

Should we grant Tax Numbers to Robots?

The issue of granting legal personality to “digital persons”

CEID & Social Hour

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Glad to be here!!!

...my background @ceid!

On the role of law / the role of regulation

The Role of Law

To keep the peace in a country;
To shape moral standards;
To promote social justice,

To facilitate orderly change;
To provide a basis for compromise;
To help in facilitating a **plan**.

Why Regulate?

Main motive: Market failure:

- Monopolies
- Continuity & availability of service
- **Planning**

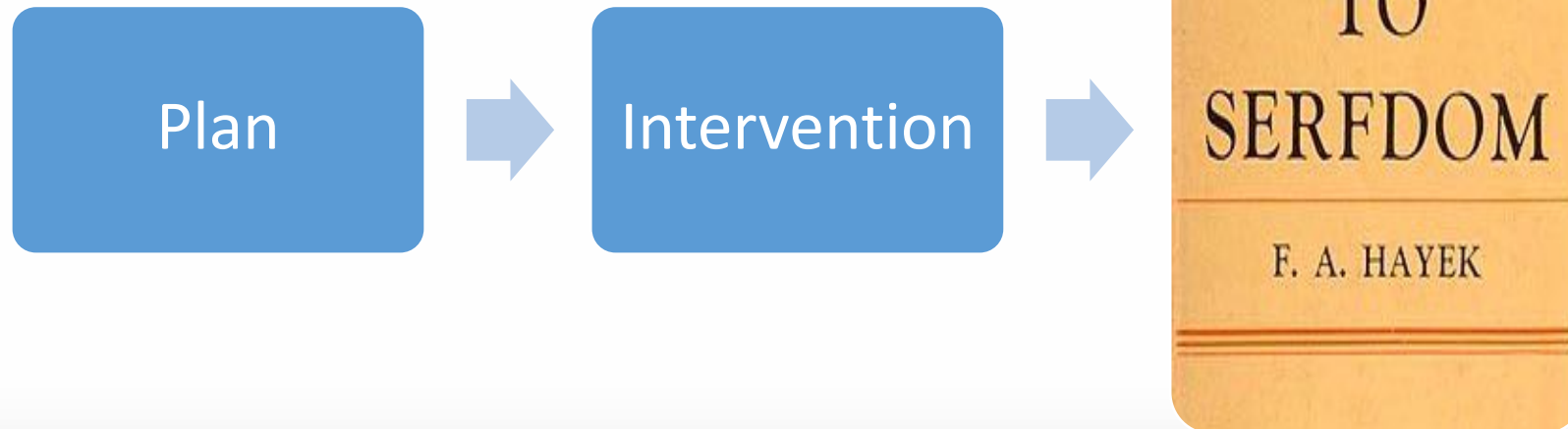
- Protect human rights

- Further social solidarity

If, then, planning is common between them,

1) **HOW** IS PLANNING IN THE LAW-MAKING PROCESS ACHIEVED?

2) (**SHOULD** WE PLAN?)



Anyway, what visionary tools has law given us so far?

Human rights

- In 1776
- In 1789

Legal persons

- Persona ficta
- In 1844

Intellectual property

- In 1709 (copyright)
- In 1796 (patent)

