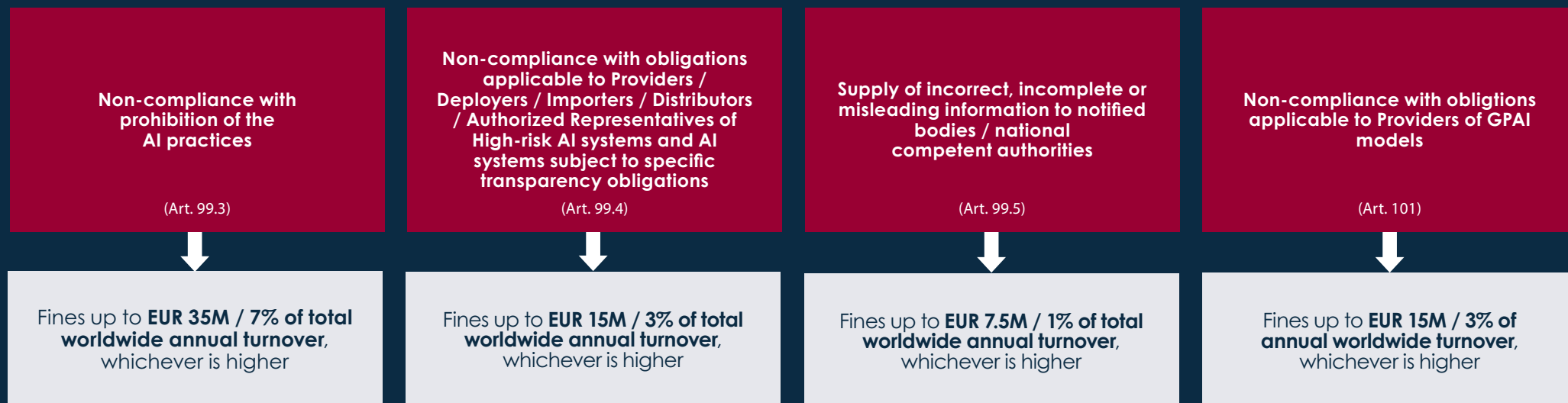


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What Are the Risks in Case of Non-Compliance with the EU AI Act?

For a refresher on the notions of “Prohibited AI systems”, “High-risk AI systems”, “AI systems subject to specific transparency obligations”, “General-Purpose AI (GPAI) models”, “Provider”, “Deployer”, “Importer”, “Distributor”, “Authorized Representative”, please consult our previous EU AI Act Decoded issues on “[Classification of AI systems and GPAI Models](#)” and “[Who will the EU AI Act apply to?](#)”.



 **For SMEs (undertakings with < 250 employees, and an annual turnover ≤ EUR 50M / balance sheet ≤ EUR 43M), including start-ups, the applicable fine will be the lower amount.**

Notes:

- Further rules on penalties and other enforcement measures (including warnings and non-monetary measures) will be determined by each EU Member State.
- The national market surveillance authorities and the AI Office are granted **extensive enforcement powers** to assess compliance with the EU AI Act. For high-risk AI systems and GPAI models, these powers notably include requiring providers to **provide full access to the documentation as well as the training, validation, and testing data sets used for development**, and, subject to certain conditions, **access to the source code**.
- Organizations are advised to monitor the regulatory developments in relation to the [Revised Product Liability Directive](#) (formally adopted on October 10, 2024) and the [Proposed AI Liability Directive](#) (still being discussed by the co-legislators). These Directives will introduce targeted reforms to national fault-based liability regimes and provide claimants with the right to request the disclosure of evidence to support their claims.



Much more to explore!

Follow our EU AI Act Decoded Series as we delve into the intricacies of the EU AI Act.

 [linkedin.com/showcase/ai-data-digital](https://www.linkedin.com/showcase/ai-data-digital)

Contact us



Anne-Gabrielle Haie
Partner in Steptoe's AI,
Data & Digital practice