

中国科技战略 China Technology Strategy

AIGC 迭代迅速，OpenAI 建议规范 AI 监管

AIGC Iterates Rapidly, OpenAI Proposes Standardized AI Regulation

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热点速评 Flash Analysis

(Please see APPENDIX 1 for English summary)

事件

5月16日，美国国会召开主题为“AI监管：人工智能规则的听证会”，首次对OpenAI创始人Sam Altman质询，ChatGPT和其他生成式AI工具的不断出现引发了美国立法者对AI安全的担忧，参议院表示该场听证会开启了对人工智能先进算法和强大技术的监督和阐释工作。

点评

AI技术监管意义重大，Altman建议引进监管机制。在听证会上，Altman表示AI技术的迅速发展无疑将会增加潜在风险和滥用，可能对世界造成的重大伤害，他认为加强AI技术监管，并引入政府监管在确保AI技术负责任的发展方面是十分重要的。此外，在监管措施方面，Altman还提出了一个成体系的有准备的方案：1) 成立一个新的政府机构，负责LLM的授权，同时也有权撤销不符合标准公司的许可证；2) 为AI模型建立一套安全标准，对其危险性进行评估；3) 需要独立专家对模型的各个指标进行独立评估。我们认为Altman对技术的担忧是合理的，只有制定相关监管措施，才能确保AI的安全和道德的发展。

AI集中度提高有利有弊，OpenAI或将涉足广告业务。在听证会中，议员对于企业在AI领域的高度集中和垄断表示担忧，但是Altman指出，目前只有少数的供应商能制造生成式AI大模型，但是在AI领域的竞争是足够的。集中度的提高有利有弊，虽然增加了垄断风险但是因为真正需要密切关注的目标较少，所以反而易于监管。我们认为，AI领域具备很强的潜在多样性和创新性，因此如果使用不当破坏性也是巨大，将风险控制在少数公司上或许有利于AI技术的发展。此外，Altman还提到，OpenAI有可能涉足广告业务，虽然他个人喜欢订阅模式，且广告模式不适用于AI系统，但存在潜在客户只接受广告模式的情况。他认为AI不会重蹈社交网络和算法推荐的覆辙，OpenAI在探索商业模式时将更注重用户订阅和价值交换，而非依赖广告收入。

推动AI技术全球合作，加强监管和规范化。面对议员提出的AI是否会像社交媒体一样成为新的数字殖民工具，Altman提到OpenAI关注并致力于推动AI技术的全球化和包容性发展，最新版本的ChatGPT在支持多种语言方面已经取得了很大进展，OpenAI愿意与合作伙伴合作，将更多小语种纳入模型。此外，Altman认为美国1996通过的针对社交媒体的条款已经不适用于人工智能，他主张建立类似国际原子能机构的组织，旨在为AI制定全球规则，以确保其安全和可持续性发展。