(Personal) data protection

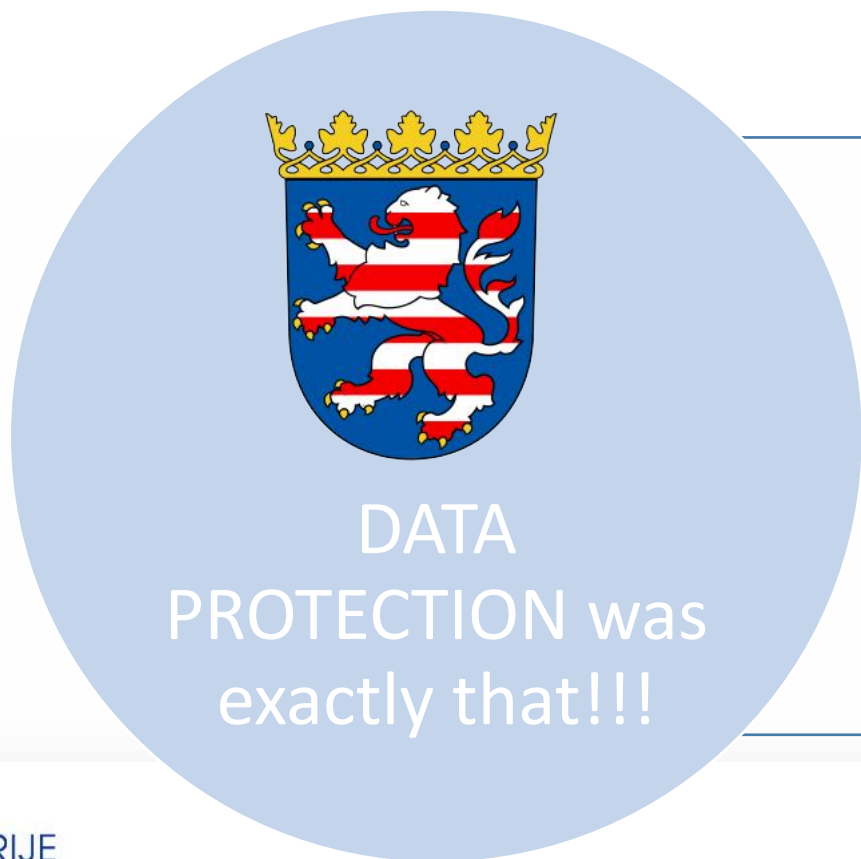
- In 1970

Legal persons / legal entities

- A bit on their background – as old as ancient Rome;
- In their current format in 19th century;
- Other historical data.

WHAT IS IMPORTANT HERE FOR OUR PURPOSES, is their **linear** development, *not an enlightened* entirely new piece of law.

...same with IP law or human rights law, however



Something
out of
nothing



Principles
still standing
today



The
GDPR

Anyway, what is *in* a legal personality?

A state / government;

Giving a UNIQUE NUMBER;

And a license to exist / transact.

BUT let's never forget that there are **people** behind legal persons, at times in the foreground and at times in the background.

