



# The EU AI Act: Key Actions for 2025

Mónica Fernández Peñalver  
Head of AI Assurance

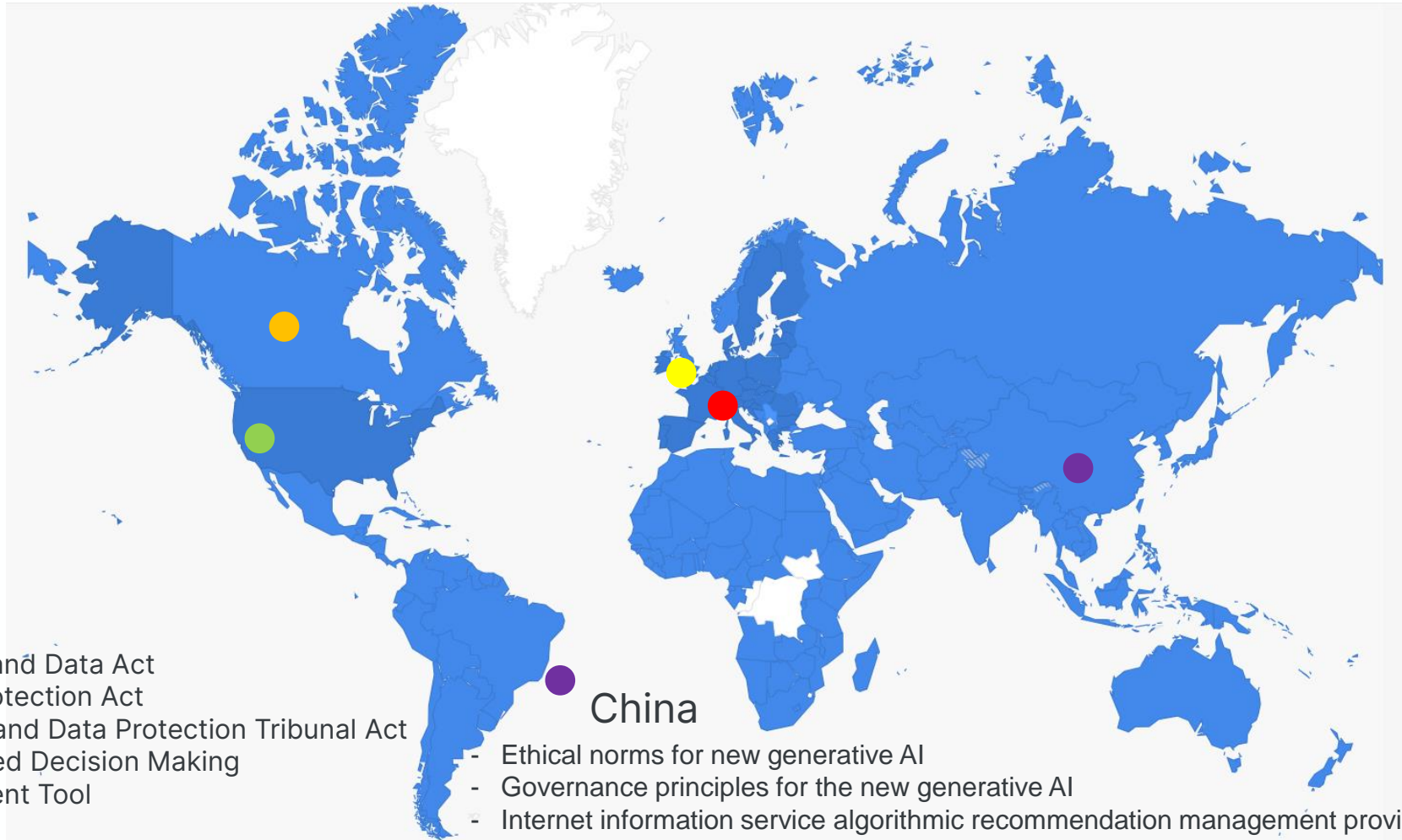
## Mónica Fernández Peñalver

*Head of AI Assurance*



- **Trustworthy AI Advocate:** Actively engaged in research, education, and policy to advance AI fairness and mitigate bias.
- **Ethical AI Researcher:** Explored ethical, legal, and social challenges of AI fairness before joining Nemko Digital.
- **Strong Academic Background:** Holds a master's in AI from Radboud University and a bachelor's in Neuroscience from the University of Edinburgh.
- **AI Trust & Strategy:** Helps shape Nemko Digital's AI Trust offerings, ensuring fairness, safety, and effectiveness.
- **Strategic AI Leadership:** Developing AI Trust vision, roadmap, and services.

# Overview of Policy Frameworks



## US

- State-level privacy laws
- NIST RMF
- NIST CSF
- Cybersecurity Information Sharing Act (CISA)
- Federal Information Security Management Act (FISMA)



## Canada

- Artificial Intelligence and Data Act
- Consumer Privacy Protection Act
- Personal Information and Data Protection Tribunal Act
- Directive on Automated Decision Making
- Algorithmic Assessment Tool



## EU

- EU AI Act
- GDPR
- PDL, AILD
- Cybersecurity Act
- Digital Services Act (DSA)
- Digital Markets Act (DMA)
- Data Governance Act (DGA)



## UK

- Pro innovation approach to governing AI
- Data protection and digital information bill
- Online safety bill
- Artificial intelligence in public service
- AI and Data protection risk toolkit
- Algorithmic transparency recording standard

## China

- Ethical norms for new generative AI
- Governance principles for the new generative AI
- Internet information service algorithmic recommendation management provisions
- Guidelines for construction of a national new generation artificial intelligence standards system
- Guiding opinions on strengthening ethical governance of science and technology





