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EU AI Act

DMA versus EU AI Act

A Mapping Exercise

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Sean Musch, AI & Partners

Michael Borrelli, AI & Partners

Charles Kerrigan, CMS UK

Priya Guliani, EarthID

Robert Lienhard, Sika

Michael Tchuindjang, Signature S.A.S.



Articles

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AI & 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 AI 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 <https://www.ai-and-partners.com/>.

Contact: Michael Charles Borrelli | Director | m.borrelli@ai-and-partners.com.

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Introduction

As artificial intelligence becomes increasingly embedded in online platforms, organizations must integrate transparency, accountability, and user protection into their AI governance strategies. The combined frameworks of the Digital Markets Act (DMA) and the EU AI Act offer a structured approach for managing platform power, promoting fair competition, and mitigating risks associated with high-impact AI systems. By aligning AI deployment with interoperability mandates, transparency-by-design principles, and strong user rights protections, organizations can build digital environments that foster both innovation and trust.

This report explores how the DMA's platform obligations and the EU AI Act's AI-specific requirements together define a new standard for responsible AI governance. From ensuring fair business practices and protecting user autonomy to monitoring systemic risks in general-purpose AI models, these regulations offer a comprehensive foundation for deploying AI technologies safely, ethically, and in compliance with EU law.

With regulatory scrutiny intensifying across Europe, businesses must now demonstrate platform responsibility, AI transparency, and user-centric practices to maintain trust and competitive positioning. Implementing the requirements of the DMA and the EU AI Act enables organizations to not only manage legal risk but also future-proof their digital services in a rapidly evolving market.

Whether you are an online platform operator, AI developer, SME innovator, or policymaker, this report serves as a strategic resource for navigating the intersection of AI, competition, and user protection. At AI & Partners, we are committed to helping organizations deploy AI systems that are transparent, resilient, and aligned with the highest global standards for ethical innovation and regulatory compliance.

Best regards,

Sean Musch

Founder/CEO

AI & Partners



Key questions being asked
about Digital Markets Act .>



1. What is the main purpose of the Digital Markets Act?

The DMA aims to ensure fair, open, and contestable digital markets in the EU. It targets powerful online platforms—called gatekeepers—that can control access between businesses and users. The DMA introduces clear obligations and prohibitions to stop unfair practices, such as self-preferencing or blocking competitors. By doing so, it helps smaller businesses compete fairly, empowers consumers with more choices, and promotes innovation. The goal is not to limit large platforms' success, but to prevent them from using their dominance to shut others out or impose unfair conditions that distort healthy digital competition.

2. Who qualifies as a gatekeeper under the Digital Markets Act?

A gatekeeper is a large digital platform that has a strong economic position, operates in multiple EU countries, and links many users with businesses. They must also hold an entrenched and lasting position in the market. Specific thresholds—like €7.5 billion annual EU turnover or 45 million monthly users—help the EU decide which companies qualify. As of September 2023, Alphabet (Google), Amazon, Apple, ByteDance, Meta, and Microsoft have been designated as gatekeepers. These platforms provide core services like search engines, app stores, and must follow strict rules outlined in the DMA.

3. What are “core platform services” under the Digital Markets Act?

Core platform services are digital services that serve as critical infrastructure between businesses and users. These include online intermediation services (like app stores or marketplaces), search engines, social networking services, cloud services, operating systems, and web browsers. Gatekeepers offering any of these services are subject to specific obligations to prevent them from abusing their control. These core services are where unfair behavior is most likely to occur, as users and business customers often rely heavily on them.



4. How does the Digital Markets Act affect consumers directly?

The DMA gives consumers more freedom, choice, and transparency. Users can uninstall unwanted pre-installed apps, connect to businesses outside a gatekeeper's ecosystem, and avoid being tracked without proper consent. It also opens up access to alternative services, potentially leading to better quality, more innovative tools, and fairer prices. For instance, a user might choose a different default browser or app store without friction. The DMA protects consumers from being locked into one company's services, ensuring that convenience doesn't come at the cost of control, privacy, or access to diverse digital offerings.

5. How does the Digital Markets Act support small businesses and startups?

The DMA levels the playing field for small businesses and startups by preventing gatekeepers from imposing unfair terms. It ensures these businesses can access their own customer data, promote offers outside the platform, and compete on equal terms. By stopping practices like self-preferencing and forced exclusivity, the DMA creates opportunities for smaller players to reach consumers without relying entirely on dominant platforms. This support is crucial in enabling innovation, as startups often struggle to grow under the shadow of tech giants. Fair access and freedom to operate online help foster a diverse, competitive digital economy.



