

Key features and implications of ISED's sweeping amendments to the proposed legislative scheme to regulate artificial intelligence systems

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Authors: [Michael Fekete](#), [Sam Ip](#), [Adam Kardash](#)

Overview

The original text of the *Artificial Intelligence and Data Act* (AIDA) left much of the scope and substance of the privacy legislative scheme to be determined in the not-yet-drafted regulations, which made it difficult to assess its efficacy. However, in November 2023, the Minister of Innovation, Science and Industry (ISED) introduced sweeping amendments to AIDA which represented a wholesale change to the initial statutory framework. For the December 2023 AccessPrivacy call, three experts joined AccessPrivacy lead and Osler partner Adam Kardash to discuss the implications of these amendments.

In the discussion, Dr. Teresa Scassa, Canada Research Chair in Information Law and Policy at the University of Ottawa, and Michael Fekete and Sam Ip, both partners in Osler's Technology Group, unpacked the key features of the proposed changes to AIDA as well as the impact they'll have on the regulation of AI in Canada.

Together, they visited a number of subjects, including

- the challenges inherent in attempting to regulate AI
- the proposed requirements for general purpose systems, machine learning models and high impact systems and how they compare to those in other jurisdictions
- the breadth of the definition of "high impact systems" and class of uses
- the proposed oversight and enforcement regime within AIDA

At the end of the conversation, the experts provided key recommendations they would offer to the Standing Committee on Industry and Technology (INDU) — which is considering the amendments — if they were invited to share their insight.

[Watch the webinar](#)