

General-Purpose AI Code of Practice: Provide your feedback to the first draft

Fields marked with * are mandatory.

Provide your feedback to the first General-Purpose AI Code of Practice!

Thank you for participating in the drawing-up of the first General-Purpose AI Code of Practice.

Upon receiving the first draft, you are encouraged to express your comments on the content via this survey, **deadline Thursday 28 November 2024, 12:00 CET.**

Your feedback is essential in helping us understand how the Code of Practice can best serve and support stakeholders across diverse sectors, leading to a final Code of Practice which should reflect the different submissions as far as possible, while ensuring a convincing implementation of the legal framework. Please be aware that the survey does not cover Art. 53(1)(d) issues.

For each section/measure/sub-measure of the Code of Practice, participants will be asked to answer **two types of questions**:

1. **Opinion rating** (close-ended feedback): express the level of agreement with the content choosing among different options.
2. **Open-ended questions**: specific to each sub-section's measures and sub-measures, and additional questions cross-measures. This includes the opportunity to comment on each section and the overall draft.

In addition, you may upload supporting documents at the end of the survey.

Each stakeholder can only submit one answer to this survey. For organisations, please note, the Point of Contact is responsible for collecting the views of their organisations chosen working group representatives.

You have the option to respond to all questions if you wish; however, you do not have to. The survey is long to enable participants to provide detailed feedback on every aspect of the Code of Practice that interests them. We trust each respondent will provide valuable input into the sections that are most relevant to their area of expertise, which may include skipping sub-measures, measures, or sections not of interest to them. For the ease of engaging with the survey, please have the Code of Practice open for reference.

Please note, **it will not be possible to forward this survey.** Your responses will be kept confidential in

accordance with the Vademecum confidentiality agreements.

The AI Office is looking forward to this inclusive and transparent process!

DISCLAIMER: All content uploaded in the "Supporting Documents" section should also be included in the main free-text sections of the survey to ensure that the relevant Chairs engage with the content.

Stakeholder information

Please provide your name, surname, email address, and the name of your organisation (if applicable). Please note that if your contact information does not correspond to an eligible participant or to the organisation's Point of Contact, your response will be discarded.

	Name	Surname	Email address	Organisation (if applicable)
Stakeholder	Borbála	Szücs-Bárfai	bszucsbartfai@actonline.org	ACT The App Association

* Which stakeholder category would you (or your organisation) consider yourself in?

- Academia (in a personal capacity)
- Civil society organisation
- Downstream provider of an AI system based on general-purpose AI models, or acting on behalf of such providers
- EU Member State representative
- European or international observer
- Other independent expert (in a personal capacity)
- Other industry organisation, or acting on behalf of such organisations
- Other organisation with relevant expertise
- Other stakeholder organisation
- Provider of a general-purpose AI model, or acting on behalf of such providers
- Rightsholder organisation

* Please indicate all the working groups you participate in. Please note that if you are the Point of Contact of your organisation, you should select all the working groups of your representatives.

- Working Group 1: Transparency & copyright-related rules
- Working Group 2: Risk identification and assessment for systemic risk
- Working Group 3: Technical risk mitigation for systemic risk
- Working Group 4: Governance risk mitigation for systemic risk

* Please indicate which section you wish to provide your feedback. If you wish to comment on all sections, please select all the options.

- Overall Code of Practice Draft
- Section II: [Working Group 1] Rules for providers of general-purpose AI models
- Section III: [Working Group 2] Taxonomy of systemic risks
- Section IV: [Working Groups 2/3/4] Rules for providers of general-purpose AI models with systemic risk

Overall Code of Practice Draft

To what extent are you satisfied with the overall content of the Code of Practice?

- 1: Dissatisfied
- 2: Slightly dissatisfied
- 3: Moderately satisfied
- 4: Mostly satisfied
- 5: Highly satisfied

Would you like to share any comments on the overall Code of Practice Draft? Please note that any feedback to specific content should be given per Section.

2000 character(s) maximum

The Code of Practice represents a valuable step toward responsible AI governance. However, as outlined in our Global Policy Principles for AI, any regulatory framework must remain flexible, proportional, and avoid adding unnecessary burdens, particularly on small and medium-sized enterprises (SMEs). While we support the risk-based approach, additional clarity is needed in aligning with the principles of access, transparency, and intellectual property (IP) protection.

Recommendations:

- Clearly define proportionality measures tailored for SMEs to mitigate compliance burdens.
- Provide pre-designed templates for key requirements like documentation, risk assessment, and transparency.

Section II: [Working Group 1] Rules for Providers of General-Purpose AI Models

Measures/Sub-measures Specific Feedback on Section II: [Working Group 1] Transparency

In this section you are asked to provide your overall opinion on the measures and sub-measures included in the second section of the Code of Practice related to *Transparency*.

Transparency, Measure 1: Documentation for the AI Office

To what extent do you agree with this measure? (Measure 1)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 1)

2000 character(s) maximum

Requiring extensive documentation may disproportionately impact SMEs. Documentation standards should be specific and scalable, focusing on the essential data required for regulatory purposes.

Please provide suggestions on how to improve this measure (Measure 1)

2000 character(s) maximum

- Develop streamlined documentation templates.
- Allow SMEs to redact sensitive proprietary information.
- Encourage regulators to accept tiered compliance based on organizational size and model risk.

What KPI would you add for this measure? (Measure 1)

2000 character(s) maximum

Percentage of documentation fields pre-filled using standard templates or guides provided by regulators.

Transparency, Measure 2: Documentation for downstream providers

To what extent do you agree with this measure? (Measure 2)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 2)

2000 character(s) maximum

Clarity is needed on the scope of information to be shared with downstream providers.

Please provide suggestions on how to improve this measure (Measure 2)

2000 character(s) maximum

Generally, documentation for downstream deployers should include data requirements/definitions, intended use cases/populations and applications (e.g., disclosing sufficient detail allowing providers to determine when an AI-enabled tool should reasonably apply to the individual the AI is being used for), including whether the AI/ML tools are intended to augment human work versus automate workflows, and status of /compliance with all applicable legal and regulatory requirements. Such documentation should also provide information that enables those further down the value chain can assess the quality, performance, ethical norms, and utility of AI/ML tools.

What KPI would you add for this measure? (Measure 2)

2000 character(s) maximum

Documentation for deployers should include data requirements/definitions, intended use cases/populations and applications (e.g., disclosing sufficient detail allowing providers to determine when an AI-enabled tool should reasonably apply to the individual the AI is being used for), including whether the AI/ML tools are intended to augment human work versus automate workflows, and status of/compliance with all applicable legal and regulatory requirements.

For the items listed in the table (at page 10), how should the Code of Practice provide greater detail? (Measure 2)

2000 character(s) maximum

Additional Feedback on Section II: [Working Group 1] Transparency

Please provide additional feedback on the content of the Code of Practice second section related to *Transparency* by answering the following questions.

What additional measure and/or sub-measures would you include in this sub-section? (Section II - Transparency)

2000 character(s) maximum

Generally, documentation for downstream deployers should include data requirements/definitions, intended use cases/populations and applications (e.g., disclosing sufficient detail allowing providers to determine when an AI-enabled tool should reasonably apply to the individual the AI is being used for), including whether the AI/ML tools are intended to augment human work versus automate workflows, and status of /compliance with all applicable legal and regulatory requirements. Such documentation should also provide information that enables those further down the value chain can assess the quality, performance, ethical norms, and utility of AI/ML tools.