6. What happens if a gatekeeper violates the Digital Markets Act rules?

Gatekeepers who violate the DMA can face serious consequences. The European Commission can impose fines of up to 10% of a company's global annual turnover—and 20% for repeat offenses. Additionally, daily penalty payments (up to 5% of daily turnover) may be applied to ensure compliance. For systematic infringements, the Commission can impose structural remedies, such as breaking up parts of a business. These tough sanctions are designed to make sure compliance is not optional.

7. How is the Digital Markets Act different from existing competition law?

Traditional EU competition law addresses abusive behavior after it occurs and often requires lengthy investigations. The DMA takes a proactive approach—setting clear, pre-defined obligations for gatekeepers before harm is done. Instead of proving each individual case of abuse, the DMA defines what behaviors are unacceptable, speeding up enforcement. It complements existing laws by addressing structural risks from dominant platforms more efficiently. While competition law still applies, the DMA gives regulators more direct, consistent tools to keep markets fair, preventing dominant firms from harming competition with repeated misconduct that would be hard to catch.

8. Can gatekeepers still innovate and grow under the Digital Markets Act?

Yes, the DMA does not prevent gatekeepers from innovating, growing, or offering new services. It simply requires that they do so without using unfair practices that harm rivals or users. The DMA ensures that gatekeepers can't favor their own products in search rankings, block alternative services, or restrict user choice. The DMA encourages innovation across the ecosystem, not just within dominant platforms. This creates a healthier digital economy where innovation comes from many players—big and small—rather than being stifled by the control of a few powerful platforms.



9. How is the Digital Markets Act enforced across the EU?

Enforcement of the DMA is centralized through the European Commission. The Commission investigates, designates gatekeepers, monitors compliance, and imposes penalties. This avoids a patchwork of national rules and ensures consistency across all EU member states. While national regulators can support investigations, only the Commission can enforce DMA obligations. Market investigations are also used to adapt rules and address systemic abuse. This centralized enforcement model helps businesses operate under one clear rulebook across the EU, reduces compliance confusion, and ensures that all gatekeepers are held to the same high standards, regardless of location.

10. Will the Digital Markets Act evolve with future digital trends?

Yes, adaptability is a core part of the DMA. The European Commission can launch market investigations to reassess which companies qualify as gatekeepers, update obligations, and create new remedies for emerging issues. As digital markets shift—with new technologies, services, or business models—the DMA can evolve accordingly. This ensures it stays relevant and responsive in a fast-moving tech environment. The law is structured to remain flexible, so it won't become outdated as platforms or tactics change. This adaptability helps protect competition and users long-term, even as the digital landscape continues to evolve rapidly.

Understanding Digital Markets Act





Gatekeeper Designation

Identifies dominant platforms,
establishes regulation focus

What are the key goals?

The goal is to identify companies whose platform power can distort digital markets. These gatekeepers control access between businesses and consumers, so fair behaviour must be enforced. Clear designation ensures targeted regulation, making sure only the most impactful players are bound by strict rules, preserving competition and innovation across the EU.



Why is it needed?

Large platforms can use entrenched market dominance to unfairly limit competitors' growth. Without clear designation, abusive practices might go unchecked. Designating gatekeepers targets regulatory attention to real systemic risks, protecting market openness and reducing barriers for emerging businesses, consumers, and alternative platforms trying to succeed.

How does it work in practice?

Companies meeting the thresholds (size, user base, revenue, EU reach) are assessed and designated as gatekeepers. The European Commission formally announces them. Once designated, the company must comply with specific DMA obligations. Regular reviews and investigations can adapt designations as market dynamics evolve, ensuring ongoing relevance to digital realities.





Obligations for Gatekeepers

Fair practices set,
harmful behaviours banned

What are the key goals?

The main goals are to create fairer market conditions and stop gatekeepers from using unfair advantages to stifle competition. Gatekeepers must allow interoperability, ensure transparency, and empower businesses to operate independently, and not engage in practices like self-preferencing. The DMA wants business users to engage freely with customers and control their own data without being exploited.



Why is it needed?

Without such obligations, gatekeepers could impose dependency, limit outside innovation, and exploit the data and success of smaller businesses. Historically, dominant platforms have tilted digital markets in their favour by manipulating rankings, blocking alternatives, or making it hard for users to switch. These practices reduce innovation.

How does it work in practice?

Gatekeepers must offer APIs for interoperability, provide advertising performance data, and allow merchants to promote offers off-platform. Gatekeepers failing to uphold these obligations face escalating enforcement actions. Moreover, gatekeepers must cease identified practices immediately upon designation. Monitoring, complaints, and Commission audits verify compliance. Transparency and accountability reports from gatekeepers are also part of monitoring practical compliance.



User Rights and Consumer Protection

More choice, control, transparency for users

What are the key goals?

The goal is to empower consumers by giving them more freedom, transparency, and control in the digital marketplace. The DMA ensures consumers can uninstall apps, avoid lock-in, and have access to better, more competitive services without being trapped or manipulated by platform operators.



