

THE AI ACT

Transition periods

12 Jul '24 Publication in OJEU
1 Aug '24 Enter into force
2 Aug '26 General Applicability

Exceptions

2 Feb '25 Ch. I (introduction) & Ch. II (prohibitions)
2 Aug '25 Ch. III (NB), Ch. V (GPAI), Ch. VII (governance), Art. 78 (confidentiality), Art. 99 – 100 (penalties)
2 Aug '27 Art. 6(1), ANNEX I & obligations

AIS / GPAIM already placed on the market / put into service

- AIS as components of large-scale IT systems (Annex X) & placed on the market / put into service before 2 Aug '27 comply by **31 Dec '30**.
- All other HRAIS placed on the market / put into service before 2 Aug '26 need to comply **once subject to significant changes**.
 - **Exception:** public authority as provider or deployer - comply by **2 Aug '30**.
- GPAIM placed on the market / put into service before 2 Aug '25 need to comply by **2 Aug '27**.

Responsibilities of the European Commission AI Act Governance

| Establishing AI Governance System | 2 Feb '25 | 2 Aug '25 | 2 Aug '26 |
|--|-----------|-----------|-----------|
| Rec. 20: Promote AI literacy tools & raise public awareness about benefits, risks, safeguards, rights & obligations related to the use of AI systems. | | | |
| Rec. 37, Art. 5(5): Require MSs to decide whether to authorise the use of 'real-time' remote biometric identification systems in publicly accessible spaces for law enforcement purposes. | | | |
| Rec. 126, Art. 30(2): Receive & register notifications from NAs via electronic tool (Art. R23 of Annex I to Decision No 768/2008/EC) listing national NBs. | | | |
| Rec. 126, Art. 30(4/5): Raise objection, consult with relevant MSs and the assessment body, decide on authorization, & inform the MS and assessment body of the decision. | | | |
| Art. 35: Assign unique identification number to NB, even if notified under multiple Union acts, & publish up-to-date list of NBs with identification numbers & activities. | | | |
| Art. 36: Receive & record notifications of changes using electronic notification tool. | | | |
| Art. 37(1): Investigate cases of notified bodies' incompetence / failure meeting Art. 31. | | | |
| Art. 37(4): Inform the notifying MS & request corrective measures, incl. suspending or withdrawing the notification. If MS fails to take measures, implementing act to suspend, restrict, withdraw designation. | | | |
| Art. 38: Coordinate and cooperate between notified bodies for HRAIS. | | | |
| Rec. 127, Art. 39: Explore int. instruments for third-party CA & mutual recognition agreements. | | | |
| Rec. 147, Art. 43: Provide access to testing facilities for CA bodies. | | | |
| Rec. 131, Art. 49 / 71: Establish EU database of HRAIS & act as controller under Regulation (EU) 2018/1725. Develop functional specifications & facilitate an independent audit report. | | | |
| Rec. 138 / 139, Art. 57(1) / 66(k): Provide technical support for establishing and operating AI Regulatory Sandboxes SB. Facilitate cooperation & information-sharing among AI Regulatory Sandboxes. | | | |
| Rec. 139, Art. 57(15): Receive & register the notification of the establishment of a Reg SB & provide support. Publish list of planned & existing SBs to encourage cross-border cooperation. | | | |
| Rec. 139, Art. 57(17): Develop single interface with Reg SB information, allowing stakeholders to seek guidance for innovative products embedding AI. Coordinate with NCAs, where relevant. | | | |
| Rec. 143, Art. 62(3b/c/d): Develop information platform for operators, organise awareness campaigns on reg. obligations, & promote practices in public procurement procedures for AIS. | | | |
| Rec. 149, Art. 65 / 66: Support activities of the subgroup for market surveillance by conducting market evaluations to identify aspects of the AIA requiring coordination among MSAs. | | | |
| Rec. 149, Art. 65(2): Attend AI Board's meetings without participating in the votes. | | | |
| Rec. 149, Art. 65(8): Be Secretariat of AI Board, convene meetings upon the Chair's request. | | | |
| Rec.150, Art. 67(1): Establish the advisory forum (AF). | | | |
| Rec. 150, Art. 67(2/3): Appoint members of the advisory forum with expertise in AI (para 2). | | | |
| Rec. 151, Art. 68(1/5): Establish scientific panel (SP) & clarify its conditions, procedures, & structure and level of fees (Art. 69(1)) that MSs pay for their support. | | | |
| Rec. 151, Art. 68(2): Select experts for the SP based on expertise. Determine number of experts on the panel by the required needs. Ensure gender & geographical representation. | | | |
| Rec. 151, Art. 68(4): Publish decl. interests of SP expert & systems. | | | |
| Rec. 163, Art. 68 / 90: Equip SP with the information to perform tasks. Establish a mechanism for the SP to request the EC to require documentation or information from a GPAI model provider. | | | |
| Rec. 151, Art. 69: Facilitate access to experts by MSs & ensure support for Union AI testing. | | | |
| Rec. 153 / 154, Art. 70(2): Register identity of authorities & publish list of contacts. | | | |
| Rec. 131, Art. 71(1/6): Set up EU database containing information on HRAIS & act as controller. | | | |
| Rec. 155, Art. 77(2): Receive and assess a list of National public authorities or bodies which supervise or enforce obligations under Union law protecting fundamental rights. | | | |
| Rec. 152, Art. 84: Designate Union AI testing support structures to perform tasks in AI testing. | | | |
| Rec. 162, Art. 89(2): Provide for the possibility that downstream providers lodge complaints about possible infringements of rules on providers of GPAI models and systems. | | | |
| Rec. 165: Develop initiatives facilitate lowering barriers cross-border exchange for AI development. | | | |
| Rec. 168 / 179, Art. 99(2) / 113: Register the notification by MSs on the rules on penalties and enforcement measures and notify any subsequent amendment without delay. | | | |