For which of the topics below is more clarification or specificity most needed? (*select all that apply*) (Section II - Transparency)

- General information
- Intended uses
- Acceptable use policies
- Methods of distribution
- Interaction with hardware and software
- Software versions
- Model architecture and parameters
- Input and output modalities
- License
- Technical means for downstream integration
- Training process
- Training, testing, validation data
- Computational resources
- Energy consumption
- Testing process

If you are a General-Purpose AI Model provider, which of the topics below related to the transparency obligations would be the costliest to comply with for your organization? (Section II - Transparency)

- General information
- Intended uses
- Acceptable use policies
- Methods of distribution
- Interaction with hardware and software
- Software versions
- Model architecture and parameters
- Input and output modalities
- License
- Technical means for downstream integration
- Training process
- Training, testing, validation data

- Computational resources
- Energy consumption
- Testing process

If you are a General-Purpose AI Model provider, for which of the topics below do you currently make information publicly available? (*select all that apply*) (Section II - Transparency)

- Not applicable
- General information
- Intended uses
- Acceptable use policies
- Methods of distribution
- Interaction with hardware and software
- Software versions
- Model architecture and parameters
- Input and output modalities
- License
- Technical means for downstream integration
- Training process
- Training, testing, validation data
- Computational resources
- Energy consumption
- Testing process

If you are a General-Purpose AI Model provider, for which of the topics below do you internally produce information for business purposes? (*select all that apply*) (Section II - Transparency)

- Not applicable
- General information
- Intended uses
- Acceptable use policies
- Methods of distribution
- Interaction with hardware and software
- Software versions
- Model architecture and parameters
- Input and output modalities
- License
- Technical means for downstream integration
- Training process
- Training, testing, validation data
- Computational resources
- Energy consumption
- Testing process

If you are a General-Purpose AI Model provider, how do you currently share information to downstream providers but not the public? (*select all that apply*) (Section II - Transparency)

- Not applicable
- We only share information publicly
-

We provide contact information on our website

- We coordinate with our external distribution channels that distribute the model (GitHub, Hugging Face, Amazon Bedrock, Microsoft Azure, Google Vertex AI, Together)
- Other

If you are *not* a General-Purpose AI Model provider, for which of the topics below would you prefer information be encouraged to be made public? (*select all that apply*) (Section II - Transparency)

- Not applicable
- General information
- Intended uses
- Acceptable use policies
- Methods of distribution
- Interaction with hardware and software
- Software versions
- Model architecture and parameters
- Input and output modalities
- License
- Technical means for downstream integration
- Training process
- Training, testing, validation data
- Computational resources
- Energy consumption
- Testing process

Measures/Sub-measures Specific Feedback on Section II: [Working Group 1] Copyright-related rules

In this section you are asked to provide your overall opinion on the measures and sub-measures included in the second section of the Code of Practice related to *Copyright-related rules*.

Copyright-related rules, Measure 3: Put in place copyright policy

To what extent do you agree with this measure? (Measure 3)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 3)

2000 character(s) maximum

Clarity in copyright compliance is essential to fostering innovation. SMEs need accessible tools to navigate complex copyright landscapes, requiring a balanced and pragmatic approach to addressing challenges at the intersection of AI and copyright.

Please provide suggestions on how to improve this measure (Measure 3)

2000 character(s) maximum

What KPI would you add for this measure? (Measure 3)

2000 character(s) maximum

Copyright-related rules, Sub-Measure 3.1: Draw up and implement a copyright policy

To what extent do you agree with this sub-measure? (Sub-Measure 3.1)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 3.1)

2000 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 3.1)

2000 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 3.1)

2000 character(s) maximum

Copyright-related rules, Sub-Measure 3.2: Upstream copyright compliance

To what extent do you agree with this sub-measure? (Sub-Measure 3.2)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 3.2)

2000 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 3.2)

2000 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 3.2)

2000 character(s) maximum

Copyright-related rules, Sub-Measure 3.3: Downstream copyright compliance

To what extent do you agree with this sub-measure? (Sub-Measure 3.3)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 3.3)

2000 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 3.3)

2000 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 3.3)

2000 character(s) maximum

Copyright-related rules, Measure 4: Compliance with the limits of the TDM exception

To what extent do you agree with this measure? (Measure 4)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 4)

2000 character(s) maximum

Please provide suggestions on how to improve this measure (Measure 4)

2000 character(s) maximum

What KPI would you add for this measure? (Measure 4)

2000 character(s) maximum

Copyright-related rules, Sub-Measure 4.1: Respect Robots.txt

To what extent do you agree with this sub-measure? (Sub-Measure 4.1)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 4.1)

2000 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 4.1)

2000 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 4.1)

2000 character(s) maximum

Copyright-related rules, Sub-Measure 4.2: No effect on findability

To what extent do you agree with this sub-measure? (Sub-Measure 4.2)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 4.2)

2000 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 4.2)

2000 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 4.2)

2000 character(s) maximum

Copyright-related rules, Sub-Measure 4.3: Best efforts regarding other appropriate means

To what extent do you agree with this sub-measure? (Sub-Measure 4.3)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 4.3)

2000 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 4.3)

2000 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 4.3)

2000 character(s) maximum

Copyright-related rules, Sub-Measure 4.4: Commitment to collaborative development of rights reservations' standards

To what extent do you agree with this sub-measure? (Sub-Measure 4.4)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 4.4)

2000 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 4.4)

2000 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 4.4)

2000 character(s) maximum

Copyright-related rules, Sub-Measure 4.5: No crawling of piracy websites

To what extent do you agree with this sub-measure? (Sub-Measure 4.5)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 4.5)

2000 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 4.5)

2000 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 4.5)

2000 character(s) maximum

Copyright-related rules, Measure 5: Transparency

To what extent do you agree with this measure? (Measure 5)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 5)

2000 character(s) maximum

We acknowledge the importance of public transparency in fostering trust and accountability, however, we also want to highlight that the associated burdens may disproportionately impact SMEs, particularly in terms of reporting and documentation. Generally, transparency in copyright can be advanced by the sharing of clearly depicting the status of/compliance with all applicable legal and regulatory requirements.

Please provide suggestions on how to improve this measure (Measure 5)

2000 character(s) maximum

- Develop standard templates for transparency reporting to minimise the workload for SMEs.
- Limit mandatory disclosures to non-sensitive information, focusing on societal benefits without exposing trade secrets.
- Provide clarity on the scope of transparency obligations for various organizational sizes.

What KPI would you add for this measure? (Measure 5)

2000 character(s) maximum

Copyright-related rules, Sub-Measure 5.1: Public information about rights reservation compliance

To what extent do you agree with this sub-measure? (Sub-Measure 5.1)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 5.1)

2000 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 5.1)

2000 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 5.1)

2000 character(s) maximum

Copyright-related rules, Sub-Measure 5.2: Crawler name and robots.txt features

To what extent do you agree with this sub-measure? (Sub-Measure 5.2)

- The sub-measure should be removed in its entirety
-

- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 5.2)

2000 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 5.2)

2000 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 5.2)

2000 character(s) maximum

Copyright-related rules, Sub-Measure 5.3: Single point of contact and complaint handling

To what extent do you agree with this sub-measure? (Sub-Measure 5.3)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 5.3)

2000 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 5.3)

2000 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 5.3)

2000 character(s) maximum

Copyright-related rules, Sub-Measure 5.4: Documentation of data sources and authorisations

To what extent do you agree with this sub-measure? (Sub-Measure 5.4)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 5.4)

2000 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 5.4)

2000 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 5.4)

2000 character(s) maximum

Additional Feedback on Section II: [Working Group 1] Rules for providers of General-Purpose AI Models

Please provide additional feedback on the content of the Code of Practice second section related to *Copyright-related rules* by answering the following questions.

What additional measure and/or sub-measures would you include in this sub-section? (Section II - Copyright)

2000 character(s) maximum

Are there measures and/or sub-measures that are not technically feasible? (Section II - Copyright)

2000 character(s) maximum

Section III: [Working Group 2] Taxonomy of Systemic Risks

Taxonomy of systemic risks, Measure 6: Taxonomy

To what extent do you agree with this measure? (Measure 6)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
-

The measure is close to where it needs to be

Please explain your rating to this measure (Measure 6)

500 character(s) maximum

We strongly encourage taxonomies of systemic risks include those risks that are reasonably related to the intended use cases of the relevant AI, and that only foreseeable risks be included. It serves no public interest to require the inclusion of hypothetical or unlikely edge use cases in depictions of systemic risk.

Please provide suggestions on how to improve this measure (Measure 6)

500 character(s) maximum

Taxonomies of systemic risks should include those risks that are reasonably related to the intended use cases of the relevant AI, and only foreseeable risks be included.

What KPI would you add for this measure? (Measure 6)

500 character(s) maximum

Inclusion of risks that are reasonably related to the intended use cases of the relevant AI, and only foreseeable risks be included.

Taxonomy of systemic risks, Sub-Measure 6.1: Types of systemic risks

To what extent do you agree with this sub-measure? (Sub-Measure 6.1)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 6.1)

500 character(s) maximum

We strongly encourage taxonomies of systemic risks include those risks that are reasonably related to the intended use cases of the relevant AI, and that only foreseeable risks be included. It serves no public interest to require the inclusion of hypothetical or unlikely edge use cases in depictions of systemic risk.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 6.1)

500 character(s) maximum

Taxonomies of systemic risks should include those risks that are reasonably related to the intended use cases of the relevant AI, and only foreseeable risks be included.

What KPI would you add for this sub-measure? (Sub-Measure 6.1)

500 character(s) maximum

Inclusion of risks that are reasonably related to the intended use cases of the relevant AI, and only foreseeable risks be included.

