



Department for
Business & Trade

Lord Leong CBE
Lord in Waiting (Government Whip)
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

The Lord Holmes of Richmond MBE
House of Lords
London
SW1A 0PW

T: +44 (0) 020 4551 0011

W: www.gov.uk/dbt

By email

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Product Regulation and Metrology Bill – Artificial Intelligence

During the second day of committee for the Product Regulation and Metrology Bill (the Bill) on the 25 November, you made a valuable contribution to the debate through a number of questions concerning the role of Artificial Intelligence (AI) for which I promised to provide a response.

The use of AI in physical products is a fast-developing issue. The government and regulators will need to consider what specific requirements will be needed on products using AI, to safeguard their safety, as our understanding of their risks increases.

As I set out during the debate, the Bill ensures our product safety framework can take into account risks presented by the use of software and AI in physical products.

In response to amendment 14 requiring clarity of when AI has been used in production processes, and amendments 75 to 78 to clearly label products containing AI, or being produced by AI, I would like to confirm that product regulations made under the Bill will be able to regulate production processes as a whole if required. This will also include any use of AI as part of these processes and the regulations may also set labelling requirements for products containing AI.

Regarding use of AI in the creative industries, including challenges to personal data and intellectual property, the Bill does not seek to regulate AI in and of itself. Nor does our product regulation framework cover the creative industries, beyond ensuring any physical product operates safely. On the substantive issue, as I set out in the debate, addressing uncertainty about the copyright framework for AI in the UK is a priority for Department for Science, Innovation and Technology and Department for Culture, Media and Sport Ministers. That is why the Government intends to launch a consultation soon, that aims to promote continued growth in the UK AI sector and creative industries.

Issues of AI and metrology were also raised, specifically on measurement of the power and water use of AI processes or data centres. The new powers set out in the Bill will allow metrology regulations to be updated to allow us to respond to technological advances, such as in AI. Though the Bill does not cover AI in itself, the Bill powers will enable us to

ensure that any instruments making the type of measurements you have referred to are accurate.

I hope my letter has provided additional clarity and reassurance regarding this important issue. I am copying this letter to all Noble Lords who spoke in the debate. I am also depositing a copy of this letter in the Library of the House.

Yours Sincerely,

A handwritten signature in black ink, appearing to be 'L. Leong', written in a cursive style.

Lord Leong CBE
Lord in Waiting (Government Whip)