

May 2026

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## Compliance & Risk Management

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D.Lgs. 231/2001

### Supervisory Body and AI: increasingly integrated and stringent controls

The growing adoption of artificial intelligence systems is reshaping internal control frameworks, requiring an increasingly **integrated and structured approach between corporate functions and the Supervisory Body**.

Within the scope of Legislative Decree 231/2001, AI represents both an opportunity and a source of new risks, prompting companies to promptly adapt their organizational safeguards.

First and foremost, companies are required to **map the processes in which AI is used**, assessing the **related risks** (such as algorithmic bias, lack of transparency, and data management issues) and integrating them into the internal control system and the 231 Model.

This entails the adoption of dedicated **policies**, the clear allocation of responsibilities, and the implementation of continuous monitoring tools, including data analytics solutions.

In this context, the Supervisory Body plays a synergistic role by verifying the adequacy of the safeguards and their effective implementation, while also fostering a cultural shift toward the responsible management of emerging technologies.

For companies, investing in integrated and **up-to-date control systems** is not merely a compliance requirement, but also a **competitive advantage**: the ability to govern innovation in a transparent and traceable manner is now a key differentiator in the eyes of stakeholders and the market.

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### The updates introduced by Law 132/2025 on workplace health and safety

On 10 October 2025, Law No. 132/2025 came into force, transposing and supplementing the European AI Act and introducing specific obligations in the field of workplace health and safety.

In particular, article 13 establishes the obligation to **inform** clients or contractors of any use of AI tools in the performance of professional activities, even when AI is used to support the drafting of operating procedures, manuals and technical documentation.

The information must be provided in **clear, simple and comprehensive language**, emphasising that AI may only perform instrumental and support functions, without replacing professional judgement.

The law also defines the general principles for the use of AI in the workplace: intelligent systems must **be safe, reliable and transparent, used with respect for human dignity and the protection of personal data**, and aimed at improving working conditions and the quality of performance.

A central role is also assigned to the **information provided to workers**, who must be aware of the use of AI systems, especially for decision-making or monitoring purposes that affect significant aspects of the employment relationship.

Finally, Law 132/2025 provides for the establishment of a **National Observatory on Artificial Intelligence**, tasked with monitoring, analysing and supporting the informed adoption of these technologies, pending the publication of operational guidelines to assist businesses and professionals in the practical application of the new provisions.

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### Risk Management

## The risks arising from the use of AI systems in the workplace

Artificial intelligence is transforming the world of work, bringing extraordinary opportunities but also significant risks.

The European AI Act (EU Regulation 2024/1689), transposed by Law No. 132 of 23 September 2025, and the ministerial guidelines already identify key critical issues.

The first risk is so-called '**algorithmic discrimination**'.

AI systems used for recruitment may develop **biases** based on gender, age or origin if not properly trained.

Article 5 of the AI Act prohibits biometric categorisation based on inferences regarding race, political opinions or trade union membership. Article 8 of the Workers' Statute prohibits inquiries into political, religious or trade union views: the scope of this provision must certainly be extended to automated systems.

**Invasive surveillance** is the second risk. Constant monitoring of productivity can cause stress, violate privacy and create constant pressure. The legislation provides for transparency and information obligations to ensure human supervision at all times.

The AI Act also prohibits **behavioural manipulation** systems using subliminal techniques.

Finally, to mitigate risks, companies must map and classify AI systems, ensuring **transparency** and human supervision.

Law 132/2025 establishes supervisory authorities and national observatories to monitor the proper adoption of AI, ensuring respect for fundamental rights of workers.