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The New Artificial Intelligence (AI) Italian Regulation approved on 17th of September 2025. A Discussion

Novo Regulamento Italiano de Inteligência Artificial (Ia) aprovado em 17 de setembro de 2025. Uma DISCUSSÃO.

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Abstract

This paper examines the recent Italian act on Artificial Intelligence (AI), approved on 17 September 2025, which represents the first such legislation enacted by a European Union member state. The analysis describes the regulation, explores its relationship to broader European regulatory frameworks, and considers potential Italian implementation plans and timelines. Additionally, the discussion addresses recent European strategies for productivity, with reference to Mario Draghi's perspectives on innovation and AI. The paper identifies challenges and concerns within the current regulatory environment, asserting that although Italy's proactive approach may offer domestic political advantages, it does not ensure straightforward implementation or confirm that the European model or Draghi's recommendations are optimal for AI governance. The central argument is that Europe should pragmatically reassess its AI regulatory and information innovation strategies to more effectively support productivity. Prior to advancing economic plans and regulations, it is essential for Europe to strategically evaluate the strengths and weaknesses of AI education, as well as the social and ethical implications of AI.

Keyword: European Artificial Intelligence (AI) ACT. Italian AI Regulation Mark. AI and Productiveness

Resumo

Este artigo examina a recente lei italiana sobre Inteligência Artificial (IA), aprovada em 17 de setembro de 2025, que representa a primeira legislação desse tipo promulgada por um estado-membro da União Europeia. A análise descreve a regulamentação, explora sua relação com marcos regulatórios europeus mais amplos e considera potenciais planos e cronogramas de implementação italianos. Além disso, a discussão

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aborda estratégias europeias recentes para produtividade, com referência às perspectivas de Mario Draghi sobre inovação e IA. O artigo identifica desafios e preocupações dentro do ambiente regulatório atual, afirmando que, embora a abordagem proativa da Itália possa oferecer vantagens políticas domésticas, ela não garante uma implementação direta nem confirma que o modelo europeu ou as recomendações de Draghi sejam ideais para a governança da IA. O argumento central é que a Europa deve reavaliar pragmaticamente suas estratégias regulatórias de IA e inovação da informação para apoiar a produtividade de forma mais eficaz. Antes de avançar com planos e regulamentações econômicas, é essencial que a Europa avalie estrategicamente os pontos fortes e fracos da educação em IA, bem como as implicações sociais e éticas da IA.

Palavras-chave: Lei europeia de inteligência artificial (IA). Marco regulatório italiano de IA. IA e produtividade.

Introduction

According to the EU AI Act, an 'Artificial Intelligence system' is defined as a machine-based system designed to operate with varying levels of autonomy. It may exhibit adaptiveness after deployment and, for explicit or implicit objectives, infers from the input it receives to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments (Regulation (EU) 2024/1689).

ISO/IEC 42001:2023 (ISO 2023) provides a framework for institutions and entities to establish an AI Management System (AIMS), which serves as a practical tool for translating principles into policies, roles, operating procedures, and measurable indicators. The requirements of the AI Act are implemented systematically and can be scaled, emphasizing risk assessment, oversight, transparency, technical documentation, and ongoing improvement. Risk assessment processes map and control the entire AI lifecycle through 38 controls grouped under 11 control objectives.

With the Artificial Intelligence Act (Regulation (EU) 2024/1689), Official Journal version of 13 June 2024, The European Union aims to establish a harmonized, horizontal regulatory framework for the development, introduction, and use of artificial intelligence (AI) products and services within the EU market. This framework prioritizes the management of risks to health, safety, and fundamental rights. The general risk framework of the act is based on ISO 42001:2023 guidelines (ISO 2016). To provide clarity and structure, the ISO 42001 taxonomy categorizes risks across various levels — particularly focusing on physical safety, data privacy, and ethical considerations.

