

Comparative table: EU AI Act - South Korea AI Act - Japan AI Promotion Act

| | European Union AI Act | South Korea AI Framework Act | Japan AI Promotion Act |
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| Definitions | <p>Artificial intelligence system (AI system) means software that is developed with one or more of the techniques and approaches listed in Annex I and can, for a given set of human-defined objectives, generate outputs such as content, predictions, recommendations, or decisions influencing the environments with which they interact Article 3(1).</p> <p>Annex I lists techniques including Machine learning approaches, Logic- and knowledge-based approaches and Statistical approaches.</p> | <p>Artificial Intelligence refers to a system implemented by information technology that simulates the human cognitive process, such as perception, reasoning, and learning, and is capable of autonomous information processing and decision-making (Article 2).</p> | <p>AI-related technologies refers to technologies necessary to realize functions that substitute for the intellectual abilities involved in human cognition, reasoning, and judgment through artificial means, as well as technologies related to information processing systems that process input information by utilizing such technologies and output the results (Article 2).</p> |
| Scope | <p>The AI Act's obligations apply to both public and private actors inside and outside the EU if the AI system is used in the EU (Article 2).</p> <p>Obligations apply to deployers, importers, distributors and developers of AI systems.</p> | <p>The AI Framework Act applies to activities carried out both within South Korea and abroad, as long as they have an impact on the domestic market or users in South Korea (Article 4 (1)).</p> | <p>The AI Promotion Act applies primarily to domestic actors and currently has no extraterritorial reach.</p> |
| Tiered | The AI Act classifies AI | The AI Framework Act | The AI Promotion Act does |

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| <p>categorization</p> | <p>systems according to four risk levels:</p> <ul style="list-style-type: none"> • Prohibited AI systems (Article 5). • High-risk AI systems (Article 6). • Limited risk (AI systems subject to lighter obligations, primarily focusing on transparency (Article 50). • Minimal risk (unregulated). <p>The Act also contains specific provisions on GPAI models with systemic risk (see Article 51).</p> | <p>employs a simpler classification of AI systems.</p> <ul style="list-style-type: none"> • The majority of obligations apply to “high-impact AI” (see Articles 2(4), 31, and 33-36). • “Generative AI” is subject to transparency obligations (see Articles 5, and 31). | <p>not classify AI technologies into different tiers.</p> |
| <p>Classification of high-impact / high-risk AI systems</p> | <p>Broadly, under Article 6 of the AI Act, an AI system is considered high-risk if it:</p> <ul style="list-style-type: none"> • is intended to be used as a safety component of a product, or is itself a product, that is required to undergo a third-party conformity assessment under certain EU product safety laws; or • poses a serious risk of harm to people’s health, safety, or fundamental rights, and is listed in | <p>Under Article 2(4) of the AI Framework Act, an AI system is considered “high-impact” if it:</p> <ul style="list-style-type: none"> • may have a significant impact on, or pose a risk to, human life, physical safety, or fundamental rights; and • is used in any of the following areas: <ul style="list-style-type: none"> ○ Energy supply; ○ Production of drinking water; ○ Establishment and operation of a system for providing and using health | <p>The AI Promotion Act does not classify AI technologies by risk level or impact.</p> |

