



Council of the European Union  
General Secretariat

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**Interinstitutional files:  
2025/0359 (COD)**

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**Brussels, 10 December 2025**

**WK 17059/2025 INIT**

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## **WORKING DOCUMENT**

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**From:** General Secretariat of the Council  
**To:** Antici Group (Simplification)

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**Subject:** Omnibus VII (part on AI) - Presidency discussion note for the AGS on 15 December

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Delegations will find enclosed a note by the Presidency with a view to steering the discussion on the proposal on Omnibus VII (part on AI) at the meeting of the Antici Group (Simplification) on 15 December 2025.

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## **PRESIDENCY DISCUSSION PAPER**

# **AI Omnibus**

Antici Group on Simplification (AGS)

Monday, 15 December 2025

Dear Colleagues,

Thank you for the written questions received concerning the AI Omnibus.

At the upcoming AGS meeting on 15 December 2025, the Presidency intends to have a first exchange of view on the AI Omnibus. This is due to the fact that the AI Omnibus contains a proposal on the extension of the implementation timelines, and the Presidency therefore finds it of utmost importance to move as fast as possible on this matter to ensure legal clarity for European companies in light of the delayed harmonised standards and reach an agreement before the original entry into application of the high-risk requirements on 2 August 2026, noting, at the same time, that the overall simplification of the digital legislation is an overall urgency for providing legal certainty and reducing costs for businesses.

We ask Member States to prepare their responses to the questions in this discussion paper. The discussion will inform the Commission and give the incoming Cypriot Presidency a better idea of Member States' positions ahead of a first compromise proposal.

### **Extension of timelines for high-risk AI systems**

In the Digital Omnibus on AI (2025/0359 (COD)), the Commission proposes to address the delay in harmonised standards by linking the implementation of high-risk obligations for providers and deployers of AI systems to the availability of standards and other adequate measures in support of compliance for both Annex I and III.

With the proposal the Commission establishes a new mechanism where the Commission is given the competence to adopt Commission decisions setting out that adequate measures to support compliance are available. The high-risk requirements would then become applicable 6 months after such a decision for Annex III systems and 12 months after for Annex I systems. If such a decision is not adopted hard deadlines are proposed on 2 December 2027 for Annex III systems and on 2 August 2028 for Annex I systems.

Based on wishes from the Commission, Member States and European companies, the Presidency intends to proceed swiftly with the extension of timelines, and invites Member States to indicate their initial opinion on the Commission's proposal at the Working Party meeting. Even though both further

analysis and processes with national parliaments are most likely still ongoing, the Presidency finds it necessary to have a first exchange of views on the matter given the urgency.

**Question 1:** Do Member States agree that there is a need to extend the implementation timelines in the AI Act?

**Question 2:** Regarding the mechanism for extension of timelines for high-risk AI-systems as proposed by the Commission in article 1, paragraph 31, litra a, first part, in the Digital Omnibus on AI, Member States are invited to express their preference between the following options setting the direction going forward:

- a. Support the mechanism for extending the timelines as put forward by the Commission.
- b. Support the mechanism but prefer a stronger role for the Member States/AI Board in assessing whether the support measures are adequate.
- c. Prefer a timeline not dependent on the availability of support measures.
- d. Prefer another solution. Please elaborate.

**Question 3:** Regarding the length of the extensions of the timelines for high-risk AI-systems as proposed by the Commission in article 1, paragraph 31, litra a, second part, in the Digital Omnibus on AI to 2 December 2027 for Annex III AI systems and to 2 August 2028 for Annex I AI systems, Member States are invited to express their preference between the following options setting the direction going forward:

- a. Support the length of the extensions of the timelines as proposed by the Commission.
- b. Prefer longer extensions – if so, how long?
- c. Prefer shorter extensions – if so, how short?
- d. Prefer another solution. Please elaborate.

**Question 4:** In relation to this, do you agree to distinguish in the timelines for Annex I high-risk AI systems and Annex III high-risk AI systems?