The Italian Legislative Decree / DDL AI ("Disposizioni e deleghe al Governo in materia di intelligenza artificiale", DDL 1146-B/2025, Legge IA (ITALY 2025) aligns with the EU AI Act (Regulation (EU) 2024/1689) and entered into force on 10 October 2025. This decree is a novelty in Europe and the first of its kind, but it exists within the broader European regulatory context. The Italian implementation plan responds to recent criticism by Mario Draghi on European productivity, particularly regarding AI and technology. Additionally, this decree aims to advance public interest goals such as ensuring ethical uses of AI and promoting social inclusion by supporting accessibility and equality in technology deployment. Recognizing these societal values enriches the comparison with Draghi's critique, highlighting the Italian initiative's broader significance beyond mere productivity enhancement.

The main goal of the paper is to clarify the Italian AI act and to relate it to the European Framework and strategies. This paper argues that the Italian AI Act, while

aligned with the EU framework, introduces implementation demands that could both spur and hamper productivity. The analysis will develop a comparative discussion on the new AI law and the relationship with the European AI Regulation Act; the different drafts and laws in Europe; the discussion on productivity and AI implications on the discussion; and the resulting implications.

METHODOLOGY

The methodology used to develop the paper is a case study. The methodological process follows these steps: first, research government and institutional reports to explain the regulatory framework. Then, analyze connections with the European Act and discuss the implementation required. The paper also analyzes the internal and external implications of the AI Act. A critical analysis is developed after explaining the legal framework and its implications on the ongoing European industrial and commercial strategy. To strengthen transparency and rigor, the comparison between the Italian AI Act and the European AI Act is based on predefined criteria: legal scope, enforcement mechanisms, and economic indicators. The paper concludes by suggesting reflections about the development the act might bring, followed by a concluding section and bibliographic references.

DISCUSSION

Italy's Parliament passed into law a comprehensive regulation governing the research, development, deployment, and use of artificial intelligence systems. The New Italian AI Law was approved 17 September 2025. The law is intended to align Italian national rules with the European Union's AI Act (Regulation EU 2024/1689) while also introducing national measures to fill gaps or tailor certain provisions.

Recent attack and improper use of social network in Italy and AI, as well as possible foreign country protection, urged Italy to approve a law to try to stop the escalation of improper use of AI as well as to impulse Italian research and actions. Moreover, there are weaknesses in the Italian Public Administration information systems. For that, the law package is assured billionaire support for Italian startups to work on solutions. The following discussion of the case includes European strategic plans, European AI regulation, practical and common actions, and European financial and production goals.

1 - The New Italian AI Law was approved 17 September 2025. Relationship of the regulation with the EU AI Act.

We seek at first the new regulations in this section. The government presents as a domestic implementing and complementary statute to the EU's AI Act. The law is explicitly intended to align Italian rules with the EU Regulation while adding national measures in areas where the Government deemed more detailed or stricter rules necessary. The Italian AI Act (ITALY 2025) could be summarized in the following key points:

Structure and scope. The statute sets general principles (human-centred design, respect for fundamental rights, transparency, security), defines obligations for providers and deployers of AI in multiple sectors (healthcare, workplaces, public administration, justice, education, sport), and requires traceability and human oversight of AI-driven decisions in contexts that affect rights and safety. It establishes national governance roles for the Agency for Digital Italy (AgID) and the National Cybersecurity Agency (ACN), with existing sectoral regulators (e.g., Bank of Italy, Consob) retaining domain competence where relevant.

Protection of minors and personal data rules. The law introduces specific protections for minors — access and profiling of under-14s require parental consent or other safeguards — and reiterates strict privacy and data-security requirements for AI systems.

Criminal liability and sanctions. The statute criminalises certain AI-facilitated abuses (for example, unlawful dissemination of deepfake content causing harm), providing prison sanctions (reported up to 5 years in aggravated cases) and increased penalties where AI is used to commit or facilitate fraud or identity crimes.

Intellectual property & data-mining provisions. The law includes IP guidance: works produced with demonstrable human intellectual input obtain protection, while restrictions are placed on large-scale AI data mining of copyrighted material unless authorised for research or on non-copyrighted sources.

Industrial policy support. The statute accompanies regulatory obligations with an economic support measure: a fund (reported at about €1 billion) earmarked for investments in AI, cybersecurity, quantum, and related strategic technologies. Critics in commentary note that the fund's size may be limited relative to strategic needs.