Why is it needed?

Consumers often have limited choices because of platform control—like being stuck with pre-installed apps or being tracked without clear consent. Power imbalances between platforms and users led to exploitation. Strengthened user rights ensure real choice, better privacy, and a healthier digital environment where consumers actively shape market outcomes.

How does it work in practice?

Gatekeepers must respect user autonomy: users can uninstall unwanted apps, choose competitors' services, and consent must be clearly and genuinely obtained before tracking. The European Commission monitors user complaints and checks platforms' processes to ensure fair consumer treatment. Violations can trigger rapid fines and corrective actions.





Business Opportunities and Innovation

Boosts competition,
supports start-ups' growth



What are the key goals?

The DMA seeks to unlock opportunities for startups, SMEs, and innovators. By preventing gatekeepers from imposing unfair conditions, the DMA allows smaller businesses to access markets, connect with consumers directly, and innovate without fear of predatory practices that favour established giants.



Why is it needed?

Without fair conditions, promising companies struggle to scale or survive. Gatekeepers can easily copy, suppress, or block rising competitors. Innovation and consumer choice suffer when markets are closed. An open and contestable platform economy encourages more varied, higher-quality products and fuels economic dynamism within the EU.

How does it work in practice?

Businesses can promote offers independently, access essential performance data, and integrate with platforms without coercive restrictions. Complaints by affected businesses are investigated by the Commission. If a gatekeeper hinders competition, penalties are applied, and adjustments are demanded to restore fair market conditions and preserve competition incentives.





Enforcement and Sanctions

Strict penalties enforce compliance,
deter abuse

What are the key goals?

The goal is to ensure meaningful deterrence. Powerful platforms should not find it cheaper to violate rules than to comply. By imposing heavy fines, daily penalties, and structural remedies if necessary, the DMA forces compliance and rebalances the market when gatekeepers abuse their power.



Why is it needed?

In the past, light penalties or slow enforcement allowed big platforms to ignore regulations or absorb fines as "business costs." Strong, credible sanctions ensure that compliance is economically preferable to misconduct. They also reassure businesses and users that the rules are genuinely enforceable and protective.

How does it work in practice?

The Commission can impose fines up to 10% of annual turnover (20% for repeat offenses) or daily penalties. Systematic abuses may trigger deeper remedies, including the breakup of business units. Investigations and sanctions are proportionate but firm, maintaining consistent pressure for adherence to DMA standards.






Cross-Border Legal Certainty

Unified EU rules,
reduced regulatory fragmentation

What are the key goals?

The DMA aims to create one consistent legal framework across the EU for digital platforms. Companies know exactly what rules apply EU-wide, reducing fragmentation, legal confusion, and excessive compliance costs. The ultimate goal is a smoother single market that supports competition and innovation.



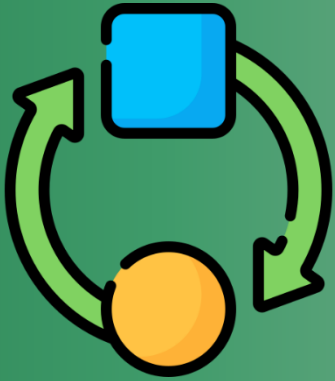
Why is it needed?

Previously, each EU Member State tried addressing digital dominance differently. The resulting patchwork made it costly and confusing for platforms to operate across borders and for businesses to challenge unfair practices. A single set of EU-wide rules simplifies compliance and levels the playing field.

How does it work in practice?

DMA rules apply directly across all EU countries without needing national laws. Gatekeepers face uniform obligations and enforcement by the European Commission. Businesses and consumers benefit from the same rights across borders. Disputes and complaints are handled centrally, ensuring consistency and predictability in enforcement.





Adaptability to Market Changes

Dynamic oversight maintains relevance amid innovation

What are the key goals?

The goal is to keep the DMA future-proof. Digital markets evolve fast, so the law must adapt quickly to new business models, emerging tech giants, and fresh competition issues. Flexibility ensures gatekeepers can't sidestep obligations through new tactics or technologies.



Why is it needed?

Rigid rules risk becoming outdated as technology changes. Without adaptability, dominant platforms might exploit loopholes or new digital sectors without oversight. Market investigations and dynamic adjustments ensure the DMA remains effective and responsive to real-world changes in platform behaviours and market dynamics.

How does it work in practice?

The Commission can initiate market investigations to reclassify gatekeepers, refine obligations, and design custom remedies for emerging risks. This tool allows the DMA to grow alongside digital innovation, ensuring that new digital markets and services remain open, fair, and competitive for future generations.



