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# AI Regulation in Greece

## Rules already in force

Artificial intelligence (AI) is expanding exponentially in almost every area of human activity and industry, including health, e-commerce, marketing, financial services, insurance, automotive, media and entertainment; notably, the share of large enterprises in Europe using AI technologies in 2021 stood at 28% and is expanding ever since.

While the EU AI Act, a regulation which will establish harmonised EU-wide rules for AI, will likely become law by the end of this year, Greece is among the very few states with a legislation regulating the use of AI already in place, covering the use of AI for HR management, as well as for commercial and marketing practices.

Affected organisations looking to develop, procure, use and sell AI systems and tools need to follow closely a developing EU legal framework, and, at the same time, be conscious of obligations they may already have under Greek law.

This short guide covers main fields of interaction between AI technologies and law, highlighting our firm's expertise and specialised legal offerings, helping organisations navigate this complex and constantly evolving environment and comply with their legal obligations.

## GREEK LAW

Greece has already adopted a legal framework for the use of AI. **Law 4961/2022** on emerging information and communication technologies has introduced rules and obligations for employers when using AI systems affecting in any way **decisions relating to employees**, with an impact on their working conditions, their selection, etc.

Affected are also medium-sized companies and large companies which use AI systems in the context of **consumer profiling** or for the **evaluation of their employees or partners**. Said companies must also maintain an electronic Register of the AI systems they use (**eRegister**), also, prepare and adopt a **Data Use Code of Conduct**.

Relevant obligations came into force earlier this year and in case of non-compliance, administrative and criminal sanctions apply. You can read more [here](#).



## EU LAW

The **EU AI Act** is the world's first comprehensive AI law and introduces obligations for providers, product manufacturers, importers, distributors and deployers of AI systems and for providers of foundation models. Its final adoption is expected later this year and will become directly applicable in Greece once the transitional implementation period elapses.

The AI Act follows a risk-based approach, prohibiting certain practices (e.g., general social scoring, real time remote biometric identification) and laying down requirements for high-risk AI systems and obligations for operators of such systems. European Parliament's priority is to make sure that AI systems operate in a transparent traceable, non-discriminatory and environmentally friendly manner.

### AI & Intellectual Property

The development and use of AI systems, particularly generative AI (GenAI), intersects with Intellectual Property (IP).

GenAI is trained using vast volumes of (often copyrighted) data, usually scraped from webpages and other online sources. It can be used to create text, images, software code, music, video and other forms of content. This, inevitably, raises a number of IP-related questions and issues, importantly, regarding the **lawfulness, eligibility for IP protection** (originality, authorship, etc.) **ownership** of and eventually liability for this content, considering various factors, importantly the extent of human input in generating content.

Also, from the perspective of developers of AI systems, they need to consider how to properly protect their rights on the system, relying on the more suitable **IP right** (patent, copyright, database right, etc.).

Major actors are already making their moves in this field. For instance, last June, Microsoft introduced Copilot Copyright Commitment, which states that, the company will extend existing contractual liability provisions for IP infringement to cover commercial Copilot Services. In particular, if a third party sues a commercial customer for IP rights infringement through the use of Microsoft commercial Copilot services, or the output the Copilots generate (excluding trademarks), Microsoft will defend the customer and pay the amount of any adverse judgments or settlements that result from the lawsuit, as long as the customer used the guardrails and content filters Microsoft has built into the products plus the customer did not use the services to develop or create infringing materials either intentionally or by not showing proper due diligence. The above-described obligation to defend is an important step towards clarifying IP related matters which may facilitate customer decision-making in using AI.

### AI & Personal Data

Development and use of AI tools, in most cases, involves processing of personal data, bringing into consideration the GDPR, Greek Law 4624/2019 (which supplements the GDPR) and, soon, the EU AI Act; also, Greek Law 4961/2022 on emerging information and communication technologies includes provisions for the data protection in the context of use of AI systems.

#### Algorithmic Impact Assessment

Building on our GDPR Data Protection Impact Assessment (DPIA) experience, we have developed an Algorithmic Impact Assessment offering, helping organisations identify and assess risks (such as bias) and mitigate the impacts associated with using an automated decision/ AI system.

The service is provided **in cooperation with our IT partners**, taking advantage of a technology that ensures AI and machine learning systems are fair, accountable and explainable.

Typically, the AI Testing & Audit service tests AI systems from the perspectives of Model Performance, Bias, Transparency and Robustness characteristics (or quality aspects), as defined by the **ISO/IEC TR 29119-11:2020 standard (Guidelines on the testing of AI-based systems)**. These analyses provide the insights needed for improving the behaviour and trustworthiness of a given AI-based system.

Organisations going through this process are able to assess the potential harmful impacts of the AI technology they develop, use or intent to use, and create documentation that can be used for accountability and policy development.

More on our Data Protection and Cybersecurity lines of service you can find [here](#).



Organisations need to ensure compliance with all data protection requirements. Importantly they need to carry out a **Data Protection Impact Assessment (DPIA)**, also **inform affected individuals**, for instance, when an AI software is being used to evaluate or take decisions on individuals, or for AI training purposes, about, among other issues, the legal basis for such processing, general explanation of the logic (procedure) and scope of the AI-system.

As highlighted by the EDPB and the EDPS, using personal data for AI systems learning may lead to the generation of biased decision-making patterns at the core of the AI system. Thus, various **safeguards** need to be in place to ensure that **data subjects GDPR rights** (restriction of processing, deletion of data, etc.) are respected and guaranteed.

## CRITICAL HIGHLIGHTS

Organisations need to prepare. Importantly, they need to audit systems and tools they use, to identify instances where operational decisions are made by or depend on AI technology (for text mining, image processing, data analysis, automation of workflows, etc.) and assess relevant risks; policies and notices addressing transparency and fairness need to be in place.

- Record and audit AI systems (in use, also to be used)
- Carry out DPIAs/ Algorithmic Impact Assessments
- Provide notices to affected individuals
- Prepare and implement AI policies

## Key contacts

Established in 1893, Zepos & Yannopoulos is one of the leading and largest Law firms in Greece providing comprehensive legal and tax services to companies conducting business in Greece.

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