风险

人工智能发展不及预期；政策风险等。

图表 1 中国数据监管法规和指导性文件

法律或文件名称	生效时间	相关内容
《关于维护互联网安全的决定》	2000年12月	赋予了相关部门在网络空间范围内对个人数据资料处理进行监管的权力
《关于加强网络信息保护的决定》	2012年12月	首次以个人数据保护为核心制定法律制度,要求有关主管部门依法打击网络信息违法犯罪行为
《信息安全技术公共及商用服务信息系统个人信息保护指南》	2012年11月	规范个人数据保护的监督机制
《个人信息出境标准合同规定(征求意见稿)》	2022年6月	跨境流动监管机制的完善
《网络安全法》	2017年6月	确立了网络安全的监督管理工作的协调监管机制
《个人信息保护法》	2020年	关注个人数据保护,对一般数据和敏感数据进行分类监管,要求全程监督从事前合规审计到事后救济处罚
《民法典》	2020年5月	首次将数据确认为一种民事权益
《数据安全法》	2021年	注重宏观数据安全,在数据监管方面取得了新的进展
《个人信息出境安全评估办法(征求意见稿)》	2019年	规定了数据出境安全评估的范围、条件和程序,提供具体指引
《数据安全管理办法(征求意见稿)》	2019年	规定了网络运营者发布、共享、交易或向境外提供重要数据前应进行的安全风险评估和报备程序
《关键信息基础设施安全保护条例》	2021年	规定关键信息基础设施的安全保护措施,防止遭到破坏、丧失功能或数据泄露可能严重危害国家安全、国计民生、公共利益的网络设施
《网络数据安全管理条例(征求意见稿)》	2021年	要求大型互联网平台运营者在境外设立总部或运营中心时需报告,加强对境外数据交流的监管
《网络安全审查办法》	2022年	针对涉及国家安全的重大网络产品和服务,规定了安全审查的程序和要求
《关于审理使用人脸识别技术处理个人信息相关民事案件适用法律若干问题的规定》	2021年7月	明确人脸识别技术处理个人信息的法律适用问题
《互联网信息服务算法推荐管理规定(征求意见稿)》	2021年8月	旨在规范互联网信息服务算法推荐行为,增加算法推荐的透明度和公正性
《个人金融信息保护技术规范》	2020年	关注金融领域个人数据的安全保护,规定了技术规范和措施
《汽车数据安全若干规定(试行)》	2021年7月	针对汽车领域数据的安全管理进行规范
《征信业务管理办法》	2021年9月	关注征信业务数据的管理和保护
《车联网(智能网联汽车)网络安全标准体系建设指南(征求意见稿)》	2021年6月	针对车联网网络安全建设提出指导意见
《网络安全产业高质量发展三年行动计划(2021-2023年)(征求意见稿)》	2021年7月	规划网络安全产业的发展方向和目标
《网络安全审查办法》	2021年11月	强化对网络安全事件的审查工作
《数据安全认证实施规则》	2022年6月	规定数据安全认证的具体实施规则
《数据要素作用的意见》《构建数据基础制度更好发挥作用、赋能实体经济的意见》	2022年6月	关注数据要素的作用和数据基础制度建设
《建立数字经济发展部际联席会议制度》	2022年7月	加强数字经济发展的协调和指导
二十大报告	2022年10月	包括《关于数字经济发展情况的报告》和《国务院关于数字经济发展情况的报告》等
《工业互联网综合标准化体系建设指南(2021版)》	2021年12月	旨在推动工业互联网标准化体系的建设

资料来源:国务院,人大常委,深改委,网信办,信部,国家市场监督管理总局,海通国际整理

图表 2 中国数据监管法规和指导性文件

法案名称	主要内容
《美国外国投资风险审查现代化法》	加强对外国直接投资的监管和审查。
《美国澄清海外合法使用数据法》	明确和规范美国执法部门对于跨境数据的获取和使用
《美国国家安全与个人数据保护法》	确保在国家安全利益和个人数据保护之间取得平衡
《美国信息自由法》	保护和促进信息自由，维护言论自由和新闻媒体的独立性。
《美国开放政府数据法》	促进政府数据的开放和透明，提供公众访问和使用政府数据的机会。
《美国数字权贵和透明法》	加强对数字平台的监管，保护消费者权益并提升透明度。
《美国金融消费者保护法》	保护金融消费者免受不当行为和欺诈，监管金融市场并提供消费者权益保护。
《美国计算机欺诈和滥用法》	禁止计算机欺诈和滥用行为，包括未经授权访问计算机系统、网络诈骗等。
《美国隐私法》	保护个人隐私权，规范个人数据的收集、使用和共享。
《信息安全港框架协议》	建立信息安全框架和标准，促进信息共享和合作，加强网络安全防护。
《隐私盾协议》	提供一种机制，用于跨境数据传输时遵守数据隐私保护的要求
《潜清境外合法使用数据法案》	明确和规范执法部门在搜集和使用跨境数据时遵守法律程序和隐私保护原则。

资料来源：政府公告，海通国际整理

APPENDIX 1

Summary

Event

On May 16th, the United States Congress held a hearing on "AI Regulation: Hearings on Artificial Intelligence Rules," marking the first time OpenAI founder Sam Altman was questioned. The emergence of ChatGPT and other generative AI tools has raised concerns among U.S. legislators about AI safety. The Senate stated that the hearing initiated the supervision and interpretation of advanced algorithms and powerful technologies in the field of artificial intelligence.

Comment

Regulating AI technology holds significant importance, and Altman proposes introducing regulatory mechanisms.

During the hearing, Altman expressed that the rapid development of AI technology undoubtedly increases potential risks and misuse, which could cause significant harm to the world. He believes that strengthening AI technology regulation and introducing government oversight are crucial for ensuring responsible development of AI technology. Furthermore, Altman proposed a comprehensive and prepared plan for regulatory measures, including: 1) establishing a new government agency responsible for licensing AI models and having the authority to revoke licenses from non-compliant companies; 2) establishing a set of safety standards for AI models and assessing their potential dangers; 3) requiring independent experts to conduct evaluations on various metrics of the models. We believe Altman's concerns about technology are reasonable, and only by implementing relevant regulatory measures can the safety and ethical development of AI be ensured.

Increased concentration of AI has pros and cons, and OpenAI may venture into the advertising industry.

