

SUMMA

MI JÁRTASSÁG A JOGI MESTERSÉGES INTELLIGENCIA
RENDSZEREKBEN: EGY GYAKORLATI MEGKÖZELÍTÉS

Gültekin-Várkonyi Gizem

A jogi mesterségesintelligencia-rendszereket világszerte egyre gyakrabban alkalmaznak igazságügyi és jogi rendszerek alkalmazói és szolgáltatói különféle célokra. E rendszerek ugyan ígéretes előnyöket kínálnak, például a torzítás csökkentése, a hatékonyság és az elszámoltathatóság növelése terén, alkalmazásuk jelentős kockázatokkal is jár, melynek során a lehetőségek, valamint az etikus és jogilag megalapozott fejlesztés és működtetés közötti egyensúly fenntartása szükséges. A mesterséges intelligencia ismeretek, amelyek az Európai Unió MI rendelete (AI Act) alapján jogi követelményként is megjelennek, kulcsszerepet játszhatnak abban, hogy az alkalmazók és szolgáltatók felelősségteljes és etikus módon alkalmazzák ezeket a technológiákat. A tanulmány elemzi az MI-jártasság fogalmát, bemutatja a jogi MI-rendszerek előnyeit és kockázatait, és ezeket egy szélesebb körű, etikai alapú jogi MI-rendszer kontextusába helyezi. A tanulmány gyakorlati eredménye egy kérdőív formájában megfogalmazott útmutató, amely eszközként szolgálhat az alkalmazók és szolgáltatók számára a kockázatok, előnyök és érintetti szempontok értékelésére, elősegítve ezzel a társadalmi és szabályozási elvárásoknak való megfelelést.

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AI AND THE COPYRIGHT CHALLENGE

Anikó Grad-Gyenge – Edit Tomasovszky

The study entitled AI and the copyright challenge analyzes certain challenges related to the relationship between artificial intelligence (AI) and copyright, with a primary focus on the developments within the European Union.

The study examines issues arising in relation to the input side of the GenAI, with particular regard to the challenges arising from EU legislation and the evolving case law. Within this part, it analyzes the text and data mining exception in the CDSM Directive and the relevant emerging case law (the German LAION-case and the Hungarian-initiated Like Company case of the CJEU).



In addition, generative AI practices are analyzed and possible legal assessments of the output side are examined, including transformative free uses and a potential style protection (with reference to the Advocate General's opinion in the Pelham II case). Furthermore, in this context, the study examines the open letters and other policy documents of rights holders' international organizations.

From these two perspectives, the study examines the latest regulatory attempt within the European Union copyright framework, which has been implemented through the copyright provisions of the AI Act and is guided by a Code of Practice. As only the expert version was available at the time of completion of the study, only the expected practical effects are presented for the time being.

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THE OPTIONS AND CRITERIA FOR REMUNERATION IN CRYPTOCURRENCIES IN INTERNATIONAL COMPARISON

Zsolt Halász

Interest in crypto-asset-based remuneration is growing in parallel with the proliferation of crypto-assets. However, this possibility raises issues of both labour law and financial law. The purpose of this paper is to examine how crypto-assets can be included in the elements of remuneration paid in the context of an employment relationship. While the financial regulation issue is more related to the development of a common regulatory framework for crypto-assets, the labour law provisions, in particular their elements on the protection of wages, constitute a major barrier to the uptake of crypto-remuneration. This issue is covered by relevant components of both international, European (EU) and national (Member State) regulations. The international and national regulatory environment is very restrictive as regards the possibility of remuneration in cryptocurrencies in the context of employment, mainly by restricting it to optional benefits in kind (cafeteria elements). It can be said that, at present, this form of remuneration is so new that there are hardly any specific rules on the subject in the legislation, whereas in many countries of the world, from the USA to the United Arab Emirates, judicial practice is much more flexible than the legislator's approach.

