

GPAl Obligations kick in on August 2, 2025

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Governance rules and obligations stipulated by the AI Act for general-purpose AI (GPAl) models become applicable on August 2, 2025 (with a grace period for penalties until August 2, 2026). Hence providers of such models should comply with certain requirements set out in the AI Act, which are quite different from the ones provided for AI systems.

What is a GPAl model?

According to article 3 (63) of the AI Act the definition of a GPAl model is the following: “an AI model, including where such an AI model is trained with a large amount of data using self-supervision at scale, that displays significant generality and is capable of competently performing a wide range of distinct tasks regardless of the way the model is placed on the market and that can be integrated into a variety of downstream systems or applications”.

Within the context of the above definition, the main features of GPAl models are the following:

Generality

To determine whether a model is a GPAl model, the decisive question is whether the model “*displays significant generality and is capable of competently performing a wide range of distinct tasks*”, such as in the form of text, audio, images or video.

Recital 98 of the AI Act specifies that “*models with at least a billion of parameters and trained with a large amount of data using self-supervision at scale should be considered to display significant generality and to competently perform a wide range of distinctive tasks*”.

Large generative AI models such as GPT-4, DeepSeek-V3/R etc., are typical examples of GPAl models, as they are capable of generating various types of content —such as text, images etc. — and can perform a wide range of distinct tasks.

Training with a large amount of data using self – supervision at scale

The AI Act leaves unspecified what “*a large amount of data*” means. The AI Office’s preliminary approach is to presume that a model that can generate text and/or images is a GPAl model if its training compute is greater than 10 (²²) floating point operations (FLOP.) This threshold is based on the fact that models with one billion parameters that can generate text and/or images are typically trained using approximately 10 (²²) FLOP.

Difference between GPAl model and AI system

GPAl models do not constitute an AI system, even if they constitute an essential part of an AI system. GPAl models typically are integrated into and form part of an AI system (e.g. a chatbot, however they require further components, such as user interface in order to become an AI system (Recital 97 of the AI Act).

When a GPAl model is integrated into or forms part of an AI system, this system should be considered to be GPAl system (i.e. an AI system which is based on a GPAl model) when, due to this integration, this system has the capability to serve a variety of purposes. A GPAl system can be used directly, or it may be integrated into other AI systems (Recital 100 of the AI Act).

When the provider of a GPAl AI model integrates an own model into its own AI system that is made available on the market or put into service, that model should be considered to be placed on the market and, therefore, the obligations in the AI Act for models should continue to apply in addition to those for AI systems.

What is a GPAl model with systemic risk?

According to article 51 (1) of the AI Act a GPAl model will be classified as a GPAl model with systemic risk (if it meets **any** of the following conditions:

(a) It has high impact capabilities evaluated on the basis of appropriate technical tools and methodologies, including indicators and benchmarks. A GPAI model shall be presumed to have high impact capabilities when the cumulative amount of computation used for its training measured in floating point operations is greater than 10^{25} .

(b) Based on a decision of the Commission, ex officio or following a qualified alert from the scientific panel, it has capabilities or an impact equivalent to those set out in point (a) having regard to the criteria set out in Annex III of the AI Act (i.e. the number of parameters of the model, the quality or size of the data set, the input and output modalities of the model, the benchmarks and evaluations of capabilities of the model, whether it has a high impact on the internal market due to its reach -which shall be presumed when it has been made available to at least 10.000 registered business users established in the EU- and the number of registered end – users).

Obligations for providers of GPAI models

According to article 53 of the AI Act, GPAI model providers must:

- a) draw up and update technical documentation of the model, including its training and testing process and the results of its evaluation
- b) draw up, update and make available information and documentation to providers of AI systems who intend to integrate the GPAI model into their AI systems
- c) put in place a policy to comply with EU copyright law
- d) draw up and make publicly available a sufficiently detailed summary about the content used for training of the general-purpose AI model, according to a template provided by the AI Office.

The obligations set out in points (a) and (b), shall not apply to providers of AI models that are released under a free and open-source licence that allows for the access, usage, modification, and distribution of the model, and whose parameters, including the weights, the information on the model architecture, and the information on model usage, are made publicly available. This exception shall not apply to general-purpose AI models with systemic risks.

As far as the providers of GPAI models with a systemic risk are concerned, article 55 of the AI Act sets out additional obligations. In addition to the above obligations for GPAI models, GPAI models with systemic risk must also:

- a) perform model evaluation in accordance with standardised protocols and tools reflecting the state of the art, including conducting and documenting adversarial testing of the model with a view to identifying and mitigating systemic risks
- b) assess and mitigate possible systemic risks at EU level, including their sources that may stem from the development, the placing on the market, or the use of GPAI models with systemic risk
- c) keep track of, document, and report, without undue delay, to the AI Office and, as appropriate, to national competent authorities, relevant information about serious incidents and possible corrective measures to address them
- d) ensure an adequate level of cybersecurity protection.

According to article 101 of the AI Act, non-compliance fines amount up to 3% of annual worldwide turnover or 15.000.000 € (whichever is higher).

We are currently awaiting the European Commission's guidelines on GPAI models and the GPAI Code of Practice which will clarify key concepts and will set out commitments to which providers of general-purpose AI models may adhere to ensure compliance with their obligations under the AI Act.

Please note that, according to Article 111 (3) of the AI Act, "Providers of general-purpose AI models that have been placed on the market before 2 August 2025 shall take the necessary steps in order to comply with the obligations laid down in this Regulation by 2 August 2027".

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