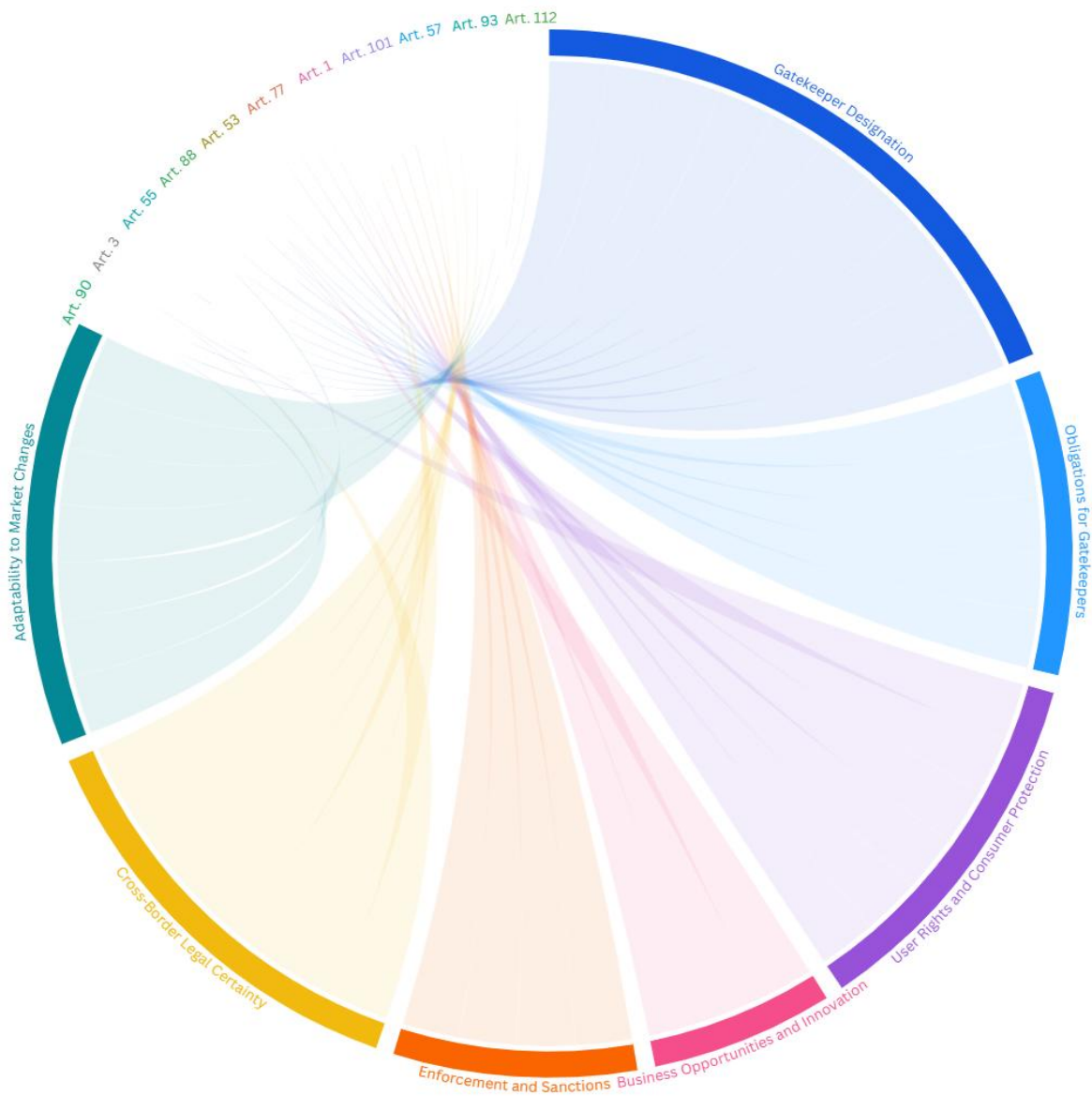
Mapping Digital Markets Act to EU AI Act





DMA

EU AI Act



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DORA		EU AI Act		
Categories	Description	Article(s)	Explanation	Action
Gatekeeper Designation	The DMA defines strict criteria for identifying "gatekeepers," major online platforms with entrenched market power. Companies must have significant influence across the EU, act as intermediaries between users and businesses, and possess a stable market position. Clear designation ensures regulatory focus on the platforms most capable of distorting fair competition.	90, 25, 74, 3, ANNEX XIII, 52, 55, 89, 50, 88	<p>Significant Influence Across the EU</p> <ul style="list-style-type: none"> General-Purpose AI Models with Systemic Risk: The EU AI Act identifies general-purpose AI models that have a significant impact on the internal market due to their reach, aligning with the DMA's focus on platforms with significant influence. Systemic Risk: The Act defines systemic risk as having a significant impact on the Union market, a key consideration for gatekeeper designation under the DMA. <p>Acting as Intermediaries</p> <ul style="list-style-type: none"> Providers and Deployers: The EU AI Act outlines obligations for providers and deployers of AI systems, which can include acting as intermediaries between users and businesses, similar to the role of gatekeepers. General-Purpose AI Systems: These systems can be integrated into various 	<p>Assess AI System Classification</p> <p>Enterprises should review their AI systems and classify them according to the EU AI Act's risk-based framework. Identify if their AI falls under "high-risk," "limited risk," or "minimal risk" categories. This classification will determine the specific regulatory obligations required, such as transparency, documentation, or risk management, ensuring compliance with the law.</p>





