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# Policy Guide: The EU AI Act

The EU AI Act has a broad scope, with comprehensive definitions and risk-based principles aligned with the OECD's AI principles and obligations applied horizontally to AI use cases. It aims to ensure that AI systems are safe, responsible and respect fundamental rights and values while also fostering investment and innovation and encouraging a single EU market for AI. The AI Act will come into effect between 2025 and 2027.



# AI systems

An AI system is a machine-based system designed to operate with varying levels of autonomy that can be adapted after it has been deployed. The risk categorisation in the AI Act is based on what the system is used for to future-proof the legislation considering rapid technological developments. There are four risk categories in the AI Act: systems with unacceptable risk are banned outright, minimal-risk AI can be freely deployed and there are more considerations for limited-risk and high-risk systems for operators. Below, you will find a description of each along with the considerations and obligations for operators.

High-risk AI systems	AI systems used as safety components in the management and operation of critical digital infrastructure	EXCEPT where those systems are purely accessory to human decision-making	Risk management systems; data governance; technical documentation; quality management systems; instructions for use to downstream deployers; automatic record-keeping; implementing human oversight, accuracy, robustness and cybersecurity
	AI systems used for employment, worker management and access to self-employment		
Limited-risk AI systems	AI systems intended to interact directly with natural persons e.g. chatbots		Transparency obligations: ensure end users are aware they are interacting with AI
	AI systems generating synthetic audio, image, video or text content, or AI systems manipulating content constituting a 'deepfake'		

# General purpose AI (GPAI)

There is a separate approach to general purpose AI with additional obligations for providers.

GPAI system (genAI)	Based on a GPAI model and can serve a variety of purposes depending on how it is adapted.	To be treated as high-risk where it is used as or integrated into a high-risk system.
GPAI Model (foundation model)	Can perform a wide range of tasks and be integrated into a variety of systems.	Keep technical documentation; supply information to downstream providers; respect the Copyright Directive; publish training data
GPAI Model presenting systemic risk	GPAI models with above a certain amount of computing power.	The above plus: testing to identify and mitigate systemic risk; cybersecurity protection

# Compliance



It is the provider of the AI system or model that is responsible for the obligations above. This is initially whoever built the AI but, when an organisation adds their name or trademark or substantially modifies or integrates a system, they become the provider and must comply.



The AI Act applies to both providers based in the EU and providers placing on the market or putting into service AI systems or GPAI in the EU.



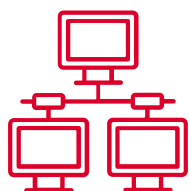
There is other EU legislation that applies to AI, including the Product Liability Directive and the EU GDPR.



Compliance of GPAI systems is governed by the European Commission AI Office and compliance of AI systems is governed by national bodies. Penalties for non-compliance will be administrative fines and additional penalties can be decided by member states. Non-compliance with the AI Act will lead to fines ranging from €7.5 million or 1.5% global turnover to €35 million or 7% of global turnover, subject to the nature of infringement and size of the organisation.

# Trends

The AI Act is the first comprehensive regulation on AI by a major regulator, so governance bodies in other countries and regions may replicate parts of the text or approach, particularly:



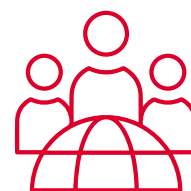
THE REGULATION OF AI SYSTEMS VS AI MODELS



DEFINITIONS



RISK LEVEL CATEGORISATION AND RISK-BASED APPROACH



OBLIGATIONS ON PROVIDERS AND DEPLOYERS



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# Lessons

The GSMA and its European members were actively engaged during negotiations on the AI Act. Lessons learned for future advocacy work include:

1	Have clear sectoral goals and objectives to create focus and clarity
2	Involve technical experts and have use cases ready to share
3	Adopt a future-proof, pragmatic approach, anticipating and adapting to technological developments throughout the process
4	From the start, ensure data privacy, security and ethical and responsible adoption by design
5	Have a clear understanding of what the governance body does and wants from the policy



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# Recommendations

The mobile industry is committed to the ethical and responsible use of AI in its operations and has aligned behind a set of AI ethics principles. Governance bodies can support these efforts by ensuring that the regulatory framework supports investment, gives certainty and ultimately creates a trustworthy environment.

Policymakers, regulators and industry can work together to encourage innovation by facilitating and funding further R&D and investment in AI and mobile data-related solutions. Policymakers can create a regulatory environment that encourages and facilitates responsible use of AI alongside industry capacity building to ensure policymakers' actions are guided by best practice, resulting in clear principles and safeguards for the use of AI and data analytics that provide certainty.

To ensure that the mobile industry can adopt AI to provide better services and enable more people to become connected, the EU must ensure use cases specific to mobile network operators are excluded from high-risk categorisation. The Commission should continue to engage with industry through the implementation period and beyond to encourage responsible adoption.

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# AI for Impact (AI4I)

Supported by major operators serving more than two billion connections globally, the GSMA's AI4I initiative is leading the transformation of the mobile industry through AI. The initiative focuses on accelerating economically viable AI implementations and developing innovative use cases while ensuring responsible and ethical AI practices. The GSMA facilitates collaboration and knowledge sharing to advance enabling policy and regulatory environments that support the realisation of AI opportunities for the benefit of people, industry and society.

For more information on the GSMA AI for Impact (AI4I) initiative and supporting resources, reports, tools and blogs, please visit [www.gsma.com/aiforimpact](http://www.gsma.com/aiforimpact) or contact us at [aiforimpact@gsma.com](mailto:aiforimpact@gsma.com)