The main strengths of the Italian AI act include a holistic, cross-sectoral approach, explicit protections for minors, and criminal law tools intended to deter harmful uses (deepfakes, fraud). However, there are open questions, including how “traceability” and “human oversight” will be operationalised in practice, the resources and staffing for supervisory authorities, the potential fragmentation with other Member States if gold-plating proliferates, and precisely how national criminal provisions will interact with existing criminal law and cross-border enforcement under EU instruments.

The law includes strong protections (minors, human oversight, criminal sanctions), but critics may argue that the funding (€1B) is modest relative to needs and global competition. Legal clarity: For example, how “traceability” will be operationalised, or how “human oversight” will function in different sectors, what constitutes “intellectual input” for AI-assisted works, etc., may require clarified definitions and standards.

In terms of timing and scope, Italy is reported as the first EU country to enact a national law that comprehensively aligns with the EU's AI Act and implements its principles at the national level. The EU AI Act itself is a Regulation, not national law; it's already in force (entered into force 1 August 2024 with a phased implementation schedule for various Titles. Other EU States may have been preparing or proposing national legislation or sectoral rules, but Italy's new law seems to be the first to complete parliamentary approval for such a national framework, at least in a way that integrates with the EU Act rather than merely reinforcing it.

The statement the truly “first regulation” in Europe depends on what metric one uses: likely yes is the first national law implementing the EU AI Act; a law regulating AI, some countries may already have sectoral laws, but not so comprehensive or explicitly aligned. Is the first with certain specific features (e.g., criminalising deepfakes, requiring parental consent under 14), these features may be first in combination.

The primacy include critical observations and potential concerns for the Complexity and enforcement: With many delegated powers (government decrees) and use of oversight authorities, the practical effectiveness will depend heavily on implementation, resources, and clarity of delegated rules. “Gold-plating” risks: Stricter national rules may create regulatory burdens or inconsistencies across the EU, potentially complicating cross-border AI services or innovation ecosystems.



By the way, the new Italian law on AI represents a significant step: it is a national statute that enacts and supplements the EU’s AI framework, with sectoral coverage, protections for minors, criminal accountability, oversight bodies, etc. The regulation differs from other EU Member States as a comprehensive implementing law, not merely a draft or sectoral regulation.

The EU AI Act (Regulation (EU) 2024/1689) is the EU-wide horizontal regulatory framework and is directly applicable; Italy’s law frames itself as complementary or “gold-plating” in some respects (i.e., adding national requirements beyond the minimum EU floor), notably on criminal sanctions and child protection. The practical effect will depend on implementing secondary measures and the exact interplay between the national law and the EU Regulation in areas where the EU Act already prescribes harmonised rules.

The EU AI Act (Regulation (EU) 2024/1689), established a harmonised framework for AI across EU Member States. Italy’s law explicitly seeks to supplement, implement, and align with that Regulation. The Italian law adds “gold-plating” (e.g., additional or stricter national measures) in certain respects (e.g., minors, criminal liability) beyond what the EU Regulation requires (ITALY 2024).

The EU AI Act itself is the first supranational comprehensive regulation for AI and is directly applicable across all Member States (so the EU is already the primary regulatory source). Italy’s law is the first national implementing/ complementary statute of the kind widely reported, not the first legal framework on AI in Europe per se. Many Member States (including France and Germany) had already adopted sectoral measures, guidance, or policy initiatives and have been preparing national implementation plans and the designation of authorities under the EU Act — but had not, as of Sept 2025, enacted a single omnibus national AI statute comparable to Italy’s.

The following table entries synthesize published reporting and legal-practice guides as of Sept 2025 of Italy, France, Germany, and the EU. When a country lacks a standalone national AI statute, the table records the principal current approach.

Table 1 - Comparative AI regulations in Europe

Dimension	Italy (DDL AI)	France	Germany	EU (AI Act)
Status (Sept 2025)	National law approved by Parliament (17 Sept 2025). Italy is reported as the first EU Member State to pass a comprehensive national implementing law that supplements the EU AI Act.	No single national AI law enacted; France emphasises sectoral regulation, policies (e.g., Paris Charter), industry guidelines and prefers a measured approach alongside the EU Act.	No dedicated national AI statute; Germany follows EU framework (AI Act is directly applicable) and uses sectoral / existing law (e.g., labor, data protection) and guidance.	EU Regulation (2024/1689) — horizontal, directly applicable across Member States; sets risk categories, obligations for high-risk systems, bans for unacceptable risk uses.

