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# Artificial Intelligence and Data Act

**From: Innovation, Science and Economic Development Canada**

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**Voluntary code**

- In September 2023, the Honourable François-Philippe Champagne, Minister of Innovation, Science and Industry announced the Voluntary Code of Conduct on the Responsible Development and Management of Advanced Generative AI Systems.
- This code temporarily provides Canadian companies with common standards and enables them to demonstrate, voluntarily, that they are developing and using generative AI systems responsibly until formal regulation is in effect.
- The code, based on feedback received during a consultation process on the development of a Canadian code of practice for generative AI systems, aims to help strengthen Canadians' confidence in these systems.

Artificial intelligence (AI) is transforming our economy and being used to tackle some of our toughest challenges, like fighting cancer, improving food production and reducing energy consumption. What's more, Canadian researchers and businesses are at the forefront of this transformation.

AI systems use data to automate complex tasks and sometimes to make decisions or predictions about people. While these systems can be beneficial, they can also have significant impacts on Canadians, especially marginalized communities.

The proposed Artificial Intelligence and Data Act (AIDA), introduced as part of the Digital Charter Implementation Act, 2022, would set the foundation for the responsible design, development and deployment of AI systems that impact the lives of Canadians.

The Act would ensure that AI systems deployed in Canada are safe and non-discriminatory and would hold businesses accountable for how they develop and use these technologies.

> **Did you know?**
>
> - Currently, there is no regulatory framework in Canada specific to AI.
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> - While some regulations in specific areas, such as health and finance, apply to certain uses of AI, there is no approach to ensure that AI systems address systemic risks during their design and development.
>
> - Great strides have been made in ethical AI development methods. While this work continues, common standards are needed to ensure that Canadians can trust the AI systems they use every day.

## Ensuring the responsible design, development and deployment of AI systems

Under the AIDA, businesses will be held responsible for the AI activities under their control. They will be required to implement new governance mechanisms and policies that will consider and address the risks of their AI system and give users enough information to make informed decisions.

The AIDA will introduce new requirements for businesses to ensure the safety and fairness of high-impact AI systems every step of the way:

- **Design:** Businesses will be required to identify and address the risks of their AI system with regard to harm and bias and to keep relevant records

- **Development:** Businesses will be required to assess the intended uses and limitations of their AI system and make sure users understand them.

- **Deployment:** Businesses will be required to put in place appropriate risk mitigation strategies and ensure systems are continually monitored.

The idea is to have a flexible policy, where safety obligations are tailored to the type of AI systems. The more risks are associated with an AI system, the more obligations there will be.

## Improving accountability

The proposed Act is designed to provide a meaningful framework that will be completed and brought into effect through detailed regulations.

These new regulations would build on existing best practices, with the intent to be interoperable with existing and future regulatory approaches. By drawing on common standards, the government is hoping to ease compliance.

Read the Artificial Intelligence and Data Act (AIDA) – companion document for more information on how these regulations will be developed.

The regulatory development process will be open and transparent. The Government of Canada is committed to broad and inclusive consultations with the public and key stakeholders, including AI industry leaders, academics and civil society, to ensure that the new regulations meet the expectations of Canadians.

The Minister of Innovation, Science and Industry will be supported by a new AI and Data Commissioner, who will be empowered to monitor compliance and intervene if necessary to ensure that AI systems are safe and non-discriminatory.

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## Canada and AI

Canada is one of the first countries in the world to propose a law to regulate AI.

The AIDA offers a balanced approach to regulating AI that will support responsible innovation and ensure international market access for larger Canadian businesses, while also considering the needs of small and medium-sized businesses.

For businesses, this means clear rules to help them innovate and realize the full potential of AI. For Canadians, it means AI systems used in Canada will be safe and developed with their best interest in mind.

The Government of Canada remains actively engaged in international discussions on AI regulations and continues to work with partners around the world to drive collaboration and ensure alignment in the responsible development and use of AI.

## Further information

- Artificial Intelligence and Data Act (AIDA) — Companion Document
- Pan-Canadian Artificial Intelligence Strategy
- Global Partnership on Artificial Intelligence

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