

MEDIA RELEASE

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AIIA welcomes new Artificial Intelligence regulatory proposals.

Plugging legislative gaps to combat malicious deepfakes and developing responsive governance framework.

The Australian Information Industry Association (AIIA) welcomes the latest Albanese Government's AI regulation announcements, agreeing with its prompt and balanced approach to punish wrongdoers and prevent harm.

Attorney General (AG) Mark Dreyfus announced his intent to [introduce legislation](#) to ban the non-consensual sharing of sexualised deepfake images in AI use while the Minister for Industry and Science Ed Husic announced an AI adopt project with a focus on [governance solutions](#) for AI development which proceed formal government announcements on wider AI regulations for the economy and government frameworks for its own AI use.

AIIA Longstanding Call for a Prompt and Balanced AI Regulatory Framework

The AIIA congratulates the Government for moving to plug AI regulatory gaps when identified with the AG and also announcing the Privacy Act changes will be shortly introduced to parliament that will have further AI protections for citizens, allowing for transparency in automatic decision making (ADMs).

The AIIA supports a framework that can rapidly build on existing laws by plugging identified gaps and remain relevant because the provisions are technology-neutral and will not become obsolete as the AI technology evolves. In multiple [submissions](#), the AIIA has noted that the AI regulatory framework must:

- Punish criminal acts for citizen safety;
- Adopt Testing, Transparency and Accountability (TTA) guardrails to prevent harm;
- Be technology-neutral to ensure its enforceability regardless of AI technological advances;
- Encourage the Government to be exemplar for citizen trust;
- Encourage product innovation and work productivity to benefit the Australian economy.

Incremental progress in legislative reforms is faster than boiling the ocean with a new AI Act

According to these principles and alongside numerous prominent law firms, the AIIA believes that Australia can move faster to regulate AI by plugging legislative gaps in reforms or consultations currently underway as well as proposing TTA guardrails rather than creating a new standalone law. The current reforms - in addition to changes already made in regulated sectors like transport and healthcare where AI tools have been both adopted and regulated - include:

- *Privacy Act 1988 (Cth)*¹
- Copyright laws²
- *Criminal Code Act 1995 (Cth)*³
- Cyber Security Legislative Reforms⁴

The AIIA reiterates that Australia's multi-layer regulatory framework is already responsive in addressing the types of harms that can occur as a result of the use of AI and wrongdoers can already be held accountable (e.g. the use of AI Chatbot to mislead consumers under the Australian Consumer Law) and will work with the government to address new and emerging concerns as they arise.

¹ Attorney-General's Department, Government response to the Privacy Act Review Report, 28 September 2023 ([link](#)).

² Attorney-General's Department, Copyright and Artificial Intelligence Reference Group (CAIRG), December 2023 ([link](#)).

³ The Guardian, Jail time for those caught distributing deepfake porn under new Australian laws, 1 June 2024 ([link](#)).

⁴ Department of Home Affairs, Cyber security legislative reforms, 2024 ([link](#)).

The AIIA position is guided by international best practice where regulations serve both to protect citizens but also promote and foster rapid AI adoption and industry policy. As such we believe the UK, US and Singapore models are worth learning from, noting we share their common law legal systems (including legal precedents and principles) and their focus on innovation.

- AIIA is supportive of the [US approach](#) as outlined in the US Executive Order on AI (on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence).
- The Singapore model adopts a soft law framework. It focuses on safe adoption with testing tools (e.g. [AI Verify](#) built through consultations with major AI developers, ensuring it is practical and future-proof) and increasing trade through harmonisation of standards ([U.S.-Singapore Critical and Emerging Technology Dialogue](#)). The Dialogue emphasises the importance of promoting trust, privacy, and ethical standards in technology development.
- The [UK model](#) applies a pro-innovation and international collaboration approach to AI regulation, emphasising and recognising that it is not a global player in AI and wants the innovation and economic benefits for its economy. We support the [Bletchley Declaration](#) where alignment is considered best practice along with a pro-innovation approach while managing risks.

Conversely, while enacting the EU AI Act may appear simple and clear, it is technically prescriptive and risks becoming obsolete quickly. When paired with delegated legislation, it gives rise to concerning legal principles (e.g. presumption of causality⁵) which can lead to substantial compliance cost and chilling of AI development in Australia.

The AIIA CEO, Mr Simon Bush, commented, “The AIIA has always called for a prompt but balanced approach to AI regulation. Plugging existing gaps in the legislative framework is the fastest way to start protecting Australians than an all-encompassing and prescriptive Act. By focusing on thwarting specific harms, it sends the right market signals without frightening the tech community from AI adoption, development and commercialisation.”

“I am concerned by numerous surveys that show Australia is standing out for its fear of AI and slowness on adoption leaving the Australian economy at risk. This is why we are pleased to see the Government moving fast to update existing laws and communicating clearly how the Australian citizens will be protected to drive citizen trust in technologies critically important to the Nation’s digital economy. The Government’s involvement to educate the community in an equitable way and to model the best practice in AI deployment will make a key difference in AI adoption, which Australia is currently a laggard,” Mr Bush said.

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⁵ EU Briefing, [EU Legislation In Progress: New Product Liability Directive](#), see page 6 and 8.

About AIIA

The Australian Information Industry Association (AIIA) is the peak ICT body, representing approximately 90 per cent of Australians employed in the tech industry across a diverse group of members. Since 1978, AIIA has pursued strategic policies and activities to stimulate and grow Australia's digital ecosystem to create a favourable business environment and contribute to Australia's economic prosperity. We do this by providing a strong voice for the industry; building a sense of community through events and education; enabling a network for collaboration and inspiration; and developing compelling content from the industry's expertise.