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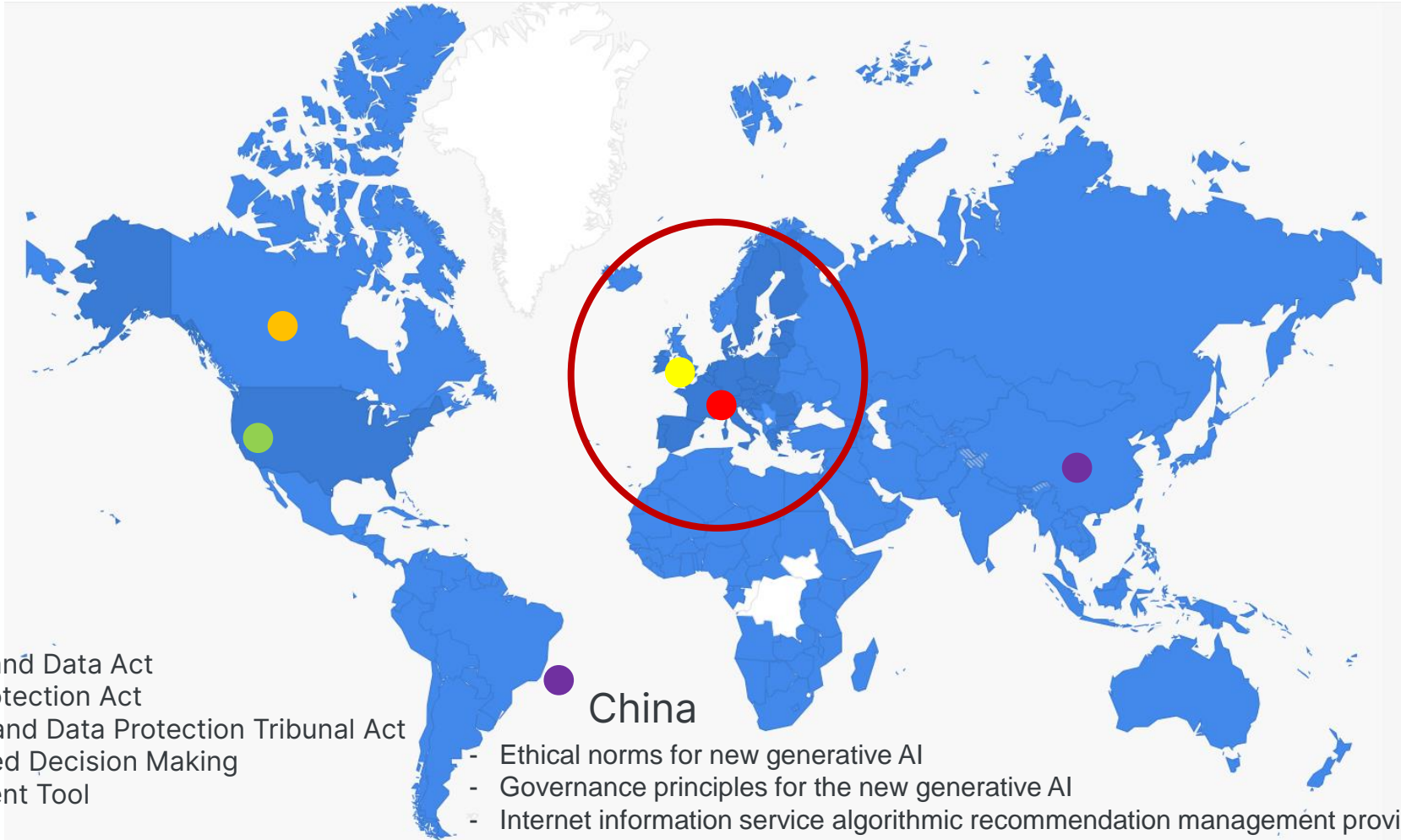
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## Regulations

Policy	Author	Area / Country	Policy Type	Details
Children's Code	Information Commissioners Office (ICO)	UK	Supervisory guidance	<a href="#">Details</a>
Data Ethics Requirements for RM6200 Artificial ...	Crown Commercial Service	UK	Standard	<a href="#">Details</a>
AI Liability Directive (AILD)	European Commission	EU	Regulative proposal [WITHDRAWN]	<a href="#">Details</a>
European Health Data Space Regulation	European Commission	EU	Regulative proposal [ADOPTED]	<a href="#">Details</a>
Federal AI Governance and Transparency Act	The House Oversight Committee	USA	Regulative proposal	<a href="#">Details</a>
Stop Discrimination by Algorithms Act	DC Council	USA	Regulative proposal	<a href="#">Details</a>
NYC A00567	New York State Assembly	USA	Regulative proposal	<a href="#">Details</a>
NJ A4909	New Jersey State Assembly	USA	Regulative proposal	<a href="#">Details</a>
The Act Concerning Artificial Intelligence, Autom...	Connecticut General Assembly	USA	Regulative proposal	<a href="#">Details</a>



# Stay updated: Follow us



News! South Korea recently became the second country in the world to enact a comprehensive AI law, heavily inspired by the EU AI Act! ...more

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South Korea's New AI Law

- South Korea's National Assembly has passed the 'Basic Law on AI Development and Trust-Based Establishment'
- The Act mirrors key themes found in the EU AI Act.
- It will take effect starting January 2026
- It defines AI, high-impact AI, generative AI, AI ethics, and AI business operators.
- It requires AI business operators to notify users when using high-impact or generative AI.
- Operators of systems exceeding a computational threshold must identify, assess, and mitigate risks.
- High-impact AI providers must ensure safety and reliability.
- The Ministry of Science and ICT can investigate violations and mandate corrective measures.

1. Similar risk-based approach (with stricter obligations for high-impact AI systems)

2. Focus on ethical guideline and trustworthy AI

3. Protection of fundamental rights

4. Transparency (e.g., in the context of deepfakes and impersonation, similar to Article 50 of the EU AI Act)

5. Provisions on standardization

6. The establishment of oversight bodies (see procedures)



As we wrapped 2024, we wondered "what happened in the AI world this year"? With major initiatives taken in different markets such as the EU, UK, US, and globally, we look at the new obligations, new and evolving policies, and exciting ...more

2025

AI Governance Outlook

Read our in-depth article





## EU AI Act

A unified regulatory and legal framework for all sectors and types of artificial intelligence.

# EU ACT has come in to force in Europe



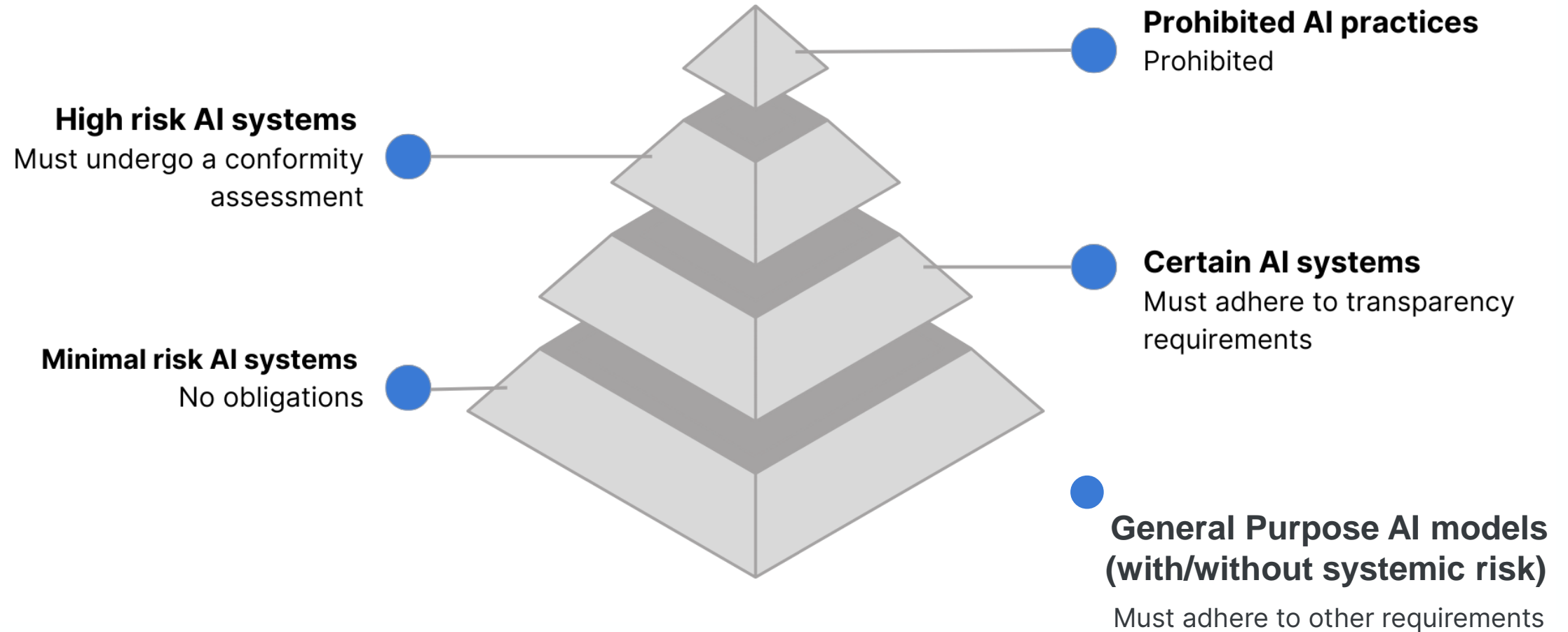
- Regulatory Framework for whole EU
- Risk-Based Approach to AI Regulation
- Clear compliance and transparency Requirements
- High Penalties for Non-Compliance
- Innovation Safeguards
- Global Impact on AI Governance
- Adopted in 2024, Full Enforcement in 2026





