

AIM HIGH-LEVEL POSITION PAPER ON AI ACT

AIM, the European Brands Association, welcomes the proposed AI Act which aims to make sure that AI can be trusted by EU citizens while guaranteeing their safety and fundamental rights. AIM particularly welcomes the **proportionate risk-based approach** of the proposed AI Act, which we believe is central to the proper functioning of any regulatory framework addressing AI.

Definition of AI systems

The current definition of AI systems contained in the proposed AI Act **lacks some clarity** that may lead to legal uncertainty for developers, operators, and users of AI systems, and ultimately to over-regulation. Understanding who works on AI algorithms, who codes, how these are coded, how they work, for which purpose and especially on which data are many questions that should be addressed whenever AI solutions are adopted. AIM would therefore recommend the adoption of a **narrower definition of AI systems** in order to focus on a smaller number of high-risk AI applications.

Instructions of use

Brands can play **different roles in the AI value chain** and recognise that depending on the type of role they play and the types of data that is processed, the level of risks can vary. AIM therefore correspondingly supports the Commission's approach in Article 29, which establishes that **the relationship between the user and provider should be governed by the instruction of use**. Brands fully support the Commission's position that when any entity uses an AI system for high-risk purposes, it should be subject to obligations prescribed in the proposed AI Act commensurate with the risk created by the use.

AIM also supports the approach taken in the proposed AI Act that if a user modifies the AI system for a high-risk purpose or goes beyond the instruction of use, it should then be subject to the obligations observed in the Act commensurate with the risk created by the modification.

AIM would recommend that EU lawmakers consider providing more **examples** in Article 3(15) and corresponding Recitals of the proposed AI Act of what should be included in the **instructions of use** including, inter alia, potential risks and ways risks can be avoided (e.g. types of data not to include, etc).

Contact

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About AIM

[AIM](#) (Association des Industries de Marque) is the European Brands Association, which represents manufacturers of branded consumer goods in Europe on key issues that affect their ability to design, distribute and market their brands. AIM's membership comprises 2500 businesses ranging from SMEs to multinationals, directly or indirectly through its corporate and national association members.