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| | <p>Annex III to the AI Act.</p> <p>Annex III of the AI Act lists a range of high-risk AI systems in 8 areas:</p> <ul style="list-style-type: none"> • Biometrics; • Critical infrastructure; • Education and vocational training; • Employment, management of workers, and access to self-employment; • Essential private and public services; • Law enforcement; • Migration, asylum, and border control management; and • Administration of justice and democratic processes. | <p>care;</p> <ul style="list-style-type: none"> ○ Development and use of medical devices; ○ Safe management and operation of nuclear materials; ○ Analysis and utilization of biometric information for criminal investigations or arrests; ○ Judgment or evaluation that has a significant impact on the rights and obligations of an individual, such as employment and loan screening; ○ Major operation and management of transportation means, transportation facilities, and transportation systems; ○ Decision-making by the state, | |
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| | | <p>local governments, public institutions that affect the public;</p> <ul style="list-style-type: none"> ○ Student evaluation in early childhood education, elementary education, and secondary education; and ○ Other areas that have a significant impact on the safety of human life and body and the protection of basic rights, as prescribed by Presidential Decree. | |
| Requirements for high-impact / high-risk AI systems | <p>Section 2 of the AI Act outlines requirements for high-risk AI systems. These include:</p> <ul style="list-style-type: none"> ● Establishing, implementing, documenting, and maintaining a risk management system (Article 9); ● Satisfying data quality and governance requirements | <p>Articles 34 of the AI Framework Act lists the obligations of AI Business Operators who provide high-impact AI or products or services using high-impact AI. These include:</p> <ul style="list-style-type: none"> ● Establishing and implementing a risk management plan; ● Establishing and implementing a plan to | <p>As there are no specific classifications of AI systems, there are no specific requirements for high-impact / high-risk AI systems.</p> |

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| | <p>(Article 10);</p> <ul style="list-style-type: none"> • Drawing up and maintaining technical documentation <p>(Article 11);</p> <ul style="list-style-type: none"> • Implementing logging capabilities <p>(Article 12);</p> <ul style="list-style-type: none"> • Ensuring transparency and provision of information to deployers <p>(Article 13);</p> <ul style="list-style-type: none"> • Implementing human oversight <p>(Article 14);</p> <ul style="list-style-type: none"> • Ensuring accuracy, robustness, and cybersecurity <p>(Article 15).</p> | <p>explain the results of AI decision-making, including the criteria used to derive these results, and the data used to train the AI system;</p> <ul style="list-style-type: none"> • Establishing and implementing measures to protect users; • Ensuring human management and supervision of high-impact AI; and • Preparing and retaining documents to verify measures taken to ensure the safety and reliability of high-impact AI. <p>This list is nonexhaustive, and the National AI Committee is empowered to supplement the list with additional obligations.</p> | |
| Prohibited AI systems | <p>Broadly, Article 5 of the AI Act prohibits eight AI practices:</p> <ul style="list-style-type: none"> • Harmful AI-based manipulation and deception; • Harmful AI-based exploitation of vulnerabilities; • Social scoring; • Individual criminal offence risk assessment or prediction; | <p>The AI Framework Act does not explicitly prohibit any AI use cases.</p> | <p>The AI Promotion Act does not explicitly prohibit any AI use cases.</p> |

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| | <ul style="list-style-type: none"> • Untargeted scraping of the internet or CCTV material to create or expand facial recognition databases; • Emotion recognition in workplaces and educational institutions. • Biometric categorisation to deduce certain protected characteristics; and • Real-time remote biometric identification for law enforcement purposes in publicly accessible spaces. | | |
| Transparency and user protection | <p>The AI Act introduces specific disclosure obligations to ensure that humans are informed that they are interacting with AI systems (Article 50).</p> <p>Providers of generative AI must ensure that AI-generated content is identifiable. Certain AI-generated content – namely deepfakes and text published with the purpose to inform the public on matters of public</p> | <p>AI Business Operators must notify users in advance when offering High-Impact or Generative AI services and label AI-generated content (Article 31).</p> <p>While not strictly a transparency obligation for the end-user, Article 32(2) requires AI business operators whose AI system's cumulative computational</p> | <p>Appropriate measures must be taken to ensure the effective implementation of research, development, and utilization, including maintaining transparency throughout these processes and taking any other necessary steps (Article 3).</p> <p>The National Government is expected to formulate guidelines consistent with international standards and take all other necessary measures. These guidelines,</p> |

