



[Legal Alert: Chile takes first steps towards regulation of Artificial Intelligence](#)



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The Chilean parliament has begun to discuss a Bill aimed at incorporating legal and ethical issues into the creation, distribution, commercialization, and use of artificial intelligence (AI). It also attempts to ensure a balance that guarantees the protection of citizens' fundamental rights without unduly hindering or preventing development of and access to these technologies.

The Bill was developed based on Europe's 2021 Artificial Intelligence Act and also draws on an Artificial Intelligence Policy published by the Chilean Ministry of Science, Technology, Knowledge and Innovation in 2021, as well as an amendment to the country's Constitution to include scientific and technological development for the service of people as a guiding principle in the Chilean legal system.

The motion to the Chilean congress specifies that “the introduction of this legislation aims to ensure that artificial intelligence is an instrument for people and a positive force in society and that its ultimate purpose should always be to increase human welfare.”

The Bill is structured in 15 articles and broadly sets out to do the following:

- a. Enshrine new definitions, including a definition of AI;
- b. Define the criteria according to which AI systems will be qualified as unacceptable or high risk, prohibiting the former;
- c. Create a National Commission for Artificial Intelligence under the Ministry of Science, Technology, Knowledge and Innovation, which will be tasked with reviewing and adapting regulatory instruments according to the development of AI technologies;
- d. Establish an authorization mechanism prior to initiating the development, commercialization, distribution and use of AI systems; and
- e. Establish both financial and custodial penalties in case of non-compliance.

Such movement marks the very beginning of Chile's advance in developing the regulatory instruments to manage the pace of technological change. It remains to be seen how the legislative discussion will develop, however, it is of utmost importance to listen to the opinions of key stakeholders – including civil society, the private sector and academia – so as to give credibility to the process and strengthen the purpose of the project to ensure the protection of fundamental rights guaranteed by the State.

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