

Artificial Intelligence in the Boardroom: Contemporary Practice, Risks and Regulatory Uncertainties

*English follows Japanese.

科研費基盤研究 (A) 「デジタル時代の『公共』をめぐる法と政治の相互作用に関する研究」(宍戸常寿教授代表) と同「『持続可能な社会』時代における企業と法の役割」(後藤元教授代表) との共催により、下記の研究会を実施いたしますので、ご案内申し上げます。講演の詳細は添付の資料の通りです。

【日 時】 2023 年 4 月 26 日(水) 13-15 時

【講演者】 Leah Fricke 氏

【テーマ】 「Artificial Intelligence in the Boardroom: Contemporary Practice, Risks and Regulatory Uncertainties」

【形 式】 対面・オンラインのハイブリッド方式 (対面参加上限 40 名程度)

【会 場】 東京大学本郷キャンパス 法学部 3 号館 8 階 801 号室

【開催言語】 英語 (通訳 無)

【参加登録】 参加登録は以下の Google Forms よりお願いいたします。

<https://forms.gle/bguQcGaZ9VmwUgS4A>

【お問い合わせ先】 事務局担当 島田裕平(roppeita718@g.ecc.u-tokyo.ac.jp)

【主催】

- 科研費基盤研究 (A) 「デジタル時代の『公共』をめぐる法と政治の相互作用に関する研究」(宍戸常寿教授代表)
- 科研費基盤研究 (A) 「『持続可能な社会』時代における企業と法の役割」(後藤元教授代表)

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As part of the Grant-in-Aid for Scientific Research (A) "Research on Transaction between Law and Politics over "Public" in the Digital Era" (led by Professor Shishido) and "The Roles of Businesses and Laws in the Age of "Sustainable Society"" (led by Professor Goto), we are pleased to announce the following lecture. The details of the lecture are shown in the attached document.

[Date]: Wednesday, April 26, 2023, 13:00-15:00

[Speaker]: Ms. Leah Fricke

[Topic]: "Artificial Intelligence in the Boardroom: Contemporary Practice, Risks and Regulatory Uncertainties"

[Style]: Hybrid of in-person and online (maximum 40 participants at the venue)

[Venue]: Room 801, 8th floor, 3rd Building, Faculty of Law, Hongo Campus, The University of Tokyo

[Language]: English (simultaneous interpretation in Japanese is not available)

[Registration] Please register using the Google Forms below.

<https://forms.gle/bguQcGaZ9VmwUgS4A>

[Contact] Yuhei Shimada (roppeita718@g.ecc.u-tokyo.ac.jp).

[Hosts]

- Grant-in-Aid for Scientific Research (A) "Research on Transaction between Law and Politics over "Public" in the Digital Era" (led by Professor Shishido)
- Grant-in-Aid for Scientific Research (A) "The Roles of Businesses and Laws in the Age of "Sustainable Society"" (led by Professor Goto)

Artificial Intelligence in the Boardroom: Contemporary Practice, Risks and Regulatory Uncertainties

Discussions regarding the potential and implications of AI have infiltrated many areas of strategic consideration and execution in businesses all around the globe. In addition to the question of ***'how will AI impact our business and market?'*** boards and individual directors will need to ask the question ***'how could AI impact the role and processes of the Board and Corporate Governance generally?'***.

AI usage may improve governance and contribute to quality board monitoring and collaborative decision making, however, consideration needs to be given to not just the regulation of AI usage in corporate activities but also to how liability for errors or omissions will be managed in the context of Corporate Governance.

Legal and economic concepts that inform Corporate Governance and Corporate Law regulation also guide company director practice. The question of the appropriate allocation of liability for errors and omissions in governance has been addressed in a variety of ways in different jurisdictions. Australia and Japan both have statutory Business Judgement Rule provisions that attempt to prevent judicial review of decisions made by directors when certain conditions exist. These provisions give some insight into what is perceived to be suitable director conduct. The implications of AI tools have not yet been addressed in corporate governance regulation in either Australia or Japan.

Ms Fricke will provide a director's perspective on what factors influence contemporary director practice in Australia and whether AI usage by Boards in Australia requires new regulation. She will discuss which components of AI regulation are more likely to encourage corporate innovation and to result in better outcomes for all stakeholders with reference to recent examples from both Australia and Japan.



Leah Fricke

Chairman, Audit Committee Chair, Company Director

LLB(Hons)/BA (University of Melbourne),

MBA (AGSM, a joint school of University of Sydney and University of New South Wales)

Fellow Governance Institute of Australia

Fellow Chartered Institute of Secretaries (UK)

Fellow Australian Institute of Company Directors

After 20 years as a governance executive in both private and public companies in Australia including several listed companies (Australian Stock Exchange and NASDAQ) and a number of dynamic start-ups, Leah has been a non-executive director in Australian Financial Services, Health and Technology companies for the last 10 years.

Leah is passionate about fit-for-purpose governance – particularly in environments where innovation is essential for success. As a Company Director, Futurist, Lawyer, Surf Lifesaver, Angel Investor and Mentor, Leah brings her myriad of experiences, ideas, skills and knowledge together in the boardroom to create a unique lens through which she balances opportunity and risk.

Leah invests in SaaS and AI focused start-ups through an Angel Syndicate and mentors founders through the University of New South Wales Founders Program where she received the Inaugural Mentor of the Year Award in 2022.

In 2014 Leah received the Australian Governance Institute President's Award for her contribution to governance education and is an adjudicator for the Australasia Governance Reporting Awards.