# Risk Categorisation under the EU AI Act

Distinguishes AI systems based on their risk levels to human rights, health, safety, and societal impacts.



# Examples (non-exhaustive lists)

## Prohibited AI systems

- Social scoring
- Behavioural manipulation
- Emotion recognition in the workplace/ schools
- Biometric categorisation deducing sensitive characteristics

## High risk AI systems

- AI systems covered by sectoral product safety regulations e.g. medical devices, vehicles, toys etc.
- Biometric identification, categorisation and emotion recognition not falling under prohibited practices
- Access to essential services
- Education and vocational training
- Employment and workers management

## Certain AI systems

- Chatbots
- Generative AI
- Deep fakes

## General Purpose AI

- General purpose AI models
- General purpose AI models with systemic risk

# Key requirements for high-risk AI systems

## Provider obligations



Risk management system

Data and data governance

Technical documentation

Record-keeping

Transparency and provision of information

Human oversight

Accuracy, robustness and cybersecurity

Quality management system

Accessibility

Conformity assessment

Registration in the EU database

Regulatory cooperation



# Key requirements for high-risk AI systems

## Deployer obligations



- Obtain and follow instructions for use
- Human oversight
- Appropriate data input
- Ongoing monitoring and evaluation
- Record-keeping
- Transparency and notification
- Regulatory cooperation
- Data protection impact assessment
- Human rights impact assessment (when applicable)



# Key requirements for General Purpose AI models

## GPAI models



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Transparency over training data

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Implement policy to comply with EU copyright law

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Produce and maintain technical documentation (enough information to downstream users)

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## GPAI models w/ systemic risk



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Notify European Commission

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Model evaluation and adversarial testing

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Cybersecurity

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Incident reporting

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Risk mitigation

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# There are hard penalties to consider

## ***Non-compliance with prohibited AI rules***

*EUR 35 million or up to 7 % of global annual turnover.*

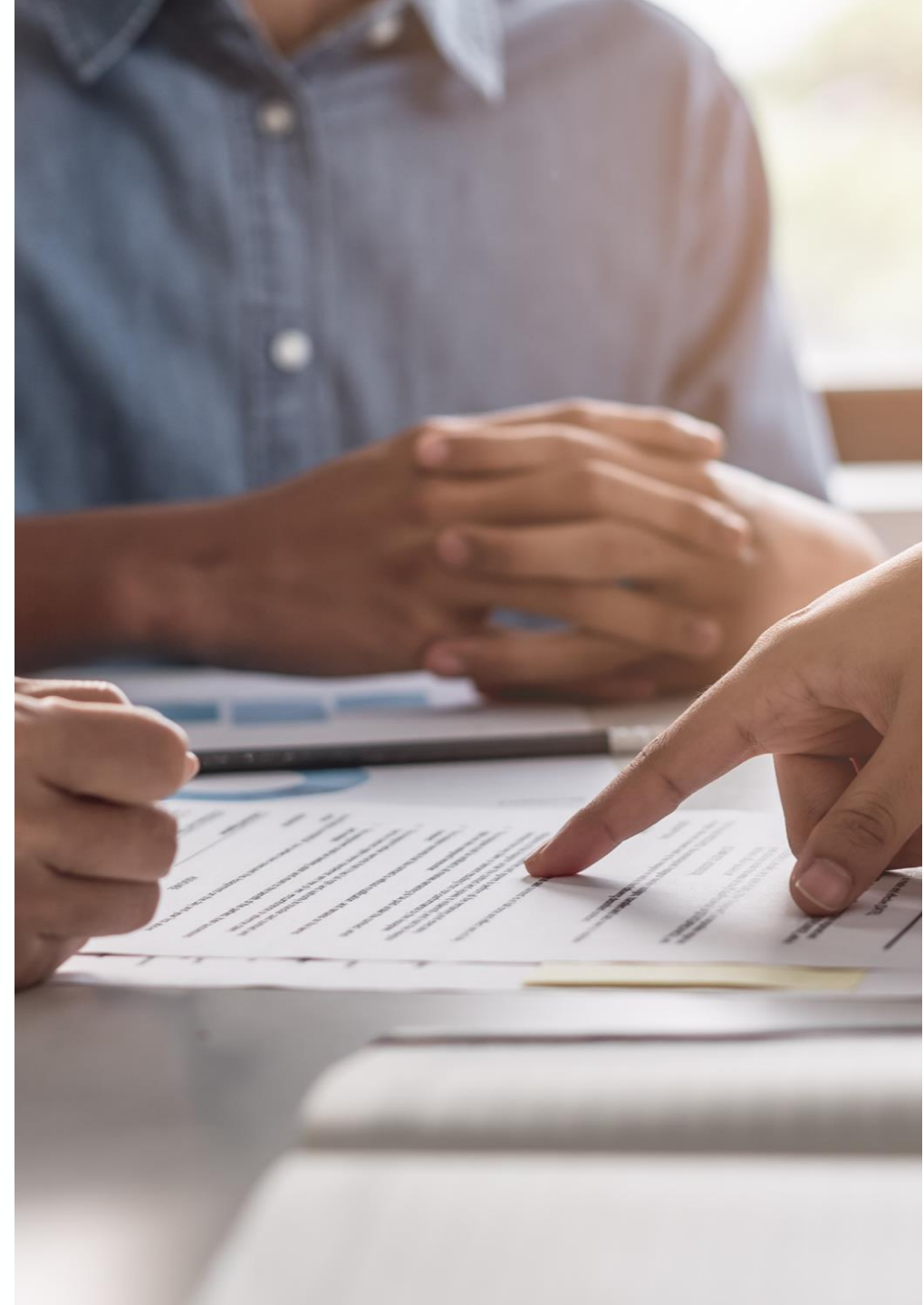
## ***Non-compliance with other obligations***

