

EDIH Network Summit 2024

27 November 2024, 9:30 – 10:30

Session 4: **The AI Act Explained**

Agenda

EDIH Network Summit 2024

26-27
November

The Egg
Brussels

Time	Topic	
09:30 - 09:40	Introduction with Slido	Moderator: Karen Oldhoven
09:40 - 10:05	Presentation on the AI Act	Speaker: Martin Ulbrich, Senior Expert, CNECT.A.2 - Artificial Intelligence Regulation and Compliance, AI Office
10:05 - 10:25	Open Q&A	Moderator: Karen Oldhoven and speaker: Martin Ulbrich
10:25-10:30	Wrap up and closing	Moderator: Karen Oldhoven

Martin Ulbrich

Senior Expert

CNECT.A.2 - Artificial
Intelligence Regulation and
Compliance

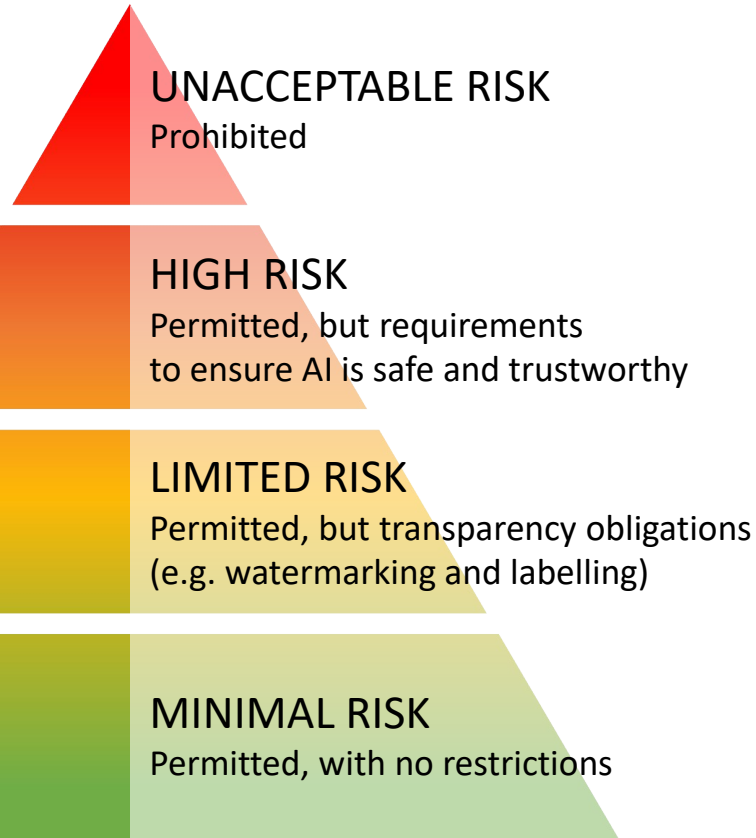
AI Office





The EU AI Act:

A risk-based approach for rules on AI systems



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A limited set of particularly harmful AI practices are banned

Unacceptable risk

Subliminal, manipulative techniques or exploitation of vulnerabilities

to manipulate people in harmful ways

Social Scoring

for public and private purposes leading to detrimental or unfavourable treatment

Biometric categorisation

to deduce or infer race, political opinions, religious or philosophical beliefs or sexual orientation, except for labelling in the area of law enforcement

Real-time remote biometric identification

In publicly accessible spaces for law enforcement purposes, -with narrow exceptions and with prior authorisation by a judicial or independent administrative authority

Individual predictive policing

assessing or predicting the risks of a natural person to commit a criminal offence based solely on this profiling without objective facts

Emotion recognition

in the workplace and education institutions, unless for medical or safety reasons

Untargeted scraping of the internet

or CCTV for facial images to build-up or expand biometric databases

High-risk AI systems will have to comply with certain rules



1. High-risk systems embedded in products covered by Annex II

2. High-risk (stand-alone) use cases listed in Annex III:

- **Biometrics:** Remote biometric identification, categorization, emotion recognition;
- **Critical infrastructures:** e.g. safety components of digital infrastructure, road traffic
- **Education:** e.g. to evaluate learning outcomes, assign students in educational institutions
- **Employment:** e.g. to analyse job applications or evaluate candidates, promote or fire workers
- **Essential private and public services:** determining eligibility to essential public benefits and services; credit-scoring and creditworthiness assessment, risk assessment and pricing in health and life insurance
- **Law enforcement:**
- **Border management:**
- **Administration of justice and democratic processes**

What are high-risk requirements and obligations?



