Global Privilege and Professional Secrecy Guide - Philippines

07 - Artificial intelligence

| Contents |
| --- |
| To generate table of contents, right-click here and select **Update Field.** |

# Does the law of privilege or professional secrecy protect inputs by lawyers into generative AI tools and the resulting outputs?

Currently, there is no regulation on whether these inputs or outputs are protected by the law of privilege or professional secrecy. It may be argued that inputs (e.g., prompts entered into generative AI tools) and the resulting outputs (as the third party AI tool is “assisting” the attorney) may arguably be considered as the “work product” of a lawyer, which is privileged under Philippine law. However, if public AI tools are used, which can potentially expose the communication to third parties, this may remove such communication from the protection of the privilege

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