Legal Masterclass: AI and the Law

Description	This legal masterclass explores the fascinating relationship between AI and the law. It explains how AI disrupts different branches of South African law and highlights the key areas sustainable organisations must consider when designing, developing, or deploying AI. The aim is to create and use AI in a way your stakeholders trust. Ultimately, the masterclass will help you take practical steps to protect your organisation from AI's legal risks.
Structure of workshop	**Day 1**

- Contextualising AI within the 4IR in Africa
- What is AI?
- How AI currently works
- How organisations use AI
- AI and sustainable development
- The AI lifecycle
- The general legal risks of AI
- The legal status of AI: legal person, agent, or property?
- Exploring the regulatory framework
- Understand how your role as a responsible party or operator impacts your obligations under POPIA
- AI privacy impact assessments
- Discover how AI disrupts POPIA's conditions
- Know your disclosure obligations regarding AI
- Learn about AI's unique security risks
- Negotiate data processing agreements for AI projects
- Establish a process to audit your compliance with POPIA
- Exploring the regulatory framework
- Can AI be a party to a contract?
- Dealing with contracts where AI is the subject of a contract
- Discussion of best practices for drafting contracts related to AI
- AI-powered smart contracts
- The essence of IP
- How IP law applies to AI
- AI as the IP versus AI creates IP
- Copyright, patents, trademarks
- Discussion of best practices for protecting AI-related IP through contracts

Day 2
- The gist of delict
- The elements of a delict
- How delict applies to AI
- Duty of care regarding pure economic loss
- AI causing harm: instrumentality arguments
- How AI frustrates causation
- Discussion of best practices for avoiding AI-related liability
- King IV and IT Governance: the AI perspective
- Do company directors have the authority to delegate to AI?
- Do company directors have a duty to delegate to AI?
- AI, directors, and the business judgement rule

- Can AI be the director of a company?
- How AI complements and challenges the contemporary company board compositions
- AI Decentralised Autonomous Organisations (AI DAOs)
- Using AI to promote corporate governance
- The impact of AI on the global labour market
- The legal and ethical challenges posed by AI in the workplace
- The role of labour law in regulating AI in the workplace
- AI and the gig economy
- AI and the right to privacy in the workplace
- Can AI be your boss and fire you?
- Explanation of competition laws and how they apply to AI
- Algorithmic pricing
- Market power
- Merger analysis
- Discrimination
- Predictive analytics
- Network effects
- Cartel detection
- Innovation
- Overview of consumer protection law in South Africa
- How AI challenges consumer protection: speed and scale; lack of transparency; bias and discrimination; misleading or deceptive practices; enforcing consumer protection laws; jurisdiction and enforcement
- Case studies
- The need for policymakers and regulators to take a proactive approach to address the impacts of AI on consumers
- Understanding why cybercrime law is important
- An overview of the Cybercrimes Act
- Can AI be a criminal?
- Can AI be used to commit a crime?
- Key crimes relevant to AI
- Unlawful interception: RICA and cybercrime
- Assisting with investigations into cybercrime
- Defending accusations of committing cybercrimes

Day 3
- Are all rights human rights?
- Should AI have rights? Arguments for and against
- The impact of AI on human rights, especially non-discrimination
- How AI can perpetuate bias and discrimination
- International standards regarding bias and discrimination
- Developing an organisational AI programme
- Setting an AI strategy
- Developing and drafting AI policies, plans, and procedures
- International standards and best practices
- Incident planning, response, and recovery
- Forecasts for Africa
- Industries most impacted by AI
- A multidisciplinary approach to being an AI professional

- How to stay updated with the latest industry trends
- Top skills for working in the AI industry

Mode of Delivery	Online.
Admission requirements	This SLP is open to people working in a legal, business, regulatory, or financial environment or any potential student who has completed Grade 12 studies and has a keen interest in many or a specific area of law.
Assessments	There are no assessments.
Masterclass Facilitator	Nathan-Ross Adams is a data and technology attorney at the pan-African ICT law firm, Michalsons. He specialises in data protection, access to information, and information security law regarding emerging technologies—all presented in plain language and legal design. Daily, Nathan-Ross helps Africa's most innovative businesses comply with ICT law. He's also doing his LLD at UJ on "Why and how to regulate artificial intelligence in South Africa to promote sustainable development".