
Banijay's AI Policy

*Artificial Intelligence (AI), if used appropriately, can be a hugely advantageous tool for **Banijay Entertainment and Banijay Live**. Creating value and new possibilities, not only aids us in scaling up fast, but importantly, can take out the time-consuming parts of the journey to do so. However, using this technology without adequate knowledge and training, and ignoring the associated risks, could be more damaging than anything else... to people, productions, our IP and its rights, companies, and the group at-large.*

While Banijay, as an innovative content and entertainment powerhouse, supports and encourages the use of AI tools across all departments, it requires its employees to tread with caution given how new this technology is, and how rapidly it is evolving.

It is the responsibility of everyone working for the group worldwide to use AI-supported tools in a safe and responsible manner. Therefore, this policy provides helpful information, as well as guidelines and strict rules. While following this policy is mandatory, we expect supplementary and complementary local AI policies may be implemented by your local country management.

*When we refer to AI risks, we tend to do so in relation to **Generative AI**. Traditional AI normally follows the rules that it is programmed with and therefore can predict or make decisions but does not create anything new. Traditional AI has been widely at-play for many years. Meanwhile, **Generative AI** can create something new from the information or prompts introduced to its system. The reason being, it has learned from the patterns and structures of previous input – huge volumes of information or data sets. It also has the ability to train and improve itself with information we all input, which it retains without any permissions. Examples of Generative AI include ChatGPT, Microsoft Copilot, Midjourney and DALL-e.*

*For the purpose of this dedicated policy, we refer only to **Generative AI**.*

Risks of using AI

AI-associated risks can be divided into two buckets – risks related to the input of information, or prompt; and risks related to the use of the output of an AI tool.

Input risks

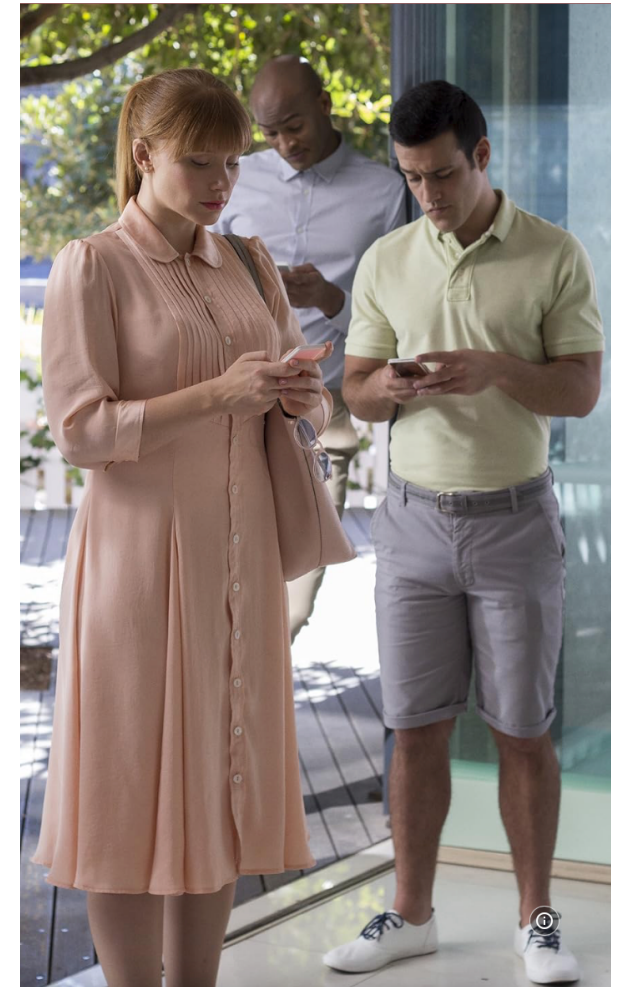
- a) AI can use information entered into the system to create output for all users. That means sensitive/confidential/competitive information or personal data is exposed to disclosure, leading to irreparable personal, competitive or economical damage.
- b) AI may use our input to train itself to do what we do – create valuable content (or elements of), ultimately establishing itself as an artificial competitor.

Output risk

- a) At the time of drafting this policy, in most countries copyright protection is not granted to any works made by – or with – AI. If copyright protection is ever granted, it is likely it would only be granted to the AI tool owner, not to the human utilising the product. Additionally, it may even be subject to financial obligations, such as sharing the economic value with the AI tool. As a group built on creativity, copyright protection is key to our business and we cannot risk weakening our primary asset; our IP.
- b) Given AI tools have been trained with large volumes of data, the output may be similar to existing works used to train the tool. If such works are protected by copyright or other IP, using the output may be considered a breach of a third-party's IP right.