*EUR 15 million or up to 3 % of global annual turnover.*

## ***Supplying incorrect, incomplete, or misleading information to regulators***

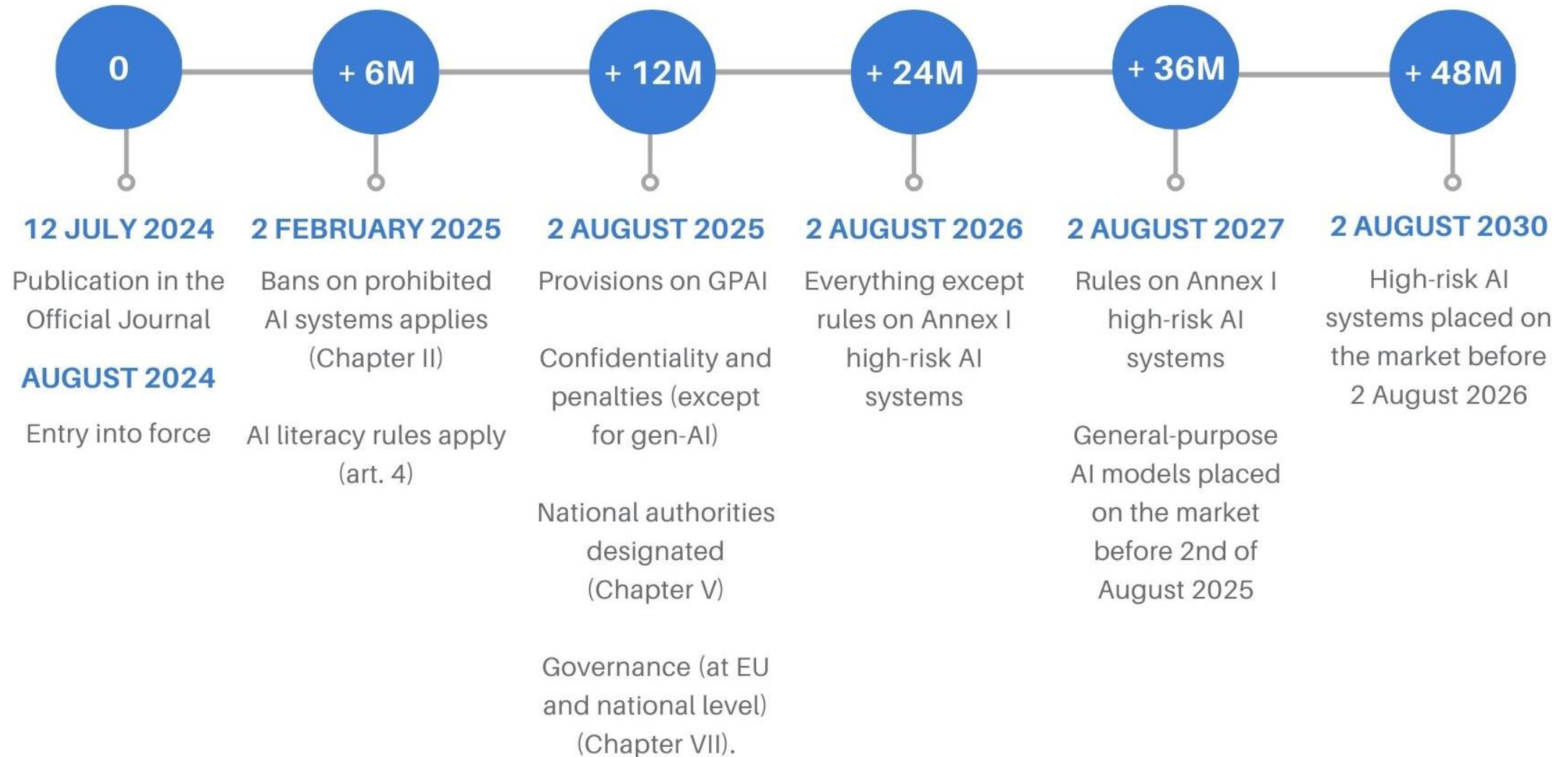
*EUR 7,5 million or up to 1% of global annual turnover.*

