Reference: EU AI Act 2024	GPAI	AI-M in High Risk System	Other AI-M	Rating / Question	Inference	Further
Article 1						
Article 1(2)(e)	Regulations for placing on the market	-	-	Concerns harmonised rules	-	
Article 2 (1) a	providers and distributors of AI-S and GPAI	-	-	Does it apply to all AI M or only GPAI?	Restriction: Only for providers of GPAI, not for other AI-M providers!	is refuted by para. 2 (6)? But confirmed by Art. 3 No. 3! So that all other KIMs can be connected via the value chain via providers of AI-S; but also "the third party" in the value chain
Article 2 (6)	-	-	Research as an exception	Wording: AI-M without addition! But all AI-M?	applies to all other AI-M	
Article 2 (8)	-	-	not before being placed on the market	Wording: AI-M without addition! But all AI-M?	applies to all other AI-M	
Article 10 (1)	-	training, validation and Test datasets required; Contortions		partly unclear what exactly affects AI-S and what only concerns AI-M?	applies to all other AI-M	
Article 15 (5) p.3	-	Resilience: related to training data (data poisoning); pre-trained components (model-poisoning); Input (adversarial examples / model evasions); Preventing model defects	-	no limitation on GPAI - does it apply to criteria of all types of models: separation, data, components, input data?	applies to all other AI-M	differentiation between AI-S that train AI-M and other AI-S that do not train AI-M;
Article 25 (4)	does not apply to open source GPAI	Sub-components must be precisely defined in the contract for high-risk AI, including capabilities and access	-	if GPAI is exempt from open source, are other AI-M also covered by it, i.e. exempt from written agreement? Formulation "the third party": Provider of other AI model?	AI-M also possible without GPAI as components; GPAI possible as part of AI-S; Third parties are obliged, but no provider	EU Model Terms and Conditions for High-Risk AI Contracts as an Optional Regulation
Article 40 (1)	Presumption of Conformity CE	indirect presumption of conformity	-	-	joint mention HiRi; GPAI	
Article 40(2) p.2	Energy efficiency in the life cycle	indirect meaning	-	-	joint mention HiRi; GPAI	
Article 40(2) p.3	Consistency of standards necessary	indirect meaning	-	-	joint mention HiRi; GPAI	
Article 41 (3)	Presumption of Conformity Specifications	indirect meaning	-	-	joint mention HiRi; GPAI	
Article 41 (5)	Requirements for proof of specification	indirect meaning	-	-	joint mention HiRi; GPAI	Leaves definition AI-M open!
Article 51	Classification GPAI SystemRisk	-	-	-	-	
Article 52 (1)	Notification Obligations GPAI System Risk	-	-	-	-	
Article 52 (2)	Proof if you disagree	-	-	-	-	
Article 52 (3)	Fictitious GPAI system risk	-	-	-	-	
Article 52 (4)	Identify as GPAI system risk	-	-	-	-	
Article 52 (5)	Re-examination in case of objection	-	-	-	-	
Article 52(6)	List of GPAI System Risk	-	-	-	-	
Article 53 (1)	GPAI Documentation Obligations	-	-	-		Generally important!
Article 53 (2)	Open Source & Components	specific notes on elements	specific notes on elements	important description: parameters, weights, model architecture, model usage must be explained - does this apply in general?	applies to all AI-M	Components of AI-M!
Article 53(3)	Obligation to cooperate	-	-	-	-	
Article 53 (4)	Practical Guides; Alternative evidence	-	-	-	-	
Article 53 (5)	'comparable and verifiable Documentation"	indirect meaning	indirect meaning	-	Systematic significance	

Article 54 (1-3)	GPAI Authorized Representatives Required	-	-	other AI-M do not need an authorized representative?!	critical or opportunity: At least logically, since no provider is required, see above.	
Article 54 (6)	not for open source; but for GPAI System-Risk	Naming for all AI-M	Naming for all AI-M	Important Description: Access, Use, Distribution, parameters, weights, Model architecture, model use	Systematic significance	
Article 55	GPAI System-Risk Obligations; very specific	-	-	-	-	
Article 56 (3)	Participation in practical guidelines for GPAI providers - diverse stakeholders	-	Interested in differentiating themselves from manufacturers of small AI-M?!	Are providers of other AI-M also stakeholders? But conceptually no providers of other AI-M possible: What are they then?	Systematic significance	

