



SME Panel - Automated contracts - AI and smart contracts - 2024 - JUST.A.1

Fields marked with * are mandatory.

Why this consultation?

The Commission is looking into novel forms of contracting, made possible by smart contracts and artificial intelligence (AI), the economic relevance of the use of such technologies for a successful transition to a digital economy, and potential problems for businesses and other interested parties.

What does this consultation explore?

- The use of AI solutions for contracting, where software using AI are involved in contracting by, for example, drafting, reviewing, signing or executing contracts, or by concluding contracts for legal and natural persons.
- The use of smart legal contracts, which are legally binding contracts in which either some or all the associated terms, conditions and rights under the contract are defined in and/or performed by code execution by means of blockchain or distributed ledger technology (DLT).

This consultation is addressed to companies. It will help make policies to address the market uptake and existing barriers to fully capitalize on the advantages of these technologies.

You can create a draft with your answers and edit them later by clicking on 'Save'. You can send the final version by clicking on 'Submit'.

* How did you learn about this survey?

- Enterprise Europe Network
- Other

About your company

* Which country is your business based in?

- Belgium
- Bulgaria

- Czechia
- Denmark
- Germany
- Estonia
- Ireland
- Greece
- Spain
- France
- Croatia
- Italy
- Cyprus
- Latvia
- Lithuania
- Luxembourg
- Hungary
- Malta
- Netherlands
- Austria
- Poland
- Portugal
- Romania
- Slovenia
- Slovakia
- Finland
- Sweden
- United Kingdom
- Iceland
- Liechtenstein
- Norway
- Switzerland
- Montenegro
- North Macedonia
- Albania
- Serbia
- Turkey
- Bosnia and Herzegovina
- Ukraine
- Moldova

* Please select your business' main sector of activity.

NACE Rev.2 Sections

- A Agriculture, forestry and fishing
- B Mining and quarrying
- C Manufacturing
- D Electricity, gas, steam and air conditioning supply
- E Water supply; sewerage, waste management and remediation activities
- F Construction

- G Wholesale and retail trade; repair of motor vehicles and motorcycles
- H Transportation and storage
- I Accommodation and food service activities
- J Information and communication
- K Financial and insurance activities
- L Real estate activities
- M Professional, scientific and technical activities
- N Administrative and support service activities
- O Public administration and defence; compulsory social security
- P Education
- Q Human health and social work activities
- R Arts, entertainment and recreation
- S Other service activities
- T Activities of households as employers; undifferentiated goods - and services - producing activities of households for own use
- U Activities of extraterritorial organisations and bodies

* What is the size of your business?

- single person business / self-employed
- business with 1-9 employees
- business with 10-49 employees
- business with 50-249 employees
- business with 250-499 employees

Does your company operate across borders? [Multiple choice]

- No, we operate in one EU country
- Yes, we operate cross-border in EU countries
- Yes, we operate outside the EU

Which type(s) of customers are your products/services targeted to? [Multiple choice]

- Businesses
- Consumers
- Public administrations
- Other

Section 1: Your company's experience with automated contracting in the past, present, and future

What is your experience with automated contracting solutions? Tick all that apply.

	AI solutions for contracting	Smart contracts
past use	<input type="checkbox"/>	<input type="checkbox"/>
present use	<input type="checkbox"/>	<input type="checkbox"/>
planned future use	<input type="checkbox"/>	<input type="checkbox"/>

We use but plan to stop	<input type="checkbox"/>	<input type="checkbox"/>
We know but do not use	<input type="checkbox"/>	<input type="checkbox"/>

* Please select the technology which is the more relevant to you [single choice] – Note: The answer you select here should be the reference for your answers throughout the survey.

- Artificial intelligence
- Smart contracts
- Both
- None

Section 2: Use cases of automated contracting

At what contractual stage do you use or intend to use automated contracting solutions? Please select all that apply.

- In the pre-contractual phase (e.g., to create contract templates, to automate pricing, for contract review or negotiations)
- To automate the conclusion of the contract (i.e. to conclude the contract, without human review or intervention)
- In the contractual performance phase (e.g., for automated contract management in case of high volume of transactions or repetitive actions or for termination)
- I do not know/Not applicable

What type of artificial intelligence solution does your company use or intend to use?

- A commercial AI solution available on the market that can be customised to a limited extent to the specific needs of your organisation
- A commercial AI solution available on the market that can be fully customised to the specific needs of your organisation
- A tailor-made AI solution developed specifically for the needs of your organisation by an external provider
- An in-house developed AI software for the specific needs of your organisation developed by your own employees
- An open-source AI solution that is freely available
- You do not know/Not applicable

What type of smart legal contract solution does your company use or intend to use?

