

# **EU AI Act**

*Implementation* 

Supervisory Responsibilities

February 2025

Al & Partners





Al & Partners defends and extends the digital rights of users at risk around the world. By combining direct technical support, comprehensive policy engagement, global advocacy, grassroots professional services, regulatory interventions, and participating in industry groups such as Al Commons, we fight for fundamental rights in the artificial intelligence age.

This report was prepared by Sean Donald John Musch and Michael Charles Borrelli. For more information visit <a href="https://www.ai-and-partners.com/">https://www.ai-and-partners.com/</a>. All predictions, suggestions, analysis, projections, indications, and other material have been prepared on a 'best-efforts' basis.

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# Introduction

The EU AI Act marks one of the most significant shifts in compliance regulations in recent history. By encompassing entities from all sectors, it presents a challenge for any organization interacting with AI technologies. The phased implementation of new legal provisions has introduced substantial hurdles for the market.

This report aims to provide crucial insights into the ongoing rollout of the EU AI Act, with a focus on the supervisory responsibilities involved. It covers key challenges, best practices, sector-specific initiatives, regional regulations, and the approaches taken by AI authorities. The findings are drawn from the expertise of AI & Partners' specialists worldwide, offering perspectives shaped by their market observations and experience from numerous projects. We trust this report will offer valuable insights and be of practical use.

Best regards,

Sean Musch

Founder/CEO

AI & Partners



Frequently asked questions being asked about EU AI Act



## What are the key responsibilities of EU Member States?

## 1. Regulatory Appointments & Notifications

- By **November 2024**, Member States should have identified and publicly listed the authorities responsible for AI oversight and notify the Commission (Art. 77(2)).
- By August 2025, Member States must establish notifying authorities and market surveillance authorities and provide them with adequate resources (Art. 70(1-5)).

### 2. Law Enforcement & Al Compliance

- By **February 2025**, they should have decided whether to allow real-time remote biometric identification (RBI) in public spaces for law enforcement and notify the Commission if permitted (Art. 5(5)).
- By August 2025, they must lay down penalties for non-compliance with the Al Act (Art. 99, 113).

### 3. Market Surveillance & Risk Management

- Member States must assess and notify **conformity assessment bodies** for high-risk Al applications (Art. 28(1), 29-31).
- They must **monitor systemic risks** related to General-Purpose AI (GPAI) and facilitate regulatory updates (Art. 53, 55).

### 4. Coordination with the AI Office & International Cooperation

- Member States are required to **designate a representative to the Al Board** for a three-year term (Art. 65(3)).
- They must share enforcement experiences with the AI Board and exchange confidential information where relevant (Art. 66, 78(3)).

#### 5. Support for Businesses & Al Literacy

- They must facilitate AI literacy programs and voluntary **codes of conduct** in collaboration with stakeholders (Art. 4).
- They must provide guidance to SMEs and startups on AI compliance (Art. 70(8)).

#### 5. Ex-Post Evaluation & Reporting

- By August 2025, they must report to the Commission on their regulatory resources (Art. 70(6)).
- Anytime upon request, they must provide information for **ex-post evaluations** of Al Act implementation (Art. 112).





## What are the key responsibilities of the AI Office?

#### 1. Al Governance & Public Awareness

- By February 2025, they should promote Al literacy tools and increase public awareness of Al risks, benefits, and safeguards (Recital 20).
- Ongoing, establish the Advisory Forum and appoint members from stakeholders with Al expertise (Art. 67(1/2/3)).

### 2. Market Oversight & Conformity Assessment

- By August 2025, register and assign notified bodies for AI conformity assessments (Art. 30(2), 35).
- Investigate notified bodies for competence and **request corrective actions** from Member States if needed (Art. 37(1/4)).
- Coordinate a **sectoral group of notified bodies** to ensure consistency in high-risk AI assessments (Art. 38).
- Develop international mutual recognition agreements for conformity assessments (Art. 39).

### 3. Supervision of General-Purpose AI (GPAI)

- From August 2025, designate GPAI models with systemic risks, publish a list, and update it regularly (Art. 52(1/6)).
- Assess and register notifications from GPAI model developers once risk thresholds are met (Art. 52(1/4)).
- Request and evaluate technical documentation from GPAI model providers (Art. 53(1a)).
- Oversee copyright compliance for GPAI models without direct verification (Art. 53(1c/d)).
- Develop codes of practice for GPAI models in consultation with industry and civil society (Art. 56(1/3/6)).