Software: A missed opportunity

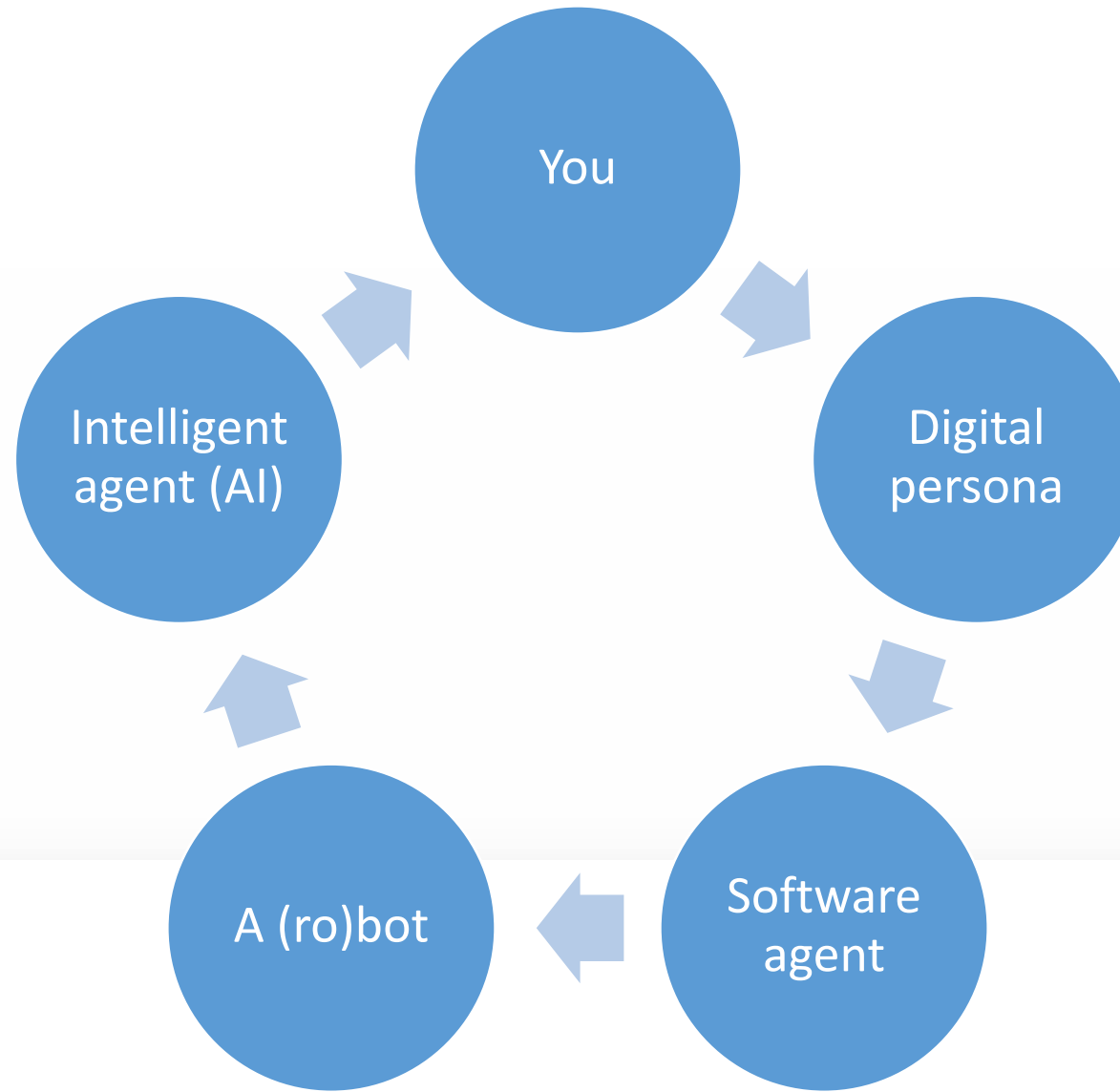
...back in the 1960s it was decided that no new **property right** would be introduced – IP instead:



...an unsettling/unsettled (software patents...) relationship until today.

DID WE MAKE A MISTAKE?

On the digital person



Awarding legal personality to software is not a new idea

We could find papers as back as the early 1980s.

However the discussion never took off:

- **Issues of legal philosophy;**
 - **Accountability of software;**
 - **Autonomy of software.**

(ours) A simple idea:



Trisect the dichotomy by **replicating** the legal persons model to create a digital person equivalent:

- Governments would be willing to give software a UNIQUE (TAX) NUMBER and the RIGHT TO EXIST/TRANSACT;
- Any natural person willing to take the necessary administrative steps would be able to “create” and “own” **a digital person.**

Why do this?

...or in other words, is this a **linear development** or an **enlightened intervention**?

We think, ***both***.

(...continued)

Linear



- Drones
- Self-driving cars
- AI, robots etc.

Intervention



- No background
- No similarities
- New provisions needed.

But, MOST IMPORTANTLY,

...we **NEED** to do this, because we **NEED** to **EMPOWER** individuals in the new digital environment.



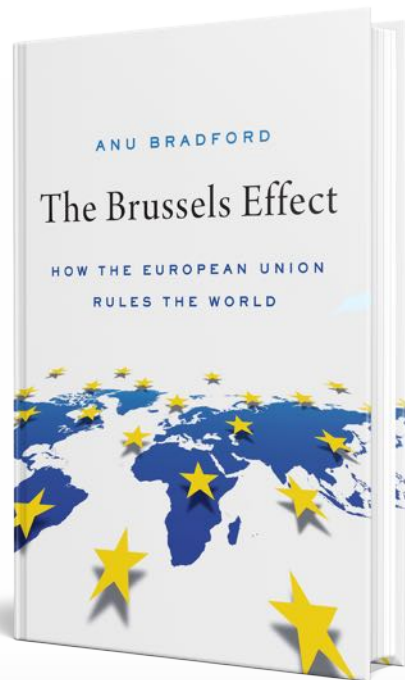
People have the exact same legal tools they had since the Middle Ages

...or earlier.

