POLICY BRIEF

POLLICINO & PARTNERS
AIDVISORY

Guidelines on the scope of the obligations for general-purpose AI models established by the AI Act

On 18 July 2025, the European Commission (hereafter, EC) published the Guidelines on the obligations for providers of general-purpose AI models (GPAIMs). These guidelines come in the context of the Regulation (EU) 2024/1689 (AI Act), which establishes specific obligations for providers, particularly those managing systemic risk models. The obligations outlined in Chapter V of the AI Act for GPAIMs are set to take effect on 2 August 2025. This brief aims to highlight the key implications of these regulations for model developers, with a focus on compliance pathways, exemption criteria for open-source models, and the enforcement timeline.

Definition of GPAIMs

The EC provided helpful guidelines in defining when a model can be considered a GPAIMs. Acknowledging the difficulty in framing this concept given the variability of what can be intended as GPAI (§14), the approach followed by the EC is quantitative and qualitative, as also mentioned in the Recital 98 of the AI Act.

First of all, a model is a GPAIM if it satisfies two conditions:

- It is trained using a significant amount of computation capabilities measured in floating-point operations (FLOP),[1] more precisely, above a threshold of 10^{23} FLOP;
- It is capable of generating outputs in one or more of the following modalities: text, audio, image, or video.

However, the actual capabilities of the model remain decisive. As also highlighted by the very definition of GPAI, the model should display a level of generality, meaning the ability to perform a wide range of distinct tasks. On this, the EC is clear: "if a general-purpose AI model [...] does not display significant generality [...], it is not a general-purpose AI model" (§20). In particular:

[1] A floating-point operation is any mathematical operation (such as +, -, *, /) or assignment that involves floating-point numbers. For more information, see.

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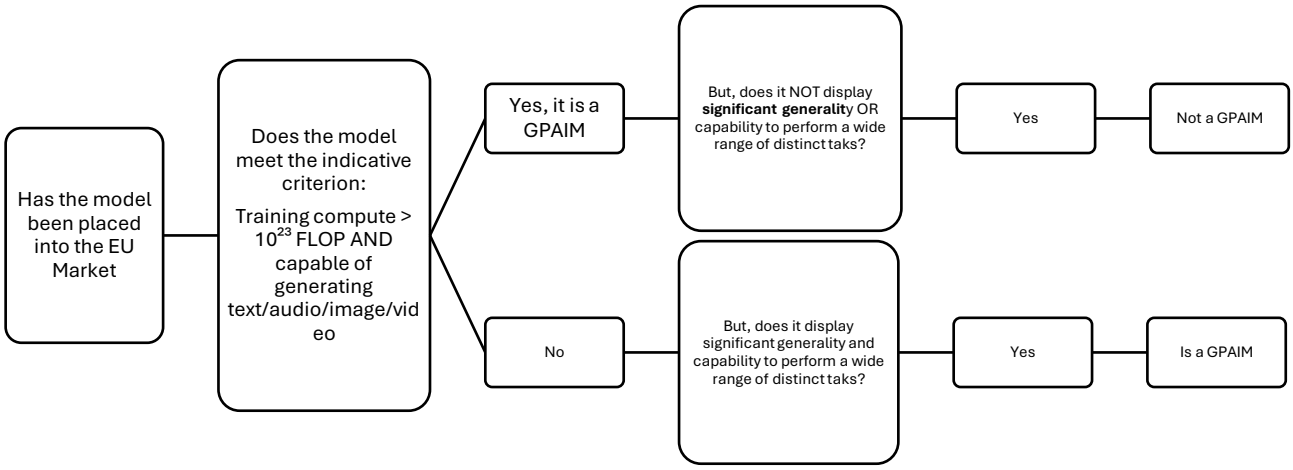
- A model that meets the FLOP and modality thresholds but does not demonstrate significant generality or cannot perform a wide range of tasks should not be classified as a GPAIM;
- Conversely, a model that does not meet the indicative threshold but clearly displays general-purpose capabilities, for example, through its performance across varied downstream applications, must still be treated as a GPAIM



Responsibility chain

As mentioned in the AI Act, oversight is required on the whole AI life cycle of the GPAI. The European Commission clarified that this concept extends from the pre-training phase until the model is removed from the market (§22-24). The practical output of this consideration is that providers are not only responsible for the model at the point of release but also for ongoing oversight of its capabilities and risks. This activity must continue through deployment, integration into systems, and subsequent modifications.