## 4. Coordination with Member States & Al Board

- By August 2025, receive and register national AI enforcement authorities, ensuring transparency (Art. 70(2)).
- Attend AI Board meetings but without voting rights (Art. 65(2)).
- Provide secretarial support for AI Board meetings, including agenda preparation (Art. 65(8)).
- Facilitate collaboration between scientific panels, AI testing initiatives, and national regulators (Art. 69).





#### 5. Law Enforcement & Biometric Identification

- By February 2025, they should receive and register Member States' decisions on real-time remote biometric identification (RBI) for law enforcement (Art. 5(5)).
- Develop a reporting template for Member States' annual RBI usage reports (Art. 5(6)).
- By August 2025, publish aggregated annual reports on the use of RBI in law enforcement (Art. 5(7)).

### 6. Penalties & Enforcement

- Receive and assess national rules on penalties for AI non-compliance (Art. 99(2) / 113).
- From August 2025, collect and evaluate Member States' reports on administrative fines and legal proceedings (Art. 99(11), 100).
- Evaluate and recommend amendments to the list of prohibited AI practices (Art. 112(1)).

### 7. Scientific & Technical Expertise

- Establish a scientific panel to provide AI risk assessments and policy guidance (Art. 68(1/5)).
- Ensure transparency by publishing declarations of interest for scientific panel members (Art. 68(4)).
- Enable Member States to request AI experts for enforcement support (Art. 69).





# Al Governance & Coordination







**Yet** to designate a national AI enforcement authority.

**Expected** to integrate AI governance within existing technology and data protection agencies.

FPS Economy designated as central market surveillance authority.

Data Protection Authority likely to oversee biometric, migration, and law enforcement AI systems



Croatia



Al governance expected to be linked to Institute for Computer Science, Al & Technology.

**No** formal authority announced yet.

Plans to assign AI regulation responsibilities to existing data protection and digital agencies.

**No** finalized AI authority.







## Czech Republic



**Likely** to assign AI oversight to a multi-agency task force.

**No** confirmed national authority yet.

Al governance expected under the Czech Office for Personal Data Protection.

Market surveillance responsibilities may fall under Ministry of Industry & Trade.



## **Estonia**



**Existing** authorities, such as Danish Data Protection Agency, likely to handle Al compliance.

**Focus** on harmonizing AI oversight with cybersecurity policies.

**Known** for strong digital governance; Al oversight likely integrated into e-Government strategies.

**No** confirmed AI-specific authority yet.



## **Finland**



**Likely** to leverage AI and digital innovation agencies.

Al governance expected under the Ministry of Economic Affairs and Employment.

## **France**



Commission Nationale de l'Informatique et des Libertés (CNIL) to play a central role in Al enforcement.

**Strong** market surveillance measures anticipated.

# Germany

Federal Office for Information Security (BSI) expected to lead AI governance.

**Decentralized** Al oversight structure with contributions from state-level authorities.

## Greece



**Plans** to centralize Al governance under a dedicated national Al authority.

**No** confirmed AI-specific agency yet.





Al governance integrated into existing digital transformation and cybersecurity strategies.

**No** confirmed Al-specific agency yet.

## Ireland



Nine public authorities designated, including: Data Protection Commission (Alrelated privacy concerns).

Strong focus on **rights protection**.



National Digital and Cybersecurity Agencies assigned AI oversight responsibilities.

14+ university collaborations for AI policy development.

## Latvia



**Likely** integration of AI oversight within existing digital transformation agencies.

**No** confirmed AI-specific agency yet.





## Lithuania



Al governance expected under **Ministry of Economy** & Innovation.

Plans for **Al industry development incentives**alongside compliance
measures.

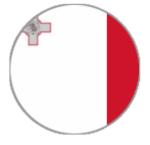
## Luxembourg



Likely integration of AI oversight within **existing digital economy frameworks**.

**No** confirmed AI-specific agency yet.

## Malta



Al governance expected under Malta Digital Innovation Authority.

**Focus** on aligning AI regulations with fintech & blockchain strategies.

## **Netherlands**



**Dutch** Data Protection Authority (Autoriteit Persoonsgegevens) likely to oversee AI regulations.

Al governance integrated with existing consumer protection agencies.



