COMPARATIVE JURISDICTIONAL MEMO · OPEN-WEIGHT FRONTIER RELEASE

EU AI Act vs UK Pro-Innovation Approach to AI Regulation (White Paper)

Editorial verdict: **asymmetric** — see comparison narrative below.

EU · BINDING REGULATION

EU AI Act

EU-AIA-2024

TREATMENT OF OPEN-WEIGHT FRONTIER RELEASE

governs

Art. 53(2) + Recital 102/104 — explicit open-source GPAI exemption (with caveats for systemic-risk models)

Primary source: Regulation (EU) 2024/1689

UK · POLICY STATEMENT

UK Pro-Innovation Approach to AI Regulation (White Paper)

UK-WHITEPAPER-2023

TREATMENT OF OPEN-WEIGHT FRONTIER RELEASE

silent

Principle-based; no release-modality rule

Primary source: CP 815 (2023)

What this comparison shows

One regime addresses the topic explicitly while the other covers it only implicitly or not at all. This is a likely site of regulatory arbitrage and a candidate for comparative-law follow-up.

Contested question: Should frontier weight-release be governed by capability-tier (block above threshold) or by safety-evaluation-evidence (allow with pre-release red-team) or by recipient-restriction (export controls)? Three distinct frames currently in active conflict.

Bibliography

1. Regulation (EU) 2024/1689 — EU AI Act.
2. CP 815 (2023) — UK Pro-Innovation Approach to AI Regulation (White Paper).
3. Policy Window — Open-Weight Frontier Release (cross-jurisdiction topic article with full coverage matrix).