| Establishing AI Governance System following EC Decision on AI Office | 21 Feb '24 |
|---|------------|
| Art. 2(2c): Support rapid development & use of trustworthy AIS for societal and economic benefits, promoting innovation ecosystems by collaborating in PPP & start-ups. | |
| Art. 2(2d): Monitor evolution of AI markets and technologies. | |
| Art. 4: Establish platforms for AI providers to promo practices & develop CoC. Consult stakeholders to gather input for decision-making. Collaborate with the open-source community to develop practices for safe open-source AI models. | |
| Art. 5: Collaborate with DGs & EC services, for evaluating & testing GPAI. Support DGs & services in promoting the use of AI. | |
| Art. 7: Work with international partners, promote the EU approach, AI governance & international agreements. | |

Responsibilities of the European Commission

AI Act Secondary Legislation

| Delegated acts* | 2 Aug '25 | 2 Aug '26 | |
|--|-----------|-----------|--------------------|
| Rec. 53 / 173, Art. 6(6/7), 97: Amend Art. 6(3) adding new conditions, modifying, or deleting if there is evidence of the existence of AIS that should <u>not</u> be included in ANNEX III / shouldn't be subject to Art. 6(3). <u>This applies to all the following items under point C.1: Rec. 173, Art. 97(4/5/6):</u> Conduct consultations acc principles in the Interinst. Agreement on Better Law-Making. Ensure equal participation in the preparation of delegated acts by providing documents to the EP and Council at the same time as MS' experts, granting experts access to EC EG meetings. | | | ** |
| Rec. 52 / 173, Art. 7(1/3) / 97: Amend ANNEX I & III, by adding, modifying & removing HRAIS use-cases. | | | |
| Rec. 71 / 173, Art. 11(3) / 97: Amend Annex IV, to ensure that, in light of technical progress, the technical documentation provides needed information to assess the system's compliance. | | | |
| Rec. 124 / 173, Art. 43(5/6) / 97: Amend Annexes VI & VII by updating them in light of technical progress & amend Art. 43(1/2) to subject HRAIS ref. in points 2 to 8 of Annex III to third-party conformity assessment. | | | |
| Rec. 173, Art. 47(5) / 97: Amend Annex V by updating the content of the EU Declaration of Conformity set out in that Annex to introduce necessary elements in light of technical progress. | | | |
| Rec. 111 / 173, Art 51(3) / 97: Amend thresholds for systemic GPAI models (Art. 51(1/2)) & supplement benchmarks & indicators in light of evolving tech dev, (algorithmic improvements or increased hardware efficiency for these thresholds to reflect the state of the art. Supplement with benchmarks and indicators for model capability. | | | |
| Rec. 112 / 173, Art. 52(4) / 97: Amend Annex XIII by specifying & updating criteria for systemic GPAI models. | | | |
| Rec. 101 / 173 / 179, Art. 53(5/6) / 97: Amend Annexes XI & XII in light of evolving technical developments & detail measurement & calculation methodologies to allow for comparable and verifiable documentation. | | | |
| Implementing acts* | 2 Aug '25 | 2 Feb '26 | 2 Aug '26 |
| Rec. 175, Art. 37(4) / 98(2): Suspend, restrict or withdraw the designation of notified bodies when the MS fails to take the necessary corrective measures. | | | |
| Rec. 121 / 175, Art. 41(1/4) / 98(2): In the absence of relevant references to harmonised standards (HS), establish common specs. (CS) for requirements for HRAIS or GPAIM. Repeal IA when HS cover same requirements. If a CS does not meet the requirements, the EC assesses the information and, amend IA. | | | |
| Rec. 135, Art. 50(7) / 98(2): Approve Code of Practice to facilitate implementation of obligations re detection & labeling of artifi generated or manipulated content (Art. 50(7)) by Art. 56(6). If code inadequate, use IA to establish a set of common rules for implementing the obligations of Art. 50. | | | |
