

European Union: General-purpose AI obligations under the EU AI Act kick in from 2 August 2025

In brief

2 August 2025 was an important deadline under the EU AI Act: obligations for providers of general-purpose AI (GPAI) models entered into force, provided the model is placed on the market on or after this date.

The European Commission and EU AI Office have been gearing up for this deadline with recently released [Guidelines for providers of general-purpose AI models](#) (the Guidelines) and a final [General-Purpose AI Code of Practice](#) (the Code). The Code was subject to the Commission and the AI Board assessing its adequacy. The Commission confirmed the Code's formal approval on 1 August.

The Guidelines provide an interpretative framework for understanding the obligations of providers of general-purpose AI models, and the Code offers specific measures suggested by the Commission that providers can implement to demonstrate that they meet these obligations.

Contents

[Key takeaways](#)

[In depth](#)

[General-Purpose AI Code of Practice
Guidelines on the scope of obligations for
providers of general-purpose AI models](#)

Key takeaways

Who do the GPAI provisions in the EU AI Act apply to?

The EU AI Act imposes specific obligations in relation to “general-purpose AI models”. A general-purpose AI model is defined as an AI model that “displays significant generality and is capable of competently performing a wide range of distinct tasks”. This explicitly includes AI models trained with a large amount of data using self-supervision at scale and applies “regardless of the way the model is placed on the market and that can be integrated into a variety of downstream systems or applications”. There is an exclusion for GPAI models used for research, development or prototyping activities before they are placed on the market.

The Guidelines (among other things) provide further technical detail on when an AI model is considered “general-purpose”, outline the concepts of a “provider” and of “placing on the market”, and clarify when an actor modifying a general-purpose AI model is considered to become a provider.

The obligations on which the Code expands are imposed on providers of GPAI models. However, those provisions and the Code are relevant for many stakeholders across the AI ecosystem.

The Safety and Security chapter focuses on the additional obligations under the EU AI Act for providers of GPAI models with systemic risks (i.e. GPAI models that are among the most advanced at a point in time or have an equivalent impact) (Article 51(1) EU AI Act).

What are the key compliance deadlines and practical next steps?

2 August 2025

Obligations for providers of GPAI models enter into force **provided the model is placed on the market on or after this date**.

However, as the Guidelines note,



[I]n the first year from 2 August 2025 onwards, the Commission cannot take any enforcement actions because its enforcement powers only enter into application on 2 August 2026. ... [P]roviders who, on 2 August 2025, have trained, are in the process of training, or are planning on training a general-purpose AI model with systemic risk with a view to placing the model on the market after 2 August 2025, are expected to notify the Commission without delay and in any event within two weeks after 2 August 2025 ... From 2 August 2026 onwards, the Commission will enforce with fines compliance with all obligations by providers of general-purpose AI models who are not fully compliant on that date.

2 August 2026

Obligations relating to high-risk AI systems enter into force **provided the system is placed on the market (or is subject to significant changes in its design) on or after this date**.

The Commission's enforcement powers under the EU AI Act enter into force.

2 August 2027

Obligations for providers of GPAI models enter into force **for models placed on the market before 2 August 2025**.

Concrete actions for companies across the AI ecosystem.



GPAI developers

Must prepare for compliance, including reviewing the classification of their models under the EU AI Act and watching for guidance on other key concepts that is currently pending.



Companies deploying GPAI

Will need to consider whether they could be a "provider" of a GPAI model under the Act themselves, for systems developed on their behalf. Although there are no specific obligations on deployers of GPAI models or other actors in the GPAI supply chain, deployers will need to consider their expectations of GPAI providers, what diligence and contractual protections are appropriate, and their approach to the AI literacy obligations applicable to a deployer of any AI system (see more in our previous post).



Rightholders

Should consider how the new guidance affects their content strategy with respect to AI, and prepare to review and monitor information being shared by GPAI developers.

To discuss the requirements of the EU AI Act and how they fit into a wider organisational AI strategy, please contact a member of our Baker McKenzie [European AI team](#).

In depth

General-Purpose AI Code of Practice

On 10 July, the European Commission received the final version of the [General-Purpose AI Code of Practice](#) (the Code), which builds on the obligations in the EU AI Act for general-purpose AI (GPAI) models. On 1 August, the Commission confirmed that it and the AI Board had approved the Code, via Adequacy Decisions. The Code is accompanied by a [template](#) for GPAI model providers to summarise the data used to train their model, published on 24 July.

Below, we outline the status of the Code, who the Code applies to, and discuss key provisions in the three chapters of the Code covering Transparency, Copyright, and Safety and Security.

What is the legal status of the GPAI Code of Practice?

