



## AI and Digital Hub



### Conditions for participation in the DRCF AI and Digital Hub ('Hub')

- The multi-regulator informal advice (**Informal Advice**) offered by some or all of the CMA, FCA, ICO and Ofcom as applicable, to participants through the Hub is solely in relation to their specific queries. As a result, the Informal Advice should not be viewed as a full examination or audit and will not identify all of the risks associated with the product or service to which the participant's query relates. This remains the case even if the Informal Advice raises issues that the participant has not expressly mentioned in their query.
- Unless expressly stated otherwise, the Informal Advice will be based on the specific information that the participant shared with the Hub and the relevant DRCF Regulators' understanding of the legal and regulatory frameworks within their remit in force as at the date of the provision of the Informal Advice. The Informal Advice is only directly applicable to the relevant participant and is specific to their circumstances at the specific time of their query and as described by them through the information they provided to the Hub.
- The Informal Advice does not cover any legal or regulatory aspects outside the scope of the DRCF Regulators' remits that may arise from a participant's query (for instance under the National Security and Investment Act 2021). With regards to the CMA's remit, the Informal Advice will not cover the CMA's functions under the Subsidy Control Act 2022 and the UK Internal Market Act 2020.
- Participants are not required to take account or rely on the Informal Advice, and it is not a replacement for any independent legal advice participants may have obtained or may wish to obtain. Participants remain responsible for compliance with all legal and regulatory obligations, whether within the remit of DRCF Regulators or otherwise.
- Participants will need to remain open and transparent at all times in relation to their query including before and during the time of their participation in the Hub. If participants are aware of any information that they believe would affect the Informal Advice, they should inform the Hub in writing immediately, in particular they should

inform the Hub of any change of circumstances which could mean that they no longer meet the eligibility criteria for the Hub.

- A separate case study based on the Informal Advice and giving due regard to any confidentiality concerns (and after consultation with the participant), will be published. Participants should clearly identify confidential information in their submission to the Hub, including any third-party confidential information, and provide clear reasons why they regard such information to be confidential. They should also clearly identify, within five working days of receipt of the Informal Advice, which information contained in the Informal Advice they consider to be confidential information and provide clear reasons why they regard such information to be confidential. Please note that if the submission or any related correspondence does contain third party confidential information (e.g. from a business partner), then the Participant must ensure that it has the permission of the third party in question to use that information for the purpose of engaging with the Hub. Where the confidential information contains personal data the Participant must ensure that the disclosure is compliant with UK GDPR.
- The provision of the Informal Advice (and publication of a case study) should not be taken to mean that any DRCF Regulator has approved or endorsed a participant's query or specific business model, product or service. It does not fetter the discretion of any DRCF Regulator to subsequently take a different regulatory position or action. Any Informal Advice is given without prejudice to any decision or action that DRCF Regulators may individually take against participants in the future, including any enforcement in line with their statutory powers or other legal or regulatory action. The positions reflected in the Informal Advice may change over time, for example on receipt of further information, or following a change in law, court judgments, regulatory guidance or DRCF Regulators' policy.
- Working with the Hub does not prevent legal or regulatory action by the DRCF Regulators or by any other competent regulatory body or authority. The Informal Advice does not affect rights conferred on third parties (such as participants' customers), nor does it bind or create any precedents for any courts and may not reflect the views of other competent regulatory body or authority within or outside of the UK.
- Participants' involvement in the Hub will end upon the participant's receipt of the Informal Advice unless it ended earlier. DRCF Regulators may, at any time terminate, with immediate effect, a participant's involvement with the Hub in particular if: (i) we determine that the participant's conduct, either in involvement with or outside of the Hub, is contrary to the public interest or is likely to bring DRCF Regulators into disrepute; or (ii) DRCF Regulators cease to operate the Hub for any reason; or (iii) a

change in circumstances means that the participant no longer meets the eligibility criteria for the Hub to review their query.

- Neither the participant nor anyone acting on their behalf may publicise, nor make any statement or announcement, either expressly or by implication, that suggests that DRCF Regulators have approved, endorsed, or otherwise accepted that the participant's query or specific business model, product or service complies with legal and/or regulatory requirements as a result of their involvement with the Hub.
- The participant must not share the Informal Advice with any other party (either in part or in full) without the relevant DRCF Regulators' express permission. This does not prevent the participant from disclosing the Informal Advice to their legal advisers or auditors provided attention is drawn to this disclaimer and the Conditions for Participation when doing so.