Primary legal effect	National obligations + criminal sanctions + governance bodies; supplements EU AI Act with national measures (child protection, criminalisation, funding).	Primary effect is the EU AI Act; France issues guidance and sectoral rules (privacy, IP, health) and promotes public-interest AI initiatives.	Primary effect is the EU AI Act; Germany implements via existing regulatory instruments and designates national competent authorities under the EU Act.	Sets binding, uniform obligations on providers/deployers in all Member States, with national authorities for implementation and enforcement.
Notable national additions / divergences	Parental consent protections for under-14s; specific criminal offences (deepfake misuse) with prison terms; €1bn investment fund; AgID & ACN as national supervisors.	Emphasis on public-interest AI, codes of conduct, and sectoral rules; no comprehensive national statute; prefers coordination with EU Act.	No large national additions reported; Germany relies on EU Act + existing legal instruments (GDPR, sectoral regulation); few domestic AI-specific statutes.	Establishes risk-based obligations (unacceptable, high, limited, minimal risk); harmonises core compliance across EU; Member States designate authorities and may adopt certain complementary national measures where permitted.
Governance / Supervisory bodies	AgID (Agency for Digital Italy) and National Cybersecurity Agency given prominent roles; sectoral regulators keep domain roles (Bank of Italy, Consob).	National competent authorities for aspects of EU Act; ministries and agencies coordinate (France tends to favour guidance & codes).	Germany designates national authorities under EU Act; enforcement largely through existing agencies (data protection authorities, sector regulators).	Provides framework for national competent authorities and European AI Office coordination; Member States must designate authorities.
Criminal sanctions	Explicit criminal provisions for AI-facilitated harms (deepfakes, fraud) reported, with prison terms and aggravated penalties. This is a distinctive national addition.	No sector-wide criminal AI statute reported; criminal law remains in general penal code (applied to AI-enabled crimes case-by-case).	No national AI criminal statute beyond ordinary criminal law; criminal liability for misuse is handled under general criminal provisions and EU instruments.	The EU AI Act focuses on administrative sanctions (fines) and compliance; criminal law remains under Member States' competence (so national criminalisation is possible but separate).

Practical implication	Italy's gold-plating (national criminal rules, child protection) could create additional obligations for cross-border providers and might prompt other Member States to consider similar national measures — risk of regulatory divergence.	France's reliance on EU Act reduces fragmentation risk; focuses on coordination and guidance rather than national divergence.	Germany emphasises harmonisation via EU Act; fragmentation risk low so long as Member States defer to EU Regulation.	Intention is to harmonise and reduce fragmentation; national complementary measures are permitted in certain narrow areas, but Member State gold-plating can create practical divergence.
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Sources: France https://www.elysee.fr/en/emmanuel-macron/2025/02/11/the-paris-charter-on-artificial-intelligence-in-the-public-interest?utm_source=chatgpt.com, Germany https://www.whitecase.com/insight-our-thinking/ai-watch-global-regulatory-tracker-germany?utm_source=chatgpt.com EU https://artificialintelligenceact.eu/?utm_source=chatgpt.com

2 - ITALY'S IMPLEMENTATION OF AI ACT. IMPACT FOR CROSS-BORDER AI PROVIDERS

Cross-border providers operating in Italy must therefore comply with both the EU AI Act and these additional national requirements — with practical implications for product design, documentation, criminal-risk screening, and local engagement. These cross-border providers could be European as well as extra Europeans (from China to the U.S.).

Here is a summary of Immediate compliance implications for cross-border providers:

-Dual layer of obligations — ~~EU + Italy~~. Italy's law adds national rules (e.g., criminal provisions, child protections) that may go beyond the EU minimum; compliance programs must map both layers.

-Risk-classification & conformity. Italy does not eliminate EU obligations but may require additional national reporting or measures.