| Rec. 117, Art. 56(6/9) / 98(2): To approve a Code of Practice or GPAIM & give it a general validity in EU. If code is inadequate, provide IA on common rules for impl. obligations of Art. 53, 55, 56(2). | | | |
| Rec. 139 / 175, Art. 58(1) / 98(2): Specify arrangements for establishment, development, implementation, operation and supervision of the AI regulatory sandboxes. | | | |
| Rec. 141 / 175, Art. 60(1) / 98(2): Specify the detailed elements of the real-world testing plan. | | | |
| Rec. 155, Art. 72(3) / 98(2): Adopt IA laying down template for PMM plan from providers of HRAIS. | | *** | |
| Rec. 164 / 175, Art. 92(6) / 98(2): Set out arrangements & cond. for GPAI evaluations, incl. experts. | | | |
| Rec. 169 / 175, Art. 101(6) / 98(2): Adopt arrangements & procedural safeguards for proceedings in view of the possible adoption of sanctions for GPAI providers. | | | |
| Guidelines | 2 Aug '25 | 2 Feb '26 | 2 Aug '26 |
| Rec. 53, Art. 6(5): When AIS in ANNEX III can be considered not high risk (HR) - require a <u>comprehensive</u> list of HR and non HR use case examples. | | *** | |
| Rec. 146, Art. 63: For QMS elements that are easier for microenterprises to follow, without compromising level of protection or the requirements for HRAIS. | | | |
| Recital 155, Art. 73(7): Facilitate compliance with the reporting obligations of serious incidents. | *** | | |
| Art. 96: Practical implementation AIA, incl. obligations Art. 8 - 15, 25, 5, definition of 'substantial modification', 'AIS', Art. 50, interaction with existing laws. Guidelines to be regularly updated. | | | |
| Templates and benchmarks | 2 Feb '25 | 2 Aug '25 | 2 Aug '26 |
| Rec. 38, Art. 5(6): For MSs annual reports on use of 'real-time' remote biometric identification systems in public for law enforcement. | | | |
| Rec. 71, Art. 11(1): Simplified tech. doc form targeted at the needs of small and micro-enterprises. | | | |
| Rec. 74, Art. 15(2): Development of AIS benchmarks & measurement methodologies. Collaborate with international partners on relevant metrology indicators. | | | |
| Rec. 90, Art. 25(4): Voluntary model terms btw. HRAIS providers & 3rd-party suppliers. Consider sector or business case requirements. Publish model terms in accessible electronic format. | | | |
| Rec. 96, Art. 27(5): Question template to simplify FRIA & reduce admin burden for deployers. | | | |
| Rec. 107, Art. 53(1d): Template for summarizing copyright-protected content used to train GPAI model. | | | |
| Rec. 143, Art. 62(3a): Template to address specific needs of SMEs and start-ups. | | | **** |
| Rec. 174, Art. 112(11): Methodology for evaluating risk levels based on outlined criteria to guide the evaluations and reviews in Art. 112. | | | |
| Codes of Practice | 2 May '25 | 2 Aug '26 | |
| Rec. 135, Art. 50(7): At EU to detect & label artificially generated content & facilitate cooperation, verifying content authenticity & enabling public to distinguish AI content. | | | |
| Rec. 116, Art. 56(1/3): For GPAIM, cons. int. appr. & views. Collab w/ NAs & consult stakeholders & SP. | ***** | | |
| Codes of Conduct | 2 Feb '25 | 2 Aug '26 | |
| Rec. 20, Art. 4: Advance AI literacy for persons dealing with development, operation & use of AI. | | | |
| Rec. 165, Art. 95: CoC & governance mechanisms to voluntarily apply HRIA requirements to non HRAIS. | | | |
| Standardisation request | | | |
| Rec. 81 / 121, Art. 40(2): After consulting AI Board & stakeholders, issue standardisation request specifying that standards must be consistent. Request cover requirements Sec. 2 (Ch. III). Ask for deliverables on improving AIS' resource performance. Request ESOs to provide evidence of efforts to fulfill objectives. | | | 1 Aug '24 ***** |