			<p>applications, potentially acting as intermediaries in different sectors.</p> <p>Stable Market Position</p> <ul style="list-style-type: none">• Market Surveillance and Compliance: The Act includes provisions for market surveillance and compliance, ensuring that AI systems maintain a stable and compliant market presence.• Post-Market Monitoring: Continuous monitoring and enforcement actions help maintain the stability of AI systems in the market, akin to the stable market position required for gatekeepers. <p>Additional Considerations</p> <ul style="list-style-type: none">• Transparency and Accountability: The EU AI Act emphasizes transparency and accountability, crucial for platforms with significant market power to ensure fair competition.• Regulatory Focus: The Act's focus on high-risk AI systems and general-purpose AI models with systemic risk	
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			ensures that regulatory efforts are directed towards the most impactful systems, similar to the DMA's focus on major platforms.	
Obligations for Gatekeepers	<p>a. Fair Business Practices ("Do's") Gatekeepers must enable interoperability with external services, provide data access to business users, ensure transparency in digital advertising, and allow businesses to independently reach customers. These obligations create a fairer digital ecosystem where third parties can innovate, compete, and interact with consumers without undue platform control.</p> <p>b. Prohibited Behaviors ("Don'ts") Gatekeepers are prohibited from favoring their own products, blocking external commercial connections, forcing users to keep unwanted software, and conducting cross-</p>	50, 13, 5, 53, 10	<p>a. Fair Business Practices ("Do's") Interoperability and Data Access:</p> <ul style="list-style-type: none"> The EU AI Act emphasizes transparency and the provision of information to deployers, particularly for high-risk AI systems. This includes ensuring that AI systems are designed to be transparent and that deployers have access to necessary information to interpret and use the systems appropriately. Providers of general-purpose AI models are required to maintain technical documentation and make it available to downstream providers, facilitating interoperability and data access. <p>Transparency in Digital Advertising:</p> <ul style="list-style-type: none"> The Act mandates transparency 	<p>Dos Implement Transparency Measures For high-risk AI systems, businesses must ensure transparency, providing clear information about how AI models function and their decision-making processes. Enterprises should communicate the purpose, logic, and impact of AI systems to users and regulators. This transparency promotes trust and ensures compliance with the EU AI Act's requirements for public accountability.</p> <p>Don'ts Strengthen Risk Management Frameworks Enterprises should develop and implement robust risk management practices for AI systems, especially those identified as high-risk. This includes performing regular risk assessments, identifying potential biases, and taking actions to mitigate risks related to safety,</p>





	service tracking without consent. These restrictions protect businesses and consumers from manipulative practices, promoting an open market where alternatives have a genuine chance to succeed.		<p>obligations for providers and deployers of AI systems, ensuring that users are informed when interacting with AI systems, aligning with the need for transparency in digital advertising.</p> <p>Independent Customer Reach:</p> <ul style="list-style-type: none">• The EU AI Act supports fair competition by ensuring that AI systems do not exploit vulnerabilities or manipulate users, thereby allowing businesses to reach customers independently without undue influence from gatekeepers. <p>b. Prohibited Behaviors ("Don'ts")</p> <p>Favoring Own Products:</p> <ul style="list-style-type: none">• The EU AI Act prohibits AI practices that exploit vulnerabilities or manipulate users, which can be seen as a measure to prevent gatekeepers from unfairly favoring their own products. <p>Blocking External Commercial Connections:</p> <ul style="list-style-type: none">• The Act's emphasis on transparency and interoperability indirectly	privacy, and fairness. Risk management ensures compliance with the EU AI Act and minimizes regulatory and operational risks.
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			<p>supports the prohibition of blocking external commercial connections by ensuring that AI systems are open and accessible.</p> <p>Forcing Unwanted Software:</p> <ul style="list-style-type: none"> The EU AI Act's focus on transparency and user information ensures that users are aware of AI interactions, reducing the likelihood of being forced to use unwanted software. <p>Cross-Service Tracking Without Consent:</p> <ul style="list-style-type: none"> The Act includes provisions for data governance and protection, ensuring that personal data is processed with appropriate safeguards, aligning with the prohibition of cross-service tracking without consent. 	
User Rights and Consumer Protection	Consumers benefit from increased choice, control, and protection. They can uninstall unwanted apps, connect freely to outside businesses, and enjoy services without hidden disadvantages.	19, 77, 5, 74, 72, 13	<p>Increased Choice and Control</p> <ul style="list-style-type: none"> Transparency and Information: The EU AI Act mandates that high-risk AI systems be designed with transparency to enable users to understand and appropriately use 	<p>Ensure High-Quality Data Governance</p> <p>To meet the EU AI Act's standards, businesses must ensure their AI systems are built on high-quality, representative, and non-biased data. Implementing strong data governance policies, including continuous monitoring</p>