## **Poland**



Al oversight likely under Office of Competition and Consumer Protection.

Additional governance through national cybersecurity agencies.

## **Portugal**



Al governance likely integrated under **national digital transformation strategies**.

No confirmed Al-specific agency yet.

## Romania



**Expected** to assign Al oversight responsibilities to the **Ministry of Digitalization**.

No finalized AI authority yet.

## Slovakia



Al governance anticipated under **Ministry of Economy**.

Likely collaboration with digital innovation hubs.



## Slovenia



**Al** oversight expected under Information Commissioner's Office.

**AI** Act implementation aligned with EU AI governance framework.

## Spain



**National** Al Supervisory Agency (AESIA) officially designated for Al governance.

**First** dedicated national AI regulatory body in the EU.

# Sweden



Al governance likely under Swedish Authority for Privacy Protection.

**Expected** alignment with existing digital economy policies.



# EUROPEAN ARTIFICIAL INTELLIGENCE OFFICE

Al Office under the European Commission oversees Al Act implementation.

Engaging in global Al governance initiatives (e.g., International Network of Al Safety Institutes).

# Market Surveillance & Risk Management



## Austria



Al risk management likely under Austrian Data Protection Authority.

**Expected** reliance on EU-level notified bodies for conformity assessments.

## Belgium



**FPS** Economy designated as the market surveillance authority for high-risk AI.

Scientific panels on AI risk management expected under Belgian AI Coalition.

# Bulgaria



AI market surveillance likely under the Commission for Personal Data Protection (CPDP).

**No** notified bodies yet confirmed.

## Croatia



**Expected** to **outsource conformity assessments** to FU-level bodies.

**Scientific** panel development still in early discussions.



# Cyprus



Al risk management expected under Ministry of Innovation & Digital Policy.

**No** confirmed **scientific panel** or notified bodies yet.

## Czech Republic



Ministry of Industry & Trade to oversee Al conformity assessments.

Czech Academy of Sciences may contribute to Al risk analysis.



Danish Business Authority likely to handle AI market surveillance.

Danish Al Risk Panel expected to provide scientific expertise on highrisk Al.

## **Estonia**



**Estonian Data Protection Inspectorate** to handle AI risk oversight.

Likely collaboration with Estonian Academy of Sciences for Al safety analysis.





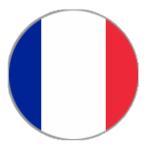
## **Finland**



Finnish Transport and Communications Agency (Traficom) to oversee high-risk AI conformity.

Al risk analysis integrated into Finnish Al Center of Excellence.

## **France**



CNIL (Data Protection Authority) & Ministry of Economy to register and oversee notified bodies.

Al risk management supported by INRIA (National Institute for Al Research).

# Germany



Federal Office for Information Security (BSI) designated as the AI market regulator.

Scientific panel under Fraunhofer Al Research Institute to evaluate Al risks.

## Greece



Hellenic Data Protection
Authority to oversee highrisk Al assessments.

Establishing scientific Al advisory body under the Ministry of Digital Governance.





National Al Laboratory (MILAB) to provide risk assessments for Al Act compliance.

Al surveillance likely under the **Hungarian Competition Authority**.

## Ireland



Nine regulatory authorities responsible for high-risk Al market surveillance, including: Financial Services & Pensions Ombudsman (Al in finance).

**No** designated scientific panel yet.



Agency for Digital Italy overseeing Al conformity assessment.

Scientific partnerships with **14 universities** for Al risk research.

## Latvia



Al risk monitoring likely under **Ministry of Economy**.

Scientific expertise expected from Latvian Institute of AI & Data Science.



## Lithuania



National Cybersecurity Centre to oversee Al compliance and risk assessment.

No confirmed scientific Al advisory panel yet.

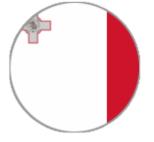
## Luxembourg



Luxembourg Digital Innovation Hub involved in Al market risk evaluation.

Likely reliance on **EU-wide notified bodies** for high-risk Al certification.

## Malta



Malta Digital Innovation Authority overseeing Al compliance in fintech & blockchain.

Al risk research supported by University of Malta Al Lab.

## **Netherlands**



Dutch Data Protection Authority (Autoriteit Persoonsgegevens) to enforce Al market surveillance.