Moreover, a model is still considered a model even though updated or modified: different considerations apply if another actor modifies the model.[2] Thus, any

[2] As clarified in §60-71 of the Gudelines, if a downstream actor modifies a general-purpose AI model, they become the provider of the modified general-purpose AI model. See also Art. 25 of the AI Act on the responsibilites along the AI value chain.

downstream fine-tuning or post-processing activities by the original provider are part of the same model lifecycle. Particularly, providers are expected to:

- Maintain up-to-date technical documentation throughout the lifecycle (Article 53(1)(a));
- Develop and apply a copyright compliance policy;
- Publish a summary of training content (Article 53(1)(c–d));
- Conduct ongoing systemic risk assessments, especially if the model is presumed or designated as high-risk (Article 55).

The following table links the obligations with the different phases:

Lifecycle Phase	Obligations (Art. 53/55 AI Act)
Model development	Technical documentation
Market placement	Copyright policy and training summary
Post-market phase	Continuous risk mitigation and updates

Systemic risk

The guidelines also offer detailed clarification on when a GPAIM should be considered as posing systemic risk under the AI Act.[3] This designation carries significant regulatory consequences, including stricter obligations, that must not be mistaken with prohibited or high-risk AI systems, under Articles 5 and 6 of the AI Act. While these latter ones are about the *use* of the *system,* the 'systemic risk' notion applies, instead, on different criteria:

- The model displays capabilities matching or exceeding those of the most advanced models on the market;
- The Commission designates the model as systemic risk based on impact criteria set out in Annex XIII of the AI Act.

In any of these cases, the provider must notify the Commission within two weeks, either proactively (if the compute threshold is anticipated) or retrospectively (§3-42). Providers may also contest the classification by submitting substantiated

[3] Art. 3, para. 1, no. 65, " risk that is specific to the high-impact capabilities of general-purpose AI models, having a significant impact on the Union market due to their reach, or due to actual or reasonably foreseeable negative effects on public health, safety, public security, fundamental rights, or the society as a whole, that can be propagated at scale across the value chain".

evidence that their model, despite meeting a threshold, does not present systemic risks due to its technical limitations or restricted use cases. However, such rebuttals are subject to case-by-case assessment and do not suspend obligations.

Condition	Implication
Model has high-impact capabilities	Systemic risk classification (§26-42)
Designated by Commission (Annex XIII criteria)	Systemic risk via designation (*ex officio* or following a qualified alert, §43-47)
Notification obligation triggered	Must inform Commission within 2 weeks

Open source

A particularly relevant and debated aspect of the guidelines concerns the exemptions for open-source GPAIMs. The Commission recognises the role of the open-source community in AI development and offers limited exemptions from some obligations under Articles 53 and 54 of the AI Act, but only under stringent conditions (§73-75).To qualify, the provider must:

- Release the model under a free and open-source licence that permits unrestricted access, use, modification, and distribution;
- Avoid monetisation, meaning no commercial licensing, paywalled access, ad-based hosting, or scale-based usage fees;
- Publicly disclose the model's parameters (including weights), its architecture, and instructions on usage and integration.

If these conditions are met, and the model is not classified as systemic risk, then the provider is exempt from maintaining technical documentation and downstream integration information (Article 53(1)(a–b)) and from appointing an EU representative (Article 54). However, the copyright policy and content summary obligations still apply.

Coordination with the Code of Practice

Alongside the publication of the July 2025 Guidelines, the EC has also endorsed a voluntary Code of Practice for general-purpose AI, developed in cooperation with industry, academia, and civil society through the GPAI Forum. This Code represents

a non-binding but recommended compliance pathway under Article 56 of the AI Act, offering providers a structured framework to demonstrate adherence to their obligations before formal enforcement begins in August 2026.

While the Guidelines clarify the scope and interpretation of obligations under Chapter V (e.g., thresholds, lifecycle, exemptions), the Code of Practice focuses on the concrete operationalisation of those obligations. It includes guidance on:

- How to prepare and maintain technical documentation and training summaries;
- Best practices for copyright compliance;
- Benchmarks for systemic risk mitigation;
- Procedures for notifying the AI Office.

Timeline

To conclude, here the implementation timeline for GPAIMs obligations:

Date	Step
1 August 2024	AI Act entered into force
2 August 2025	Chapter V obligations for GPAIMs become applicable
2 August 2026	Enforcement powers of the Commission (via AI Office) take effect
By 2 August 2027	GPAIMs placed on market pre-2025 must achieve full compliance

The regulatory timeline introduced in the AI Act is staggered, allowing for a period of adaptation and technical alignment across the ecosystem of one year, as the enforcement power will take effect from August 2026.

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