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| | <p>interest – must be clearly and visibly labelled (Article 50(4)).</p> <p>Providers of GPAI models must also maintain technical documentation on these models, and make this documentation and other information available to providers of AI systems who intend to integrate the GPAI model into their AI systems. They must also make publicly available a detailed summary about the content used for training of the model (Article 53 and Annex XI).</p> <p>The Act also includes transparency and the provision of information to deployers (Article 13).</p> <p>The Act also grants individuals the right to receive clear explanations from deployers about the role of high-risk AI systems in decisions that legally affect them or significantly impact their health, safety, or fundamental rights (Article 86).</p> | <p>volume used for learning exceeds a certain standard to submit the results of their risk identification, assessment, and mitigation efforts, as well as their risk management system establishment, to the Minister of Science and ICT.</p> <p>Article 34(1), which outlines the obligations of AI Business Operators regarding high-impact AI also includes elements of transparency by requiring such Operators to establish and implement a plan to explain the results of AI decisions.</p> | <p>when released, could also promote user protection and Transparency (Article 13).</p> <p>The National Government is expected to promote education and learning related to artificial intelligence-related technologies (Article 15).</p> |
| Oversight and Implementation | <p>Broadly, high-risk AI systems are subject to strict obligations (see Articles 9-14 of the AI Act)</p> | <p>The Act mandates transparency obligations for AI Business Operators providing high-impact or</p> | <p>The National Government is expected to formulate guidelines consistent with international standards and</p> |

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| | <p>before they can be put on the European market.</p> <p>Once an AI system is on the market, providers, importers, distributors, and deployers of high-risk AI systems are subject to a range of further obligations (see Articles 16-27 of the AI Act).</p> <p>Providers of GPAI models with systemic risk are also subject to specific obligations (see Articles 53-55 of the AI Act).</p> | <p>generative AI, requiring advance notification and clear indication to users (Article 31).</p> <p>Operators of AI systems exceeding a computational threshold must ensure AI safety through risk management (Article 32).</p> <p>Providers of high-impact AI face obligations for safety and reliability (Article 34), and are also encouraged to conduct impact assessments (Article 35).</p> | <p>take all other necessary measures.</p> <p>Businesses are required to cooperate with the Local and National Governments implemented around the utilization of artificial intelligence-related technologies (Article 7).</p> |
| Governance bodies | <p>The main governance bodies responsible for administering the AI Act include:</p> <ul style="list-style-type: none"> • The EU AI Office (built inside the European Commission) has several key functions in administering the AI Act, especially concerning GPAI models. • Individual EU Member States' designated AI authorities and market surveillance authorities are responsible for implementing, | <p>The main governance body responsible for administering the AI Framework Act is the MSIT, which holds significant responsibility for the administration of the Act and is tasked with, among others, establishing and implementing the triennial Basic AI Plan (Article 6).</p> <p>Other relevant bodies include:</p> <ul style="list-style-type: none"> • The National AI Committee under the President, which is tasked with deliberating on major AI-related policies (Article 7). • The National AI Policy Center designated by MSIT, which is tasked | <p>The National Government is responsible for formulating and implementing policies to promote the research, development, and utilization of artificial intelligence-related technologies (Article 4).</p> <p>The Artificial Intelligence Strategy Headquarters shall be established within the Cabinet to promote policies on the research, development, and utilization of artificial intelligence-related technologies in a comprehensive and systematic manner (Article 19). The headquarters will be responsible for the preparation of the draft Basic</p> |