Reference: EU AI Act, art 99

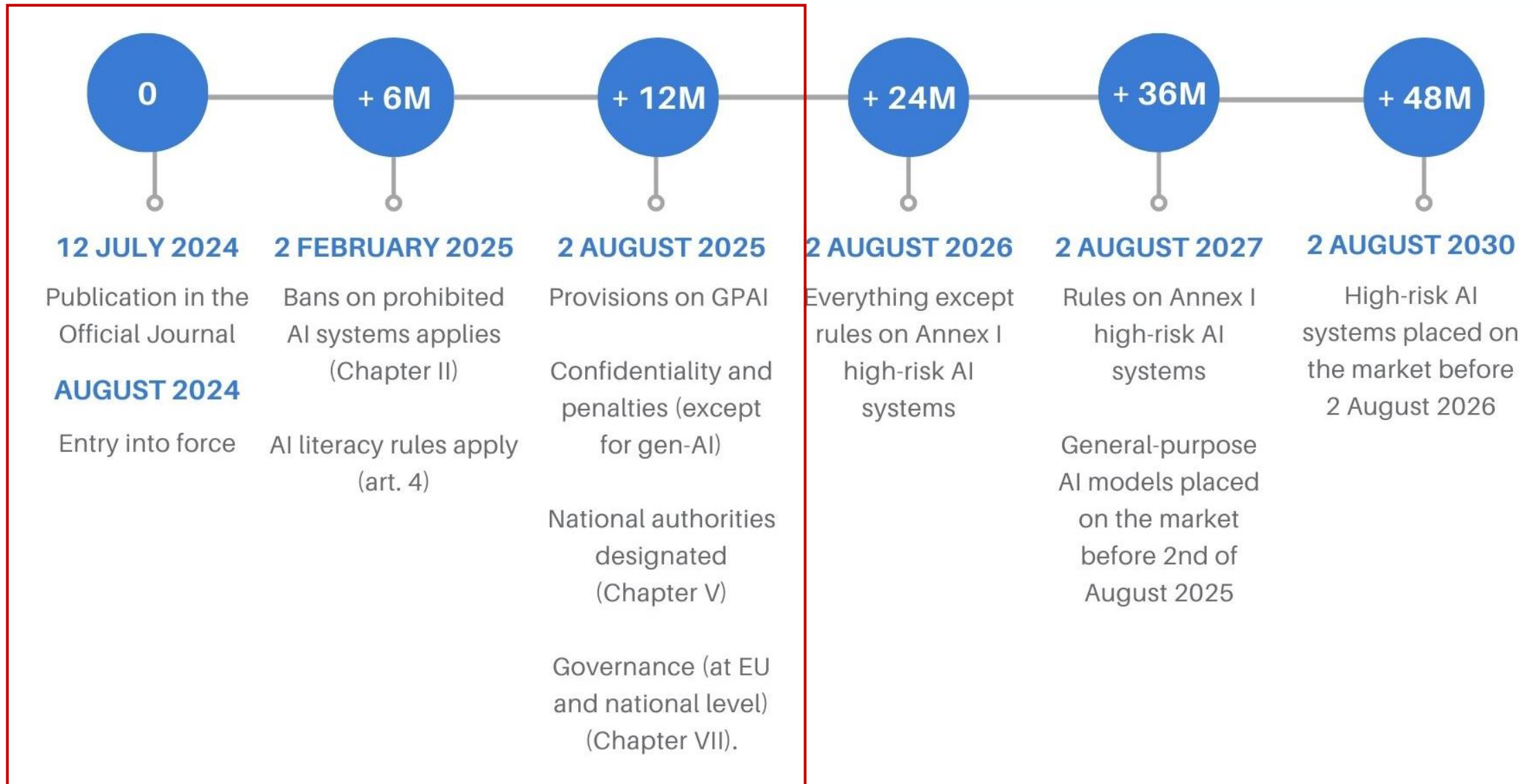




# Timeline

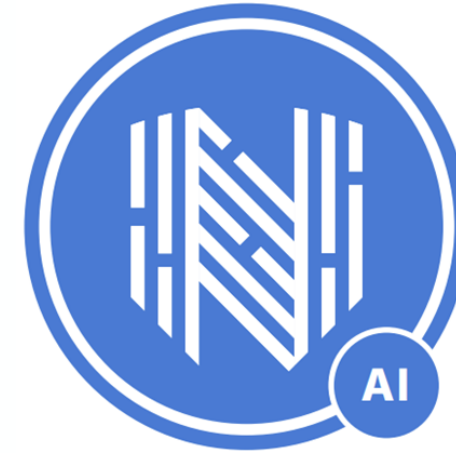


# Timeline



# Act today with Nemko's AI Trust Mark

Businesses around the world are acting today. Take steps to ensure and showcase the quality and trustworthiness of your AI systems. Align your systems against regulatory requirements and stay competitive in today's market.



## AI Trust Mark

An AI Trust Mark for products and services assures clients of transparency, reliability, and regulatory alignment, enhancing user confidence and market credibility.





# Bans on Prohibited AI Systems

Came into effect on February 2<sup>nd</sup>, 2025

# Prohibitions: Key points

- Prohibitions came into effect the **2<sup>nd</sup> of February 2025**
- Fines apply on **August 2, 2025** (EUR 35 million or up to 7 % of global annual turnover)
- Many of the prohibitions have **exceptions**
- The list will **be re-assessed annually**
- The **prohibitions apply irrespective of the role** of the actor (i.e. whether provider, deployer, distributor or importer)

## TO-DO LIST

- ☐ Examine your AI systems to determine if they are prohibited.
- ☐ Review the list of prohibited practices yearly for any updates, as it may change.
- ☐ Consider whether any exceptions apply.



# AI Literacy Rules

Came into effect on **February 2<sup>nd</sup>, 2025**



# AI literacy

- AI literacy rules came into effect on **February 2nd, 2025.**
- Providers and deployers of AI systems must ensure there is sufficient AI literacy among their staff and those acting on their behalf.

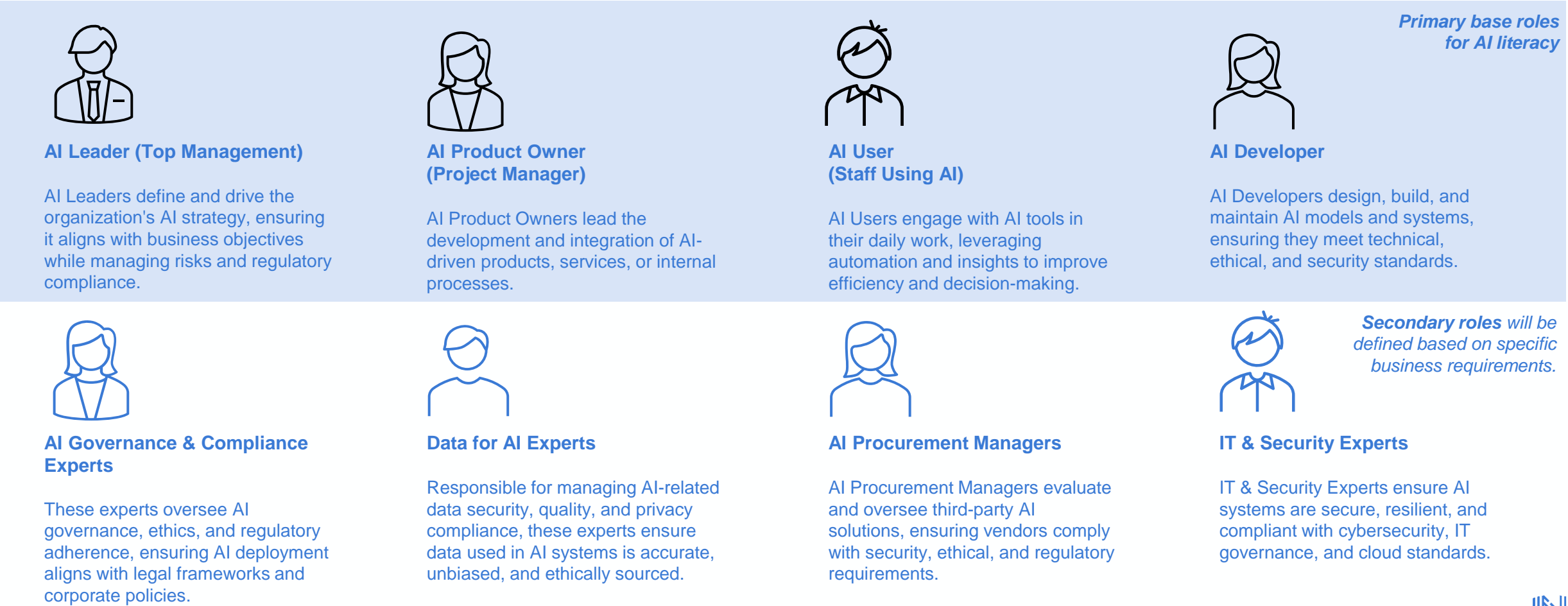
## TO-DO LIST

- ☐ **Lead and build awareness:** Assess AI literacy readiness, define strategy
- ☐ **Define capability requirements:** Map roles and responsibilities with AI training outcomes, assess required skill set based on AI application and its risks....
- ☐ **Train your staff** - facilitate cross-team session, measure learning impact...
- ☐ **Implement governance and continuous growth structure** - AI literacy refreshers, monitor capabilities, benchmark against industry standards....