In short: it's complicated. The Code is not the final word on EU AI Act compliance for GPAI models: it is a voluntary tool, it provides guidance on the EU Commission's expectations as to what is required to demonstrate compliance with the EU AI Act's rules on GPAI, and of course will be referred to in any future enforcement action, but is not legally binding. The Commission suggests that compliance with the GPAI Code of Practice will "reduce [AI model providers'] administrative burden and give them more legal certainty than if they proved compliance through other methods".

In addition, for those GPAI model providers who do sign up to the Code (Signatories), it contains a mixture of firm commitments and measures and some which GPAI providers are "encouraged" to take. In addition, as the [Commission's Q&A on signing the Code](#) explains, it's not essential for providers to sign up to every provision of the Code, although "[a]ny opt-out from chapters of the code of practice results in losing the benefits of facilitating the demonstration of compliance in that respect."

Transparency

The [Transparency chapter](#) expands on the transparency obligations in Article 53(1)(a) and (b) of the EU AI Act, which require providers of GPAI models to:

- a. draw up and keep up-to-date the technical documentation of the model, including its training and testing process and evaluation, containing at a minimum the information set out in Annex XI, for the purposes of providing it, on request, to the AI Office and national competent authorities.
- b. draw up, keep up-to-date and make available information and documentation to providers of AI systems who intend to integrate the GPAI model into their AI systems. The information and documentation shall enable providers of AI systems to have a good understanding of the capabilities and limitations of the GPAI model, to comply with their EU AI Act obligations, and contain at a minimum the elements set out in Annex XII, although the need for providers of GPAI models to protect IP, confidential business information and trade secrets is acknowledged.

Conditions around an exclusion for free and open source AI models (apart from GPAI models with systemic risks) are set out in Article 53(2) of the EU AI Act.

The Transparency chapter includes three measures for Signatories to commit to:

Drawing up model documentation and keeping it up-to-date.	Providing relevant information covering publicly disclosing contact details for the AI Office and downstream providers to request access to the relevant information, as well as information to be provided in response to AI Office requests.	Ensuring quality, integrity and security of documented information.
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Key to the Transparency chapter is the included Model Documentation Form, which is intended to allow Signatories to compile the information required by the EU AI Act's transparency obligations in one place. However, Signatories may document the required information in another form if they wish.

Safety and Security

The **Safety and Security chapter** focuses on the additional obligations in Article 55(1) of the EU AI Act for providers of GPAI models with systemic risk, who are required to:

- 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 Union 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 collective measures to address them;
- d. ensure an adequate level of cybersecurity protection for the GPAI model with systemic risk and the physical infrastructure of the model.

The Safety and Security chapter is the longest of the 3 chapters of the Code. It sets out 10 commitments and related measures, including:

- A commitment to adopt a state of the art Safety and Security Framework (the Framework), outlining the systemic risk management processes and measures implemented to ensure the systemic risks stemming from the model are acceptable. There are also additional details around what the Framework is to contain, implementation of the Framework across the entire model lifecycle, updating the Framework, and Framework notifications to the AI Office, including timescales.
- Commitments around identifying the systemic risks stemming from the model, including facilitating systemic risk analysis and systemic risk assessment determination.
- Commitments to implement safety mitigations (such as filtering and cleaning training data, e.g. data that might result in undesirable model propensities such as unfaithful chain of thought traces) and, unless the model's capabilities are inferior to the capabilities of at least one model for which the parameters are publicly available for download, implement security mitigations.
- A commitment to create a Safety and Security Model Report (the Model Report), as specified in Measures 7.1 to 7.5 in the chapter, and provide the AI Office with access to the Model Report by the time the model is placed on the market, as well as detailing criteria and timescales around updates to the Model Report. A further commitment sets out additional documentation to be kept around implementation of the chapter and that Signatories will publish (e.g. via their websites) summarized versions of their Framework and Model Reports, as specified.
- A commitment around systemic risk responsibility allocation, including measures covering the definition of clear responsibilities, allocation of appropriate resources and promoting a healthy risk culture.

A serious incident reporting commitment, including implementing appropriate processes and measures for keeping track of, documenting and reporting without undue delay relevant information about serious incidents along the entire model lifecycle and possible corrective measures to address them. Measure 9.3 covers incident reporting timelines, with the chapter's recitals including an acknowledgement that the reporting of serious incident is not an admission of wrongdoing.

Copyright

The **Copyright chapter**, and the related **template for the summary of training data**, are relevant to the use of IP-protected content in GPAI model training datasets and model output. They expand on the obligations in Article 53(1)(c) and (d) of the EU AI Act, which require providers of GPAI models to:

- a. put in place a policy to comply with Union law on copyright and related rights, and in particular to identify and comply with, including through state-of-the-art technologies, a reservation of rights expressed pursuant to Article 4(3) of Directive (EU) 2019/790 [i.e., an "opt out"]; and
- b. 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.

