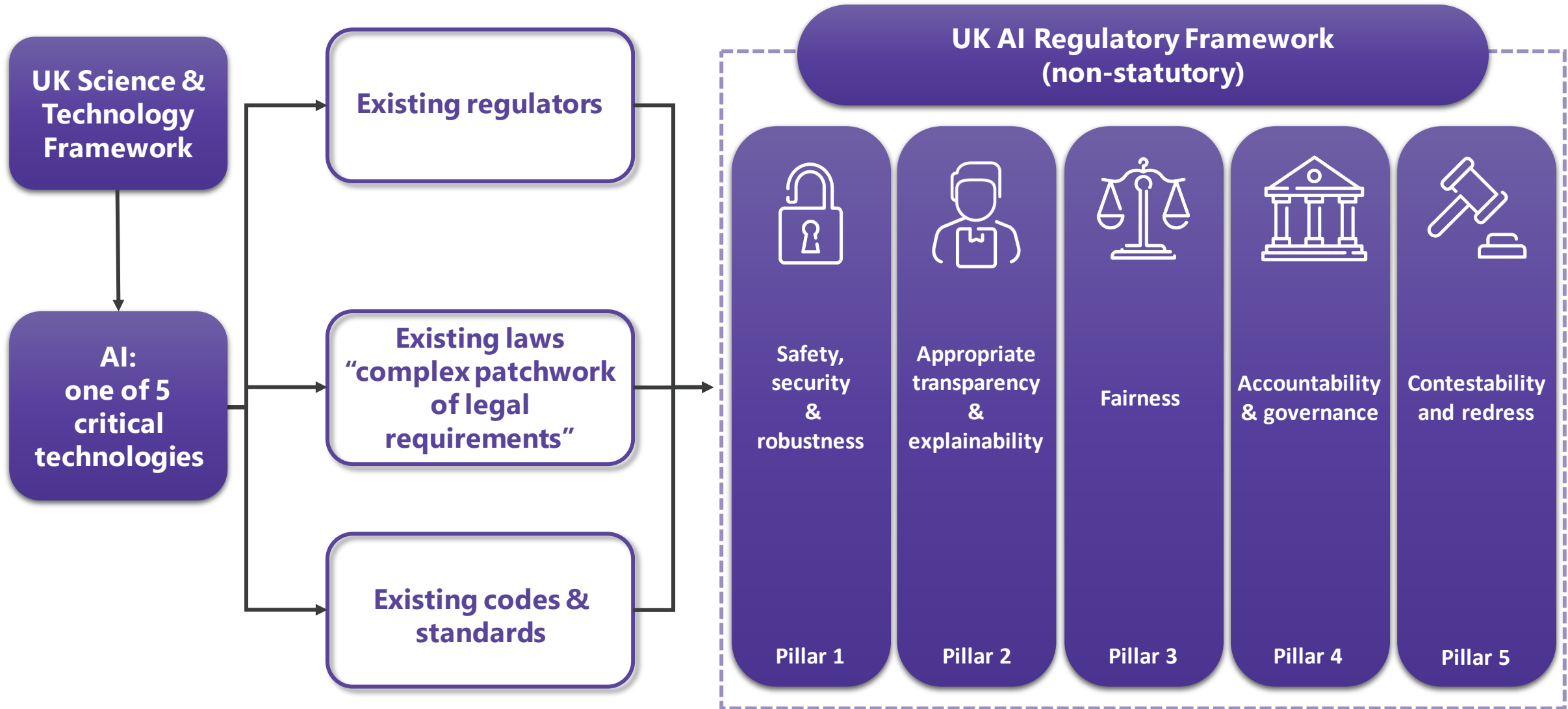
Science & **technology superpower** by **2030**

Industry repeatedly emphasised that consumer trust is key

We set out a **proportionate** and **pro-innovation** regulatory framework. Rather than target specific technologies, it focuses on **the context in which AI is deployed**. This enables us to take a **balanced approach** to weighing up the benefits versus the potential risks.

Our vision for **a future AI-enabled country** is one in which our ways of working are **complemented by AI** rather than disrupted by it.