# AI literacy roles – complete overview

These are the primary AI-related roles in an organization and can be used to structure a **robust AI literacy program**, ensuring targeted training, governance, and compliance. This approach equips each role with the **specific knowledge needed** to drive responsible AI adoption.



# General Purpose AI Models

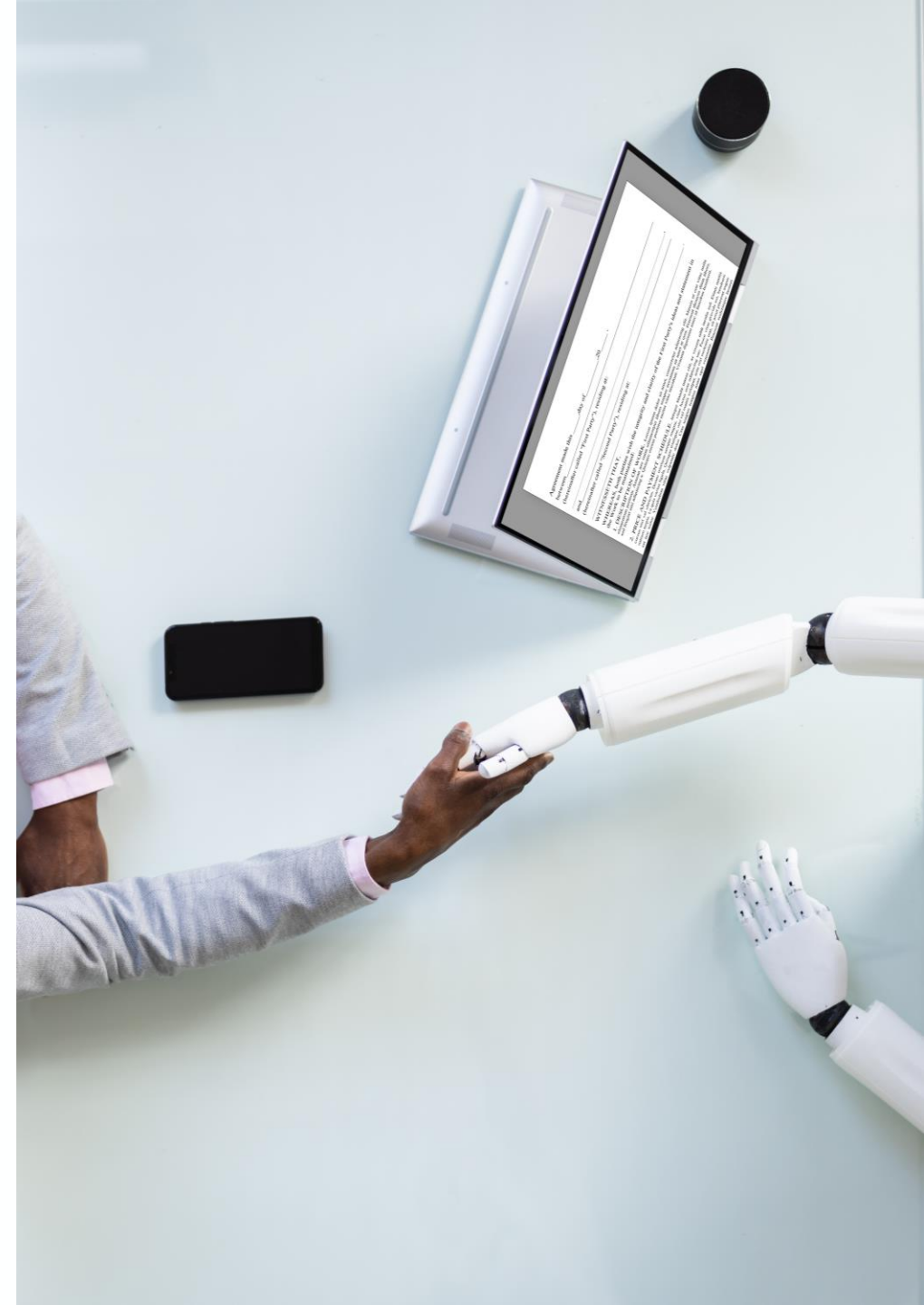
Come into effect on **August 2<sup>nd</sup>, 2025**

# GPAI models: Key points

- Provisions regarding GPAI models will apply from the **August 2<sup>nd</sup>, 2025**
- Fines apply on **August 2<sup>nd</sup>, 2026**
- **GPAI codes of practice** available +/- **May 2025**

## TO-DO LIST

- ☐ Understand the concepts and relationships between GPAI models, GPAI systems, AI systems, and high-risk AI systems. This understanding is key to make informed legal evaluations and systems assessments.





# GPAI models: Key points

## TO-DO LIST

**Providers of GPAI models must:**

- ☐ Undertake a thorough **governance review** and make necessary adjustments to ensure compliance.
- ☐ Perform a thorough **IP assessment**. GPAI model requirements are deeply connected to IP laws, especially copyright and data training obligations.
- ☐ **Continuously monitor the thresholds for “systemic risk,”** as these may be adjusted over time via delegated acts.
- ☐ **Stay aware of codes of practice** - these include specific and technical details on how to comply with the obligations for general-purpose model providers in practice.



# **Forthcoming initiative**

Until August 2nd, 2027

# Forthcoming initiatives

- Until **August 2nd, 2027**, the European Commission is expected to adopt **delegated** and **implementing acts**, **guidance documents**, **codes of conduct**, **codes of practice** and **standardisation** requests to support the “living regulation”.

## Standardization

- European harmonised standards will be available **end of 2025**.
- In lack of current EU harmonised standards, CEN and CENELEC broadly agree that companies that comply with international standards, such as, *e.g.*, ISO/IEC 42001, will leverage their original compliance to meet the relevant provisions of the AI Act

## TO-DO LIST

- ☐ Monitor the work of the Commission in developing the legislative and nonlegislative initiatives.
- ☐ Seek to comply with international standards on AI incl. ISO/IEC 42001



The background is a solid blue color. On the left side, there is a large, faint, white geometric pattern consisting of several overlapping, elongated, and slightly curved rectangular shapes that create a sense of depth and movement. On the right side, there is a faint, white, wavy pattern that resembles a series of concentric, slightly irregular circles or a ripple effect, also creating a sense of depth and movement.

**What to do today**



# AI Inventory

By implementing **AI inventory management**, organizations can **streamline compliance efforts, reduce regulatory risks, and build trust** with stakeholders while aligning with the EU AI Act and other global AI governance frameworks.



Transparency and documentation

- Complete **visibility across all AI operations**, maintaining necessary **records** of all systems and models.

