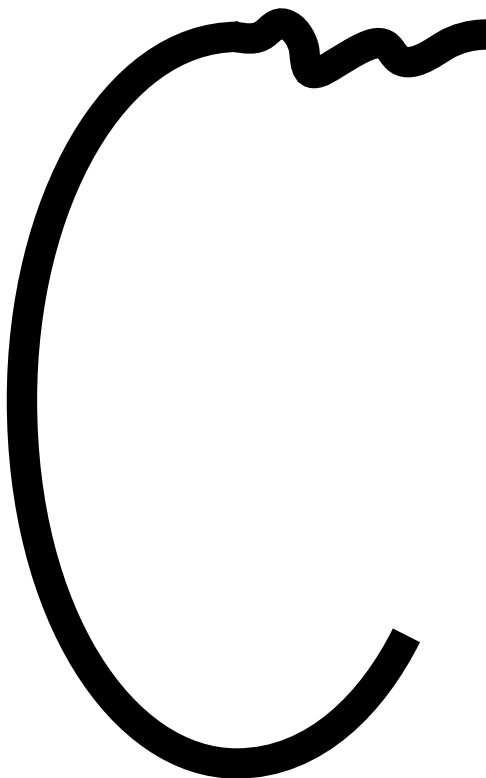# Guidelines on the Use of Generative Artificial Intelligence (GAI)

This document is a descriptive translation of the original Dutch *Richtlijn gebruik generatieve artificial intelligence (GAI).* The English translation is provided for reference purposes only, and in all instances the original Dutch text takes precedence. If you would like to report a translation error or inaccuracy, we encourage you to contact the Creative Industries Fund NL.

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The emergence of generative artificial intelligence (GAI) has prompted the Creative Industries Fund NL to establish guidelines on the use of GAI. GAI development is in full swing, and through this policy the Fund aims to provide clarity regarding the use of GAI in fund processes. This document outlines how applicants, advisers and staff members may use GAI.

This policy applies specifically to the use of GAI and not to other types of task-specific AI focused on the analysis of existing data. Generative AI is a form of artificial intelligence that is capable of generating content (text, images, code, sound, etc.) based on existing data[1]. GAI policy has been established for three different target groups of the Fund:

1   applicants;
2   advisers and self-employed professionals within the work they carry out for the Fund; and
3   staff members of the Fund (including Supervisory Board members).

These target groups have a relationship with the Fund in which the (confidential) processing of data plays a role. Additionally, there are ethical and practical issues surrounding the application of GAI for each target group.

guidelines for applicants

The use of GAI is not excluded for applicants when writing a grant application, provided this is done responsibly. The following guidelines apply. **These guidelines are limited to writing the application.** For the use of GAI in research for which a grant is being requested, the Fund refers to the Netherlands Code of Conduct for Research Integrity (*Nederlandse gedragscode wetenschappelijke integriteit*) and the European guidelines for the responsible use of GAI in research.

1   Applicants are always ultimately responsible for the content of the application. The use of GAI carries the risk of unintended errors, plagiarism or incorrect source references.
2   Generative AI models are not authors or co-authors. The applicants, i.e. the authors of the application, must check the output generated by GAI for correctness, bias, integrity and completeness. To do this effectively, applicants must take into account the limitations of GAI, such as the risk of model bias, plagiarism and incomplete, fabricated and/or incorrect output.
3   Applicants must take into account the risks of using GAI with regard to sharing confidential information, such as personal data and intellectual property. Input for a GAI application, including text, data and prompts, can be stored by a GAI application and reused for other purposes, such as improving the underlying language model or chat functionality. Through this route, confidential information can reach other users of GAI. For this reason, the Fund advises against entering confidential information into a GAI application.
4   When using GAI, applicants must respect (inter)national legislation and guidelines, as well as the General Data Protection Regulation (*Algemene verordening gegevensbescherming*) and any guidelines from their own institution.
5   Applicants must be transparent about the use of GAI when writing the application. If GAI is used as a source within the application, this must be mentioned in the application's references.

