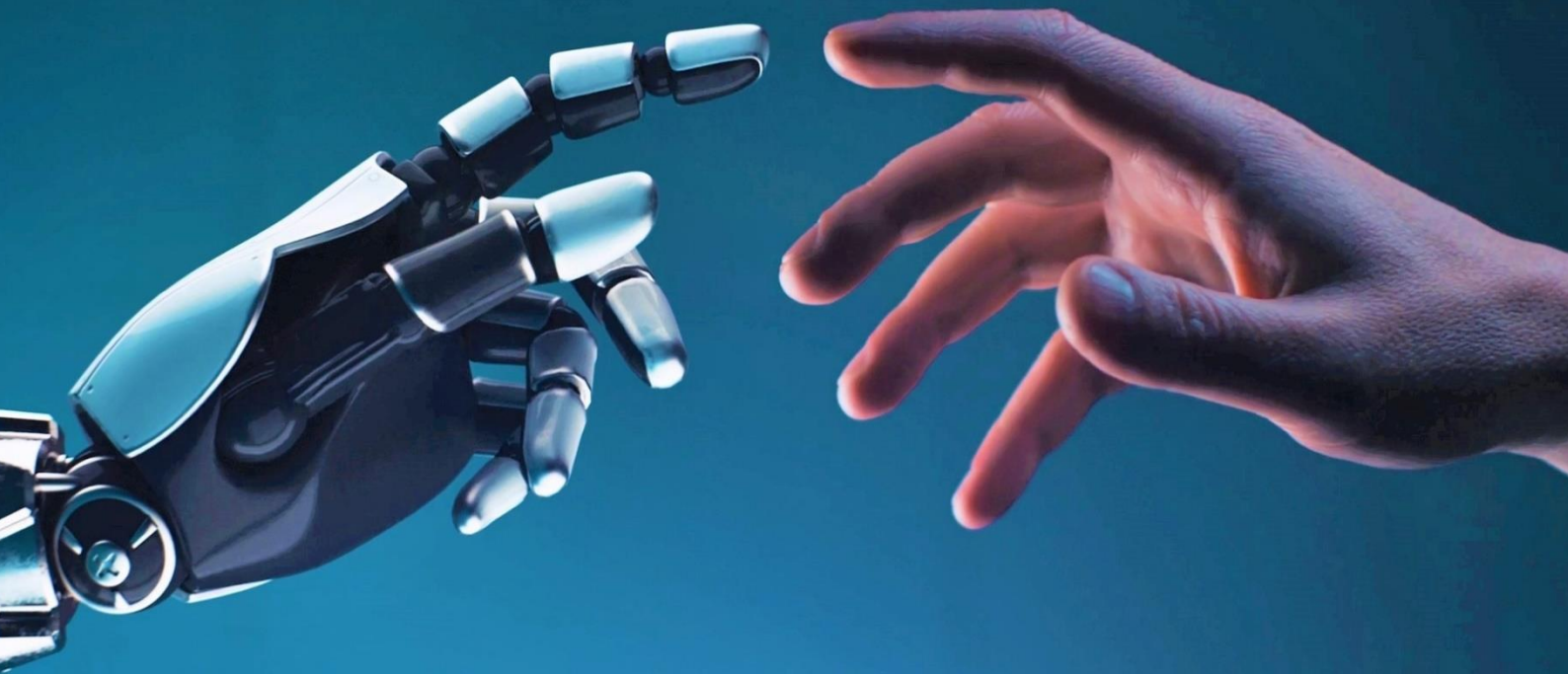




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DATA PROTECTION, PRIVACY & TECHNOLOGY

## EU Council greenlights landmark law on Artificial Intelligence

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# EU Council greenlights landmark law on Artificial Intelligence

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On 21 May 2024, the EU Council gave the final green light to the **Artificial Intelligence (AI) Act**<sup>1</sup>, which was adopted by the European Parliament with an overwhelming majority in March. This landmark legislation marks the world's first artificial intelligence law, aiming to strike a balance between safeguarding fundamental rights, democracy and the public interest and fostering innovation.

## Key takeaways of AI Act

- ✓ **AI systems are broadly defined** to cover a wide range of technologies and systems in light of the ongoing digital transformation;
- ✓ The AI Act has an **extraterritorial scope** as it may apply, under specific conditions, to providers, deployers, and users of AI systems outside of the EU and follows a **"risk-based" approach** - the higher the risk of the AI system, the stricter the rules;
- ✓ **Certain AI applications posing threats to citizens' rights are explicitly prohibited as posing "unacceptable risks"**. These include techniques manipulating human behavior, biometric categorization relying on sensitive attributes, indiscriminate scraping of facial images, emotion recognition in workplaces and schools, etc.;
- ✓ **Real-time biometric identification by law enforcement is prohibited in principle**, except for specified uses, such as targeted search for specific victims of abduction, human trafficking, sexual exploitation, and

the prevention of terrorist attacks, and **on condition that strict safeguards are met**;

- ✓ AI systems are divided into **limited-risk AI systems** and **high-risk AI systems** with the latter category being **subject to stringent requirements** (e.g., risk management, use of high-quality data, record-keeping, ensuring accuracy and human oversight, etc.);
- ✓ **General-purpose AI (GPAI) systems** must meet transparency requirements, comply with EU copyright law, and publish detailed summaries of the content used for training;
- ✓ **Citizens will be entitled to lodge complaints regarding AI systems** and to receive explanations concerning decisions made by high-risk AI systems that impact their rights;
- ✓ The law will be **enforced by authorities designated within Member States** while at EU level, a **European AI Office will be established** to monitor governance and enforcement across the EU;
- ✓ **Non-compliance with the provisions of the AI Act may lead to administrative fines** ranging from EUR 7.5 million or 1.5% to EUR 35 million or 7% of global annual turnover for the preceding financial year, whichever is higher, depending on the severity of the infringement and size of the company.

The AI Act will be published in the EU Official Journal in the coming days and will enter into force twenty days after its publication. The new Regulation will be fully applicable two years after its entry into force, with some exceptions for specific provisions which will apply earlier or later.

<sup>1</sup>See the adopted text here  
<https://data.consilium.europa.eu/doc/document/PE-24-2024-INIT/en/pdf>

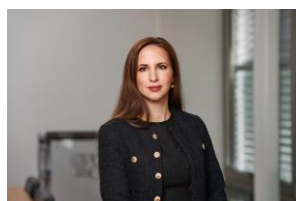
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