Social Consideration

The rapidly growing societal impact of AI generates passionate debates around the world, and more specifically in our industry. While AI can be very beneficial for Banijay, it is important to keep the social impact in mind, and act and use it diligently in line with the group's wider ESG values.



Contractual Risk

We see increasing reference to AI in our third-party contracts. Some even prohibit the processing of their work or services through AI (whether Generative AI or Traditional AI). Clients may also restrict or limit the use of AI for the creation of content we produce for them. It is therefore important to check you have all necessary rights to utilise the tool in the way you wish.



Legislation

AI legislation is in development worldwide. Although most countries lack specific AI laws for now, extensive legal frameworks are expected to evolve in the near future. The EU Artificial Intelligence Act for instance, is effective from 1st August 2024, and will apply to the development, exploitation and use of AI in the EU, including to products coming from outside Europe.

The use and development of AI tools within Banijay should always be in accordance with applicable local laws. With this in mind, please consult your respective legal teams with any questions.

AI: Dos and Don'ts @ Banijay

To avoid risks, we expect you to comply with following rules.

1. **Be smart and responsible** when you use AI. Make sure you know the usage risks and keep social impact in mind. Of course, use common sense – sometimes the use of AI may not be appropriate in certain circumstances.
2. **Only use AI tools that are approved by your local legal team.** If you are interested in engaging with a specific AI tool, please consult your local management team, who will refer to your local legal team when appropriate. Banijay's legal and IT teams are cooperating to review the terms & conditions of AI tools before they are approved for use.
3. **Never create solely with AI.** At the heart of Banijay is talent and creation, and we therefore believe AI cannot compete with the unrivaled creativity already within our walls. Our creations are our business, and our main assets, since they are copyright-protected. Without that protection, they are free to use, and free to copy, by everyone. AI-created works are NOT copyright protected. Therefore, AI tools can only be used to support an element of your creative process, not deliver the entire process and its subsequent creation. If copyright protection is essential for the work you create, you should therefore not use AI for creation. For those using AI in their creative process or in the course of their production, please **a)** use it for part of the production which does not specifically require copyright protection; **b)** log that use as well as your human input and creation; **c)** be transparent and **d)** ensure the broadcaster is included in your decision to use AI. If in doubt, avoid AI.
4. **Only share materials with an AI tool if you are legally entitled to do so.** Either because you created it, or because you have obtained the contractual right to process the materials in an AI tool.

5. **Never share sensitive information with an AI tool.** That means no personal data, confidential information, commercially sensitive information or data can be input to AI, unless the AI tool is explicitly marked safe in the processing of sensitive information by your local management. It is also important to always remember that other legal obligations like GDPR and other privacy protection rules still apply.
6. **Be critical about the output received through AI.** Consider whether the output resembles an existing copyright-protected work in a way that could be considered a breach of copyright. Also keep in mind that AI's answers to your questions may not be 100% correct – everything should always be interrogated.
7. **Comply with applicable law.** In most countries there will be legal restrictions for the use of certain AI tools; the purpose of the use; or the transparency of the use of AI in communication to the public, if not already in place. If in doubt, consult with your local legal team.
8. **Do not directly or indirectly sell or license access to Banijay systems or Banijay content to third parties to train their artificial intelligence models.** Tech companies are interested in our high quality content to train their AI video creation models. Any such decision can only be taken by Banijay's central management. Please contact Banijay's *Chief Digital and Innovation Officer* if you are approached by third parties for that purpose. Also be cautious not to grant such rights to your clients.
9. **Ensure that you are contractually allowed to use AI.** While more and more opportunities arise to use AI in our processes, we have to think ahead and ensure that the necessary rights to do so are contractually agreed with talent, writers and other parties involved in creation.

Future and caution

As technology develops fast, we will update this policy as necessary.

In the meantime we should all be extra cautious when we enter into agreements in which we obtain rights to use AI, or grant such rights to third parties.

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While these rules are primarily intended to apply to Banijay Entertainment, they are a useful guidance for Banijay Live by setting key principles and points of attention when using AI and contracting with third parties.

Local Policies

Your local management may well have issued a more detailed AI policy already. While we ask that you read this policy, you should absolutely follow the detailed policies pertaining to your territory and/or business. Should you feel any local AI policies are contradictory of Banijay's policy, we ask that you consult your local legal team or Banijay's to discuss.

New Initiatives

If you develop new local initiatives or concepts that include the use of AI, please inform the central team.