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INDIVIDUAL PARDON IN THE RULE OF LAW

Observations and Recommendations

József Petrétai

The concept of individual pardon is not defined in the Fundamental Law, this possibility is only laid down as a rule of jurisdiction of the President of the Republic. The question arises as to the relationship between the institution of pardon and the law. Three simplistic answers are possible: one is that ‘pardon precedes law’, i.e., that pardon is a completely lawless institution. According to the other approach, pardon is to be granted only in accordance with the law, i.e. ‘pardon in accordance with the law’, because pardon – as a state action – is subject to the rule of law. The third group consists of opinions arguing for the abolition of the pardon of the head of state under the slogan ‘law instead of pardon’. The paper reviews the arguments in favour of presidential pardon, which provide the basis for a framework of requirements and expectations of the rule of law regarding the exercise of the right of the President of the Republic to individual pardon. In doing so, it discusses the justification of pardon in the rule of law, the relationship between pardon and the separation of powers, the aspects of pardon, its exceptions and prohibitions, as well as the problems of its arbitrariness and regulation, and the specificities of the decision of the head of state.

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THE CHALLENGES OF DIGITALISATION OF PUBLIC SERVICES

Examples from Estonia, Hungary and Romania

Csaba Borboly – István Szőcs – Ernő-István Bajkó

The aim of the study is to review the central role of digitalization in the transformation of public administration. Among the issues raised in a regional context, are the digitization of internal workflows and electronic services for citizens, and the importance of preparing the population in digital competences. It was considered important to address how these factors affect administrative processes and the diffusion of the use of online platforms. We examined how the interconnection of different forms and applications available electronically, as well as the interoperability of registers and databases, can speed up and simplify administrative procedures, making it easier for citizens to access public services. The central issue of the study is to analyze the differences between digitization processes in local public services and the different approaches used in Estonia, Hungary and Romania in order to develop a more effective digitization strategy and a more inclusive public administration.

AUTOMATED DECISION-MAKING FROM A VIRTUE-ETHICS PERSPECTIVE

Ádám Csigi

The first half of this paper seeks to outline the primary objectives behind the structural development of public administration, such as efficiency, effectiveness so as the digitalisation, automated decision-making processes, and the increasing use of artificial intelligence that this requires. In the second half the general nature of this trend will be explored from a perspective based on virtue-ethics, regarding its challenges using artificial intelligence, automated processes, and automated decision-making. The thesis of the paper is that the increasing automation of procedures and decision-making in the name of efficiency and effectiveness, and the increasing use of artificial intelligence does not promote the personal fulfilment and moral development of individuals and when evaluated from a virtue-ethics perspective, undermines the viability of individual responsibility.

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THE IMPORTANCE OF DIGITAL DATA AND DATA MANAGEMENT, THE SOCIAL ENVIRONMENT AND PRESENTATION OF ASPECTS IN USING DATA

László Kun

Digitalisation is one of the most important, comprehensive socio-economic changes of the past decades, which does not only mean the execution of existing processes with digital tools. It also shapes and will shape the internal relations of society and the economy in many aspects and creates new solutions (it is enough to think about the recent debates about artificial intelligence and the possible consequences related to its use as an example).

The digital tools which form the necessary basics of digitalisation, operate by storing, transmitting and processing digital data. These tools are common in the most diverse spheres of society, and almost every organisation uses them in everyday activities. Common and technology neutral characteristic of IT tools and solutions is, that their operation is based on digital data and information, and these tools form large-scale – even global – IT networks based on the use and transmission of digital data. The spread of digital technology as a basic necessary infrastructure for the operation of organisations made the proper implementation of digital data management particularly important task and an opportunity at the same time for all organisations.

The article – in order to develop data awareness, which is critical for data management also – reviews the concept of data, the most important data definitions, the external

circumstances and influencing factors determining data management, and summarises some aspects that should be taken into account during data management activities.

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DIGITAL CREDITWORTHINESS ASSESSMENT: STRICTER REGULATION, MORE COMPLICATED PROCESS?