Article 56(7)	Obligation to follow the practical guidelines possible	-	-	-	-	
Article 66 (c)	Advice to the Board	-	-	-	-	
Article 66 (n)	Warnings by panel regarding GPAI	-	-	-	-	
Article 66 (o)	Alerts built-in GPAI	Alerts built-in GPAI	-	-	-	
Article 68	Independence of the body, etc.	-	-	-	-	
Article 72 (1)		Speaks only of "AI techniques", but does not mention AI-M		Do AI techniques correspond to different variants of AI-M?	This can be assumed from a systematic as well as from a teleological point of view	
Article 75	Same manufacturer?!	GPAI Same manufacturer?!	Rule/Exception	confirms once again possibility that GPAI can be used in high-risk as a special case!	As a rule, there are other AI-M in High Risk -> but they do not have their own providers, but only ever responsible for providers of AI-S via the value chain	
Article 88	Enforcement	-	-	-	-	
Article 89	Monitoring & Notices of Downstream Providers of GPAI	-	-	-	-	
Article 90	Warnings by panel regarding GPAI	-	-	-	-	
Article 91	Request documentation	-	-	-	-	
Article 92	Evaluation of GPAI by Office	-	-	-	-	
Article 93	Dialogue with GPAI through the office	-	-	-	-	
Article 94	Procedural Rights for GPAI Providers	-	-	-	-	
Article 101	Sanctions	-	indirect meaning: No sanctions possible?!	-	-	
Article 111	Protection of the status quo	indirect meaning	-	-	-	
Article 112(6)	Energy efficiency standards	-	-	-	-	
2. Attachments						
Annex I Version 2021	-	-	-	AI techniques as a substitute for AI-M?	Annex was omitted without justification, although legal certainty was the aim of this particular annex, see justification 5.2.1 old version.	
Annex VII 4.5	-	Access to training models and trained models of the AI-S incl. parameters	-	How does AI-M provider get access to information from AI providers that is not GPAI?	Important, since initial historical approach to AI M	

Annex XI, Sect. 1, 1.	General GPAI: Description of AI-M in general; incl. tasks; essence of the AI-S into which it is to be integrated; Elements = architecture and parameters as well as modality	-	-	-	
Annex XI, Sect. 1, 2.	elements with development procedures; necessary infrastructure of AI-M; Design specification incl. training methodology; Optimization & Parameters; Computing Resources & Energy Consumption	-	-	Infrastructure not an element of AI-M, but v. HIS? What role does the infrastructure used play in the AI-M?	Important for Layer Model
Annex XI, Sect. 2, 1.	GPAI System-Risk: Testing Strategies & Strategies test results, protocols; Method of testing;	-	-	What is a model adjustment?!	Important for Layer Model
Annex XI, Sect. 2, 2.	Model adjustments regarding alignment and fine-tuning;	-	-	-	
Annex XI, Sect. 2, 3.	Software; how they build on each other and work towards each other	-	-	What role does the software used play in AI M?	Important for Layer Model
Annex XII 1.	Documentation for downstream providers of GPAI: Additional documentation of interaction with hardware of the AI-S; Versions	-	-	-	
Annex XII 2.	format of inputs and outputs and their maximum size; Data Origin and Processing Methods	-	-	-	
Annex XIII	Very specific for GPAI system risk: Own dataset -> tokens, modality, etc. Effects on the internal market	-	-	independent of performance: GPAI is systemically active with over 10,000 established commercial users (i.e. operators); Number of registered end-users	
3. Reasons					
Paragraph 12	-	-	Derive models or algorithms, or both, from data	Detailed explanation of AI-S, but little information about models	-	-
Paragraph 25	-	-	Exception of research; Models always protected before commissioning	-	-	-
Paragraph 27	-	-	Fundamental rights and ecology should also be included in KIM. Basis for codes of conduct	-	-	-
Paragraph 67	-	-	Data Governance for AI-M in high-risk AI; Submodels for validating a system?!	-	-	-
Paragraph 76	-	-	Attacks on trained Models/cybersecurity in high-risk AI	-	-	-
Paragraph 88	-	-	Value chain: Many different Components & Services, including Training and retraining, integration of Software and other aspects of the Model development	-	-	-
Paragraph 89	Attention: which are not GPAI, but open source!	-	Voluntarily?! Model Cards & Data Sheets in value chain for tools, services, processes, AI components; AI-M that are not GPAI and not open source	-	-	-