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| | <p>supervising, and enforcing the EU AI Act.</p> <ul style="list-style-type: none"> • The European Data Protection Supervisor (EDPS) acts as the competent market surveillance authority for AI systems put into service or used by EU institutions, agencies, offices, and bodies, except when the Court of Justice of the European Union is acting in its judicial capacity. The EDPS also has the power to impose fines on these entities. <p>The EU AI Act's governance is steered by:</p> <ul style="list-style-type: none"> • The EU AI Board (Board), which is composed of representatives from the EU Member States and is tasked with advising and assisting the Commission and the Member States in order to facilitate the consistent and effective | <p>with performing various tasks necessary for the development of AI-related policies and the establishment and dissemination of international standards (Article 11).</p> <ul style="list-style-type: none"> • The AI Safety Research Institute operated by MSIT, which is tasked with research policies, standards, and methods to protect citizens from AI-related risks (Article 12). | <p>Plan for Artificial Intelligence and the promotion of its implementation. They will also be responsible for overall coordination of important measures on the promotion of AI related technologies. The Prime Minister will serve as the Chief of the Artificial Intelligence Strategy Headquarters and the Deputy Chief positions will be filled by the Chief Cabinet Secretary and the Minister in charge of Artificial Intelligence Strategy (Article 22, 23).</p> |
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| | <p>application of the AI Act. The EDPS and the AI Office can participate but they don't have voting rights (Articles 65-66).</p> <ul style="list-style-type: none"> • The Advisory Forum, which represents a diverse selection of commercial and 7 non-commercial stakeholders and is tasked with providing technical expertise and advising the Board and the Commission (Article 67). • The Scientific Panel, composed of independent experts in the field of AI (Articles 68-69). | | |
| Enforcement and penalties | <p>The AI Act imposes strict financial penalties, ranging from €7.5 million to €35 million (approx. USD 7.8 million to USD 36.5 million), or 1% to 7% of global turnover, depending on the violation (Article 99).</p> | <p>The AI Framework Act has significantly lower monetary fines than those provided by the EU AI Act but there are still penalties unlike Japan's AI promotion bill.</p> <p>The maximum fines under the AI Framework Act is KRW 30 million (approx. USD 21,000), which only applies to certain violations of the Act (Articles 42-43).</p> | <p>The AI Promotion Act imposes no penalties whatsoever. The only sanctions envisaged are part of a “name and shame” mechanism.</p> |

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| <p>Innovation support</p> | <p>Articles 57-63 of the AI Act outline in detail a framework for AI regulatory sandboxes.</p> <p>Member States must create at least one sandbox per State by August 2026 to provide controlled environments for AI innovation. These sandboxes allow developers to test AI systems under regulatory supervision, with provisions for personal data processing, real-world testing protocols, and informed consent requirements. Special measures support small and medium enterprises (SMEs) and startups, including priority sandbox access, simplified compliance options for microenterprises, and targeted awareness campaigns</p> | <p>The Act aims to foster the development and application of AI technologies and the growth of the AI industry.</p> <p>It mandates the MSIT Minister to establish a Basic AI Plan to promote AI technology and industry and enhance national competitiveness (Article 6).</p> <p>Chapter III of the AI Framework Act also contains detailed provisions on developing AI technology and promoting AI technology.</p> <p>For instance, it enables the government to support projects related to AI technology development, research, commercialization, and information sharing, as well as the standardization of AI technology and the establishment of policies related to AI learning data (Articles 13-15).</p> <p>Furthermore, Articles 16-18 outline support for the introduction and use of AI technology by enterprises, with special consideration for SMEs, and includes measures to activate startups in the AI industry.</p> <p>Articles 19-26 of the Act promote AI innovation and growth through cross-industry</p> | <p>The National Government will promote continuous research and development of artificial intelligence-related technologies, from basic research to practical application, and take necessary measures to support technology transfer, share research outcomes, and strengthen related systems (Article 11).</p> <p>To support the research, development, and utilization of artificial intelligence-related technologies, the national government shall take necessary measures to develop and promote the shared use of essential infrastructure, including large-scale computing, communications, data storage, datasets, and other intellectual resources (Article 12).</p> |
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| | | <p>collaboration, regulatory improvements, and securing AI talent. The Act also supports international cooperation, AI clusters, and a verification base. Additionally, it addresses AI data center policies and establishes the Korea Artificial Intelligence Promotion Association.</p> | |
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