Providers



Requirements for the AI system, e.g. data governance, human oversight, accuracy & robustness, operationalised through **harmonised standards**



Conformity assessment before placing the system on the market and **post-market monitoring**



Quality and risk management to minimize the risk for deployers and affected persons



Registration in the EU database

Deployers



Correct deployment, training of employees, use of **representative data** and **keeping of logs**



Possible **information obligations** vis-a-vis affected persons



Possible **fundamental rights impact assessment** (applies only to some deployers, incl. public sector)



Public sector also has to **register the deployment** of high-risk AI in EU database



Addressing 'transparency' risks



Trust through
disclosure



When interacting with an AI:

- Humans have to be informed if they interact with an AI and this is not obvious
- Deployers have to inform humans if decisions are made about them involving the use of an AI system that is high-risk according to Annex III, e.g. in recruitment

AI-generated content:

- AI systems that generate output need to include machine readable marks
- Labelling of audio and video content that constitutes a deep fake
- Labelling of text that is intended to inform the public on matters of public interest

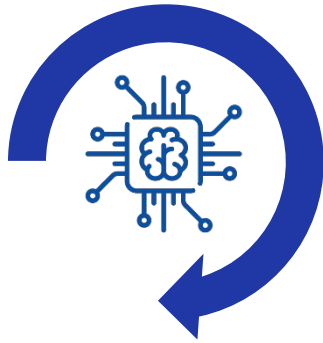


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The EU AI Act:

