

Republic of the Philippines

HOUSE OF REPRESENTATIVES

Quezon City

NINETEENTH CONGRESS

Second Regular Session

HOUSE BILL NO. 10303

Introduced by: Hon. Joachim Francis “Atty. Jo” Montinola

AN ACT

ESTABLISHING A FRAMEWORK FOR ETHICAL CONSIDERATIONS IN DATA AND MACHINE LEARNING, EXTENSIVELY PROCURING THE OBJECTIVES OF FAIRNESS, TRANSPARENCY, AND ACCOUNTABILITY, OF THE USE OF ARTIFICIAL INTELLIGENCE (AI) SYSTEMS, AND DELINEATING THE ROLES OF VARIOUS FIELD-RELATED PRIVATE OR PUBLIC ARTIFICIAL INTELLIGENCE COMPANIES AND CORPORATIONS

DISCLAIMER NOTE

The enactment and enforcement clauses have not been included in this bill, as only ethical considerations are mentioned. As such, this proposed bill does not in any way shape or form mock the integrity of the Philippine government and legislation, or forward opinionated ideas of the individual who has introduced this pseudo-bill. Essentially, this bill is an imitated and proposed legislation which conceives ethical boundaries as discussed in a college-level course of the Ateneo de Manila University.

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Be it enacted by the Senate and the House of Representatives of the Republic of the Philippines in Congress assembled, that:

CHAPTER I

GENERAL PROVISIONS

SECTION 1. *Short Title.* — This Act shall be known as the “Data and Machine Learning Regulation Act”.

SEC. 2. *Declaration of Policy.* — The State recognizes that the dawn of AI in the modern world has indefinitely influenced many aspects of societies, businesses, and individual lives. Data and machine learning have proven to be strong indirect authorities for a Filipino's life, not to mention the powerful capabilities of those who hold these objects. Thus, it is with great need to establish a framework for ethical considerations in data and machine learning; as without such, various algorithms may be created that do not conform to the Philippines' morals and values embedded in this old social fabric. Ultimately, the State shall pursue a concrete manner of managing the nature of these different AI systems, founded by the objectives of fairness, transparency, and accountability for any system created by field-related private or public companies and corporations.

SEC. 3. *Definition of Terms.* — For purposes of this Act, the following terms shall be defined as stated below:

- (a) *Accountability* refers to an ethical consideration denoted by a duty to acknowledge and rectify the moral consequences of any AI system;
- (b) *Artificial Intelligence (AI) system or model* refers to third-party technology which includes data and machine learning as the foundation of its purpose, created by any public or private company or corporation for their own distinct agendas;
- (c) *Data and Machine Learning* refers to a novel technological advancement that uses effective programming in distinguishing, analyzing, and utilizing different characteristics of any object, individual, or such, in order to reach a specific intention recognized to be smart and efficient;
- (d) *Fairness* refers to an ethical consideration denoted by a concrete method of ensuring the equal and fair treatment of all individual persons used by, influenced by, or involved in any AI system; not subject to racial, sexual, or any other form of prejudice or profiling that may or may not affect the products of these artificial models;
- (e) *Involved Parties* refers to any company or corporation that may create or manage an AI system or model;

- (f) *Transparency* refers to an ethical consideration denoted by a duty to increase public understanding and awareness of an AI system's inner workings via thorough documentation and presentation, as well as a responsibility to communicate different methods that can be subject to ethical appropriation or conversation.