Governance and accountability

- Assign **clear responsibilities** and keep track of **decision-making processes** integrating **human oversight**

Risk management

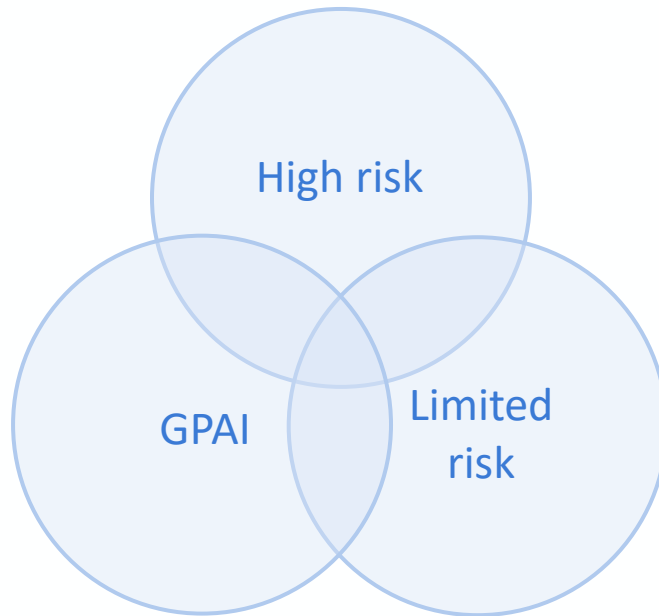
- **Classify and manage risk levels** according to risk-based regulatory frameworks and own risk analyses

Lifecycle management

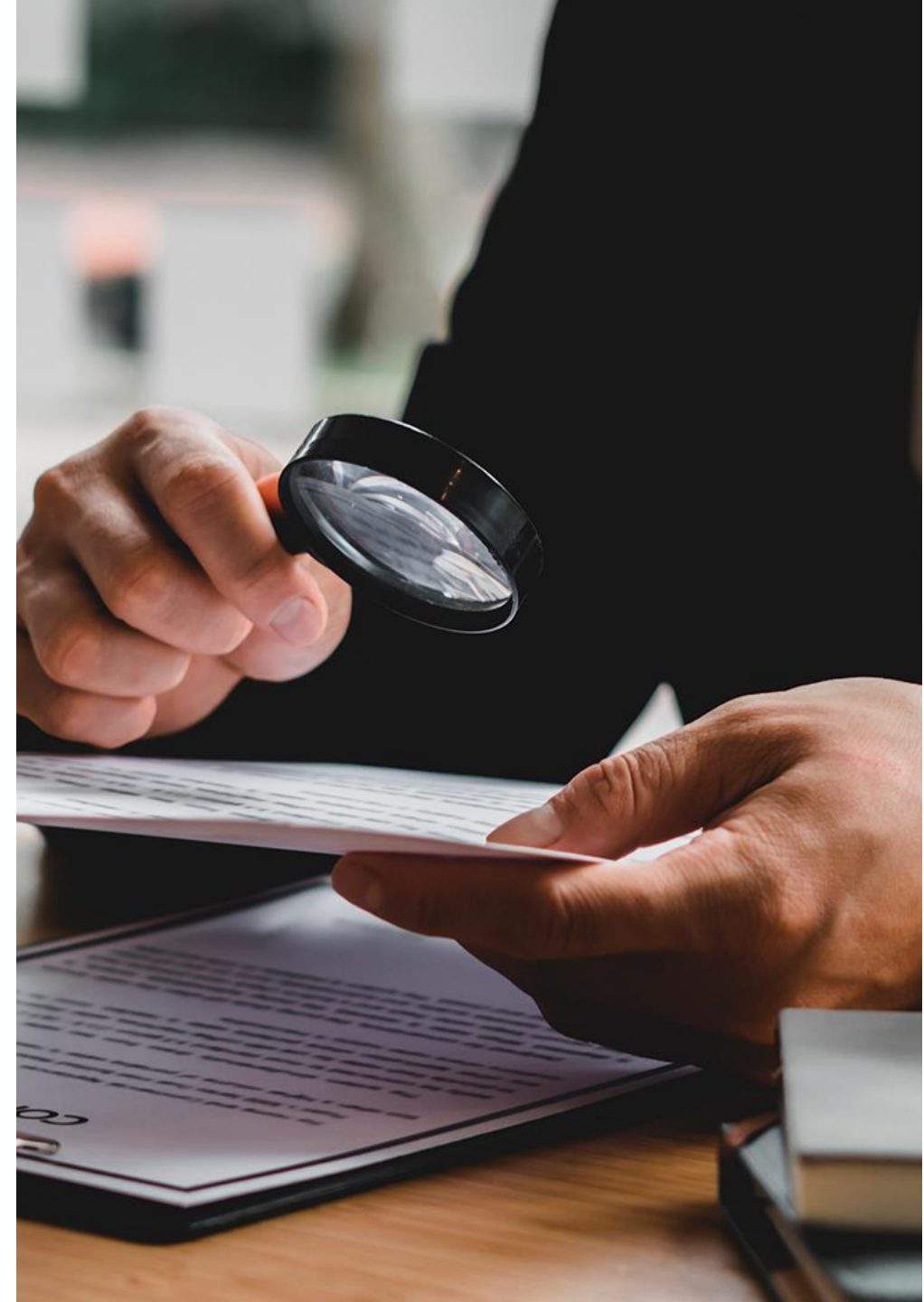
- **Track lifecycle stages**, ensuring proper updates, maintenance, and decommissioning of systems