*When deemed necessary

**Power to issue delegated acts is conferred on the European Commission for a period of five years from 1 Aug '24 - 2 Aug '29.

*** To be published on the day **** If requested by the AI Bpard ***** To be ready at latest (Rec. 179, Art. 56(9)) ***** Without undue delay

Responsibilities of the European Commission

AI Act Enforcement activities

| Enforcement activities | 2 Aug '25 | 2 Aug '26 |
|---|-----------|-----------|
| Rec. 130, Art. 46(3/5): Require assessing notifications from MSA regarding exceptions to CA procedures. Objections should be raised if necessary & consultations held with the MS. The authorisation can be withdrawn if needed. | | |
| Rec. 111 / 113, Art. 52(1/3/4): Designate a GPAI model as presenting systemic risks. | | |
| Rec. 112, Art. 52(1): Receive & assess notifications of systemic GPAIM developers meeting the thresholds. | | |
| Rec. 113, Art. 52(4): Receive & assess the qualified alerts by the scientific panel. | | |
| Rec. 112, Art. 52(5): Receive request of a GPAIM provider that objects to the designation & consider to reassess if GPAIM can be regarded as presenting systemic risks based on the criteria set out in Annex XIII. | | |
| Rec. 112, Art. 52(6): Ensure that a list of GPAI models with systemic risk is published & kept up to date. | | |
| Rec. 101, Art. 53(1a): Request & assess technical documentation (Annex XI) from GPAI model providers. | | |
| Rec. 108, Art. 53(1c/d): Monitor GPAI model provider has fulfilled the obligations without verifying or proceeding to a work-by-work assessment of the training data regarding copyright compliance. | | |
| Rec. 117, Art. 53(4): Assess & approve the alternative sufficient means of compliance from providers of GPAI models who do not adhere to an approved code of practice or a European harmonised standard. | | |
| Rec. 82, Art. 54(3/5): Receive & assess copies of mandate & the technical documentation provided by the authorised representative of a GPAI model provider. Register the termination of the written mandate. | | |
| Rec. 115, Art. 55(1c): Receive & assess relevant information from providers of GPAI models with a systemic risk about serious incidents & possible corrective measures to address them. | | |
| Rec. 117, Art. 55(2): Assess & approve alt. sufficient means of compliance from providers of GPAIM who don't adhere to an approved code of practice or do not comply with a European harmonised standard. | | |
| Rec. 117, Art. 56(5/6): Participants in the GPAI CoP must regularly report on commitments, measures taken & outcomes. M&E achievement of the GPAI CoP objectives is crucial for correctly applying AIA. | | |
| Rec. 117, Art. 56(6/8): Assess whether the GPAI CoP cover the obligations provided for in Art. 53, 55 & publish the assessments of the adequacy of the CoP. | | |
| Rec. 139, Art. 57(11): Receive & register notifications of NCA in case they have temporarily or permanently suspended the testing process or the participation of an AI regulatory sandbox participant. | | |
| Rec. 143, Art. 62: Regularly assess SMEs' certification & compliance costs, incl. start-ups, through transparent consultations. Work with MSs to lower such costs. | | |
| Rec. 149, Art. 66(e): Receive & assess recommendations & written opinions on any relevant matters of the AI Board related to implementing the AI Act & its consistent & effective application. | | |
| Rec. 150, Art. 67(8): Receive & assess opinions, recommendations & written contributions from AF. | | |