What are relevant considerations or criteria to take into account when defining whether a risk is a systemic risk? (Sub-Measure 6.1)

500 character(s) maximum

We strongly encourage taxonomies of systemic risks include those risks that are reasonably related to the intended use cases of the relevant AI, and that only foreseeable risks be included. It serves no public interest to require the inclusion of hypothetical or unlikely edge use cases in depictions of systemic risk.

Based on these considerations or criteria, which risks should be prioritised for addition to the main taxonomy of systemic risks? (Sub-Measure 6.1)

500 character(s) maximum

Those risks that are foreseeable and reasonably related to the intended use cases of the relevant AI,

How should the taxonomy of systemic risks address AI-generated child sexual abuse material and non-consensual intimate imagery? (Sub-Measure 6.1)

500 character(s) maximum

Taxonomies of systemic risks should acknowledge illegal actions and conduct, including the creation of AI-generated child sexual abuse material and non-consensual intimate imagery, when such a risk is foreseeable and reasonably related to the the intended use cases of the relevant AI.

Taxonomy of systemic risks, Sub-Measure 6.2: Nature of systemic risks

To what extent do you agree with this sub-measure? (Sub-Measure 6.2)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 6.2)

500 character(s) maximum

We strongly encourage taxonomies discussing the nature of systemic risks to include those risks that are reasonably related to the intended use cases of the relevant AI, and that only foreseeable risks be included. It serves no public interest to require the inclusion of hypothetical or unlikely edge use cases in depictions of systemic risk.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 6.2)

500 character(s) maximum

Taxonomies discussing the nature of systemic risks should include those risks that are reasonably related to the intended use cases of the relevant AI, and only foreseeable risks should be included.

What KPI would you add for this sub-measure? (Sub-Measure 6.2)

500 character(s) maximum

Inclusion of risks that are foreseeable and reasonably related to the intended use cases of the relevant AI.

Taxonomy of systemic risks, Sub-Measure 6.3: Sources of systemic risks

To what extent do you agree with this sub-measure? (Sub-Measure 6.3)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 6.3)

500 character(s) maximum

Generally, information should be provided that enables those further down the value chain can assess the quality, performance, equity, and utility of AI/ML tools. Descriptions of the sources of systemic risks should include only those that are foreseeable and reasonably related to the intended use cases of the relevant AI.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 6.3)

500 character(s) maximum

It should be clarified that included sources of systemic risks include only those that are foreseeable and reasonably related to the intended use cases of the relevant AI.

What KPI would you add for this sub-measure? (Sub-Measure 6.3)

500 character(s) maximum

Include sources of systemic risks that are foreseeable and reasonably related to the intended use cases of the relevant AI.

Section IV: [Working Groups 2/3/4] Rules for Providers of General-Purpose AI Models with Systemic Risk

Measures/Sub-measures Specific Feedback on Section IV: [Working Group 2] Risk assessment for providers of General-Purpose AI Models with Systemic Risk

In this section you are asked to provide your overall opinion on the measures and sub-measures included in the fourth section of the Code of Practice related to *Risk assessment for providers of General-Purpose AI Models with Systemic Risk*.

Risk assessment, Measure 8: Risk identification

To what extent do you agree with this measure? (Measure 8)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 8)

500 character(s) maximum

The intensity and frequency of risk assessments should scale to the potential likely harms posed in intended use scenarios to support safety, protect privacy and security, avoid harmful outcomes due to bias, etc.

Further, continuous risk identification is resource-intensive for SMEs. A tiered system based on risk levels could reduce compliance burdens scaled to the foreseeable and reasonably likely harms that could occur.

Please provide suggestions on how to improve this measure (Measure 8)

500 character(s) maximum

- Ensure that the intensity and frequency of risk assessments scale to the potential likely harms posed in intended use scenarios to support safety, protect privacy and security, avoid harmful outcomes due to bias, etc.
- Introduce a risk identification framework that enables scaling of risk assessments to the foreseeable and reasonably likely harms presented by that particular use case.
- Encourage collaboration with third-party evaluators to reduce SME workloads.

What KPI would you add for this measure? (Measure 8)

500 character(s) maximum

Fostering SME development and use of AI innovations through targeted guidance and minimal compliance /paperwork requirements.

Risk assessment, Sub-Measure 8.1: Determining risks

To what extent do you agree with this sub-measure? (Sub-Measure 8.1)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 8.1)

500 character(s) maximum

Identified risks should include only those that are foreseeable and reasonably related to the intended use cases of the relevant AI.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 8.1)

500 character(s) maximum

Clarifying that determined risks include only those that are foreseeable and reasonably related to the intended use cases of the relevant AI.

What KPI would you add for this sub-measure? (Sub-Measure 8.1)

500 character(s) maximum

Determined risks include only those that are foreseeable and reasonably related to the intended use cases of the relevant AI.

Risk assessment, Measure 9: Risk analysis

To what extent do you agree with this measure? (Measure 9)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 9)

500 character(s) maximum

Risk analyses should prioritise safety, effectiveness, transparency, data privacy and security, and equity from the earliest stages of design, leveraging (and, where appropriate, updating) existing AI/ML guidelines on research and ethics, leading standards, and other resources. Risk analyses can most effectively do this by focusing on risks that are foreseeable and reasonably related to the intended use cases of the relevant AI.

Please provide suggestions on how to improve this measure (Measure 9)

500 character(s) maximum

Risk analyses should focus on harms that are foreseeable and reasonably related to the intended use cases of the relevant AI.

What KPI would you add for this measure? (Measure 9)

500 character(s) maximum

Risk analyses considering harms that are foreseeable and reasonably related to the intended use cases of the relevant AI.

Risk assessment, Sub-Measure 9.1: Methodologies

To what extent do you agree with this sub-measure? (Sub-Measure 9.1)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 9.1)

500 character(s) maximum

Risk analyses should prioritise safety, effectiveness, transparency, data privacy and security, and equity from the earliest stages of design, leveraging (and, where appropriate, updating) existing AI/ML guidelines on research and ethics, leading standards, and other resources. Risk analyses can most effectively do this by focusing on risks that are foreseeable and reasonably related to the intended use cases of the relevant AI.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 9.1)

500 character(s) maximum

We believe that AI platform developers should be testing for, identifying, and mitigating bias and safety issues that may arise from using or modifying existing foundation models for its AI Platform, and documenting these issues and steps taken to address them in transparency documentation (e.g., transparency notes, system cards, and product documentation).
Risk analyses should focus on harms that are foreseeable and reasonably related to the intended use cases of the relevant AI.

What KPI would you add for this sub-measure? (Sub-Measure 9.1)

500 character(s) maximum

Risk analyses methodologies considering harms that are foreseeable and reasonably related to the intended use cases of the relevant AI.

Risk assessment, Sub-Measure 9.2: Mapping to systemic risk indicators

To what extent do you agree with this sub-measure? (Sub-Measure 9.2)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 9.2)

500 character(s) maximum

Risk assessments should clearly map to systemic risk indicators that are foreseeable and reasonably related to the intended use cases of the relevant AI. Risk assessments should not be required to include further indicators.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 9.2)

500 character(s) maximum

Risk assessments should clearly map to systemic risk indicators that are foreseeable and reasonably related to the intended use cases of the relevant AI.

What KPI would you add for this sub-measure? (Sub-Measure 9.2)

500 character(s) maximum

Risk assessments must clearly map to systemic risk indicators that are foreseeable and reasonably related to the intended use cases of the relevant AI, and should not include further indicators outside of these parameters.

Risk assessment, Sub-Measure 9.3: Tiers of severity

To what extent do you agree with this sub-measure? (Sub-Measure 9.3)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 9.3)

500 character(s) maximum

Because risk assessments should clearly map to systemic risk indicators that are foreseeable and reasonably related to the intended use cases of the relevant AI, predetermined tiers of severity may not always be appropriate. Ideally, parties should have the flexibility to truly scale to the foreseeable and reasonably likely risks presented by intended AI use cases.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 9.3)

500 character(s) maximum

Provide parties with the flexibility to truly scale to the foreseeable and reasonably likely risks presented by intended AI use cases.

What KPI would you add for this sub-measure? (Sub-Measure 9.3)

500 character(s) maximum

The ability to truly scale to the foreseeable and reasonably likely risks presented by intended AI use cases.

Is 'severity' the best way to articulate levels of 'gravity' or could it create confusion with the definition of risk as the combination of probability and severity? (Sub-Measure 9.3)

500 character(s) maximum

Introducing the term "gravity" is likely to create confusion, because it is not widely understood to represent a combination of "probability" and "severity." We encourage the use of "severity" as it is widely understood, separate but paired with "probability" as it is widely understood to articulate risk.