Paragraph 97	Clear distinction between GPAI and AI-S required; Delivery of GPAI as a library, Interface, download or copy; For AI-S, user interface is necessary Exception for own models, which concern purely internal processes and have hardly any external impact. EVOLUTION: From research to GPAI and Prototypes	-	-	important point at the end: The EU AI Act also assumes the evolution of AI-M > from research to GPAI including intermediate stages.	-	-
Paragraph 98	one billion parameters as a criterion for GPAI & general purpose & different tasks	-	-	-	-	-
Paragraph 99	Large generative AI-M typical case for GPAI	-	small generative AI-M as other AI-M	-	-	-
Paragraph 100	Use of GPAI in AI-S leads to general-purpose AI-S. This in turn can be integrated into other AI-S.	-	-	-	-	-
Paragraph 101	Documentation of GPAI for actors in Value Chain & Office; Transparency requirements	-	-	-	EU can develop guidelines for documentation	

Paragraph 102	Open source GPAI: parameters, including weights, information about the model architecture, and information about model usage; Modification of GPAI possible with open source	-	-	-		
Paragraph 103	GPAI also applies	-	"Models" means open source components, and Instruments, services or procedures as well as software and data	-	Separation of models, services	
Paragraph 104	GPAI with open source strategy for Copyright Compliance. Is unequal to information about the dataset used to train or fine-tune the model	-		-		
Paragraph 105	Large generative AI-M typical case for GPAI; Data mining; Copyright	-		-	Copyright must also be important for all other AI-M!	
Paragraph 106	GPAI needs a strategy to comply with copyright and intellectual property rights			-	Also applies to other AI	
Paragraph 107	Differentiation of pre-training and training: Transparency regarding content used. use of public databases, or Data archives?! Explanation of Data sources			-		
Paragraph 108	Monitoring of the obligations of paragraph 108			-		
Paragraph 109	Principle of proportionality		Encouraging voluntary fulfillment	-	important!	

Paragraph 110	systemic risks throughout the life cycle of the model; conditions of misapplication, the reliability of the model that Model justice and the model safety, the degree of autonomy the model, its access to tools, novel or combined modalities; risks of models replicating themselves, or of "self-replication" or training of other models; the way models lead to harmful distortions and discrimination with risks for individuals, communities or societies		This is important in general!!	-	important!
Paragraph 111	indicators of GPAI system risk; Thresholds; Right to object			is there also a right to object that a KIM is not a GPAI?	important!
Paragraph 112	the procedure for the classification of a general-use AI-M needs to be clarified; Special features; Anticipation of the further development of GPAI made more difficult by office in open source!			General Features and Special Features! Terminology	important!
Paragraph 113	Designation as GPAI system risk by office possible				
Paragraph 114	Cybersecurity depends on whether embedded in AI-S or standalone; Attack testing			Threshold model for AI-S: Before placing on the market; afterwards; GPAI & GPAI Sys. Risk	

Paragraph 115	Reporting obligations; cybersecurity; Model theft; Protection could be provided by the Facilitate the backup of model weights, algorithms, servers, and datasets, e.g. by: Operational safety measures for the information security, specific cybersecurity strategies, appropriate technical and established solutions, and Physical access controls				Model theft is interesting
Paragraph 116	Practical guides are important; Participation of GPAI providers and other stakeholders				
Paragraph 117	Codes; harmonised standards and alternative means				
Paragraph 118			General: AI-S & AI-M are regulated; Naming of Digital Service Act for "very large" search engines		
Paragraph 133			generation of synthetic data; labelling obligations; level of the AI-Ss or the level of the AI-MS, including AI-M with general purpose for Content generation		
Paragraph 151	Scientific Panel				

