Legal retroactions on IT
A critical reading of the AI Act

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1- AI and Regulation are not separate notions

- AI = sofware = series of conditional instructions = AI Act

- Concept of 'governing machine' (D. Dubarle, 1948 and N. Wiener, 1950)

- EC's Digital-ready legislation

- Streamline the software process, from EC Joint Research Center to technical standards

- Most of AIAct provisions are encodable (see eg. Human supervision will be enforced with harmonized standard under construction)

- Software programming gets closer to natural language. Writting law gets closer to technical specification.

- Only an AI can rule an AI

=> IT law is closed to software specification

2- Inconvenience

- Confusion and illusion
  - See eg. Circular definition of 'system'
  - Is it sufficient to regulate the results on the screen?

- Fostering unnecessary software transformation
  - Quality of a software cannot be reduced to legalty

Conclusion: how to do better?

I suggest that a new EU instrument is necessary, grounded on reasonable and technically realistic discussions and notions (system? Program? Integration? Propagation? Process automation? bureaucracy?

Then lawyers know how to deal with legal contradictions.