What will those tiers of severity be? Is there already a nascent standard or a consensus forming? (Sub-Measure 9.3)

500 character(s) maximum

We encourage the use of commonly-understood terms in risk management when addressing tiers of severity, such as “low,” “medium,” and “high.”

Risk assessment, Sub-Measure 9.4: Forecasting risks

To what extent do you agree with this sub-measure? (Sub-Measure 9.4)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 9.4)

500 character(s) maximum

Forecasted risks should only be those that are foreseeable and reasonably related to the intended use cases of the relevant AI. Risk assessments should not be required to include further indicators.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 9.4)

500 character(s) maximum

Clarify that forecasted risks should only be those that are foreseeable and reasonably related to the intended use cases of the relevant AI.

What KPI would you add for this sub-measure? (Sub-Measure 9.4)

500 character(s) maximum

Forecasted risks are those that are foreseeable and reasonably related to the intended use cases of the relevant AI.

Risk assessment, Measure 10: Evidence Collection

To what extent do you agree with this measure? (Measure 10)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 10)

500 character(s) maximum

It is vital that the administrative/compliance burdens be minimised wherever possible, particularly for SMEs.

Please provide suggestions on how to improve this measure (Measure 10)

500 character(s) maximum

Ensure that evidence collection practices translate to administrative/compliance tasks directly related to the purposes of the AI Act, and are otherwise streamlined and minimised, to support SMEs.

What KPI would you add for this measure? (Measure 10)

500 character(s) maximum

Mitigate evidence collection administrative tasks to ensure those complying with the AI Act are not overburdened, particularly SMEs.

Risk assessment, Sub-Measure 10.1: Model-agnostic evidence

To what extent do you agree with this sub-measure? (Sub-Measure 10.1)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 10.1)

500 character(s) maximum

It is vital that the administrative/compliance burdens be minimised wherever possible, particularly for SMEs.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 10.1)

500 character(s) maximum

Ensure that evidence collection practices translate to administrative/compliance tasks directly related to the purposes of the AI Act, and are otherwise streamlined and minimised, to support SMEs.

What KPI would you add for this sub-measure? (Sub-Measure 10.1)

500 character(s) maximum

Mitigate evidence collection administrative tasks to ensure those complying with the AI Act are not overburdened, particularly SMEs.

Risk assessment, Sub-Measure 10.2: Best-in-class evaluations

To what extent do you agree with this sub-measure? (Sub-Measure 10.2)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 10.2)

500 character(s) maximum

Best-in-class evaluations should scale to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses. Therefore, in this scaled approach, suitable methodologies will be different for different use cases. This could be more explicitly stated, and should be.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 10.2)

500 character(s) maximum

More clearly state that suitable methodologies will need to scale to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses, and will not include all listed approaches in the Sub-Measure.

What KPI would you add for this sub-measure? (Sub-Measure 10.2)

500 character(s) maximum

Whether the methodology used is scaled to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

What factors might determine whether a certain evaluation method is an adequate fit for a specific model and risk, and whether an evaluation was thorough enough? (Sub-Measure 10.2)

500 character(s) maximum

Leading international risk management standards and voluntary certifications (e.g., ISO).

Risk assessment, Sub-Measure 10.3: Scientific rigour and other quality factor

To what extent do you agree with this sub-measure? (Sub-Measure 10.3)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 10.3)

500 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 10.3)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 10.3)

500 character(s) maximum

How should high scientific rigor be operationalised? What is the gold standard and when should Signatories deviate from it (for example when conducting early, exploratory research)? (Sub-Measure 10.3)

500 character(s) maximum

Risk assessment, Sub-Measure 10.4: Capability elicitation

To what extent do you agree with this sub-measure? (Sub-Measure 10.4)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 10.4)

500 character(s) maximum

The approach taken in an evaluation will need to be different depending on the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses, and will not include all listed approaches in the Sub-Measure.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 10.4)

500 character(s) maximum

More clearly state that suitable methodologies will need to scale to the foreseeable and reasonably likely harms presented by the relevant AI use cases and intended uses, and will not include all listed approaches in the Sub-Measure.

What KPI would you add for this sub-measure? (Sub-Measure 10.4)

500 character(s) maximum

Whether the approach used is scaled to the foreseeable and reasonably likely harms presented by the relevant AI use cases and intended uses.

Risk assessment, Sub-Measure 10.5: Models as part of systems

To what extent do you agree with this sub-measure? (Sub-Measure 10.5)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 10.5)

500 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 10.5)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 10.5)

500 character(s) maximum

How could this sub-measure be facilitated for Signatories who provide General-Purpose AI Models with Systemic Risk as open-source models or to Business-to-Business customers? (Sub-Measure 10.5)

500 character(s) maximum

Risk assessment, Sub-Measure 10.6: Diverse evaluations & generalisation

To what extent do you agree with this sub-measure? (Sub-Measure 10.6)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 10.6)

500 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 10.6)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 10.6)

500 character(s) maximum

Risk assessment, Sub-Measure 10.7: Exploratory work

To what extent do you agree with this sub-measure? (Sub-Measure 10.7)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 10.7)

500 character(s) maximum

Ensuring that significant amounts of exploratory work are done on general-purpose models with systemic risk, depending on the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses, but may not include “open-ended red teaming by qualified third parties (including representatives of civil society and academia)”. We question why this specific approach is being endorsed in this Sub-Measure when it will not be appropriate to accomplish all risk assessment.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 10.7)

500 character(s) maximum

Remove “open-ended red teaming by qualified third parties (including representatives of civil society and academia)” from the Sub-Measure.

What KPI would you add for this sub-measure? (Sub-Measure 10.7)

500 character(s) maximum

Risk assessment, Sub-Measure 10.8: Sharing tools & best practices

To what extent do you agree with this sub-measure? (Sub-Measure 10.8)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 10.8)

500 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 10.8)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 10.8)

500 character(s) maximum

What channels, organisations and methods exist that would facilitate the sharing of evaluations, tools, and best practices, while not putting undue additional pressure on the research teams currently working at the cutting edge of AI Safety? (Sub-Measure 10.8)

Is this measure especially beneficial to startups and Small Medium Enterprises (SMEs) who might not have as much capacity to develop these tools and practices from scratch, but might be able to use them? (Sub-Measure 10.8)

Yes, the sharing of tools and best practices, appropriately limited to protect commercially sensitive information, public security, proliferation risks, and the validity of future evaluations, should provide benefit to SMEs. Numerous fora exist today for such information sharing, and should be supported by the EU.

Risk assessment, Sub-Measure 10.9: Sharing results

To what extent do you agree with this sub-measure? (Sub-Measure 10.9)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 10.9)

500 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 10.9)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 10.9)

500 character(s) maximum

Risk assessment, Measure 11: Risk assessment lifecycle

To what extent do you agree with this measure? (Measure 11)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 11)

500 character(s) maximum

We support AI developers prioritizing safety, effectiveness, transparency, data privacy and security, and equity from the earliest stages of design, leveraging (and, where appropriate, updating) existing AI/ML guidelines on research and ethics, leading standards, and other resources. A scaled approach to lifecycle

risk management should further be employed, scaled to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

Please provide suggestions on how to improve this measure (Measure 11)

500 character(s) maximum

Generally, this Measure should reflect that risk assessment practices should map to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

What KPI would you add for this measure? (Measure 11)

500 character(s) maximum

Mapping to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

Risk assessment, Sub-Measure 11.1: Before training

To what extent do you agree with this sub-measure? (Sub-Measure 11.1)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 11.1)

500 character(s) maximum

Risk assessments before training should map to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 11.1)

500 character(s) maximum

Clearly state that risk assessments before training should map to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

What KPI would you add for this sub-measure? (Sub-Measure 11.1)

500 character(s) maximum

Map to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

Risk assessment, Sub-Measure 11.2: During training

To what extent do you agree with this sub-measure? (Sub-Measure 11.2)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
-

- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 11.2)

500 character(s) maximum

Developers should employ algorithms that produce repeatable results and, when feasible, are auditable. Risk assessments during training should map to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 11.2)

500 character(s) maximum

Clarifying that developers should employ algorithms that produce repeatable results and, when feasible, are auditable; and that risk assessments during training should map to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

What KPI would you add for this sub-measure? (Sub-Measure 11.2)

500 character(s) maximum

- Employ algorithms that produce repeatable results and, when feasible, are auditable.
- Map risk assessments to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