-Data, minors & consent. New Italian parental-consent requirement for users under 14: providers must adapt onboarding, age-gating, data-processing agreements, and parental consent flows for Italian users. This is stricter than many national approaches and creates localisation needs.

-Criminal-risk management. The DDL criminalises certain AI-enabled harms (e.g., malicious deepfakes) with potential prison penalties. Providers should: (a) update legal-risk registers and product risk assessments; (b) adopt misuse-mitigation measures; (c) maintain audit logs and retention policies to support lawful investigations. Failure to take reasonable protective steps might expose staff or local representatives to investigation.

-Supervisory engagement. AgID and the National Cybersecurity Agency (ACN) have prominent roles under the law. Providers must identify and establish contact points with designated national authorities and be prepared for inspections or information requests. Sectoral regulators (e.g., Bank of Italy, Consob) retain domain competence where relevant.

-Local representative / legal presence. If services are offered to Italian users, consider appointing a local legal representative or establishing an EU/Italy-based compliance contact to receive notices, respond to regulators, and coordinate incident reports. The DDL's criminal and administrative overlay increases the value of a local presence.

-Transparency, traceability & human oversight. Maintain and publish documentation showing human-in-the-loop controls, model cards, dataset provenance, logs for decisions, and technical measures for traceability — both for EU conformity and Italy's traceability/human oversight requirements.

-Security & incident reporting. Strengthen cybersecurity posture and incident-response playbooks; be ready to notify ACN/AgID and relevant sector regulators where breaches or harmful model outputs occur. Italy emphasises cybersecurity in AI oversight.

-Intellectual property & data mining. Reassess training data licensing and scraping policies: the Italian law stresses limits on AI data-mining of copyrighted materials and protection of works with human intellectual input. Document licences and lawful bases for training datasets.

-Regulatory sandboxes & innovation. Italy (like other Member States) must implement at least one AI sandbox under the EU Act (Article 57). Consider applying to sandboxes for compliant experimentation and early regulatory engagement.

The operational implications of new rules imply using this checklist to triage actions and assign owners. The Italian act requires obligations and Rules for Professionals / Firms. Here are what professionals and firms must do (or avoid) under the Law, plus implications.

Table 2 - Obligations for professionals/firms

Obligation / Rule	What it means in practice for professionals/firms
AI only as support / accessory	Professionals must ensure that AI tools <i>assist</i> their work but do not replace human judgment. The core intellectual work, decision-making, interpretation must stay with the human professional.
Inform clients / transparency	If a professional uses AI in delivering their service, they must inform clients clearly, simply and exhaustively: that AI was used, what type (proprietary / third-party), under supervision, etc. It should be clear from the engagement letter, or contracts.
Liability remains with the human professional	Even if AI is used, the professional remains fully responsible for the outcome of their service. They cannot shift responsibility simply because AI was involved.

Deontological / disciplinary compliance	The transparency/informing obligations are tied into existing duties of professionals (e.g. ethics, professional rules). Failing to provide required disclosures may lead to disciplinary action.
Use of “clear, simple, comprehensible” language	When communicating to clients about AI usage, risks, data processing, etc. must be in language easily understandable by non-experts.
Supervision / control human / oversight	Professionals must retain oversight over AI tools. AI cannot autonomously make final decisions in contexts where human judgment is legally or ethically required.

Source: the author

Professionals and firms should do to be compliant some actions:

-Review current workflows to see where AI tools are used, and whether they are more than mere support. If AI is making decisions or interpretations, that may be risky.

-Client agreements / engagement letters: explicitly state if AI tools will be used, in what capacity, under what supervision, what risks, etc.

Policies for internal oversight: define who in the firm ensures quality control over AI outputs; processes for validation, auditing of AI systems.

-Training / competence: professionals may need training so that they understand AI tools, their limitations, biases, risks, and ethical implications. The law mentions formation (training) obligations / pathways.

-Documentation of AI usage: which system, version, data sources, how supervised, how errors handled / corrected. This helps with liability / accountability.

-Risk assessment: especially if using higher-risk AI tools (e.g., in health, justice, public sector), it may be required to perform impact assessment, checks for bias, and privacy implications.

