

The EU's AI Act Finally Published in the EU Official Journal – in force by 1 August

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PRACTICES AI and Deep Learning, Intellectual Property

The EU's Artificial Intelligence Act (the "AI Act") has on 12 July 2024 finally been published in the EU Official Journal.

This is very significant as the AI Act will enter into force 20 days after the date of its publication (so on 1 August 2024).

The AI Act provides for the gradual application of its Chapters and Sections with the earliest application being six months after its date of entry into force – so early 2025 – when its provisions relating to prohibited AI practices will apply, through to the final application of all sections in mid-2027.

In the first instance, parties should assess their internal systems and other potential uses of AI and determine whether and how they fall within the scope of the AI Act to assess which timelines and provisions will be applicable to them. While much of the AI Act will apply from 1 August 2026, companies may have a shorter period for compliance as, in addition to the rules on prohibited AI practices applying within 6 months, the rules relating to general purpose AI models shall apply 12 months after entry into force of the AI Act.

UK-based companies may fall under the scope of the AI Act not only when they place AI systems in the EU market but also if they use the output of AI systems in the EU.

The newly elected Labour government has indicated it will take steps to regulate AI and the AI Act is likely to influence the shape of this.

Noncompliance with the AI Act may lead to substantial fines. As such, parties potentially subject to the AI Act should act sooner rather than later to ensure compliance.