Transparency and risk management for powerful AI models



General-purpose AI models

= highly capable AI models used at the basis of AI systems such as ChatGPT

**Transparency for all
general-purpose AI models**



**Risk management for those with
systemic risk**



Codes of practice developed together with stakeholders will detail out rules



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Rules for AI systems

National authorities following the market surveillance system

Rules for general-purpose AI models

EU level: AI Office within Commission



AI Board

with Member States to coordinate at EU level



Scientific Panel

supports with technical advice

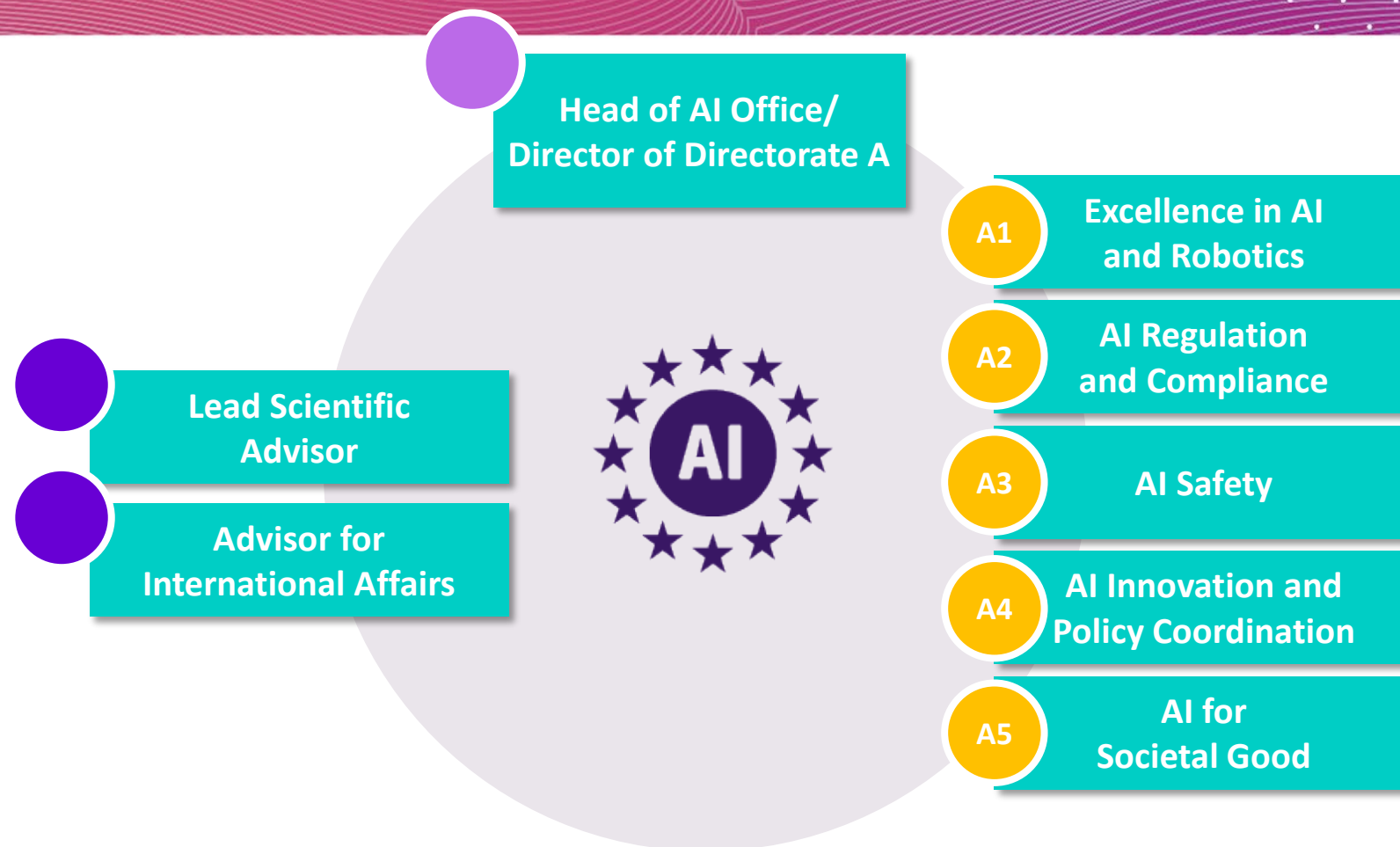


Advisory Forum

supports with input from stakeholders

AI Office structure

- Kicked-off in June 2024
- Directorate A of [DG CNECT](#)
- Established by [Commission Decision 2024/390](#)



AI Act – next steps

Entry into
force:
1 Aug.
2024

Commission priorities to support an effective implementation:

Setting up the governance structure

Growing the AI Office, set-up of advisory groups and supporting EU Member States in the build-up of national governance systems

Coordinating drawing up of Code of practice on GPAI

COM coordinates drawing-up by GPAI developers and other stakeholders, call for participants and multistakeholder consultation launched in July 2024

Contributing to preparation of standards for high-risk requirements

COM has mandated CEN/CENELEC to develop standards and actively follows the process; next step is amendment of mandate

Preparing guidelines, implementing and delegated acts

To guide and detail how the AI Act should be implemented and applied, starting with guidelines on the AI system definition and on the prohibitions

Prohibitions

2 Feb. 2025

Governance & GPAI

2 Aug. 2025

All other rules

2 Aug. 2026

'Embedded' high-risk AI
systems (Annex I)

2 Aug. 2027



CNECT launched **AI Pact** to support the implementation and foster anticipated application of the AI Act

Advisory groups to steer the implementation process

Advisory groups foreseen by the AI Act:



AI Board

- High-level representatives & experts from Member States
- Coordination of coherent AI Act application across EU
- Advising and steering on all matters of AI policy

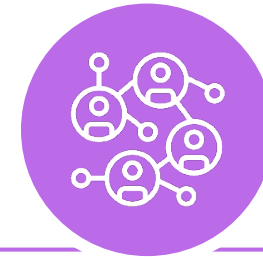
First meeting took place
on 10 September



Scientific Panel

- Independent experts with scientific or technical expertise
- Advises and supports in enforcement of AI Act
- Can issue qualified alerts about possible systemic risks

Call for expression of interest will be
launched in Q4/2024 or Q1/2025



Advisory Forum

- Advises AI Office and provides stakeholder input
- Diverse composition, balancing commercial and non-commercial interests

Process for set-up will be launched
in Q4/2024



Organisation of the AI Board Sub-Groups

PHASE 1

- Innovation ecosystem
- AI regulatory sandboxes
- Interplay with MDR and IVDR
- Prohibitions
- Standards
- Steering Group on GPAI

PHASE 2

- AI Act interplay with other Union legislation
- Annex III High-risk
- Law enforcement and security
- Financial services

PHASE 3

- Market surveillance authorities (AdCo)
- Notifying authorities

2024

2025

2026+



Possibility for ad hoc meetings on specific topics on suggestion of Member States



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European AI Board



Reserve slides



Current AI Act priorities:

3. Preparing Commission guidelines



Practical guidance on prohibitions



Practical guidance on AI system definition

To be adopted before rules start to apply on 2 February 2025.



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Issues to be covered by the guidelines:

- Rationale of the prohibitions
- Interplay with high-risk AI systems and other Union law
- Definitions
- Enforcement

Guidelines on each individual prohibition:

- Rationale and objectives of the prohibition
- Main components and concepts of the prohibition
- Diverse examples of different individual use cases



Current AI Act priorities:

1. Launch of General-Purpose AI Code of Practice

Process to detail out AI Act rules in Code of Practice by 2 May 2025



Open call for participants with ~ 1000 applicants and multi-stakeholder consultation with ~ 430 responses



Plenary and Working Groups kicked off on 30 September, additional workshops with providers and MS authorities



Finalised selection of Chairs and Vice Chairs for Working Groups from among independent experts



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Questions?