-Stay updated on implementing decrees / sectoral rules: since the law is a framework, implementing decrees will flesh out details. Professionals should monitor regulatory guidance, guidelines from their professional orders/associations.

3 - IS ITALY PREPARED TO IMPLEMENT THE AI ACT?

Italy already published a national Italian Strategy for Artificial Intelligence 2024–2026 (ITALY 2024) , but to discuss this question, the evidence-based assessment implies Key facts: AgID as prior activity on AI policy, indicating institutional familiarity with AI governance, AgID, implementation, trackers and research papers, flag practical challenges across Member States, resourcing national competent authorities, clarity

of guidance for General Purpose AI (GPAI) and coordination across sectoral regulators. Legal enactment is an important step but not sufficient for effective enforcement without resources, capacity building, and clear secondary acts. The feasibility plan should be defined with the following key points:

-Institutional design: Italy's choice to assign roles to AgID and ACN is sensible because both agencies already handle digital policy and cybersecurity; this gives a credible governance anchor. However, these agencies will need expanded expertise, interagency protocols, and additional staffing to carry out inspection, conformity assessment oversight, and criminal investigations tied to AI misuse.

-Resourcing: the law's €1bn fund signals political will to support technology, but published commentaries and press coverage caution that the fund may be modest relative to comprehensive enforcement, regulatory staffing, and R&D needs. Enforcement and supervisory readiness will require targeted budget allocations for AgID/ACN and sector regulators.

-Operational clarity: several implementation instruments are still required (detailed technical standards, sandbox rules, guidance on GPAI, criminal procedure interfaces). The EU's own timelines (and delays in certain Codes of Practice) mean national authorities will have to act quickly to issue guidance and procedures. Academic trackers warn that haste without clear procedural guidance risks inconsistent enforcement.

-Coordination with EU structures: Italy must align national implementing decrees and supervisory practices with EU-level coordination (European AI Office, national competent authority networks). Effective coordination will be crucial to avoid fragmentation and duplication.

The effective implementation depends on: (a) rapid allocation of staff and expertise to AgID/ACN and sectoral regulators; (b) clear secondary legislation and technical standards; (c) operational protocols for criminal investigations involving AI; and (d) timely coordination with EU guidance (especially for GPAI). Without these, legal obligations may outpace enforcement capacity — creating legal uncertainty for providers.

It is too early to say Italy will achieve all the results the law implies. The same problems will be raised if other nations launch AI cats too. There is no Plan or European overall coordination. The implication of the law need a plan with the objective to ensure cross-border AI providers comply with Italy's DDL AI in alignment with the EU AI Act. There are more likely steps of a possible action plan.

Table 3 - Action Plan (Compliance with Italian DDL AI)

Action Item	Owner	Timeline
Appoint Italian Representative (similar to GDPR Art. 27 model)	Legal & Compliance	Within 1 month of offering services in Italy
Map AI Systems (risk classification: prohibited, high-risk, limited-risk, minimal-risk)	AI Governance Team	2 months
Adapt Contracts (ToU + Data Processing Addenda to reflect Italian obligations on transparency, data rights, and liability)	Legal	3 months
Implement Risk & Safety Assessments (bias testing, robustness checks, human oversight)	Tech/Engineering	Ongoing; first report in 3 months
Transparency Notices in Italian (for users, regulators, and affected individuals)	Legal & Comms	Rolling – first version by 2 months
Incident & Audit Reporting Mechanism (to Italian supervisory authority)	Compliance & IT Security	4 months
Training Staff & Local Representative (compliance, reporting, ethics)	HR & Compliance	Within 6 months

Source: the author

Another step is to state a Draft Contractual Clauses (for AI Providers under Italian DDL AI). These clauses can be integrated into Terms of Use (ToU), Data Processing Addenda, or Enterprise Licensing Agreements. The main agency to be charged with implementing Public Administration actions in Italy is the AGID. AGID, or the Agency for Digital Italy (Agenzia per l'Italia Digitale), is a technical agency of the Italian government responsible for coordinating Italy's digital agenda and transforming public administrations by promoting digital services, digital identity, and the use of new technologies to create a simple, fast, and secure digital system for citizens and businesses. The agency also manages guidelines, tools, and initiatives for the digital transition of Italy.