| Rec. 155, Art. 73(11): Receive & register any serious incident notified by the NCA, whether or not they have taken action on it, under Art. 20 of Regulation (EU) 2019/1020. | | |
| Rec. 160, Art. 74(11): Provide coordination support for joint investigations conducted by MSA or between them and the EC to promote compliance, identify non-compliance, raise awareness, and offer guidance. | | |
| Rec. 161, Art. 75(1): Monitor & supervise with the powers of a MSA within the meaning of Regulation (EU) 2019/1020 if an AIS is based on a GPAI model while the same provider provides both. | | |
| Rec. 161, Art. 75(2): Work with relevant market authorities to evaluate non-compliant high-risk GPAISs. | | |
| Rec. 161, Art. 75(3): Assist MSA if they cannot conclude an investigation on a HRAIS because of their inability to access certain information related to the GPAIM on which the HRAIS is built. | | |
| Art. 79(3/7): Receiving notification from a market surveillance authority about a non-compliant AIS posing a cross-border risk and detailing required actions for the operator. | | |
| Art. 80(3): Receive notification of MSA cons. non-compliance of a HRAIS that is wrongly classified as non HR & not restricted to national territory. Notif. should incl. evaluation results & actions req. by operator. | | |
| Article 81(1): Authorities discuss & eval. nat. measures rel. AI by 3 months of receiving notification. If non-compliance with AI practice prohibitions or objections are raised, eval. done in 30 days. Act based on eval. results, decide in 6 month /60 days for non-compliance in Art. 5). Notify relevant MSA. Receive notifications by MSs on measures related to AIS. | | |
| Art. 81(3): If the national measure is justified and the AIS's non-compliance is due shortcomings in the harmonized standards or common specs, then use procedure in Art 11 of Regulation (EU) 1025/2012. | | |
| Art. 82(3): Receive notification from MSs after eval. by Art. 79 that a compliant AIS poses a risk. Consult with MSs & operators, assess nat. measures, decide further measures. Tell decision to MSs & operators. | | |
| Rec. 164, Art. 89(1): Monitor impl. & compliance with AIA by providers of GPAIM, incl. adh. CoP. | | |
| Rec. 164, Art. 91(1/2): Request that doc (by provider Art.53, 55 or info needed to assess the provider's compliance with AIA) be provided. Initiate structured dialogue with the provider of the GPAI model beforehand, and inform the AI Board. | | |
| Rec. 164, Art. 91(3): Issue a request for information to a provider where access to information is necessary & proportionate for the fulfilment of the tasks of the scientific panel under Art. 68(2). | | * |
| Rec. 164, Art. 92(1/2/3): Conduct evaluations & investigations, involving independent experts to assess GPAI models and facilitating a structured dialogue with the model provider to inform the AI Board. | | |
| Rec. 164, Art. 93(1/2/3): GPAIM provider can request measures to address sys. risks, incl. risk mitigation, restricting model availability & recalls. Before acting, initiate dialogue, if provider commits to address risks, they are binding. | | |
| Rec. 169, Art. 101(1/2): Impose fines on providers of GPAIM shouldn't exceed 3% of annual ww turnover in the prev. yr/EUR 15,000,000. Decision considers commitments made by Art. 93(3) or CoP (Art. 56). Before deciding, findings communicated to provider & provider will be heard. | | |

* If duly substantiated requested.