Al scientific panel likely under **Netherlands Al Coalition**.



## **Poland**



Al risk management integrated into Office of Competition and Consumer Protection.

**Scientific expertise** expected from Polish AI research institutes.

## **Portugal**



Al conformity assessments likely under **Portuguese Agency for Administrative Modernization**.

No confirmed **scientific panel** yet.

## Romania



**Ministry of Digitalization** to oversee AI compliance & risk assessment.

Likely partnerships with Romanian Academy of Sciences for AI risk research.

## Slovakia



Al risk monitoring expected under **Ministry of Economy**.

Scientific expertise anticipated from Slovak Al Research Center.



## Slovenia



**Information Commissioner's Office** overseeing AI risk compliance.

Al risk research supported by **Jožef Stefan Institute**.

## Spain



National Al Supervisory Agency (AESIA) leading Al market surveillance & risk management.

Strong focus on **scientific risk evaluation** through public research institutions.





Swedish Authority for Privacy Protection handling Al risk compliance.

Scientific AI panel likely under AI Sweden Innovation Hub.



Scientific Panel on Al Risks: Advises the Al Office on systemic risks, GPAI obligations, and conformity assessments.

Harmonized Standards: CEN & CENELEC developing EU-wide standards for Al safety & risk management.



# Enforcement & Compliance



# Austria



No official stance on RBI use by law enforcement yet.

Annual Al risk review expected via digital regulatory agencies.

# Belgium



FPS Economy responsible for AI compliance and penalties.

Belgian AI Coalition may contribute to compliance evaluations.

# Bulgaria



Al Act enforcement likely under Commission for Personal Data Protection (CPDP).

No reported use of RBI for law enforcement yet.

## Croatia



Market regulator yet to be designated for AI Act penalties.

RBI use not officially addressed, but expected to align with EU-wide restrictions.



# Cyprus



Al enforcement expected under **Ministry of Innovation** & **Digital Policy**.

No confirmed RBI monitoring framework yet.

## Czech Republic



Ministry of Industry & Trade to oversee AI Act penalties.

RBI use under review, with oversight likely from the Office for Personal Data Protection.



Danish Business Authority likely responsible for AI enforcement.

Strict limitations on RBI, with oversight from Danish Data Protection Agency.

## **Estonia**



**Estonian Data Protection Inspectorate** to enforce Al penalties.

RBI use likely prohibited, following Estonia's strong digital rights policies.



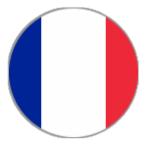
## **Finland**



Al compliance under Traficom (Transport & Communications Agency).

No widespread RBI use, but law enforcement may have limited applications.

## France



RBI use monitored by law enforcement, but highly regulated.

Ex-post AI compliance assessments conducted by INRIA (AI Research Institute).

# Germany

Federal Office for Information Security (BSI) to manage AI penalties.

RBI use allowed in limited cases, with strong data protection oversight.

## Greece



Hellenic Data Protection Authority to enforce Al compliance.

**RBI use under review**, but not widely implemented.





National Al Laboratory (MILAB) to oversee Al compliance & penalties.

RBI monitoring framework unclear.

## Ireland



**No** confirmed RBI framework.

**Annual** Al risk assessments mandated.



**RBI use limited**, with law enforcement oversight.

Annual compliance reviews required via national Al research collaborations.

## Latvia



No official RBI stance.

**Annual** Al risk reviews required.





National Cybersecurity
Centre likely responsible for
Al enforcement.

**No** confirmed RBI monitoring.

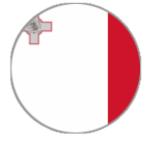
## Luxembourg



Luxembourg Digital Innovation Hub managing Al Act compliance.

**RBI use unclear**, likely minimal.

## Malta



Malta Digital Innovation Authority responsible for Al compliance.

RBI use unclear, but biometric tech heavily regulated in fintech.

## **Netherlands**



Dutch Data Protection Authority (Autoriteit Persoonsgegevens) to oversee Al compliance.

RBI under strict limitations, with transparency requirements.



## **Poland**



Al enforcement under Office of Competition and Consumer Protection.

RBI framework unclear, expected high legal barriers for use.

## **Portugal**



Portuguese Agency for Administrative Modernization responsible for AI penalties.

RBI use not confirmed, but data protection laws prohibit misuse.