Risk assessment, Sub-Measure 11.3: During deployment

To what extent do you agree with this sub-measure? (Sub-Measure 11.3)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 11.3)

500 character(s) maximum

Developers should employ algorithms that produce repeatable results and, when feasible, are auditable. Risk assessments during deployment should map to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 11.3)

500 character(s) maximum

Clarifying that developers should employ algorithms that produce repeatable results and, when feasible, are auditable; and that risk assessments during deployment should map to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

What KPI would you add for this sub-measure? (Sub-Measure 11.3)

500 character(s) maximum

- Employ algorithms that produce repeatable results and, when feasible, are auditable.
- Map risk assessments to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

Risk assessment, Sub-Measure 11.4: Post-deployment monitoring

To what extent do you agree with this sub-measure? (Sub-Measure 11.4)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 11.4)

500 character(s) maximum

Developers should employ algorithms that produce repeatable results and, when feasible, are auditable. Risk assessments after deployment should map to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 11.4)

500 character(s) maximum

Clarifying that developers should employ algorithms that produce repeatable results and, when feasible, are auditable; and that risk assessments after deployment should map to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

What KPI would you add for this sub-measure? (Sub-Measure 11.4)

500 character(s) maximum

- Employ algorithms that produce repeatable results and, when feasible, are auditable.
- Map risk assessments to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

What methods exist (or could exist) that would enable providers of open-weights General-Purpose AI Models with Systemic Risk to monitor models they have released, without major side effects for the downstream users of these models? (Sub-Measure 11.4)

Additional Feedback on Section IV: [Working Group 2] Risk assessment for providers of General-Purpose AI Models with Systemic Risk

Please provide additional feedback on the content of the Code of Practice fourth section related to *Risk assessment for providers of General-Purpose AI Models with Systemic Risk* by answering the following questions.

What additional measure and/or sub-measures would you include in this sub-section? (Section IV - Risk assessment)

2000 character(s) maximum

How useful will measures 8-10 (risk assessment) be to the safety work of providers of General-Purpose AI Models with Systemic Risk and how could they be improved? (Section IV - Risk assessment)

2000 character(s) maximum

How do you think that measures 6 and 8-11 will affect the safety work of providers of General-Purpose AI models with Systemic Risk? (Section IV - Risk assessment)

2000 character(s) maximum

They will likely generally have a positive impact in improving providers' efforts to improve safety to some degree, but also carry with them high compliance burdens that will require much attention and cost.

How do you judge measures 6 and 8-11 for providers of open source Models with Systemic Risk? Do you see specific concerns or have potential solutions, especially considering post-deployment monitoring and in the context of evaluating General-Purpose AI Models with Systemic Risk as part of AI systems? (Section IV - Risk assessment)

2000 character(s) maximum

Open source approaches can be beneficial in many scenarios by harmonizing terminology, training, deployment, weights, and documentation/monitoring. However, such approaches may not be able to prevent malfeasance as effectively. A scaled approach to risk management is the best tool to address how such Measures should apply to providers of open source Models with Systemic Risk.

How do you judge measures 6 and 8-11 for providers of General-Purpose AI Models with Systemic Risk who might be startups or Small-Medium Enterprises (SMEs)? Do you see specific concerns or have potential solutions? (Section IV - Risk assessment)

2000 character(s) maximum

As guidance, these Measures should be helpful. But SMEs will have difficulty adhering to them due to the high cost of compliance with EU rules, and the terms of this Code of Practice. The Code of Practice can best assist by ensuring that its approach with large provides that risk mitigation practices map to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

Measures/Sub-measures Specific Feedback on Section IV: [Working Group 3] Technical risk mitigation for providers of General-Purpose AI Models

with Systemic Risk

In this section you are asked to provide your overall opinion on the measures and sub-measures included in the fourth section of the Code of Practice related to *technical risk mitigation for providers of General-Purpose AI Models with Systemic Risk*.

Technical risk mitigation, Measure 7: Safety and Security Framework

To what extent do you agree with this measure? (Measure 7)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 7)

500 character(s) maximum

This Measure should be improved by emphasizing that risk mitigation strategies map to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses. We support such practices being memorialised in SSFs.

Please provide suggestions on how to improve this measure (Measure 7)

500 character(s) maximum

Emphasizing that risk mitigation strategies map to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

What KPI would you add for this measure? (Measure 7)

500 character(s) maximum

Mapping to the foreseeable and reasonably likely harms presented by the relevant AI uses cases and intended uses.

Technical risk mitigation, Measure 12: Mitigations

To what extent do you agree with this measure? (Measure 12)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 12)

500 character(s) maximum

Please provide suggestions on how to improve this measure (Measure 12)

500 character(s) maximum

What KPI would you add for this measure? (Measure 12)

500 character(s) maximum

Technical risk mitigation, Sub-Measure 12.1: Safety mitigations

To what extent do you agree with this sub-measure? (Sub-Measure 12.1)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 12.1)

500 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 12.1)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 12.1)

500 character(s) maximum

Technical risk mitigation, Sub-Measure 12.2: Security mitigations

To what extent do you agree with this sub-measure? (Sub-Measure 12.2)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 12.2)

500 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 12.2)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 12.2)

500 character(s) maximum

What standards for cybersecurity and information security should be applied to General-Purpose AI Models with Systemic Risk, depending on the systemic risk indicators and tiers of severity? (Sub-Measure 12.2)

500 character(s) maximum

In what ways should cybersecurity standards for General-Purpose AI Models with Systemic Risk be different from existing cyber security standards in other domains? (Sub-Measure 12.2)

500 character(s) maximum

Technical risk mitigation, Sub-Measure 12.3: Limitations

To what extent do you agree with this sub-measure? (Sub-Measure 12.3)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 12.3)

500 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 12.3)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 12.3)

500 character(s) maximum

Technical risk mitigation, Sub-Measure 12.4: Process for assessing adequacy of mapping

To what extent do you agree with this sub-measure? (Sub-Measure 12.4)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 12.4)

500 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 12.4)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 12.4)

500 character(s) maximum

Technical risk mitigation, Measure 13: Safety and Security Reports

To what extent do you agree with this measure? (Measure 13)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 13)

500 character(s) maximum

Please provide suggestions on how to improve this measure (Measure 13)

500 character(s) maximum

Clarify that SSRs are expected to include adequate detail but that their compilation should not overburden parties, particularly SMEs, as they seek to meet the requirements of the Code of Conduct.

What KPI would you add for this measure? (Measure 13)

500 character(s) maximum

Technical risk mitigation, Sub-Measure 13.1: Proportionality

To what extent do you agree with this sub-measure? (Sub-Measure 13.1)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 13.1)

500 character(s) maximum

We agree that testing for, identifying, and mitigating bias and safety issues that may arise from AI, and documenting these issues and steps taken to address them in its transparency documentation (e.g., transparency notes, system cards and product documentation), is important. However it should be noted that disclosures of risk assessment results should include the methodologies and outcomes of testing, and should not include protected information (e.g., trade secrets) under the Code of Conduct

Please provide suggestions on how to improve this sub-measure (Sub-Measure 13.1)

500 character(s) maximum

State that disclosures of risk assessment results should include the methodologies and outcomes of testing, and should not include protected information (e.g., trade secrets) under the Code of Practice.

What KPI would you add for this sub-measure? (Sub-Measure 13.1)

500 character(s) maximum

Tecnical risk mitigation, Sub-Measure 13.2: Results of risk assessment

To what extent do you agree with this sub-measure? (Sub-Measure 13.2)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 13.2)

500 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 13.2)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 13.2)

500 character(s) maximum

Technical risk mitigation, Sub-Measure 13.3: Results of safety mitigations assessment

To what extent do you agree with this sub-measure? (Sub-Measure 13.3)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 13.3)

500 character(s) maximum

We agree that testing for, identifying, and mitigating bias and safety issues that may arise from AI, and documenting these issues and steps taken to address them in its transparency documentation (e.g., transparency notes, system cards and product documentation), is important. However it should be noted that disclosures of risk assessment results should include the methodologies and outcomes of testing, and should not include protected information (e.g., trade secrets) under the Code of Conduct

Please provide suggestions on how to improve this sub-measure (Sub-Measure 13.3)

500 character(s) maximum

State that disclosures of risk assessment results should include the methodologies and outcomes of testing, and should not include protected information (e.g., trade secrets) under the Code of Conduct.

