

## NEWSLETTER

### ARTIFICIAL INTELLIGENCE ACT (AIAct)

Regulation (EU) 2024/1689 of 13 June 2024, known as the Artificial Intelligence Act (AIA), establishes for the first time a harmonised legal framework for the development, marketing and use of AI systems in the European Union.

This Regulation represents a far-reaching regulatory change, with a direct impact on companies, entities and professionals that develop, integrate or use AI systems in their activities.

#### **1. Purpose of the Regulation**

The AI Act aims to ensure that AI used in the EU is safe, reliable and respectful of fundamental rights, while also reinforcing legal certainty and the free movement of AI-based products and services.

#### **2. Required Entities**

The Regulation has a very broad scope and applies to:

- AI system providers.
- Deployment managers (companies that use AI in their processes).
- Importers, distributors and authorised representatives.
- Organisations established outside the EU when their systems are placed on the European market or their results are used within the EU.

#### **3. Risk-based approach**

The AIAct classifies AI systems according to their level of risk, with increasing obligations depending on the category:

- a) Unacceptable-risk AI systems (banned): These include, among others, systems for cognitive manipulation, social scoring or real-time remote biometric identification in public spaces, with very limited exceptions.
- b) High-risk AI systems: These are the ones that can affect fundamental rights or essential services. Some examples:
  - AI systems used in education (access, assessment, supervision).

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- Systems applied to employment and personnel management (selection, evaluation, task assignment, monitoring).
  - Systems that condition access to essential public or private services (credit, insurance, social benefits, healthcare services).
- c) Low-risk AI systems: Transparency obligations (e.g. informing users that they are interacting with an AI system).
- d) Minimal risk systems: No specific obligations.

#### **4. Main obligations for high-risk systems**

High-risk AI systems will have to comply with strict requirements, including:

- Risk management system.
- Detailed technical documentation.
- Records and traceability.
- Effective human oversight.
- Cybersecurity measures.
- Conformity assessment before its marketing or use.

Deployment managers must also use the systems in accordance with the provider's instructions and ensure responsible, supervised use.

#### **5. Implementation timeline**

The AIAct provides for phased implementation:

- February 2025: prohibitions on AI practices and AI literacy requirements come into force.
- August 2026: general application of the regime for high-risk systems.
- August 2027: application to high-risk systems linked to products regulated by sectoral legislation.

#### **6. Sanctions regime**

The Regulation incorporates very significant penalties:

- Up to **€35 million or 7% of global turnover** for the use of prohibited practices.

- Up to **€15 million or 3% of worldwide turnover** for failure to comply with essential obligations.
- Up to **€7.5 million or 1% of global turnover** for providing incorrect or misleading information to the authorities.

## 7. Application in Spain

Currently, the Bill on the Proper Use and Governance of AI is under way, which will adapt the national framework to the RIA and designate the competent authorities for supervision and sanctions.

## 8. Recommendations for companies

To prepare adequately, we recommend:

- a) Internal audit to identify all AI systems used or planned.
- b) Risk classification according to the AIAct.
- c) Definition of the company's role (supplier, deployment manager, distributor...).
- d) Implementation of an internal AI usage policy.
- e) Appointment of a Responsible Person (AI Officer), where necessary.
- f) Review of contracts, protocols and regulatory compliance measures.

We are at your disposal for any clarification or further details regarding the content of this circular.

Kind regards,

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**NEXIA LAUDIS, SLP**

Barcelona, 13th April 2026