CHAPTER II

GUIDING PRINCIPLES

SEC. 4. *Principles*. – The usage of any AI system will be guided by the following principles indicated:

- (a) *Avoidance of human bias*. – AI systems must be principled under the presupposition that machine learning should be created in clear recognition and avoidance of human bias, which includes the prevention of any form of unfair metric to discriminate individual persons and cultures that intends to increase opinionated efficiency;
- (b) *Objectivity*. – AI models must work under programmable factors that contribute objectivity that aligns with near-perfect algorithms;
- (c) *Understanding*. – AI systems must include clear explanations of algorithms that may be created by third-parties, with which its users may interpret correctly and comprehensively as needed, as well as provide a deep level of accessibility to any information related;
- (d) *Foundation of trust*. – AI models must document the structure and architecture of their systems, to forward a culture of trust in technology professionals and laymen, wherein transparency can be principled upon;
- (e) *Accountability of actions*. – The monitoring of unintended consequences by an AI system or model must be held in the duration of its existence to address unwanted cases of unfairness or discrimination, or any other consequence that may not be foreseeable as of the current age.

CHAPTER III

DATA AND MACHINE LEARNING BILL OF RIGHTS

SEC. 5. *Bill of Rights.* – The development and application of any AI system that includes technology founded by data and machine learning shall be guided by the following rights given to every Filipino:

- (a) *Right to Fairness.* – Everyone should be able to use AI systems in a manner that does not compromise their integrity as individuals. The structures of machine learning should ensure the true representation of Philippine society as depicted by real statistics, and be updated in a way that maintains this reality. Thus, the right to fairness protects all individuals from discrimination and other forms of misappropriation.
- (b) *Right Against the Use of Unfair Algorithms.* – The State provides an equal bearing for all Filipinos in matters of ethnicity, sex, social status, etc., with regard to any governmental or official action. Thus, the right against the use of unfair algorithms under any form of prejudice for these societal characteristics protects the integrity of each individual involved in data and machine learning.
- (c) *Right to Know.* – All Filipinos deserve the outright understanding of all AI systems they may utilize or be a part of. Thus, any type of ingredient, that may or may not be consequential to their own person, must be documented, communicated, monitored, and surfaced by the third-party creating an AI system.
- (d) *Right to Privacy.* – Each citizen is well within their rights to accept or decline any involvement in the existence of an AI system. Thus, the right to privacy ensures this choice of anonymity or voluntariness, with can otherwise help or hinder individual persons.
- (e) *Right to Act on Accountable Consequences.* – Every Filipino, if in the case of having been violated by any AI system due to improper structural programming, has the right to call a judiciary power to address unforeseeable effects that compromise their individual and civil rights as citizens of the Republic of the Philippines.

CHAPTER IV

ROLE OF INVOLVED COMPANIES OR CORPORATIONS

SEC. 6. *Whole of Approach for Involved Parties.* – Any involved party must be prescribed the aforementioned objectives, principles, and rights informed by the State concerning data and machine learning. If followed to a lesser extent, these companies and corporations must be subject to an auditing and recalling of systems created. As such, the following approaches will be made available by the State in service to the Filipino people:

- (a) Provide an effective council that will have jurisdiction over the practices of involved parties with regards to AI;
- (b) Instill a central database that lists and accommodates all AI systems in the country;
- (c) Provide a countermeasure in combatting any unfair AI models;
- (d) And exercise a supervisory authority to any illegal practices involving AI systems, as well as data and machine learning structures.

CHAPTER V

FINAL PROVISIONS

SEC. 7. *Appropriations.* – The amounts necessary for the implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 8. *Implementing Rules and Regulations.* – The future bureau foreseeing the management and jurisdiction of any company or corporation that produces an AI system with respective structures shall promulgate the implementing rules and regulations of this Act within one hundred (100) days from its effective date.

SEC. 9. *Construction and Interpretation.* – Any doubt in the interpretation of any provision in this Act shall be interpreted in favor of the interest of the general public.

SEC. 10. *Separability Clause.* – If, for any reason, any chapter, section, or provision of this Act shall be declared unconstitutional, illegal, or invalid, such parts not affected thereby shall remain in full force and effect.

SEC. 11. *Repealing Clause.* – All laws, decrees, and any administrative regulations thereof inconsistent herewith are hereby repealed or modified accordingly.

SEC 12. *Effectivity.* – This Act shall take effect ten (10) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,