

A BILL

FOR

AN ACT TO ENSURE PROPER CONTROL OF USAGE OF ARTIFICIAL INTELLIGENCE (AI) TECHNOLOGY IN NIGERIA AND FOR RELATED MATTERS, 2023

Sponsored by Hon. Sada Soli

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows-

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| 1 | 1. The objectives of this Bill are: | Objectives of the Bill |
| 2 | (i) To ensure an ethical practices, safeguard the rights, safety and | |
| 3 | well beings of individuals and society as a whole; | |
| 4 | (a) To promote the harmonization of legal rules on artificial | |
| 5 | intelligence (AI) transactions across national boundaries; | |
| 6 | (b) To facilitate the appropriate use of artificial intelligence (AI); | |
| 7 | (c) To enable business and community have confidence in | |
| 8 | Artificial Intelligence (AI); | |
| 9 | (d) To enable businesses and community to use artificial | |
| 10 | intelligence in their transactions with government, and | |
| 11 | (e) Ensure responsible and ethical practices, safeguarding the | |
| 12 | rights, safety and well being of individuals and society as a whole. | |
| 13 | 2. The provisions of this Bill shall apply to transactions both in the | Application of this Bill |
| 14 | private and public sectors- | |
| 15 | (a) This law shall apply to AI systems developed, used or deployed | |
| 16 | within Nigeria; | |
| 17 | (b) AI system refers to any software, hardware or hybrid that utilize | |
| 18 | AI techniques to perform tasks with varying levels of autonomy. | |
| 19 | 3. AI developers shall adhere to a set of ethical principles | Ethical Principles |
| 20 | including but not limited to; | |

	1	(a) development and use of AI system shall prioritize human values,
	2	respect human rights and promote fairness and transparency;
	3	(b) AI system shall be designed, developed and operated with
	4	considerations to ensure the safety and privacy of individuals and their data;
	5	(c) AI system shall not discriminate based on race, gender, religion or
	6	any other protected characteristics defined by law;
	7	(d) AI developers and users should be accountable for actions and
	8	outcomes of their AI systems, including any potential harm caused;
	9	(e) AI system should respect and protect the privacy and personal data
	10	of individuals complying with the relevant data protection laws regulations.
	11	AI DEVELOPMENT AND DEPLOYMENT
Risk and mitigation	12	4. (a) Developers and operators shall conduct risk assessments and
	13	proactively identify and mitigate potential risks and harm before deployment;
	14	(b) Transparent documentation of AI system or architecture, data
	15	sources and algorithms shall be maintained to facilitate the adults and ensure
	16	accountability;
	17	(c) Risk mitigations, strategies shall be implemented to minimize the
	18	potential harm caused by AI system, including mechanisms for error
	19	correction, fail safe mechanism, and human oversight where necessary.
Data protection and privacy	20	5. AI system shall comply with relevant data protection and privacy
	21	law, ensuring informed consent, data minimization secure storage and
	22	processing of personal data;
	23	(b) individuals shall have the right to access, correct and delete their
	24	personal data used by AI systems.
Data Governance	25	6. (a) AI developers and users shall ensure the response collection,
	26	storage, and use of data, adhering to relevant data protection and privacy laws;
	27	(b) data used for training AI systems should be diverse, representative
	28	and free from bias to avoid perpetuating discriminatory practices;
	29	(c) consent and transparency should be ensured when collecting and

1 using personal data for AI systems, allowing individuals to have control
2 over their data;

3 (d) AI systems that impact individuals lives shall be designed and
4 operated in a transparent manner, providing understandable explanations
5 for their decisions and actions;

6 (e) Individuals shall be informed when interactions with an AI
7 system and have the right to know if they are conversing with a machine.

8 **7.(a)** AI developers and users shall prioritise the safety and security Safety and
9 of AI systems ensuring they are robust, reliable and resistant to security
10 attacks;

11 (b) appropriate safeguards and measures shall be implemented to
12 prevent unauthorized access, manipulations or misuse of AI systems and
13 their data;

14 (c) in case of potential safety and risks, AI developers and users
15 shall promptly address and mitigate such risks, and inform relevant
16 stakeholders as necessary.

17 **8.** Artificial decisions with significant consequences shall involve Human oversight
18 human oversight and intervention, ensuring human accountability and and intervention
19 preventing undue reliance on AI systems

20 **9.** Encourage training and reskilling programmes to keep Education and
21 individuals adopt to the changing job landscape due to AI technologies awareness
22 mitigating the impact of job development

23 **10.(a)** establishment of an independent regulatory authority for Regulatory
24 overseeing compliance with this law, issuing guidelines and conducting Authority
25 audits and assessment;

26 (b) the regulatory body shall be the Ministry of Justice and shall
27 have the authority to issue guidelines conduct inspections, impose penalties
28 for non-compliance and promote best practices in AI government;

29 (c) collaboration and engagement with stakeholders including AI
30 developers, users and civil society organizations should be

	1	encouraged to foster a participatory and inclusive governance framework.
Enforcement and penalty	2	11. Non compliance with this law shall result in penalties which
	3	includes Fines, remedial actions or suspension of AI system operators, or other
	4	appropriate measures to be determined by the regulatory body;
	5	(b) individual or entities affected by the actions or decisions of AI
	6	systems shall have the right to seek legal remedies and compensation for any
	7	harm caused.
Review as amendment	8	12. This Act shall be subject to periodic review and assessment to
	9	ensure its effectiveness and relevance on the rapidly evolving field of AI;
	10	(b) amendment to this Act may be proposed to address emerging
	11	challenges, technological advancement or changes in societal needs.
Interpretation	12	13. In this bill, unless the context otherwise requires;
	13	"AI" systems refers to any software, hardware or combination thereof that is
	14	designed to perform tasks with varying degrees of autonomy, using techniques
	15	such as machine learning, neural networks or other similar methods;
	16	"AI" developers refers to any person, organization or entity involved in the
	17	creation, design or production of AI systems;
	18	"AI" users refers to any person, organization or entity utilizing AI systems for
	19	their operations or services.
Citation	20	14. This Bill may be cited as the Control of Usage Artificial
	21	Intelligence Technology in Nigeria Bill, 2023.

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- 1 (v) Assigning accountability or determining liability when AI
2 systems cause harm can be challenging, as the responsibility may be
3 distributed between developers, manufacturers and users.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for application of Artificial Intelligence in Nigeria, ensure ethical practices and harmonize legal rules on Artificial Intelligence Transactions across nations.