

EU AI Act: Transparency Obligations Take Effect 2 August 2026

August 3, 2026

Starting 2 August 2026, providers and deployers of certain AI systems must comply with the transparency obligations set out in Article 50 of the EU Artificial Intelligence Act (Regulation (EU) 2024/1689) (AI Act). The European Commission adopted guidelines on these obligations on 20 July 2026. Noncompliance can trigger fines of up to €15 million or 3% of worldwide annual turnover, whichever is higher. The AI Act applies globally to providers, deployers, importers and distributors of AI systems that place AI on the EU market or whose AI outputs are used within the European Union.

What the rules cover

Article 50 addresses four scenarios, split between obligations on providers (those who develop and place an AI system on the market) and deployers (those who use an AI system under their own authority):

1. AI systems that interact directly with individuals (e.g., chatbots, voice assistants, AI agents): Providers must disclose that users are engaging with AI, unless this is already obvious.
2. AI systems generating or manipulating synthetic audio, image, video or text: Providers must embed machine-readable markings and provide a detection mechanism, subject to limited exceptions (e.g., standard editing, non-substantial alterations).
3. Emotion recognition or biometric categorization systems: Deployers must inform affected individuals.
4. Deep fakes and AI-generated text on public-interest matters: Deployers must disclose that content was artificially generated or manipulated, unless it has undergone substantive human editorial review with a person assuming editorial responsibility.

Key dates and transitional relief

The obligations apply immediately from 2 August 2026 to all in-scope systems, regardless of when they were placed on the market. Content generated and published before that date need not be retroactively labeled. A limited transitional period applies only to the marking and detection obligation for generative AI systems already on the market. Providers have until 2 December 2026 to comply.

The Code of Practice

The AI Office has published a voluntary Code of Practice on Transparency of AI-Generated Content, offering providers a recognized path to demonstrate compliance with the marking and detection obligations. This includes a set of icons that may be used to label AI-generated content. Several major AI providers have already signed on. Signatories benefit from a degree of presumption of conformity and a more favorable enforcement posture; non-signatories face closer scrutiny and must demonstrate compliance through other means.

What businesses should do now

- Identify which AI systems you provide or deploy, and under whose authority they operate (including where agencies or contractors are involved).
- Map content and interactions against the four categories above, including deep fakes and public-interest text.
- Implement disclosure, labeling and editorial-review procedures, and assess whether to sign the Code of Practice.
- Complete this assessment before 2 August 2026, noting the extended 2 December 2026 deadline for marking/detection of existing generative AI systems.

If you have questions about how these obligations apply to your organization, please contact your Cooley team.

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