# Romania



Ministry of Digitalization handling AI Act penalties.

No confirmed RBI use, but surveillance laws may affect adoption.

## Slovakia



**Ministry of Economy** likely to enforce AI compliance.

**RBI use under review**, no clear framework.



## Slovenia



**Information Commissioner's Office** to oversee Al penalties.

**RBI** expected to be heavily restricted.

## Spain



National AI Supervisory Agency (AESIA) leading AI enforcement & compliance.

**Strict** RBI monitoring framework in place.



Swedish Authority for Privacy Protection to enforce Al compliance.

**RBI use limited**, strict privacy laws in place.



Al Act Implementation & Penalties – Monitoring national penalties, ensuring regulatory alignment, and assessing enforcement measures.

Real-Time Biometric
Identification (RBI) for Law
Enforcement – Registering,
monitoring, and reporting on
Member States' use of RBI.



# Public Awareness & Al Literacy



## Austria



No confirmed voluntary codes, but business sector engagement ongoing.

Transparency reports likely under Austrian Data Protection Authority.

# Belgium



FPS Economy & Belgian Al Coalition driving public Al awareness.

Engaged in EU-wide voluntary codes, especially in data ethics and AI safety.

## Bulgaria



Al literacy initiatives expected through Institute for Computer Science, Al & Technology.

**Industry** participation in voluntary AI standards remains low.

## Croatia



**Voluntary** codes not yet widely adopted.

Al transparency reports expected from 2025.



# Cyprus



Al literacy likely led by Ministry of Innovation & Digital Policy.

Industry engagement in voluntary AI codes remains minimal.

# Czech Republic



**Active** participation in EU voluntary codes.

Annual AI transparency reports expected from 2025.



**Danish Business Authority** to oversee **AI literacy initiatives**.

Industry strongly engaged in voluntary Al safety codes.

## **Estonia**



E-Governance Academy leading Al literacy efforts.

No national voluntary code yet, but businesses follow EU guidelines.



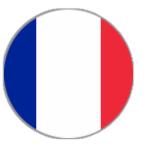
## **Finland**



National AI Center of Excellence promoting AI literacy.

Industry-leading voluntary Al compliance codes in place.

## France



**CNIL & INRIA** leading Al public engagement programs.

Al industry heavily involved in voluntary best practices.

# Germany

Federal Office for Information Security (BSI) promoting AI literacy in business & academia.

One of the strongest national voluntary Al compliance programs in the EU.

## Greece



Al literacy programs expected from the **Ministry** of Digital Governance.

**Limited** voluntary AI compliance initiatives.





National Al Laboratory (MILAB) responsible for Al education & training.

**Al** industry participation in voluntary codes remains low.

## Ireland



**Moderate** industry participation in voluntary codes.

Annual Al transparency reports required by Irish Data Protection Commission.



Al literacy promoted through university & industry partnerships.

**Strong** voluntary Al compliance codes in tech & finance.

## Latvia



Al awareness campaigns expected via Latvian Institute of Al & Data Science.

**No** national voluntary Al code yet.







Al literacy initiatives expected under **National Cybersecurity Centre**.

**Voluntary** codes of practice still emerging.

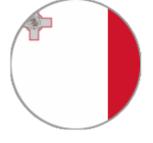
## Luxembourg



**Luxembourg Digital Innovation Hub** leading Al public engagement.

**Voluntary** Al best practices in fintech & legal tech.

## Malta



Al literacy supported by Malta Digital Innovation Authority.

**Fintech** & blockchain industries actively engaged in AI best practices.

## **Netherlands**



**Dutch AI Coalition** leading AI education & training.

High voluntary AI compliance adoption in major industries.



## **Poland**



Al literacy expected via Office of Competition & Consumer Protection.

**Voluntary** Al compliance programs in development.

## **Portugal**



Al education campaigns under Portuguese Agency for Administrative Modernization.

**Moderate** voluntary Al compliance efforts.

## Romania



Al literacy efforts in early stages under the Ministry of Digitalization.

**Industry** engagement in voluntary compliance still low.

## Slovakia



Al literacy initiatives expected from **Ministry of Economy**.

**Limited** adoption of voluntary AI compliance codes.



## Slovenia



Al public education supported by **Jožef Stefan Institute**.

Moderate voluntary Al compliance initiatives.

