

## Curricular unit sheet

### Course INTENSIVE POSTGRADUATE PROGRAM AI & LAW

Curricular unit

AI & Contracts (9th Week)

Responsible Academic staff and respective workload in the curricular unit (enter full name)

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Syllabus

#### Class 1:

1. Contract formation and AI: general problems and opening remarks
2. Algorithmic decisions, promises, and declarations of negotiation
3. Algorithmic accountability, transparency and explainable artificial intelligence (xAI)
4. Explanation *versus* justification
5. Explanation of the algorithmic decisions and duties of information in the negotiation context (during the pre-contractual phase and during the performance of the contract)
6. In particular, the algorithmic decisions of proposal rejection or of exit from the contract
7. Rational and irrational processes in decision-making; the power to make irrational decisions across the different dimensions of contractual freedom

#### Class 2:

1. Opacity of algorithms and the unintelligibility of the declaration of negotiation: contractual interpretation and validity (ascertainability)
2. The “human in the loop”. Reasons, challenges, and implications
3. Analyse of the legal framework. In particular, the GDPR and the EU AI Act proposal
4. European and national case law

#### Class 3:

1. Algorithmic decisions in the banking and financial sectors
2. The role of big data and customer databases
3. Credit worthiness and credit scoring through algorithms
4. Refusal of credit, cut credit decisions and discrimination
5. The “alternative lending” and personal data: a GDPR approach
6. The appropriateness and the suitability tests on financial intermediation
7. In particular, the algorithmic processes of decision-making by asset managers and investment advisors
8. The case of the robo-advisor
9. Analyse of the legal framework. In particular, the GDPR and the EU AI Act proposal
10. European and national case law



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#### Teaching methodologies (including evaluation)

The following teaching methods shall be adopted:

- Passive method (lecture/seminar with the possibility to interact with the students)
- Active method (analysis and resolution of case studies)
- Interrogative method (questioning and directed debate).

The evaluation shall be based on the participation in class, exercises, or by project/essay.

#### Main Bibliography

Yet to be defined.