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1 Dutch Government definition: "Generative AI is a form of artificial intelligence that is capable of creating text, audio, images, computer code and videos. Unlike task-specific AI which is limited to the analysis of available data, generative AI focuses on creating new results based on already available data."
Rathenau definition: "The name generative AI (GAI) refers to AI systems that can create content automatically, at the request of a user."

6   The use of GAI is entirely at the applicant's risk. The applicant is personally responsible and liable for any breaches of third-party rights or violations of applicable laws and regulations arising from the use of GAI.

7   The applicant indemnifies the Fund against any claims from third parties arising from the use of AI.

guidelines for advisers

The substantive assessment of submitted grant applications to the Fund is carried out by independent advisory committees. These are composed of experts from various fields (the advisers). **The use of GAI is completely excluded in the assessment of an application.**

The exclusion of GAI for use by advisers follows from the duty of confidentiality as stated in Article 2:5 of the General Administrative Law Act (*Algemene wet bestuursrecht*), and Article 14 of the Advisory Committee Procedure of the Fund. Assessors are obliged to maintain confidentiality of all data of a confidential nature that they obtain in the context of carrying out their work for the Fund.

There are several reasons for excluding the use of GAI by advisers:

1. The content of an application (including all attachments and preliminary advice) constitutes confidential information. Entering information from applications into a GAI application constitutes a breach of the duty of confidentiality. This is because information entered into a GAI application generally becomes part of the training data on which the GAI application is further developed.

2. Additionally, the Fund has the so-called "duty of due care"(*vergewisplicht*), as stated in Article 3:9 of the General Administrative Law Act (*Algemene wet bestuursrecht*). This duty of due care means that the Fund must ensure that the research conducted by an adviser has taken place in a careful manner. The use of GAI complicates this research, because it is often not possible to determine how GAI was used and what influence the output of GAI had on an adviser's advice.

3. The use of AI in assessment qualifies - also in light of the European AI Act - as a high-risk application. Such use would be subject to a risk assessment or impact assessment of this use by the Fund. The Fund cannot currently comply with this.

4. The use of GAI also has other significant disadvantages, such as the risk of bias and incomplete, fabricated and/or incorrect output. By excluding GAI in the assessment, it is promoted that the assessment of applications takes place in a non-discriminatory, transparent and independent manner, as intended in the Cultural Funds Code of Conduct (*Gedragscode Cultuurfondsen*) which is part of the Advisory Committee Procedure of the Fund.

guidelines for staff members

For staff members of the Fund (including members of the Supervisory Board) it also applies that the content of an application (including all attachments and preliminary advice) constitutes confidential information. The content of an application may therefore not be entered into a GAI application, in line with the duty of confidentiality. For work that does not involve confidential (company) information or personal data, **staff members may only use GAI applications that have been approved and made available by the board of the Fund.**

When using GAI applications, account must be taken of standards for quality, transparency, integrity, information security, confidentiality (including security-by-design and privacy-by-design) and other applicable laws and regulations. The use of applications not offered by the Fund (and any additional guidelines specifically associated with the designated AI tool/application) is therefore not permitted for work within the Fund.

When using the GAI applications offered by the Fund, the following guidelines apply:

1. Staff members of the Fund are ultimately responsible for the content of their work.
   - Fund staff members must always check and adjust the output generated by GAI for integrity, correctness and completeness.
   - To do this effectively, Fund staff members must be aware of the limitations of GAI, such as the risk of bias, plagiarism and incomplete, fabricated and/or incorrect output.
2. For the time being, it is not permitted to use GAI in the assessment process, with the exception of specified administrative tasks. A list of these will be concluded by the board.
3. It is not permitted to enter personal data into a GAI application, unless explicit permission has been given by the management team/board and the person concerned.
4. It is not permitted to enter confidential company information into a GAI application.
5. Staff members of the Fund must be transparent about the use of GAI.
6. The use of GAI is evaluated annually and recorded in a report.

These guidelines come into effect on 1 February 2026. If necessary, these guidelines will be updated and the current guidelines will be published on the website of the Creative Industries Fund NL.