What KPI would you add for this sub-measure? (Sub-Measure 13.3)

500 character(s) maximum

Technical risk mitigation, Sub-Measure 13.4: Results of security mitigations assessment

To what extent do you agree with this sub-measure? (Sub-Measure 13.4)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 13.4)

500 character(s) maximum

We agree that testing for, identifying, and mitigating bias and safety issues that may arise from AI, and documenting these issues and steps taken to address them in its transparency documentation (e.g., transparency notes, system cards and product documentation), is important. However it should be noted that disclosures of risk assessment results should include the methodologies and outcomes of testing, and should not include protected information (e.g., trade secrets) under the Code of Conduct

Please provide suggestions on how to improve this sub-measure (Sub-Measure 13.4)

500 character(s) maximum

State that disclosures of assessment results should include the methodologies and outcomes of testing, and should not include protected information (e.g., trade secrets) under the Code of Conduct.

What KPI would you add for this sub-measure? (Sub-Measure 13.4)

500 character(s) maximum

Technical risk mitigation, Sub-Measure 13.5: Cost-benefit analysis

To what extent do you agree with this sub-measure? (Sub-Measure 13.5)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 13.5)

500 character(s) maximum

We agree that testing for, identifying, and mitigating bias and safety issues that may arise from AI, and documenting these issues and steps taken to address them in its transparency documentation (e.g., transparency notes, system cards and product documentation), is important. However it should be noted that disclosures of risk assessment results should include the methodologies and outcomes of testing, and should not include protected information (e.g., trade secrets) under the Code of Conduct

Please provide suggestions on how to improve this sub-measure (Sub-Measure 13.5)

500 character(s) maximum

State that disclosures should include the methodologies and outcomes of testing, and should not include protected information (e.g., trade secrets) under the Code of Conduct.

What KPI would you add for this sub-measure? (Sub-Measure 13.5)

500 character(s) maximum

Technical risk mitigation, Sub-Measure 13.6: Sufficient detail on methodology

To what extent do you agree with this sub-measure? (Sub-Measure 13.6)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 13.6)

500 character(s) maximum

This Sub-Measure could result in a high burden on parties seeking to comply with it. The compilation of an SSR with “sufficient scientific detail to allow for the independent assessment of the methods used to generate the results, evidence, and analysis” will likely impose a significant burden that is untenable. The level of detail provided for in many other Sub-Measures will provide an adequate level of information for the purposes of the Code of Conduct. Sub-Measure should be removed.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 13.6)

500 character(s) maximum

Remove this Sub-Measure in its entirety.

What KPI would you add for this sub-measure? (Sub-Measure 13.6)

500 character(s) maximum

Technical risk mitigation, Sub-Measure 13.7: Review

To what extent do you agree with this sub-measure? (Sub-Measure 13.7)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 13.7)

500 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 13.7)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 13.7)

500 character(s) maximum

Technical risk mitigation, Sub-Measure 13.8: Equivalency

To what extent do you agree with this sub-measure? (Sub-Measure 13.8)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified

- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 13.8)

500 character(s) maximum

Requiring the provision of the same information used internally to the EU AI Office is completely unnecessary to accomplish the goals of the AI Act or this Code of Conduct. Under no circumstances should parties be required to provide internal decision-making information to a government entity, particularly when that entity is an enforcement authority. This Sub-Measure should be deleted.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 13.8)

500 character(s) maximum

Remove this Sub-Measure in its entirety.

What KPI would you add for this sub-measure? (Sub-Measure 13.8)

500 character(s) maximum

Technical risk mitigation, Measure 14: Development and deployment decisions

To what extent do you agree with this measure? (Measure 14)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 14)

500 character(s) maximum

Providing for development and deployment decision-making processes in a SSF is generally helpful. However, the Sub-Measures as proposed require forecasting past what a risk-based approach to intended uses enables, and are not feasible. Further, one of the Sub-Measures implies that parties would seek the EU AI Office's input and/or permission before making decision, which is inappropriate.

Please provide suggestions on how to improve this measure (Measure 14)

500 character(s) maximum

Entirely remove the Measure.

What KPI would you add for this measure? (Measure 14)

500 character(s) maximum

Technical risk mitigation, Sub-Measure 14.1: Conditions for not proceeding

To what extent do you agree with this sub-measure? (Sub-Measure 14.1)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 14.1)

500 character(s) maximum

It is impossible for a party to list all of the reasons they would not proceed with a decision or deployment unless they can predict the future. Listing "conditions for not proceeding" has no purpose when such conditions would be addressed in other Measures, including risk assessments (upon which failures would already be a condition for not proceeding).

Please provide suggestions on how to improve this sub-measure (Sub-Measure 14.1)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 14.1)

500 character(s) maximum

Technical risk mitigation, Sub-Measure 14.2: Conditions for proceeding

To what extent do you agree with this sub-measure? (Sub-Measure 14.2)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 14.2)

500 character(s) maximum

It is impossible for a party to list all of the reasons they would not proceed with a decision or deployment unless they can predict the future. Listing "conditions for proceeding" has no purpose when such conditions would be addressed in other Measures, including risk assessments.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 14.2)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 14.2)

500 character(s) maximum

Technical risk mitigation, Sub-Measure 14.3: External input and decision-making

To what extent do you agree with this sub-measure? (Sub-Measure 14.3)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 14.3)

500 character(s) maximum

It remains unclear as to why a party should, or would, prescribe whether and when it would seek external inputs on decision-making. Such measures would already clearly be addressed by other Measures in the Code of Conduct, including risk assessments.

It is also improper for the EU AI Office to state that it should be consulted in an organization's decisionmaking process. There is no requirement for such a step in the AI Act.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 14.3)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 14.3)

500 character(s) maximum

Additional Feedback on Section IV: [Working Group 3] Technical risk mitigation for providers of General-Purpose AI Models with Systemic Risk

Please provide additional feedback on the content of the Code of Practice fourth section related to technical risk mitigation for providers of General-Purpose AI Models with Systemic Risk by answering the following questions.

What additional measure and/or sub-measures would you include in this sub-section? (Section IV - Risk mitigation)

2000 character(s) maximum

What standards for cybersecurity and information security should be applied to General-Purpose AI Models with Systemic Risk, depending on level of risk posed (as measured e.g. by capability evaluations)? (Section IV - Risk mitigation)

2000 character(s) maximum

International standards for risk management, including ISO 27001; further AI-specific technical safety standards as they develop should be deferred to.

What mitigation measures do you recommend for General-Purpose AI Models with Systemic Risk? In particular, what measures do you recommend 1) pre-deployment as a result of evaluations, and 2) post-deployment (e.g. filtering at runtime)? (Section IV - Risk mitigation)

2000 character(s) maximum

Beyond provider-side mitigations, what safety tools need to exist and/or be adopted by society? What are providers doing to support the development / implementation of such safety tools? (Section IV - Risk mitigation)

2000 character(s) maximum

What are good examples of safety frameworks and safety reports for models that avoid being burdensome for smaller model providers? (Section IV - Risk mitigation)

2000 character(s) maximum

The development of a template SSF would assist SMEs.

How are best practices around mitigations being shared between providers, including smaller providers? (Section IV - Risk mitigation)

2000 character(s) maximum

The development of standardised risk mitigation approaches through international standards bodies are a means for sharing best practices.

Which safety and security mitigation measures in the current draft do you consider disproportionately burdensome to providers? (Section IV - Risk mitigation)

2000 character(s) maximum

The administrative/paperwork requirements required in the Code of Conduct are extensive. We strongly urge for a focused effort on reducing these burdens as discussed above, particularly for SMEs.

Which safety and security mitigation measures in the current draft do you consider essential? (Section IV - Risk mitigation)

2000 character(s) maximum

Measures/Sub-measures Specific Feedback on Section IV: [Working Group 4] Governance risk mitigation for providers of General-Purpose AI Models with Systemic Risk

In this section you are asked to provide your overall opinion on the measures and sub-measures included in the fourth section of the Code of Practice related to *governance risk mitigation for providers of General-Purpose AI Models with Systemic Risk*.

Governance risk mitigation, Measure 15: Systemic risk ownership

To what extent do you agree with this measure? (Measure 15)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 15)

500 character(s) maximum

The Code of Conduct should permit a scaled approach to risk management that relates to foreseeable and reasonably likely harms. We urge that specific steps not be endorsed in certain Sub-Measures (see below).