## Spain



National AI Supervisory Agency (AESIA) leading AI awareness campaigns.

**One** of the strongest voluntary AI compliance programs in the EU.



Swedish Al Innovation Hub promoting Al literacy.

Strong industry-led AI best practices in tech & finance.



Al Literacy Programs: EUwide efforts to train policymakers, businesses, and citizens on Al risks and rights.

Annual Al Transparency Reports: Member states must publish enforcement updates on systemic Al risks, penalties, and compliance trends.



# Calls to action





## Conduct a Risk Classification Assessment

Assess your AI systems in relation to the EU AI Act's risk categories (Unacceptable, High, Limited, Minimal). Determine if your systems are classified as High-Risk AI and identify the necessary compliance actions required.



## Establish Al Governance & Documentation Protocols

Implement internal compliance structures, including AI documentation, conformity assessments, and transparency protocols. This is especially important for High-Risk AI providers who must adhere to strict reporting and risk management standards.



# Monitor Regulatory Updates & Engage with the Al Office

Regulations and enforcement guidelines are still evolving. Stay updated on changes such as the GPAI Code of Practice and sector-specific compliance requirements. Engage with regulatory bodies to seek clarification on any uncertainties.



## Prepare for Audits & Post-Market Monitoring

Ensure systems are in place for ongoing monitoring of AI performance. Adopt risk mitigation strategies and maintain audit trails to demonstrate compliance during regulatory reviews.



## Leverage Al Literacy & Compliance Training Programs

Invest in AI literacy initiatives for employees to ensure awareness of regulatory requirements. Utilize resources, such as the AI Pact's literacy programs, to enhance your organization's preparedness.





# Conclusion

The EU AI Act represents a significant advancement in establishing a structured, ethical, and accountable framework for artificial intelligence across Member States. Six months into its enforcement, its impact is already reshaping the regulatory landscape and promoting a culture of trust and responsibility in AI development and deployment. This milestone underscores the EU's commitment to addressing societal concerns related to AI while fostering an environment that encourages innovation.

However, the implementation process has faced several challenges. Variations in Member States' readiness, resource constraints, and the complexities of aligning existing frameworks with the Act's rigorous requirements highlight the obstacles still to be overcome. Particularly, small and medium enterprises (SMEs) bear a disproportionate compliance load, while regulators continue to struggle with evaluating high-risk systems and ensuring transparency in Al practices.

Encouragingly, Member States have adopted innovative approaches to address these challenges. Initiatives like Estonia's integration of egovernance systems, Germany's sector-specific strategies, and Ireland's use of regulatory sandboxes highlight the flexibility of the framework to adapt to local contexts. These efforts not only promote compliance but also build public trust by ensuring transparency, fairness, and accountability in Al practices.

The Act offers a significant opportunity for businesses and governments to take a global lead in ethical AI. By embedding ethical principles into AI systems from the outset, it lays the foundation for greater societal acceptance and long-term innovation. Industries, especially those in high-risk sectors such as healthcare and finance, are beginning to integrate these principles, reflecting the Act's wide-reaching influence.

Looking ahead, the success of the Act will hinge on addressing critical gaps in capacity, stakeholder collaboration, and regulatory alignment. Closing these gaps, especially for SMEs, will require tailored support programs, simplified compliance processes, and effective resource allocation. It is essential for governments, industry leaders, and civil society to work together to ensure that the Act's implementation serves as a model for global AI governance.

The insights gained from the first six months are invaluable in understanding how to balance regulatory rigor with innovation. They highlight the EU's leadership in fostering a future where AI is a trusted tool for societal advancement. As other regions consider adapting or mirroring this approach, the EU AI Act's implementation will stand as a testament to the potential for harmonizing technological progress with ethical governance.





## About Al & Partners



### Al & Partners - 'Al That You Can Trust'

At AI & Partners, we're here to help you navigate the complexities of the EU AI Act, so you can focus on what matters—using AI to grow your business. We specialize in guiding companies through compliance with tailored solutions that fit your needs. Why us? Because we combine deep AI expertise with practical, actionable strategies to ensure you stay compliant and responsible, without losing sight of your goals. With our support, you get AI you can trust—safe, accountable, and aligned with the law.

To find out how we can help you, email contact@ai-and-partners.com or visit <a href="https://www.ai-and-partners.com">https://www.ai-and-partners.com</a>.



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