Responsibilities of the European Commission

AI Act Ex-post evaluation

| Ex-post evaluation | 2 Feb '25 | 2 Aug '25 | 2 Aug '26 | 2 Aug '28 | 2 Nov '28 | 2 Aug '29 | 2 Aug '31 |
|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Rec. 36, Art. 5(6): Receive & assess the annual reports on the use of 'real-time' remote biometric identification systems in publicly accessible spaces for law enforcement purposes. | * | | | | | | |
| Rec. 38, Art. 5(7): Annual reports on real-time remote biometric identification systems in public spaces for law enforcement purposes based on aggregated data in MSs based on the annual reports (Art. 5(6)). | ** | | | | | | |
| Rec. 117, Art. 56(6/8): Encourage & facilitate review & adaptation of CoP for GPAI, in light of emerging standards & the availability of harmonised standards. | | | | | | | |
| Rec. 139, Art. 57(8): Access exit reports. If the provider / prospective provider and the NCA agree, exit report may be made public through single information platform. | | | | | | | |
| Rec. 139, Art. 57(16): Consider annual reports submitted by NCA after establishing AI Reg SB. | | | | | | | |
| Rec. 156, Art. 74(2): Receive & assess annual reports from MSA, stating any information identified during market surveillance activities that may be of potential interest for applying Union law on competition rules. | | | | | | | |
| Rec. 173, Art. 97(2): Draw up a report concerning the delegation of power. | | | | | *** | | |
| Rec. 168, Art. 99(11): Receive & assess from MSs annually the reports on admin fines issued during year & any related litigation or judicial proceedings. | | | | | | | |
| Rec. 168, Art. 100: Receive & assess on an annual basis the notification from the EDPS about the administrative fines the EDPS has imposed & any litigation or judicial proceedings it has initiated. | | | | | | | |
| Rec. 49, Art. 102-110: Assess interaction of the AIA with existing NLF laws & – if necessary - amend them. | | | | | | | |
| Rec. 174, Art. 112(1): Assess need to amend Annex III & Art. 5. Submit findings to EP & Council. | | **** | | | | | |
| Rec. 174, Art. 112(2/4): Evaluate & report to EP & Council should focus on need for amendments Annex III. Consider amendments to enhance transparency measures for information systems, improve supervision & governance system & assess resources of NCA. Cover penalties, harmonized standards & number of businesses, particularly SMEs, entering the market after the AIA comes into effect. | | | | ***** | | | |
| Rec. 174, Art. 112(3/5): Submit public report to the EP & Council, evaluating the AIA and the AI Office. The report should assess the enforcement structure, the need for a Union agency, and propose any amendments to the AIA. | | | | | | ***** | |
| Rec. 174, Art. 112(6): Assess & report to EP & Council on progress of standardization on energy-efficient GPAIM. Evaluate need for further measures. Report to be public & submitted to EP & Council. | | | | ***** | | | |
| Rec. 174, Art. 112(7): Evaluate impact & effectiveness of voluntary CoC to foster the application of the requirements for HRAIS in the case of AIS other than HRAIS & possibly other additional requirements AIS. | | | | ***** | | | |
| Rec. 174, Art. 112(8/9): Receive & assess for (1) to (7) information from the AI Board, the MSs & NCA. | | | | | | | |
| Rec. 174, Art. 112(10): Submit appropriate proposals to amend AIA, considering tech developments, effect of AIS on health & safety, & FR & in light of the state of progress in the information society. | | | | | | | |
| Rec. 174, Art. 112(13): Assess AIA enforcement & report findings to EP, Council, EESC. Propose AIA amendments regarding enforcement structure and potential Union agency creation to address issues. | | | | | | | |

* The first annual reports by Member States should be published in Aug '25.

**First annual report by Commission not before the end of '25.

*** No later than by 2 Nov '28.

**** To do once a year, starting on 2 Aug '25 until the end of the period of the delegation of power (2 Aug '29).

***** To do by date and every 4 years thereafter.

***** To do by date and every 3 years thereafter.