Please provide suggestions on how to improve this measure (Measure 15)

500 character(s) maximum

What KPI would you add for this measure? (Measure 15)

500 character(s) maximum

Governance risk mitigation, Sub-Measure 15.1: Executive level

To what extent do you agree with this sub-measure? (Sub-Measure 15.1)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 15.1)

500 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 15.1)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 15.1)

500 character(s) maximum

Governance risk mitigation, Sub-Measure 15.2: Board level

To what extent do you agree with this sub-measure? (Sub-Measure 15.2)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 15.2)

500 character(s) maximum

The Code of Conduct should not prescribe that boards create AI risk committees. Such a step may not be appropriate under a scaled and risk-based approach to AI harm mitigation. This is especially burdensome for SMEs.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 15.2)

500 character(s) maximum

Remove reference to board risk committees.

What KPI would you add for this sub-measure? (Sub-Measure 15.2)

500 character(s) maximum

Should the above sub-measure be made relative to provider size or other relevant characteristics? If so, how? (Sub-Measure 15.2)

500 character(s) maximum

Particularly in light of the burdens the Sub-Measure would impose on SMEs, it should be removed entirely.

Should there be more, or other examples, of what might qualify as adherence to measure 15? (Sub-Measure 15.2)

500 character(s) maximum

No, such prescription will serve as de facto one-size-fits-all steps that would be taken by Code of Conduct signers and others. Such an effect would undermine the AI Act's deference to scaled and risk-based harms management.

Governance risk mitigation, Measure 16: Adherence and adequacy assessment

To what extent do you agree with this measure? (Measure 16)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 16)

500 character(s) maximum

Please provide suggestions on how to improve this measure (Measure 16)

500 character(s) maximum

What KPI would you add for this measure? (Measure 16)

500 character(s) maximum

Governance risk mitigation, Sub-Measure 16.1: Periodic SSF assessment

To what extent do you agree with this sub-measure? (Sub-Measure 16.1)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 16.1)

500 character(s) maximum

Independent audits are necessary in some circumstances, preferred in others, and not necessary in further circumstances. This necessity is determined by the unique nature of the AI being developed and its intended uses, and related foreseeable and reasonably likely risks. For SMEs, independent audits can be prohibitively expensive. Therefore, we urge that this measure clarify that the risks presented by an AI use case will necessitate whether an independent assessment is appropriate (and to what

Please provide suggestions on how to improve this sub-measure (Sub-Measure 16.1)

500 character(s) maximum

Clarify in Measure 17 that independent audits are not required for adherence to Code of Conduct, and should be employed only when necessitated under a scaled and risk-based approach to AI harm mitigation.

What KPI would you add for this sub-measure? (Sub-Measure 16.1)

500 character(s) maximum

Are there specific questions such an assessment should answer? (Sub-Measure 16.1)

500 character(s) maximum

How should adequacy be defined in this context? (Sub-Measure 16.1)

500 character(s) maximum

Governance risk mitigation, Measure 17: Independent expert systemic risk and mitigation assessments

To what extent do you agree with this measure? (Measure 17)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 17)

500 character(s) maximum

Please provide suggestions on how to improve this measure (Measure 17)

500 character(s) maximum

What KPI would you add for this measure? (Measure 17)

500 character(s) maximum

Under what circumstances is independent expert systemic risk assessment of a General-Purpose AI Model with Systemic Risk appropriate before deployment? What about assessment of mitigations? Under what conditions does it seem counterproductive or unnecessary? (Measure 17)

500 character(s) maximum

Such assessments may generally be needed for higher-risk use cases and/or when sector-specific markets have developed a requirement for testing and certification.

Are there circumstances under which it is appropriate or advisable to involve independent experts in risk assessments iteratively, throughout the lifecycle, starting before or during training? (Measure 17)

500 character(s) maximum

Yes, in some circumstances. Whether it is necessary should be determined on a case-by-case basis under a scaled and risk-based approach to AI harm mitigation.

How can independent systemic risk assessments be adapted to the magnitude and nature of the relevant systemic risk, e.g. with regards to inform security, depth of access to General-Purpose AI Models with Systemic Risk components and documentation, scope of testing, time to test, expertise and transparency? (Measure 17)

500 character(s) maximum

Governance risk mitigation, Sub-Measure 17.1: Before deployment

To what extent do you agree with this sub-measure? (Sub-Measure 17.1)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 17.1)

500 character(s) maximum

Independent audits and testing are necessary in some circumstances, preferred in others, and not necessary in further circumstances. This necessity is determined by the unique nature of the AI being developed and its intended uses, and related foreseeable and reasonably likely risks. For SMEs, independent audits can be prohibitively expensive.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 17.1)

500 character(s) maximum

Clarify that independent audits are not required for adherence to Code of Practice, and should be employed only when necessitated under a scaled and risk-based approach to AI harm mitigation.

What KPI would you add for this sub-measure? (Sub-Measure 17.1)

500 character(s) maximum

What constitutes an appropriate third-party evaluator? How can the Code of Practice be drafted so as to take into account the current immaturity of the industry? Is there some way providers, especially Small Medium Enterprises (SMEs), can be supported by the AI Office in ensuring independent expert assessment of risks and mitigations? (Sub-Measure 17.1)

500 character(s) maximum

The Code of Conduct is poised to create a new compliance market for “independent auditors” that will introduce substantial costs for SMEs. The EU AI Office should make it abundantly clear that it does not require independent audits in all circumstances nor does it endorse specific auditors/testers.

Governance risk mitigation, Sub-Measure 17.2: After deployment

To what extent do you agree with this sub-measure? (Sub-Measure 17.2)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 17.2)

500 character(s) maximum

Independent audits and testing are necessary in some circumstances, preferred in others, and not necessary in further circumstances. This necessity is determined by the unique nature of the AI being developed and its intended uses, and related foreseeable and reasonably likely risks. For SMEs, independent audits can be prohibitively expensive. Therefore, we urge that this Measure clarify that the risks presented by an AI use case will necessitate whether an independent assessment is appropriate

Please provide suggestions on how to improve this sub-measure (Sub-Measure 17.2)

500 character(s) maximum

Clarify that independent audits are not required for adherence to Code of Practice and should be employed only when necessitated under a scaled and risk-based approach to AI harm mitigation.

What KPI would you add for this sub-measure? (Sub-Measure 17.2)

500 character(s) maximum

When are different means of facilitating independent testing – such as research safe harbors and vulnerability reporting – appropriate? (Sub-Measure 17.2)

500 character(s) maximum

Governance risk mitigation, Measure 18: Serious incident reporting

To what extent do you agree with this measure? (Measure 18)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 18)

500 character(s) maximum

Reporting of non-incidents (termed “near misses” in the Code of Conduct) that do not hit reporting thresholds stand to serve no public interest and are unnecessary.

Please provide suggestions on how to improve this measure (Measure 18)

500 character(s) maximum

References to “near misses” should be removed.

What KPI would you add for this measure? (Measure 18)

500 character(s) maximum

What does a serious incident entail? Should the Code of Practice use the definition the AI Act uses for AI systemic in Article 3(49) or is another definition more appropriate for General-Purpose AI Models with Systemic Risk? (Measure 18)

500 character(s) maximum

Under what conditions should a General-Purpose AI Model with Systemic Risk be judged to have indirectly led to a serious incident occurring? (Measure 18)

500 character(s) maximum

Are there suitable technical standards or best practices that can be enable automated or streamlined reporting of serious incidents to the AI Office? (Measure 18)

500 character(s) maximum

Governance risk mitigation, Sub-Measure 18.1: Serious incident reporting processes

To what extent do you agree with this sub-measure? (Sub-Measure 18.1)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified

- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 18.1)

500 character(s) maximum

Reporting of non-incidents (termed “near misses” in the Code of Conduct) that do not hit reporting thresholds stand to serve no public interest and are unnecessary.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 18.1)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 18.1)

500 character(s) maximum

Governance risk mitigation, Sub-Measure 18.2: Response readiness

To what extent do you agree with this sub-measure? (Sub-Measure 18.2)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 18.2)

500 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 18.2)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 18.2)

500 character(s) maximum

What possible corrective measures could be taken in response to serious incidents? Should the Code of Practice specify when they may be appropriate? (Sub-Measure 18.2)

What serious incident response processes are appropriate for open weight or open-source providers? (Sub-Measure 18.2)

Governance risk mitigation, Measure 19: Whistleblowing protections

To what extent do you agree with this measure? (Measure 19)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 19)

500 character(s) maximum

Please provide suggestions on how to improve this measure (Measure 19)

500 character(s) maximum

What KPI would you add for this measure? (Measure 19)

500 character(s) maximum

Governance risk mitigation, Sub-Measure 19.1: Inform

To what extent do you agree with this sub-measure? (Sub-Measure 19.1)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 19.1)

500 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 19.1)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 19.1)

500 character(s) maximum

Are there other parts of EU Directive 2019/1937 (the 'whistleblowing directive') that are important to highlight in the Code of Practice? (Sub-Measure 19.1)