	<p>The DMA empowers users against restrictive platform behaviors, ensuring transparent practices, privacy rights, and the ability to switch providers without unnecessary obstacles.</p>		<p>the system's outputs. This aligns with the DMA's goal of empowering consumers with clear information about the services they use.</p> <ul style="list-style-type: none">• Interoperability: The Act supports interoperability by requiring providers to maintain technical documentation, facilitating the integration of AI systems with other services and increasing consumer choice. <p>Protection Against Restrictive Behaviors</p> <ul style="list-style-type: none">• Prohibited AI Practices: The EU AI Act prohibits AI practices that manipulate or exploit users, aligning with the DMA's aim to protect consumers from restrictive and unfair platform behaviors.• Data Protection and Privacy: The Act includes provisions for data governance and protection, ensuring that personal data is processed with appropriate safeguards and upholding consumer privacy rights.	<p>and validation, is essential. This ensures that AI models produce reliable and fair outcomes, thus meeting regulatory requirements and maintaining compliance.</p>
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			Ability to Switch Providers <ul style="list-style-type: none"> • Market Surveillance and Compliance: The EU AI Act includes measures for market surveillance and compliance, ensuring that AI systems remain fair and competitive, supporting the DMA's objective of allowing consumers to switch providers without unnecessary obstacles. • Post-Market Monitoring: Continuous monitoring of AI systems ensures compliance with regulations, maintaining a fair market environment where consumers can freely choose and switch services. 	
Business Opportunities and Innovation	The DMA fosters a competitive environment where start-ups, SMEs, and innovators can thrive. It prevents gatekeepers from imposing unfair terms or restricting growth opportunities. New businesses can offer competing	62, 1, 5	Support for Start-ups and SMEs <ul style="list-style-type: none"> • Priority Access to AI Regulatory Sandboxes: The EU AI Act provides SMEs, including start-ups, with priority access to AI regulatory sandboxes — controlled environments that allow for the development, testing, and 	Ensure High-Quality Data Governance To meet the EU AI Act's standards, businesses must ensure their AI systems are built on high-quality, representative, and non-biased data. Implementing strong data governance policies, including continuous monitoring and validation, is essential. This ensures that AI models produce





	<p>services directly to consumers, strengthening diversity and technological advancement in digital markets, without being overshadowed by platform giants.</p>		<p>validation of innovative AI systems. This access supports innovation by enabling SMEs to experiment and refine their AI technologies within a supportive regulatory framework.</p> <ul style="list-style-type: none"> • Reduced Fees for Conformity Assessment: The Act considers the specific needs of SMEs by reducing fees for conformity assessments proportionate to their size and market presence, lowering barriers to entry and encouraging innovation. <p>Prevention of Unfair Terms and Restrictions</p> <ul style="list-style-type: none"> • Prohibition of Manipulative AI Practices: The EU AI Act prohibits AI practices that exploit vulnerabilities or manipulate users, aligning with the DMA's goal of preventing gatekeepers from imposing unfair terms that restrict growth opportunities for new businesses. • Transparency and Accountability: The Act mandates 	<p>reliable and fair outcomes, thus meeting regulatory requirements and maintaining compliance.</p>
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			<p>transparency and accountability for AI systems, ensuring that businesses can operate in a fair and open market environment without being overshadowed by larger platform giants.</p> <p>Encouragement of Technological Advancement</p> <ul style="list-style-type: none"> • Harmonised Rules for AI Systems: The EU AI Act establishes harmonised rules for the placement and use of AI systems, promoting a level playing field where new businesses can offer competing services directly to consumers. • Support for Innovation: The Act includes measures to support innovation, particularly focusing on SMEs and start-ups, which are crucial for strengthening diversity and technological advancement in digital markets. 	
Enforcement and Sanctions	Strong penalties ensure compliance with DMA rules. Fines of up to 10–20% of worldwide	99, 20, 101, 83	<p>Strong Penalties for Compliance</p> <ul style="list-style-type: none"> • Administrative Fines: The EU AI Act provides for administrative 	Implement Strong Data Protection Measures Under the EU AI Act, businesses must ensure that their AI systems respect individuals'





