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LFDI asks about ChatGPTThe State Commissioner for Data Protection and Freedom of Information Rhineland-Palatinate, Prof. Dr. Dieter Kugelmann has sent a catalog of questions to the operator of ChatGPT, OpenAI. This is done in accordance with the other German data protection supervisory authorities and in coordination with the new TaskForce ChatGPT at European level. Since OpenAI, the company behind the AI ChatGPT, has its US office, all European data protection supervisory authorities are affected in their area of responsibility data protection supervisory authorities. Among other things, it deals with questions about the legal basis for the data that ChatGPT processes, the protection of children's data and the information about the processing. Transparency is fundamental when using an AI system to give people opportunities to exercise their rights. Prof. Kugelmann makes it clear: "We need information from Open AI in order to be able to check compatibility with European data protection law. Innovation is good and important, but on the other hand applicable rules must be observed. The task forces in Germany and Europe will take care of that." The background to the current approach of German supervisory authorities is the decision of the Italian data protection authority, which prohibited access to ChatGPT on March 31, 2023. The answers from Open AI will provide information about the further action of the authorities. The procedure has an important function as an example of the need to comply with legal framework conditions when introducing an AI system in the European Union.

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