EUROPEAN
COMMISSION

Brussels, 6.2.2025
C(2025) 924 final

COMMUNICATION TO THE COMMISSION

Approval of the content of the draft Communication from the Commission - Commission Guidelines on the definition of an artificial intelligence system established by Regulation (EU) 2024/1689 (AI Act)

COMMUNICATION TO THE COMMISSION

Approval of the content of the draft Communication from the Commission - Commission Guidelines on the definition of an artificial intelligence system established by Regulation (EU) 2024/1689 (AI Act)

Regulation (EU) 2024/1689 of the European Parliament and the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending certain regulations ('the AI Act')[1] entered into force on 1 August 2024. The AI Act lays down harmonised rules for the placing on the market, putting into service, and use of artificial intelligence ('AI') in the Union. Its aim is to promote innovation in and the uptake of AI, while ensuring a high level of protection of health, safety and fundamental rights in the Union, including democracy and the rule of law.

Article 96(1)(f) AI Act requires the Commission to develop guidelines on the application of the definition of an AI system as set out in Article 3(1) of that Act. The definition of an AI system enters into application on 2 February 2025, together with other provisions set out in Chapters I and II AI Act, notably Article 5 AI Act on prohibited AI practices. The definition of an AI system is decisive to understanding the scope of the AI Act.

In view of the imminent entry into application of the aforementioned provisions and the time necessary for the translation of the guidelines into all languages, the Commission is called upon to approve the content of the draft Communication from the Commission on Guidelines on the definition of an artificial intelligence system established by Regulation (EU) 2024/1689.

The Guidelines will be formally adopted by the Commission at a later date, when all language versions are available. It is only from that moment that these Guidelines will be applicable.

The text of the draft Guidelines is enclosed as an Annex to this Communication.

[1] Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence (Artificial Intelligence Act) (OJ L, 2024/1689, 12.7.2024).