Paragraph 161	Oversight of AI-S based on GPAI & have system & model common provider -> office! No competence of the national authority; cross-border administrative assistance			Problem with multi-nested AI-S!		
Paragraph 164	Enforcement Rights & Procedural Rights					
Paragraph 165			In addition, providers and, where appropriate, operators of all AI-S, high-risk or not, and all AI-M should be encouraged to voluntarily apply additional requirements; They should also be developed in an inclusive manner, involving relevant stakeholders where appropriate, such as: business associations and civil society organisations, academia, Research organisations, trade unions and consumer protection organisations	Municipal associations as a separate group!	important! The same basic patterns are necessary for this	
Paragraph 169	Enforcement with fines					
Paragraph 173	Adoption by the Commission of acts adapting the					
Paragraph 174	revaluation every four years; bgzl GPAI and other energy efficiency			-		
Paragraph 175	Shortened deadlines for GPAI, as it requires a particularly high pace of innovation			-		
Interpretation of the EU AI Act 2024						

Historical interpretation (loses importance with increasing age of a norm, therefore very important for young norms) e.g.:

In the 2021 version, the word "model" was only used twice in articles -> Article 10 Data Governance and 15 Accuracy, Robustness and Cybersecurity With the 2024 recast, the word "model" was replaced by "AI-M" in the same articles -> both terms are used interchangeably

With the 2024 recast, the word "model" was replaced by "AI-M" in the same articles -> both terms are used synonymously

The 2024 revision comprehensively regulates GPAI (with and without systemic risks), but retains the rules for high-risk AI-M with and without GPAI

Historically, Articles 10 and 15 are therefore the most important for deriving general characteristics for AI-M, as the 2021 version of the authorities already allows AI-S to test their own risks (Art. 65 old version; Art. 76 new version)

Even in reasons and appendices in the previous version, hardly any mention of "model"; the mention of "data-driven AI-M" was also deleted,

high time pressure allows the interpretation that the general term AI-M could not be comprehensively clarified in the short time

Grammatical interpretation (meaning of the word) among others:

According to Art (2) 2, the Act does not apply to providers of other AI-M! But: contradiction to conclusion from Art. 2 (2/8), since the same applies to AI-M that are not research?! Both views possible

However, the wording is also important for Art. 10/15, among others, as criteria for AI-M in high-risk AI-S are listed here that do not require this general purpose. Among other things, separation of AI-S who train AI-M and other AI-S who do not train AI-M.

Article 15 separates model poisoning from data poisoning

AI-M can be part of AI-S - AI-S (always) have a AI-M

The demarcation of AI-M and AI-systems is characterized in particular by an interaction interface, otherwise transitions are not clearly selective, despite the legal definition of AI-S (see esp. Reasons 97)

AI-M have general and special features

AI-M are subject to evolution, among other things: research, before placing on the market, easy placing on the market, multiple uses, systemic risks, out of circulation Separation of

pre-trained and post-trained models

Wording assumes that the same specifications for all types of AI-M can be used voluntarily, e.g. in codes of conduct Large generative

AI-M as an example of GPAI -> Conclusion: Small generative AI-M no GPAI, but evolution possible

unclear use of other terms, including "instruments, services, procedures, AI components" Regarding codes
of conduct blurred distinction from "alternative means"

Teleological interpretation (which goal is to be achieved with the standard) e.g.:

EU AI Act to dynamically adapt to the high speed of development; innovation of AI-M is obviously particularly important

Legislator wants to be able to anticipate innovation development in the best possible way in the future -> comparable criteria required for AI-M of all

kinds, same goals and criteria for AI providers of all kinds, including with regard to codes of conduct

Open source AI-M require not only similar criteria as all other AI-M, but also particularly specific

Since life cycle is mentioned, the problem of validity for providers of other AI-M Art. 2 (

Systematic interpretation (each legal norm is to be interpreted in such a way that it fits into the whole), among other things:

In the new version of 2024, the statements on AI-M refer statistically predominantly to GPAI - by adding "for general use".

Does the EU AI Act only apply to providers of AI-S and GPAI according to Article 2? Result: Does not apply to providers of (other) AI-M that are included in high-risk AI! Supply chain! Provider AI-S responsible for AI-M

Summary interpretation result:

AI-M has general and graded, special characteristics (related to effect and components)

Consideration of the entire cycle of life required "from the cradle to the grave forms ..." Training, validation,

and test datasets

Training models, pre- and post-training

Reliability of the model, model conformity and model safety

Parameters, weights, model architecture, model use generative AI-

M only from a certain size GPAI

different modalities of AI-M

Differentiation from AI-S ultimately primarily via user interface, otherwise blurred

Differentiation of AI-S that train AI-M and other AI-S