# Risk Categorization

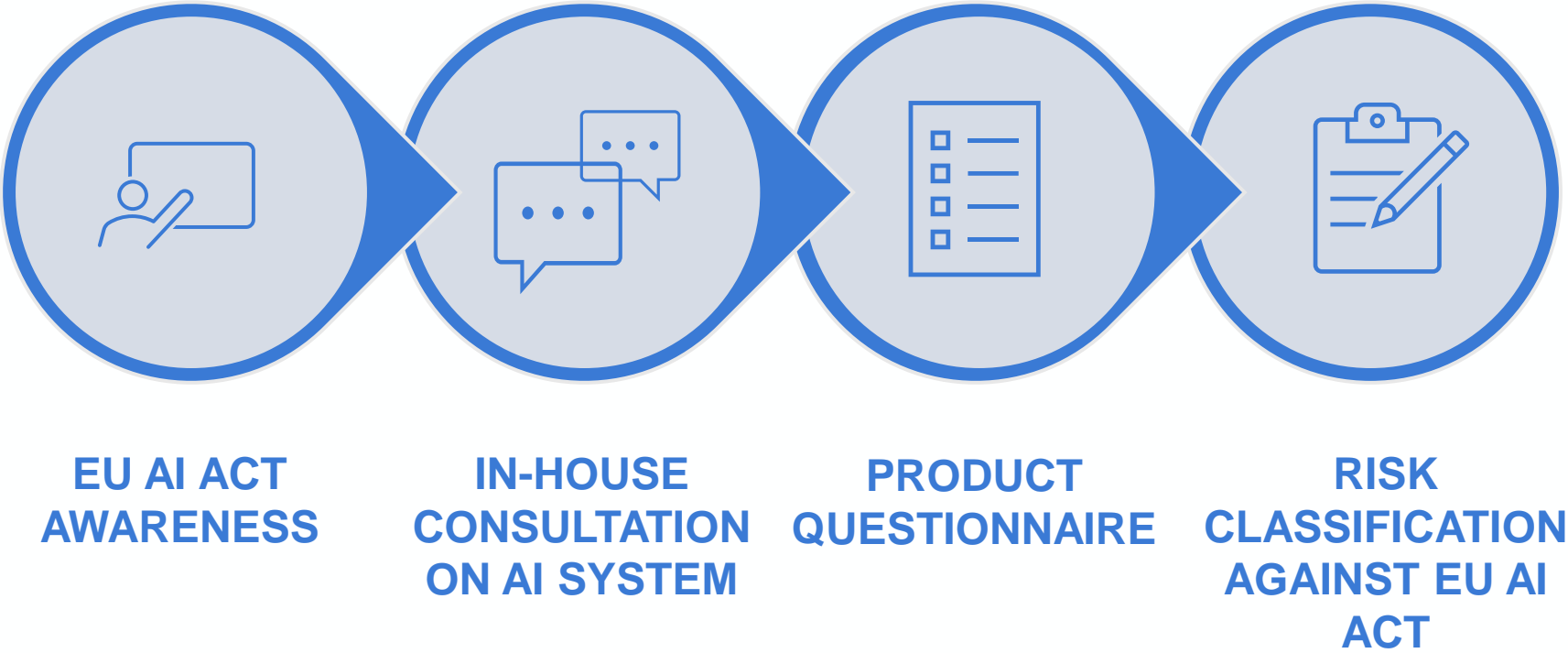
- Understanding which risk category your system falls into is crucial.
- Risk categories are not mutually exclusive – you can fall into more than one!



- A system's risk category depends on a variety of factors such as its components, intended use, potential impact, and more.



# Risk Categorization: Our Approach



## DELIVERABLE



**EVALUATION REPORT  
+  
RECOMMENDATIONS**



**EVALUATION  
STATEMENT**



# Nemko Digital

Key interests and Service Offerings



# Key interests of our clients today

## Key Focus



### AI Governance Assessment

The AI Governance Maturity Scan helps clients identify gaps, mitigate risks, and enhance compliance, ensuring responsible and effective AI implementation.



### Global market access / risk categorization

We provide market access research, monitor legislative changes, and offer proactive compliance strategies, ensuring your products align with international standards and are ready for global markets.



### AI Trust mark

An AI Trust Mark for AI-embedded products assures clients of transparency, reliability, and compliance, enhancing user confidence and market credibility.



### Readiness scans (ISO/ EU AI ACT / US regulations)

A Readiness Scan for the EU AI Act and other regulations helps clients assess compliance gaps, mitigate risks, and ensure alignment with evolving legal requirements.



### ISO 42001 Readiness and support

Develop robust AI governance aligned with ISO/IEC 42001 standards. From training and process improvement to full implementation, our services ensure accountability, compliance.



### AI Training & workshop / literacy

Our trainings and workshops are tailored for organizations looking to deepen their knowledge of AI, its regulations, standards, governance, applications in products.

## Top 3 global AI frameworks



# Upcoming 30-min webinars

March 31st



## AI Literacy

Our AI literacy program guides organization on how to assess, prepare, and train your teams and departments on AI Literacy.

April 22nd



## AI Governance Assessment

Our maturity scan helps clients identify gaps, mitigate risks, and enhance compliance, ensuring responsible and effective AI implementation.

April 11th



## AI Trust Mark

AI Trust Mark for products and services assures clients of transparency, reliability, and regulatory alignment, enhancing user confidence and market credibility.

May 7th



## ISO/IEC 42001 Readiness

Receive training, guidance on process improvement, or guidance on how to fully implement ISO/IEC 42001.

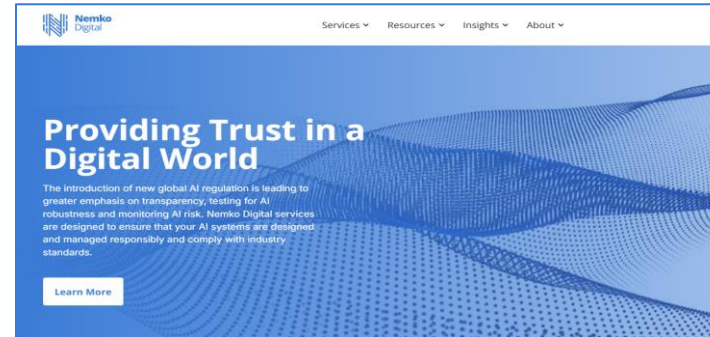


# How to learn more about our service offering

## Service brochure



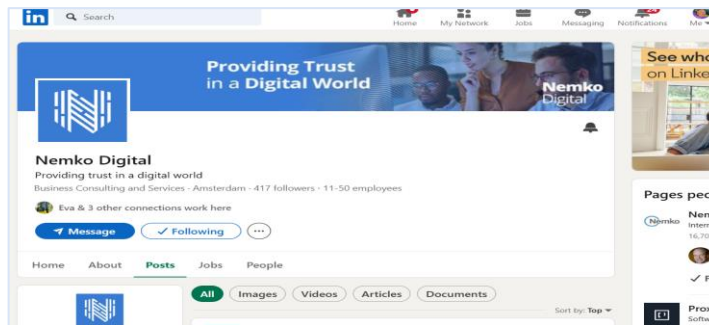
## Website



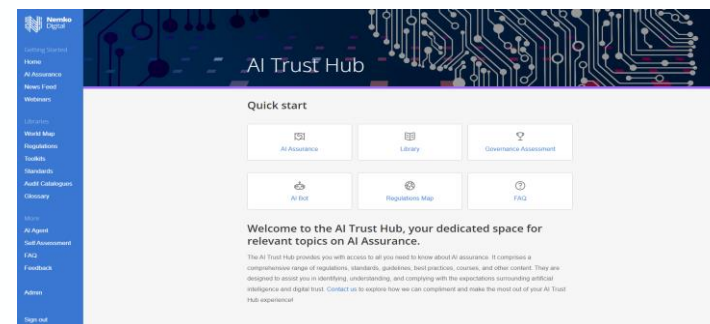
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Join us on LinkedIn or at the AI Hub, where we regularly share insights, videos, news, webinars, and other engaging content.

## LinkedIn community



## AI Trust Hub



For complete details about our services, visit our website or explore our brochure.



## Next steps



**15-Minute AI  
Consultation: Tailored  
Insights for Your  
Business**







**Thank you!**

**Q&A**

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**[digital.nemko.com](http://digital.nemko.com)**