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EU AI Act: First Regulation on Artificial Intelligence

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EU AI ACT:
FIRST REGULATION ON ARTIFICIAL INTELLIGENCE

The use of artificial intelligence in the EU will be regulated by the AI Act, the world's first comprehensive AI law. Find out how it will protect you.

As part of its digital strategy, the EU wants to regulate artificial intelligence (AI) to ensure better conditions for the development and use of this innovative technology. AI can create many benefits, such as better healthcare; safer and cleaner transport; more efficient manufacturing; and cheaper and more sustainable energy.

In April 2021, the European Commission proposed the first EU regulatory framework for AI. It says that AI systems that can be used in different applications are analysed and classified according to the risk they pose to users. The different risk levels will mean more or less regulation. Once approved, these will be the world's first rules on AI.

WHAT PARLIAMENT WANTS IN AI LEGISLATION

Parliament's priority is to make sure that AI systems used in the EU are safe, transparent, traceable, non-discriminatory and environmentally friendly. AI systems should be overseen by people, rather than by automation, to prevent harmful outcomes. Parliament also wants to establish a technology-neutral, uniform definition for AI that could be applied to future AI systems.

AI ACT: DIFFERENT RULES FOR DIFFERENT RISK LEVELS

The new rules establish obligations for providers and users depending on the level of risk from artificial intelligence. While many AI systems pose minimal risk, they need to be assessed.

UNACCEPTABLE RISK

Unacceptable risk AI systems are systems considered a threat to people and will be banned. They include:

- Cognitive behavioural manipulation of people or specific vulnerable groups: for example, voice-activated toys that encourage dangerous behaviour in children
- Social scoring: classifying people based on behaviour, socio-economic status or personal characteristics

Some exceptions may be allowed for law enforcement purposes. "Real-time" remote biometric identification systems will be allowed in a limited number of serious cases, while "post" remote biometric identification systems, where identification occurs after a significant delay, will be allowed to prosecute serious crimes and only after court approval.

HIGH RISK

AI systems that negatively affect safety or fundamental rights will be considered high risk and will be divided into two categories:

1. AI systems that are used in products falling under the EU's product safety legislation. This includes toys, aviation, cars, medical devices and lifts.

2. AI systems falling into specific areas that will have to be registered in an EU database:
   - Management and operation of critical infrastructure
   - Education and vocational training
   - Employment, worker management and access to self-employment
   - Access to and enjoyment of essential private services and public services and benefits
   - Law enforcement
   - Migration, asylum and border control management
   - Assistance in legal interpretation and application of the law.

All high-risk AI systems will be assessed before being put on the market and also throughout their lifecycle.

GENERAL PURPOSE AND GENERATIVE AI

Generative AI, like ChatGPT, would have to comply with transparency requirements:
- Disclosing that the content was generated by AI
- Designing the model to prevent it from generating illegal content
- Publishing summaries of copyrighted data used for training

High-impact general-purpose AI models that might pose systemic risk, such as the more advanced AI model GPT-4, would have to undergo thorough evaluations and any serious incidents would have to be reported to the Euro-

LIMITED RISK

Limited risk AI systems should comply with minimal transparency requirements that would allow users to make informed decisions. After interacting with the applications, the user can then decide whether

they want to continue using it. Users should be made aware when they are interacting with AI. This includes AI systems that generate or manipulate image, audio or video content, for example deepfakes.

NEXT STEPS
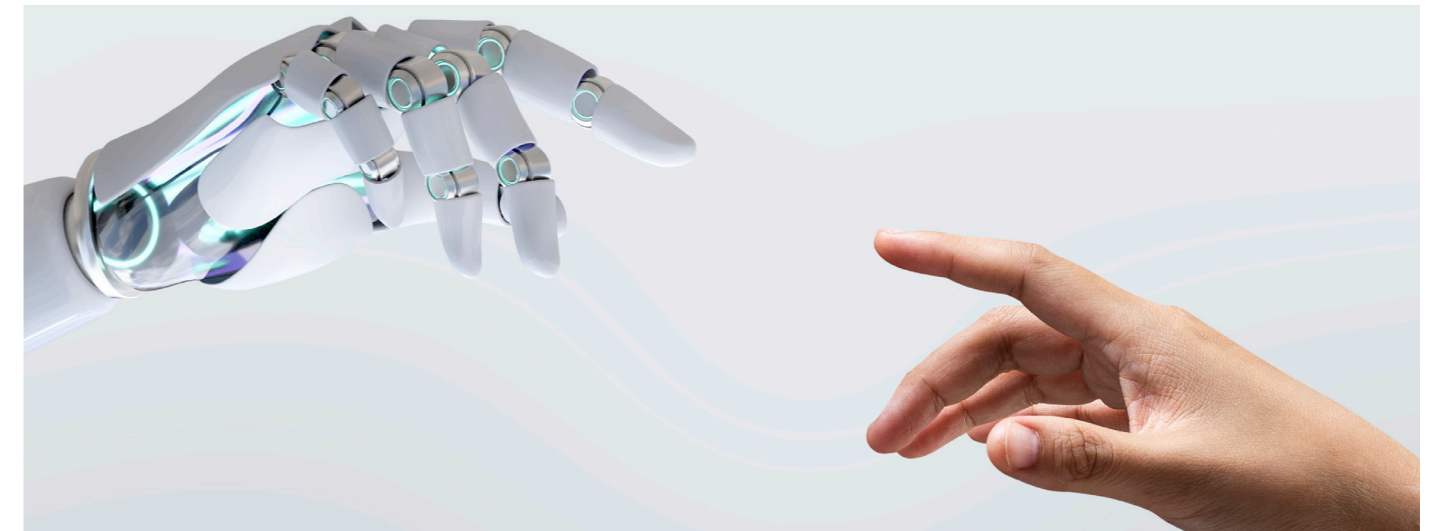
On December 9 2023, Parliament reached a provisional agreement with the Council on the AI act. The agreed text will now have to be formally adopted by both Parliament and Council to become EU law.

Before all MEPs have their say on the agreement, Parliament's internal market and civil liberties committees will vote on it.

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