	turnover, daily penalties, and serious remedies like divestitures can be imposed for repeated violations. These measures deter systemic abuse, restore competitive conditions, and show that fair digital market practices are enforceable and non-negotiable.		<p> fines for non-compliance with its provisions. For instance, non-compliance with the prohibition of certain AI practices can result in fines of up to EUR 35 million or 7% of total worldwide annual turnover, whichever is higher, aligning with the DMA's approach of imposing substantial fines to ensure compliance.</p> <ul style="list-style-type: none">• Fines for General-Purpose AI Models: Providers of general-purpose AI models can face fines of up to 3% of annual total worldwide turnover or EUR 15 million for infringements, reflecting the Act's commitment to enforcing compliance through financial penalties. <p>Deterrence of Systemic Abuse</p> <ul style="list-style-type: none">• Proportionate and Dissuasive Penalties: The EU AI Act mandates that penalties be effective, proportionate, and dissuasive, taking into account the	privacy and data protection rights. Implementing robust security measures, including encryption, secure data storage, and user consent protocols, is essential. These practices help ensure that AI systems operate in a legally compliant and ethical manner, protecting user data and rights.
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			<p>nature, gravity, and duration of the infringement, similar to the DMA's goal of deterring systemic abuse.</p> <ul style="list-style-type: none">• Consideration for SMEs: The Act considers the interests of SMEs, ensuring that penalties do not disproportionately impact their economic viability while still maintaining a deterrent effect. <p>Restoration of Competitive Conditions</p> <ul style="list-style-type: none">• Corrective Actions and Duty of Information: Providers of high-risk AI systems are required to take corrective actions if their systems are non-compliant, ensuring that competitive conditions are restored.• Market Surveillance and Enforcement: The Act includes provisions for market surveillance and enforcement to monitor compliance and take necessary actions against non-compliant AI systems, maintaining fair market practices.	
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Cross-Border Legal Certainty	<p>In harmonizing digital platform rules across the EU, the DMA eliminates regulatory fragmentation. Gatekeepers face one consistent framework, reducing compliance costs and legal complexity. Smaller businesses and cross-border operators benefit from predictable rules, fostering a healthier, unified single market with fairer competition across all EU Member States.</p>	<p>74, 58, 1, 57, 62, 70, 75</p>	<p>Harmonization of Rules</p> <ul style="list-style-type: none"> • Harmonised Rules for AI Systems: The EU AI Act establishes harmonised rules for the placing on the market, putting into service, and use of AI systems across the EU. This harmonization reduces regulatory fragmentation and ensures that all Member States follow a consistent framework. • AI Regulatory Sandboxes: The Act provides for AI regulatory sandboxes, designed to be consistent across the EU, allowing for uniform testing and development of AI systems. This contributes to legal certainty and reduces complexity for businesses operating in multiple Member States. <p>Reduction of Compliance Costs and Legal Complexity</p> <ul style="list-style-type: none"> • Simplified Procedures for SMEs: The EU AI Act includes measures to support SMEs, 	<p>Prepare for External Audits and Compliance Checks</p> <p>Enterprises should establish internal systems to ensure they are ready for audits and compliance checks from regulators. This involves keeping detailed records of AI system development, data usage, risk assessments, and mitigation measures. Being audit-ready ensures that companies can demonstrate compliance with the EU AI Act when regulators conduct inspections.</p>
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			<p>such as simplified procedures and reduced fees for conformity assessments, helping reduce compliance costs and legal complexity for smaller businesses.</p> <ul style="list-style-type: none">• Consistent Enforcement and Surveillance: The Act outlines consistent enforcement and market surveillance procedures across the EU, ensuring that businesses face a predictable regulatory environment. <p>Fostering a Unified Single Market</p> <ul style="list-style-type: none">• Cross-Border Cooperation: The EU AI Act encourages cross-border cooperation among national competent authorities, helping create a unified approach to AI regulation and fostering a single market.• Support for Innovation and Competition: By providing a consistent regulatory framework, the Act supports innovation and competition	
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			across the EU, allowing businesses to operate more freely and fairly in the single market.	
Adaptability to Market Changes	Recognizing the fast pace of digital innovation, the DMA allows the European Commission to conduct market investigations. These investigations enable updates to gatekeeper status, evolution of specific obligations, and implementation of remedies for new abuses. This dynamic approach ensures the DMA remains effective and relevant in a changing digital world.	93, 92, 74, 90, 89, 94, 112	Market Investigations and Adaptability <ul style="list-style-type: none"> • Evaluations and Monitoring: The EU AI Act empowers the AI Office and the Commission to conduct evaluations and monitor compliance with the regulation. This includes assessing systemic risks and ensuring that AI systems adhere to established obligations. Such evaluations are akin to market investigations under the DMA, allowing for dynamic responses to emerging challenges. • Power to Request Measures: The Commission can request providers to take measures to comply with obligations or mitigate systemic risks, reflecting the DMA's approach to updating obligations and implementing remedies for new abuses. 	Ensure High-Quality Data Governance To meet the EU AI Act's standards, businesses must ensure their AI systems are built on high-quality, representative, and non-biased data. Implementing strong data governance policies, including continuous monitoring and validation, is essential. This ensures that AI models produce reliable and fair outcomes, thus meeting regulatory requirements and maintaining compliance.