Veronika Lakatos

In the digital environment the access to credit is becoming easier and faster, and therefore more dangerous. Lenders are obliged to perform creditworthiness assessment before granting credit, but over-indebtedness still exists in the European financial market. The new EU Consumer Credit Directive reinforces the importance of creditworthiness assessment, but regulation is still unlikely to be uniform across all Member States. In addition, the financial environment is constantly changing: after open banking, new open finance ecosystem is now being built, allowing financial data to be shared not only between banks but also between different financial service providers. Under open finance, customers' financial data will be made available to third parties if the customer gives their consent. This will allow financial service providers to offer personalised services based on more accurate and detailed information, and creditworthiness assessment and scoring will be transformed: credit scoring modelling based on customers' banking transactions will be possible in the future, instead of or in addition to the information that has been available so far. The EU's new draft regulation on a framework for Financial Data Access will give consumers the choice of whether to share their data with their financial service provider. The question rightly arises as to whether consumers will be able to see the consequences of this choice.

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OCCUPATIONAL SAFETY IN THE DIGITAL WORLD

The Challenges of Implementing the Smart Digital Monitoring Systems for Occupational Safety and Health in the Administrative Procedures

Kinga Nagyné Hokstok

The study examines the challenges and opportunities of implementing digital workplace safety and health systems. New technologies such as artificial intelligence, machine learning, wearable devices, and IoT are revolutionizing occupational safety but cannot replace existing procedures. Successful implementation hinges on providing adequate resources, including practical codes, guidelines, and training materials. Intelligent

systems effectively identify and measure data, reducing workers' exposure to risks and optimizing accident investigations. However, new technologies also raise ethical and data protection issues that need attention. Authorities play a crucial role in establishing legal frameworks and monitoring risks. The study emphasizes that the introduction of digital systems involves not only technical but also social and legal challenges. In addition to data protection, ownership, and security issues, protecting workers' privacy is paramount. The application of digital systems in workplace safety and health can bring significant benefits, but only if their implementation is thoughtful and well-regulated.

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SMART VILLAGES, A CHANCE TO DEVELOP SMALL VILLAGES

Anett Ott

The problem of small settlements is a current problem. The fight against their depopulation is continuous and recurrent. In the present study, I will outline a somewhat futuristic development option that is still in its infancy in Hungary. Smart villages have become an option for urban development in the last 5-6 years, but rather I will explore different smart options to improve the situation of villages. They could be made more attractive to young people. There are a lot of problems in the implementation itself, as in our country the primary development would have to be invested in infrastructure in order to make smart village development feasible. Though there are already smart village developments at national level, both in agriculture and tourism. I am looking into the situation of e-government, various smart options, and of course I am also looking at how similar efforts have already been implemented abroad. The final result would be the creation of the smart area itself, which is a future-oriented endeavour. One of the engines of development could even be the revival of small regions, as this would also support community building, and where there is a community, there will be aspiration. To make these eco-village developments more widespread, you need a local community with a vision, a plan for the future, creativity, commitment and commitment to sustainability, this way development could be achieved.

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PUBLIC ADMINISTRATION IN THE AGE
OF DIGITALISATION IN THE MIRROR OF THE DIGITAL
DIVIDE – STILL WAITING FOR SUCCESS?

Zita Szakálné Szabó

The digital development of recent years has had an impact on every sector of the economy and society, as more and more people handle their affairs online and take advantage of the opportunities offered by e-government. However, how has Hungary's digital economy and society evolved in the nearly twenty years since the launch of the government portal, Ügyfélkapu, on April 1, 2005, through which tax returns and other official document procedures can be processed? In June 2006, researchers from the Szonda Ipsos Infocommunications Department investigated the knowledge about online administration, the familiarity with Ügyfélkapu, and the acceptance and spread of digital signatures, based on three main areas of inquiry. As a conclusion of the research report, the survey indicated that "the majority of the population [...] is unaware of or only vaguely familiar with the availability of electronic public administration in Hungary." At the time, the Hungarian population was skeptical of the spread of e-administration, even though 55% of people in the European Union who used e-government services expressed a relatively positive opinion about the possibilities. Based on these results and my own non-representative research findings, I examined how e-government has brought about change, and how the rapid development of information and communication technologies has influenced the development and transformation of society and the economy. Additionally, I looked into the current state of the digital divide and its potential connection with digital maturity.