During the hearing, lawmakers expressed concerns about the high concentration and monopolization of companies in the AI field. However, Altman pointed out that currently only a few vendors are capable of building large generative AI models, but competition in the AI field is sufficient. The increased concentration has advantages and disadvantages. While it increases the risk of monopolies, it also makes it easier to regulate because there are fewer targets that require close attention. We believe that the AI field possesses strong potential diversity and innovation. Therefore, although there are significant risks if misused, concentrating the risks in a few companies may be beneficial for the development of AI technology. In addition, Altman mentioned that OpenAI might enter the advertising business. While he personally prefers subscription models and acknowledges that advertising models are not suitable for AI systems, there may be potential customers who only accept advertising-based models. He believes that AI will not repeat the mistakes of social networks and algorithmic recommendations. When exploring business models, OpenAI will prioritize user subscriptions and value exchange rather than relying on advertising revenue.

Promoting global cooperation in AI technology, strengthening regulation and standardization.

In response to lawmakers' concerns about whether AI would become a new form of digital colonialism, Altman mentioned that OpenAI is committed to promoting the globalization and inclusivity of AI technology. The latest version of ChatGPT has made significant progress in supporting multiple languages, and OpenAI is willing to collaborate with partners to include more low-resource languages in the model. Furthermore, Altman believes that the provisions passed in the United States in 1996 regarding social media are no longer applicable to artificial intelligence. He advocates for the establishment of an organization similar to the International Atomic Energy Agency to develop global rules for AI, ensuring its safety and sustainable development.

Risks

AI development falling short of expectations; Policy risks.

附录 APPENDIX

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优于大市，未来12-18个月内预期相对基准指数涨幅在10%以上，基准定义如下

中性，未来12-18个月内预期相对基准指数变化不大，基准定义如下。根据FINRA/NYSE的评级分布规则，我们会将中性评级划入持有这一类别。

弱于大市，未来12-18个月内预期相对基准指数跌幅在10%以上，基准定义如下

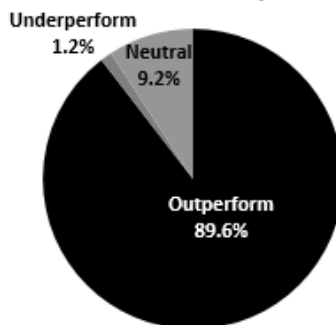
各地股票基准指数: 日本 - TOPIX, 韩国 - KOSPI, 台湾 - TAIEX, 印度 - Nifty100, 美国 - SP500; 其他所有中国概念股 - MSCI China.

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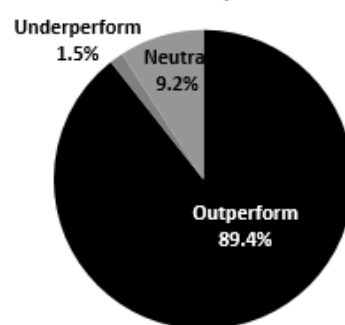
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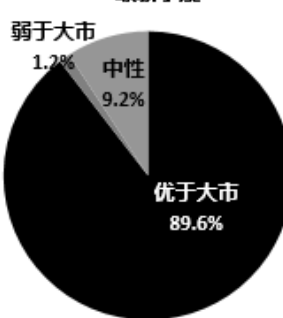
Most Recent Full Quarter



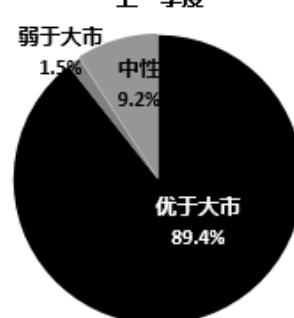
Prior Full Quarter



最新季度



上一季度



considerations.

Analyst Stock Ratings

Outperform: The stock's total return over the next 12-18 months is expected to exceed the return of its relevant broad market benchmark, as indicated below.

Neutral: The stock's total return over the next 12-18 months is expected to be in line with the return of its relevant broad market benchmark, as indicated below. For purposes only of FINRA/NYSE ratings distribution rules, our Neutral rating falls into a hold rating category.

Underperform: The stock's total return over the next 12-18 months is expected to be below the return of its relevant broad market benchmark, as indicated below.

Benchmarks for each stock's listed region are as follows: Japan – TOPIX, Korea – KOSPI, Taiwan – TAIEX, India – Nifty100, US – SP500; for all other China-concept stocks – MSCI China.

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	优于大市	中性 (持有)	弱于大市
海通国际股票研究覆盖率	89.6%	9.2%	1.2%
投资银行客户*	5.2%	6.4%	9.5%

*在每个评级类别里投资银行客户所占的百分比。

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*Percentage of investment banking clients in each rating category.

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