			<p>Updating Obligations and Remedies</p> <ul style="list-style-type: none">• Procedural Rights and Enforcement: The EU AI Act outlines procedural rights and enforcement mechanisms, allowing for the adaptation of obligations and remedies as necessary. This ensures the regulation can evolve in response to new developments in AI technology and market conditions.• Harmonisation and Flexibility: The Act provides for harmonised rules across the EU while also allowing for flexibility in enforcement and compliance measures. This balance supports the DMA's goal of maintaining relevance in a rapidly changing digital landscape. <p>Ensuring Relevance in a Changing Digital World</p> <ul style="list-style-type: none">• Continuous Review and Evaluation: The EU AI Act mandates regular evaluations and reviews by the Commission to assess the need for amendments	
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			<p>and updates to the regulation. This ongoing process ensures the Act remains aligned with technological advancements and market changes.</p> <ul style="list-style-type: none">• Dynamic Risk Assessment: The Act includes provisions for dynamic risk assessment and the ability to address systemic risks at the Union level, ensuring that the regulatory framework can adapt to new challenges and maintain its effectiveness.	
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Calls to action





Implement Transparency Protocols for AI on Online Platforms

The EU AI Act mandates that users interacting with AI systems must be properly informed. Ensure your platforms disclose AI-driven functionalities clearly and accessibly. Implement labelling, explainability features, and transparent user notices to comply with Article 52.



Strengthen User Autonomy and Consent Mechanisms

Articles 5 and 52 of the EU AI Act require safeguarding user rights against manipulative AI practices. Review your AI interfaces to ensure users can easily give or withdraw consent, disable automated features, and access alternatives. Building real user choice into your platform design will fortify compliance and trust.



Establish AI Risk Management Across Platform Services

High-risk AI systems under the EU AI Act demand continuous risk monitoring and mitigation. Integrate dynamic risk assessments, bias audits, and post-deployment monitoring into your online platform governance. Proactive risk management underpins both regulatory compliance and resilient platform innovation.



Prepare for Third-Party AI System Accountability

High-risk AI systems under the EU AI Act demand continuous risk monitoring and mitigation. Integrate dynamic risk assessments, bias audits, and post-deployment monitoring into your online platform governance. Proactive risk management underpins both regulatory compliance and resilient platform innovation.





Conclusion

The intersection of the Digital Markets Act (DMA) and the EU AI Act marks a transformative moment for platform governance and AI accountability in Europe. Together, these frameworks establish a clear blueprint for embedding transparency, fairness, and systemic resilience into the use of AI across online platforms. By aligning obligations for gatekeepers with AI-specific safeguards around transparency, risk management, and user protection, the DMA and the EU AI Act are reshaping the digital economy toward a more open, competitive, and rights-respecting future.

However, successful implementation will determine the true impact of these regulations. Online platforms and AI providers are at different stages of preparedness—from embedding transparency protocols and user choice mechanisms to developing robust AI risk management and compliance structures. Small and medium-sized enterprises (SMEs) operating within platform ecosystems may require targeted support to meet evolving regulatory demands without losing agility or innovation capacity.

Nonetheless, early movers are already demonstrating the benefits of compliance-driven innovation. Leading platforms, technology firms, and digital service providers are leveraging DMA-aligned interoperability, transparency obligations, and AI risk controls to strengthen trust with users, regulators, and business partners alike. Embedding responsible AI practices into platform operations is becoming a strategic advantage in an increasingly regulated digital environment.

For businesses and policymakers alike, the DMA and the EU AI Act offer a unique opportunity to lead in building a fairer, safer, and more dynamic digital market. Prioritizing transparency, user empowerment, and responsible AI deployment will be critical to achieving compliance and sustaining trust. As AI becomes further embedded in core platform services, these frameworks provide the foundation for ensuring digital innovation remains open, ethical, and resilient across the European market.





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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 <https://www.ai-and-partners.com>.



Contacts

Sean Donald John Musch, CEO/Founder, s.musch@ai-and-partners.com

Michael Charles Borrelli, Director, m.borrelli@ai-and-partners.com

Authors

Sean Donald John Musch, CEO/Founder

Michael Charles Borrelli, Director



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