500 character(s) maximum

Are there parts of the whistleblowing directions that should be clarified or further specified in the Code of Practice? Are there additional whistleblowing measures that may be appropriate to enable assessment and mitigation of systemic risk? (Sub-Measure 19.1)

500 character(s) maximum

Governance risk mitigation, Measure 20: Notifications

To what extent do you agree with this measure? (Measure 20)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 20)

500 character(s) maximum

Please provide suggestions on how to improve this measure (Measure 20)

500 character(s) maximum

What KPI would you add for this measure? (Measure 20)

500 character(s) maximum

Governance risk mitigation, Sub-Measure 20.1: General-purpose AI model with systemic risk notification

To what extent do you agree with this sub-measure? (Sub-Measure 20.1)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified

- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 20.1)

500 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 20.1)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 20.1)

500 character(s) maximum

The AI Office has the authority to update the classification criteria for determining whether a General-Purpose AI Model is presumed to have high-impact capabilities (and are therefore whether it is classified as a General-Purpose AI Model with Systemic Risk). How could it be written such that it is clear when providers should notify the AI Office of a model meeting new classification criteria? (Sub-Measure 20.1)

500 character(s) maximum

Governance risk mitigation, Sub-Measure 20.2: SSF notification

To what extent do you agree with this sub-measure? (Sub-Measure 20.2)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 20.2)

500 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 20.2)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 20.2)

500 character(s) maximum

How can this access be facilitated? (Sub-Measure 20.2)

500 character(s) maximum

Governance risk mitigation, Sub-Measure 20.3: SSR notification

To what extent do you agree with this sub-measure? (Sub-Measure 20.3)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 20.3)

500 character(s) maximum

Please provide suggestions on how to improve this sub-measure (Sub-Measure 20.3)

500 character(s) maximum

What KPI would you add for this sub-measure? (Sub-Measure 20.3)

500 character(s) maximum

Governance risk mitigation, Sub-Measure 20.4: Substantial systemic risk notification

To what extent do you agree with this sub-measure? (Sub-Measure 20.4)

- The sub-measure should be removed in its entirety
- The sub-measure should be substantially edited and/or further clarified
- The sub-measure should be lightly edited and/or further clarified
- The sub-measure is close to where it needs to be

Please explain your rating to this sub-measure (Sub-Measure 20.4)

500 character(s) maximum

The draft Code of Practice rightly constitutes strong reason to believe systemic risk might materialise, and there is no consensus answer to this question, so its inclusion as a Sub-Measure will only create confusion, drive compliance costs higher than necessary, and promote over-reporting that will take resources away from the AI Office's mission. Systemic risk should be determined on a case-by-case basis that considers foreseeable and reasonably likely harms.

Please provide suggestions on how to improve this sub-measure (Sub-Measure 20.4)

500 character(s) maximum

Remove the entire Sub-Measure.

What KPI would you add for this sub-measure? (Sub-Measure 20.4)

500 character(s) maximum

What constitutes a strong reason to believe systemic risk might materialise? (Sub-Measure 20.4)

500 character(s) maximum

The draft Code of Conduct rightly asks constitutes strong reason to believe systemic risk might materialise, and there is no consensus answer to this question, so its inclusion as a Sub-Measure will only create confusion, drive compliance costs higher than necessary, and promote over-reporting that will take resources away from the AI Office's mission. Systemic risk should be determined on a case-by-case basis that considers foreseeable and reasonably likely harms.

Governance risk mitigation, Measure 21: Documentation

To what extent do you agree with this measure? (Measure 21)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 21)

500 character(s) maximum

Please provide suggestions on how to improve this measure (Measure 21)

500 character(s) maximum

What KPI would you add for this measure? (Measure 21)

500 character(s) maximum

What could a standardised template for such documentation look like, to reduce compliance costs, especially for smaller providers? Note in future drafts, we intend to ensure the documentation under this measure is streamlined and combined other documentation requirements such as those detailed in Annex XI, Section 1, and Annex XII. (Measure 21)

500 character(s) maximum

Yes, a standardised template for documentation would assist in reducing complexity and costs in reporting, particularly for SMEs.

Governance risk mitigation, Measure 22: Public transparency

To what extent do you agree with this measure? (Measure 22)

- The measure should be removed in its entirety
- The measure should be substantially edited and/or further clarified
- The measure should be lightly edited and/or further clarified
- The measure is close to where it needs to be

Please explain your rating to this measure (Measure 22)

500 character(s) maximum

Please provide suggestions on how to improve this measure (Measure 22)

500 character(s) maximum

What KPI would you add for this measure? (Measure 22)

500 character(s) maximum

For what types and levels of public transparency do systemic risks increase, instead of decreasing by empowering the broader ecosystem to assess and mitigate them? (Measure 22)

500 character(s) maximum

When public disclosure would increase systemic risk or the divulgence of sensitive commercial information is required to a degree disproportionate to the societal benefit (including inhibiting innovation and competition).

How burdensome is this kind of public transparency, given the common practice of publishing model and system cards? Can the measure be designed to reduce such burdens? (Measure 22)

500 character(s) maximum

The Code of Conduct should accept the public release of model/system cards as constituting compliance with this Measure.

Additional Feedback on Section IV: [Working Group 4] Governance risk mitigation for providers of General-Purpose AI Models with Systemic Risk

Please provide additional feedback on the content of the Code of Practice fourth section related to *governance risk mitigation for providers of General-Purpose AI Models with Systemic Risk* by answering the following questions.

What additional measure and/or sub-measures would you include in this sub-section? (Section IV - Governance risk mitigation)

2000 character(s) maximum

Do you have any other comments, concerns, or suggestions on the current draft you have not had a chance to address above? Please feel free to include those here. (Section IV - Governance risk mitigation)

2000 character(s) maximum

We urge for alignment with the App Association’s “Role and Interdependencies Framework,” a framework that defines a typical AI value chain; and makes recommendations on steps to be taken for each role in that value chain to ensure safety, efficacy, and equity; ultimately supporting that (1) requirements placed on small business AI developers and users be based on demonstrated harms; (2) the leveraging of a risk-based approach to AI harm mitigation where the level of review, assurance, and oversight is proportionate to those demonstrated harms; and (3) that those in AI value chains with the ability to minimize risks based on their knowledge and ability have appropriate responsibilities and incentives to do so.

Additional Feedback on Section III & IV: [Working Group 2,3,4]

Please provide additional feedback on the content of the Code of Practice third and fourth sections by answering the questions below that are related to the following working groups:

- *Working Group 2:* Risk identification and assessment for systemic risk;
- *Working Group 3:* Technical risk mitigation for systemic risk;
- *Working Group 4:* Governance risk mitigation for systemic risk.

How do you think that measures [6-22] will affect the safety work of providers of General-Purpose AI Models with Systemic Risk? (Sections III & IV)

2000 character(s) maximum

As discussed above throughout our comments on the Draft Code of Conduct, the Measures are likely to cause all boats to rise as far as AI safety. However, the high burden of compliance with a number of Measures may disincent innovation and undermine the goal of the Code of Conduct and the AI Act itself.

How do you judge measures [6-22] for providers of open-source Models with Systemic Risk? Do you see specific concerns or have potential solutions, especially considering post-deployment monitoring and in the context of evaluating General-Purpose AI Models with Systemic Risks as part of AI systems? (Sections III & IV)

2000 character(s) maximum

Open source approaches can be beneficial in many scenarios by harmonizing terminology, training, deployment, weights, and documentation/monitoring. However, such approaches may not be able to prevent malfeasance as effectively. A scaled approach to risk management is the best tool to address how such Measures should apply to providers of open source Models with Systemic Risk.

How do you judge measures [6-22] for providers of General-Purpose AI Models with Systemic Risks who might be Startups or Small Medium Enterprises (SMEs)? Do you see specific concerns or have potential solutions? (Sections III & IV)

2000 character(s) maximum

The AI Office should recognise that the compliance burdens of this Code of Conduct, and with the AI Act, are significant and will be difficult to comply with for SMEs. We provide further specifics into this dynamic above in addressing a variety of proposed Measures and Sub-Measures.

Supporting Documents

Please provide supporting documents, excluding the listing of links to additional websites. If you provide links, please be aware that these will be disregarded. Supporting documents should have a maximum length of n. 5 pages.

**4f00dc0a-d658-4ecb-9f11-22921de03a4a/ACT__The_App_Association_-
_Global_Policy_Principles_for_AI_-_Addressed_to_EU_Policy_Makers.pdf**

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