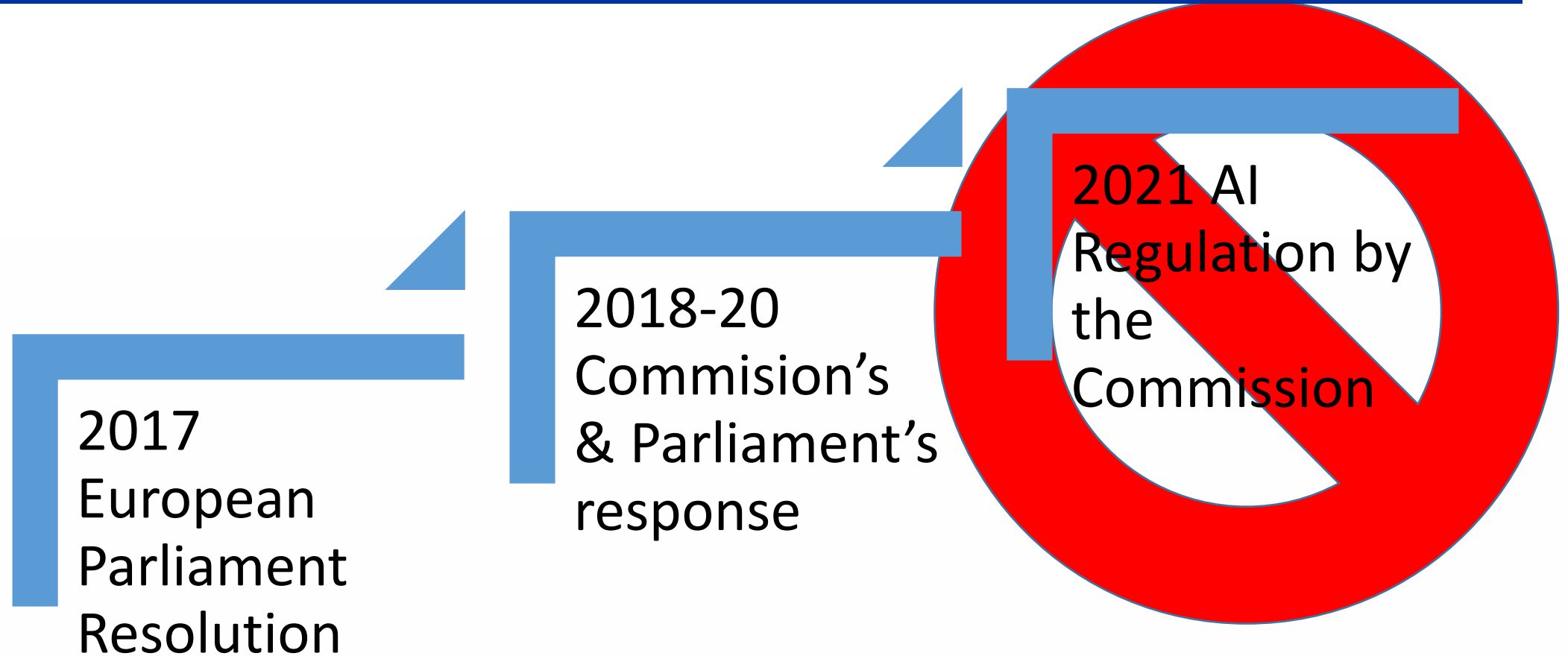
- (Human rights aside) IP law and legal persons law has been taken over by corporations;
- Individual participation in the digital comes (for most) in the form of shares;
- We need new tools (not rights) to allow individuals to deal more efficiently with new complex environments.

The law-making path

...first, on the **Brussels effect**:



The (actual) law-making path on AI's legal personality



What can be done? A **regulatory sandbox** to the rescue!



Thank you!

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