



PROPOSED ARTIFICIAL INTELLIGENCE ACT

General objective: Improve the EU’s internal market by creating a legal framework for safe, human centric and trustworthy AI based on AI systems’ risks

Application to universities/academics: as **users** as well as **providers of AI systems**

Relevant provisions:

Amendments adopted by the European Parliament on 14 June 2023 on the proposal for a regulation of the European Parliament and of the Council on laying down harmonised rules on artificial intelligence (Artificial Intelligence Act) and amending certain Union legislative acts (COM(2021)0206 – C9-0146/2021 – 2021/01/06(COD) ([proposed Artificial Intelligence Act](#)).

- Article 6(2) jo. Annex III (3) Title III, Chapters II and III Article 13** Certain AI systems used in **educational and vocational training** (including systems used by universities) are designated as ‘**high-risk**’ Lays down the **requirements for providers** (aka deployers) of **high-risk AI systems** Contains details on the information providers of high-risk AI systems shall provide to deployers (e.g. universities) through ‘**instructions of use**’
- Article 60** Lays down the details on the **database containing information on high-risk systems**, which could be of interest to academics.

Anticipated impact on universities:

Topic	Capacity	Impact	Explanation
High-risk AI systems	Provider of AI	High	To comply with the requirements set out for high-risk AI systems may be quite costly and challenging for universities, e.g., due to the obligation to implement adequate human oversight and to implement appropriate cybersecurity measures.
Instructions of use	User of data	Medium	The instructions of use can be of interest to individual academic researchers (but the information may be quite generic).
Exception for scientific research	Provider of AI	High	Newly introduced exception for scientific research excludes systems specifically developed for the sole purpose of scientific research and development. It is however unclear to what extent using AI systems (not specifically designed for scientific research) benefits from this exception.
Database	User of data	Medium	The database will be publicly available and free of charge, which makes it an accessible source of information (data access). However, it remains to be seen how detailed the information will be.

Interactions with other frameworks & potential (consistency) issues:

Interaction	The pAIA links to the General Data Protection Regulation , which defines situations when data holders (universities) are required to carry out a DPIA. The pAIA requires deployers “where applicable” to use the information provided under Article 13 to comply with their obligation to carry out a DPIA as required by the General Data Protection Regulation . The pAIA also states that the fundamental rights impact assessment (FRIA) to be conducted by deployers shall be conducted in conjunction with the DPIA, in case they are required to carry out a DPIA under the General Data Protection Regulation .
Issue	In the field of generative AI training, for instance, private actors collaborate with public research institutions to generate open research data and (pre-)train AI models for subsequent commercial use, thereby avoiding accountability and liability for data acquisition and training.