



Topic	Status	European Commission	European Parliament	Council of the EU	Deadline
Prohibited AI practices (Art. 5)	Pending	Original AI Act prohibitions maintained (social scoring, subliminal manipulation, exploitation of vulnerabilities, real-time biometric ID with exceptions). No new prohibited practices proposed in the Omnibus.	Added a new prohibition under Art. 5: AI nudification systems that generate intimate imagery of real persons without consent. Adopted with overwhelming support (569 votes in favour, 45 against).	Same nudification ban as Parliament, plus extension to AI-generated child sexual abuse material (CSAM). Systems with effective built-in safeguards that reliably prevent such generation are exempt.	February 2025 (original Art. 5 in force); nudification ban applies upon Omnibus adoption
High-risk AI timeline — Annex III (Art. 6)	Agreed	Obligations for Annex III high-risk systems apply only once harmonised standards are available; backstop date of 2 December 2027 if standards are not ready.	Fixed deadline of 2 December 2027 for Annex III high-risk systems (biometrics, education, employment, justice). Removes the Commission's discretion to bring the date forward.	Same fixed deadline of 2 December 2027. Both co-legislators agree on removing the conditional trigger to provide legal certainty for industry.	2 December 2027
High-risk AI timeline — Annex I (Art. 6)	Agreed	Obligations for AI embedded in regulated products (medical devices, machinery, etc.) apply conditionally; backstop date of 2 August 2028.	Fixed deadline of 2 August 2028. Same approach as Annex III: removes the conditional mechanism.	Same fixed deadline of 2 August 2028, aligned with Parliament.	2 August 2028
Transparency — AI-generated content marking (Art. 50(2))	Disputed	Providers of AI systems placed on the market before 2 August 2026 have a 6-month transitional period — deadline 2 February 2027.	Shortened transitional period to approximately 3 months: providers must comply by 2 November 2026.	Maintains the Commission's 6-month period — deadline 2 February 2027.	2 Nov 2026 (Parliament) vs. 2 Feb 2027 (Commission & Council)
Registration of non-high-risk AI (Art. 6(4), Annex VIII)	Agreed	Proposed removing the obligation for providers to register AI systems they self-assess as non-high-risk under Art. 6(3) in the EU database.	Rejected removal; reinstated registration with simplified information requirements (streamlined Section B of Annex VIII). Preserves public transparency.	Also reinstated registration with simplified content, aligned with Parliament. Follows the EDPB/EDPS Joint Opinion 1/2026.	Upon Omnibus adoption
AI literacy obligation (Art. 4)	Disputed	Proposed softening: replace the binding obligation on providers and deployers with a non-binding encouragement framework led by Commission and Member States.	Reinstated a mandatory obligation, but lowered the standard: providers and deployers must 'support the improvement of AI literacy' among staff. Commission must issue practical guidance.	Maintained the original AI Act wording unchanged. No softening accepted.	February 2025 (original Art. 4 already in force)
Sensitive data for bias detection (Art. 10(5))	Agreed	Proposed lowering the threshold for processing special-category personal data for bias detection from 'strictly necessary' to 'necessary', and extending this legal basis to all AI systems.	Reinstated the 'strict necessity' standard. Extension to non-high-risk AI permitted only on an exceptional basis.	Same position as Parliament: reinstated 'strict necessity' with the same exceptional-basis conditions. Follows the EDPB/EDPS Joint Opinion 1/2026.	Upon Omnibus adoption
European AI Office & GPAI oversight (Art. 64–68)	Agreed	AI Office retains exclusive competence over GPAI models and AI systems built on them, including those integrated into VLOPs or VLOSEs under the DSA.	Maintained the AI Office's role; added a requirement for adequate human, financial, and technical resourcing. Introduced exceptions allowing national authority competence in certain cases.	Maintained with clarifications; also introduced limits to the AI Office's exclusivity. Extended oversight to AI systems from providers within the same corporate group.	AI Office operational since Feb 2024; Omnibus amendments upon adoption