While we should capitalise on the benefits of these technologies, we should also not overlook the new **risks** that may arise from their use, nor the **unease** that the complexity of AI technologies can produce in the wider public.
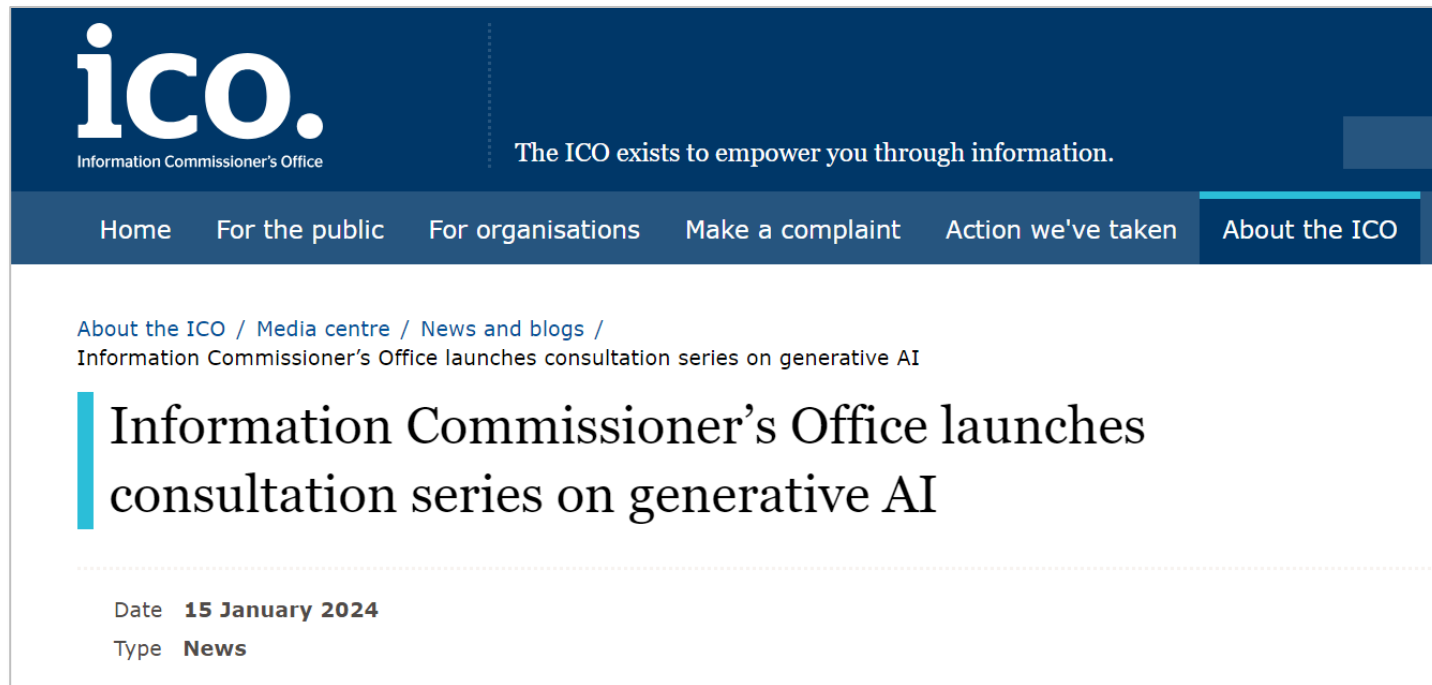
REGULATORY FRAMEWORK

WHAT MIGHT REGULATORS DO?

CONSULTATIONS

Information Commissioner's Office launches consultation series on generative AI

The first consultation examines whether it is lawful to train generative AI on personal data scraped from the web...

Future consultations will examine issues such as the accuracy of generative AI outputs and will be launched throughout the first half of 2024.

WHAT MIGHT THE CONSERVATIVES DO?

FROM THE WHITE PAPER:

During the initial period of implementation, we will continue to collaborate with regulators to identify any barriers to the proportionate application of the principles and evaluate whether the non-statutory framework is having the desired effect.

