

ALGORITHMIC CONTRACTS & CONSUMER LAW

THOUGHTS FROM ELI'S GUIDING PRINCIPLES AND MODEL RULES FOR ALGORITHMIC CONTRACTS PROJECT

23 November at 12.00-13.00 in Palmer 103

THE TALK

Exciting technological developments offer increased potential for contract automation. After much excitement about "smart contracts", the focus has now shifted to contract automation through algorithmic-decision making (ADM) based on artificial intelligence (AI) algorithms, especially deep-learning algorithms. Imagine a new form of "digital assistant" which would not only assist a consumer in identifying possible purchase options (as is already the case with digital voice assistants and some chatbots) but take over the conclusion of routine contracts for a consumer. Would taking a consumer out of the decision-making loop altogether pose new challenges for (consumer) contract law? The European Law Institute (ELI) is part-way through a project exploring the many legal implications of utilising AI-driven ADM in contracting. Its first, interim, output focuses on testing the ADM-readiness of the current EU consumer law acquis. This paper will sketch the main elements of this interim report and suggest pointers for the continuing debate around algorithmic contracting.



SPEAKER

Professor Christian Twigg-Flesner LL.B. PCHE Ph.D. (Sheffield) is professor of Contract and Consumer Law at the University of Warwick. His research and teaching interests are in the areas of Contract, Consumer and Commercial Law, with a particular focus on the implications of digitalisation. His research covers English, European and International dimensions.



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