Agreed

Disputed

Pending

Status per topic across the three institutional positions



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Proportionality for small mid-caps (Art. 62, Recitals)	Agreed	Extended simplified documentation and support measures to small mid-cap enterprises (up to 750 employees and €150M turnover).	Supported the extension to small mid-caps; adjusted fine calculations to reflect this expanded category.	Supported the extension to small mid-caps as proposed by the Commission.	Upon Omnibus adoption

Agreed

Disputed

Pending

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AI Act vs. sectoral product legislation (Annex I)	Disputed	No structural changes proposed to the relationship between AI Act requirements and existing product safety legislation.	Major structural change: deleted Section A of Annex I, moving affected product legislation into Section B. Makes sectoral conformity assessment the primary compliance pathway.	No structural modification to Annex I. Maintained the existing dual-assessment framework.	<i>Upon Omnibus adoption</i>
GPAI model obligations — systemic risk (Art. 51–52)	Agreed	Maintained the compute threshold for classifying GPAI models as posing systemic risk at 10 ²⁴ FLOP. Codes of practice remain the primary compliance mechanism.	Maintained the threshold. Extended AI Office oversight to AI systems from providers within the same corporate group. Introduced exceptions where national authorities retain competence.	Maintained the threshold with similar extensions and national authority carve-outs.	<i>August 2025 (codes of practice due)</i>
Regulatory sandboxes (Art. 57–58)	Pending	Each member state must establish at least one AI regulatory sandbox by August 2026.	Added cross-border recognition of sandbox results and priority access for SMEs and startups.	Preserved national flexibility in sandbox design; allows for joint EU-level sandboxes.	<i>August 2026 (implementation deadline)</i>
Harmonised enforcement across digital regulations (Art. 74–75)	Disputed	Proposed a single point of contact for companies subject to multiple EU digital laws (AI Act, DSA, DMA) to streamline cross-framework coordination.	Went further: mandatory joint investigations between the AI Office, national DPAs, and Digital Services Coordinators.	Preferred voluntary coordination only; national market surveillance authorities retain primacy over enforcement.	<i>2026 (implementing acts)</i>
Open-source GPAI models (Art. 53)	Pending	Reduced transparency obligations for open-source GPAI models that fall below the systemic risk threshold.	Maintained reduced obligations; added clearer criteria for when open-source exemptions apply and when they do not.	Accepted reduced obligations but insisted on maintaining safety reporting requirements for all GPAI models, regardless of open-source status.	<i>August 2025 (guidance expected)</i>
Fine caps for SMEs (Art. 99)	Pending	Introduced proportionate fining for SMEs: penalties capped at the lower of a percentage of turnover or a fixed amount.	Supported proportionate fining; adjusted calculations to also cover the new small mid-cap enterprise category.	Aligned with Commission's proportionate approach; added a warning-first mechanism before fines for first-time violations by SMEs.	<i>Upon Omnibus entry into force</i>
Ne bis in idem — avoiding double penalties (Art. 99(4))	Disputed	Established a deconfliction principle: the same conduct cannot be fined under both the AI Act and another EU regulation (e.g. GDPR, DSA, DMA).	Called for a formal deconfliction procedure between the AI Office, DPAs, and Digital Services Coordinators to determine which regime applies.	National authorities decide which regulatory regime applies first in cases of overlap.	<i>2026 (regulatory guidance)</i>
Conformity assessment (Art. 43, Annex VI–VII)	Pending	Proposed harmonised conformity assessment procedures across member states, supported by standardisation requests to European standards bodies.	Pushed for mandatory mutual recognition of conformity assessments across member states, plus a new EU-wide network of notified bodies.	Preferred voluntary mutual recognition, with bilateral agreements between individual member states.	<i>2027 (harmonised standards adoption)</i>
AI incident reporting (Art. 62)	Disputed	Proposed a harmonised format for reporting serious AI incidents, maintaining the existing Art. 62 reporting framework.	Demanded a 24-hour initial notification window for serious AI incidents, plus a publicly accessible incident database for researchers.	Proposed a 72-hour reporting window, aligned with the GDPR data breach notification deadline under Art. 33 GDPR.	<i>2026 (implementing regulation expected)</i>

Agreed

Disputed

Pending

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