Following this initial period of implementation, and when parliamentary time allows, we anticipate introducing a statutory duty on regulators requiring them to have due regard to the principles.

TECH MONITOR 30
PROUDLY CELEBRATING 30 YEARS OF INDEPENDENT IT JOURNALISM

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TECHNOLOGY › AI AND AUTOMATION | January 12, 2024

Future UK laws on AI to be informed by key 'tests'

Keen on maintaining its light-touch regulatory posture, the UK government's intent is that certain thresholds must be met before it passes new AI laws.

By Greg Noone

WHAT MIGHT LABOUR DO?

LABOUR'S 5 MISSIONS

ECONOMIC GROWTH

CLEAN ENERGY

NHS

SAFE STREETS

OPPORTUNITY

IN THE MEDIA:

Techmonitor.ai, UK government approach to AI leaves workers disadvantaged, Labour says, 11 July 2023

- "If elected, Labour says it will take an approach that aims to ensure that businesses have stability and workers have confidence they won't be 'thrown overboard' in a bid to turn Britain into an AI-first economy."

- "Labour is calling for a similar approach [to the EU AI Act] in the UK. This could include licensing of the development of AI, not just regulation on how it is being used."

WHAT IT MEANS FOR MARKETERS

Gemserv®
A Talan Company

USING AI FOR MARKETING

ARE YOU DOING THESE NOW?

AUTOMATE THE GRIND

- Report generation
- Following up with SMEs

ROUTINE WORKFLOWS
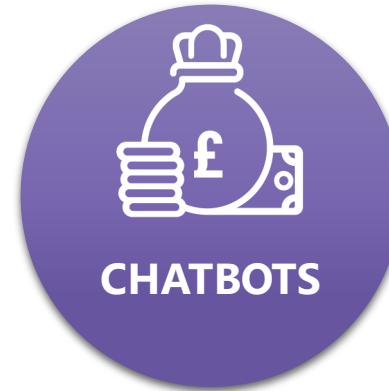
- Automated emails

BEHAVIOURAL ADVERTISING

- Automated ad targeting

CUSTOMER INSIGHTS

- Eye tracking
- Online and instore behaviour

FIVE WAYS TO USE GENERATIVE AI

CHATBOTS

CONTENT CREATION

PERSONALISATION

AD TARGETING

MARKET RESEARCH

MARKETING AI-POWERED PRODUCTS & SERVICES

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TECHNOLOGY > AI AND AUTOMATION | January 10, 2024 | updated 11 Jan 2024 9:55am

Survey reveals emerging AI 'trust gap' between employees and corporate leadership

A new poll by Workday reveals consensus on AI's potentiality in the workplace between the two groups – but not about how it's implemented.

CA — How many people consider privacy when making purchasing decisions?

It is difficult to determine exactly how many people consider privacy when making purchasing decisions, as this can vary depending on various factors such as the product, the individual's values and beliefs, and their level of awareness of privacy concerns.

However, studies have shown that privacy is a growing concern among consumers, particularly in the digital age where personal data is constantly being collected and shared by companies. According to a 2019 survey by the Pew Research Center, 79% of adults in the United States are concerned about the way their data is being used by companies.

Furthermore, a survey conducted by Cisco in 2020 found that 70% of consumers consider cybersecurity and data privacy as important factors when making purchasing decisions. Another survey by the GlobalWebIndex in 2019 found that 64% of internet users were more likely to purchase from brands that are transparent about their data collection and usage policies.

Therefore, it is clear that privacy is a growing concern among consumers, and businesses that prioritize privacy and data protection are likely to gain a competitive advantage in the marketplace.

Roles for marketers: → **Market research** | **User-centred product development** | **Put trust at the heart of marketing** | **Marketing from sale to feature adoption**

Be bold – but don't scare people

DPIA

Transparency – clear & plain English

Test, test, test

Supervision

Know AI's limitations

THANK YOU FOR LISTENING

ANY QUESTIONS?

/ **Closing comments**

Chris Combemale, CEO, DMA

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/ **Feedback Link**