At a high level, the Copyright chapter contains:

<p>Additional details on the concrete expectations for the contents and publication of the policy required under Article 53(1)(c), which Signatories are encouraged to make publicly available.</p>	<p>Measures to ensure copyright protected content sourced by web crawling has been lawfully accessed.</p> <p>Signatories (and third parties using web-crawlers on their behalf) must not circumvent technological measures put in place to restrict access to content, such as paywalls, and must exclude from their web-crawling websites recognised by EU courts or public authorities as “persistently and repeatedly infringing copyright and related rights on a commercial scale”.</p>
<p>Measures relating to recognition of machine readable protocols for rightsholders to express their opt-out and prevent automated web crawling.</p> <p>GPAI providers must:</p> <ul style="list-style-type: none"> respect robots.txt, and other machine-readable protocols that are adopted by international or European standardisation organisations, or are “state-of-the-art, including technically implementable, and widely adopted by rightsholders...and...agreed...at EU level...as a more immediate solution”; publish information on the web crawlers they use, their robots.txt features and other measures to identify and comply with opt-outs, and provide a means for affected rightsholders to be automatically notified when that information is updated; where they also provide (or control the provider of) an online search engine, GPAI providers are encouraged to take appropriate measures to ensure that their implementation of machine-readable opt-outs does not directly lead to adverse effects on the indexing of that content in their search engine. 	<p>Measures to mitigate the risk of copyright-infringing outputs, by implementing technical safeguards against the reproduction of protected content in the model output, and prohibiting copyright-infringing use in the model terms of use or equivalent document.</p>

In contrast with the voluntary Code, use of the Commission’s **Template for general-purpose AI model providers to summarise their training content** is mandatory for GPAI providers. The template requires GPAI providers to provide and make public:

<p>High level details of the training data, including size and types of content.</p>	<p>A list of specific data sources, with different levels of additional information depending on the nature of the source.</p>	<p>Information on measures to identify and comply with reservations of rights, and to remove illegal content.</p>
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Guidelines on the scope of obligations for providers of general-purpose AI models

On 18 July, the European Commission published its [Guidelines on the scope of obligations for providers of general-purpose AI models under the EU AI Act](#) (the Guidelines), which aim to clarify the scope of the obligations for providers of general-purpose AI (GPAI) models under the AI Act. The Guidelines are not legally binding, but set out the Commission’s interpretation and application of the AI Act, on which it will base its enforcement action.

The Guidelines focus on four key topics.

<p>Classification of general-purpose AI models, and GPAI models with systemic risk</p>	<p>The guidelines set an indicative criteria for when the Commission considers a model to be “general-purpose”, based on the amount of computational resources used to train the model (training compute) and the modalities of the model.</p> <p>An AI model is considered to be a general-purpose AI model if its training compute is greater than 10^{23} FLOP and if it can generate language (whether in the form of text or audio), text-to-image or text-to-video. However, this technical definition is qualified: the ultimate test is still whether the model displays significant generality and is capable of competently performing a wide range of distinct tasks.</p> <p>The Guidelines also provide detail on the Commission’s view on when a model is a “general-purpose AI model with systemic risk’, the notification obligations for providers of such models, and the procedure for contesting classification.</p>
<p>Providers of general-purpose AI models</p>	<p>The Guidelines outline the concepts of a “provider” and of “placing on the market” and clarify when an actor modifying a GPAI model is considered to become a provider.</p>
<p>Exemptions from certain obligations</p>	<p>The Guidelines clarify under what conditions providers of GPAI models released under a free and open-source license, and satisfying certain transparency conditions, may be exempt from certain obligations under the EU AI Act.</p>
<p>Enforcement of obligations</p>	<p>The Guidelines explain the implications for providers of GPAI models that choose to adhere and implement the Code, and outline Commission expectations regarding compliance as from 2 August 2025.</p> <p>The Guidelines set out further details of the Commission’s expectations of providers who do not adhere to a code of practice assessed as adequate by the Commission, including that providers will have to report the measures they have implemented to the AI Office.</p>

As with the Code, while the Guidelines represent the Commission’s view on the interpretation of the EU AI Act’s rules on GPAI, and of course will be referred to in any future enforcement action, they are not legally binding.

To discuss the application of the Guidelines, and how EU AI Act compliance fits into a wider organisational AI strategy, please contact a member of our Baker McKenzie [European AI team](#).

Kathy Harford, Lead Knowledge Lawyer, Helen Davenport, Lead Knowledge Lawyer - TMT, and Karen Battersby, Director of Knowledge for Sectors and Clients, has contributed to this legal update.

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