- Smart legal contracts based on private blockchain
- Smart legal contracts based on public blockchain
- Smart legal contracts based on permissioned blockchain
- You do not know/Not applicable

How will your company use such technology in contracting in the future? [Single choice]

- We plan to expand its use
- We plan to continue its use
- We plan to reduce its use
- We plan to stop its use
- You do not know/Not applicable

Section 3: Benefits of using automated contracting solutions

What are the key benefits of automated contracting solutions (artificial intelligence in contracting or smart legal contracts)? Please select the 3 most important benefits. [Multiple choice – Select up to 3 options]

- Faster contractual processes (e.g., faster conclusion, performance and management)
- Reduction in the costs associated with the entire contracting process
- Ability to handle a larger volume of contracts
- Better accuracy with reduced instances of errors
- Better relationships with customers (B2B and/or B2C)
- Better marketing and market analysis (e.g., price optimisation or finding better offers)
- Better information for decision-making
- Enhanced contracts personalisation/customisation
- More trust in contractual agreements
- Stronger security
- We have realised no benefit from the use of automated contracting solutions
- You do not know/Not applicable

Are there other key benefits of automated contracting solutions? Please answer yes or no or specify.

Please estimate the economic benefits, that you have experienced through the use of automated contracting solutions (use of artificial intelligence in contracting or smart legal contracts) compared to traditional contractual practices.

	No change	Slight improvement (up to 25%)	Moderate improvement (25% to 50%)	Significant improvement (50% to 75%)	You do not know/ Not applicable
Faster contractual processes (e.g., faster conclusion, performance and management)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Overall reduction in the costs associated with the entire contracting process	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased volume of contracts managed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduction in contract-related errors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Section 4: Costs of using automated contracts

Please provide replies in man-hours (for in-house developments), or as absolute costs, for products or services bought from other companies. Please provide estimates of absolute costs in your national currency.

Please provide an estimate of the costs derived by the use of AI contracting solutions or smart legal contracts.

	Absolute cost (external purchases)	Man-hours (in-house developments)	You do not know
Technical set-up costs (e.g., initial purchasing, licensing, customisation of hardware and software, initial staff training and cost of personnel)			
Set-up costs related to legal and regulatory compliance (e.g. expenses related to ensuring that the technology complies with legal standards and regulations, administrative costs, legal advice)			
Recurring technical costs over a one-year period (i.e. all recurring operational expenses related to the ongoing use, maintenance, and support of the technology)			
Recurring costs related to legal and regulatory compliance over a one-year period			

Please rate the level of the costs of using AI contracting solutions or smart legal contracts

	Low	Medium	High	Prohibitive	You do not know
Technical set-up technical costs (e.g. initial purchasing, licensing, customisation of hardware and software, initial staff training and cost of personnel)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Set-up costs related to legal and regulatory compliance (e.g., expenses related to ensuring that the technology complies with legal standards and regulations, legal advice, administrative costs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recurring technical costs over a one-year period (i.e. all recurring operational expenses related to the ongoing use, maintenance, and support of the technology)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recurring costs related to legal and regulatory compliance over a one-year period	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Section 5: Challenges and barriers to implementation

Are the following issues a problem for you to use automated contracting solutions (AI in contracting or smart legal contracts)?

	Not a problem	Minor problem	Considerable problem	Major problem	You do not know
Technical set-up and recurring costs of automated contracting solutions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Legal compliance set-up and recurring costs of automated contracting solutions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Finding staff with the skills and knowledge needed for setting up and operating automated contracting solutions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Predictability and reliability of the outcomes of automated contracting solutions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Rigid execution of contracts (e.g., difficulty to adapt or terminate the contract due to technical constraints)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Integration of the automated contracting solution with existing business operations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Uncertainty of the legal rules applicable to automated contracting solutions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Are there other considerable or major problems for you to use automated contracting solutions? Please answer yes or no or specify.

How do you think these issues will develop in the future?

	Will decrease	Will stay the same	Will increase	You do not know
Technical set-up and recurring costs of automated contracting solutions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Legal compliance set-up and recurring costs of automated contracting solutions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Finding staff with the skills and knowledge needed for setting up and operating automated contracting solutions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Predictability and reliability of the outcomes of automated contracting solutions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Rigid execution of contracts (e.g., difficulty to adapt or terminate the contract due to technical constraints)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Integration of the automated contracting solution with existing business operations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Uncertainty of the legal rules applicable to automated contracting solutions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other issues, as specified in your answer to the previous question	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Thank you!

Contact

[Contact Form](#)