AGID's existing regulations are only partially compliant in that there is overlap: the strategy, guidelines, and regulatory competence over digital/public administration provide a foundation. But they do not fully satisfy all DDL AI requirements. Many obligations will require new implementing regulations ("decreti attuativi"), additional guidance, new administrative rules, and law enforcement / sanctioning mechanisms.

There are expected steps to be fulfilled: Legislative Decrees / Secondary Legislation, Technical Standards, Guidelines & Codes of Conduct, Regulator Capacity Building, Transitional Arrangements for existing AI systems, grandfathering or phasing in new obligations (e.g., for high-risk systems), Public & Private Sector Engagement, and Coordination with EU Timelines.

Here is a table of possible timing for fulfilling all the processes.

Table 4 - ITALY AI Act Implementation stages

Implementation Stage	Rough Timeframe (after approval of DDL AI, i.e. from Sept 2025)	What will likely be in place by then
Phase 1 – Core implementing decrees / regulatory framework	3-6 months	Basic legal decrees defining roles of AGID / ACN, sector scope, identification of sanctioning powers; high-risk system definitions; provisions on minors's consent; initial guidelines for public administration AI compliance.
Phase 2 – Technical standards, guidance documents, sector-specific rules	6-12 months	Detailed rules and technical standards, more comprehensive guidelines (traceability, human oversight, transparency); mapping existing systems; developing tools for compliance; beginning enforcement readiness.
Phase 3 – Full enforcement / compliance / criminal liability active for all sectors	12-24 months	All obligations active; sectoral regulators enforcing; criminal proceedings possible; full risk assessments required; retrospective compliance for existing systems; audits and sanctions begin.

Source: the Author

The full implementation, considering the two tables working together, count approximately 12–24 months to have the system fully functional (i.e., all major obligations active and enforced across sectors). Some parts (e.g., compliance for general-purpose AI, transparency, reporting) may be earlier, some (criminal liability, oversight infrastructure) may be on the longer end.

AGID's strengths are its experience in digital transformation. AGID has a strategy in place, guidelines for PA are advancing, and public consultation processes are in operation. Delegation powers are built into the law; political momentum is strong, as evidenced by recent approval. However, there are many challenges / weaknesses like the need for clear funding, staffing, and technical resources; existing guidelines are not enough for legal enforceability; roles and cooperation among multiple authorities (AGID, ACN, sector regulators) will require detailed coordination; risk of delay in issuing decrees; possibility of legal uncertainty for providers in the interim.

Some obligations in the law itself are effective upon its promulgation (once it comes into force), especially those that do not require further regulation (e.g., criminal code amendments that are integral to the statute). But many obligations depend on legislative decrees (i.e., secondary regulation), which are delegated powers. The law explicitly requires that many of these decrees be adopted within 12 months after the law enters into force.

Bottlenecks include: drafting of technical standards, interagency coordination, consultation processes, capacity/resource constraints, judicial / procedural adaptation for criminal provisions, and possible delays in ministerial or sectoral decrees.

4 - EUROPEAN AI GOVERNANCE PREPAREDNESS.

This section discusses the harmonization of the Italian AI Act and European Economic Strategies. Are they harmonized? We read Draghi Report — The Future of European Competitiveness and its recent one-year follow-up (DRAGHI 2024). Draghi discussed some observations after the political weakness of the current leaderships and he criticized the European Union and the international crisis. The Draghi report contains 383 recommendations (!) across many sectors (industrial, digital, energy, skills, infrastructure, competition policy, etc.) aimed at restoring EU competitiveness against the US and China.

According to European commentaries to the report (CSIS 2024), for Draghi the Europe is falling behind in innovation, digital infrastructure, investment, productivity, and the existing growth drivers (cheap energy, low regulation, global supply chains) are weakening. The report also assumes some key recommendations, especially on AI / Technology Infrastructure (TI)

Some of the report's recommendations that touch on artificial intelligence, digital infrastructure, and technology more broadly include (KARATHANASIS 2025) :

- 1) to close the innovation gap and increase investment in AI, high-performance computing, and cloud infrastructure. Encourage scale-ups, unicorn creation, venture capital, and seed funding. Barrier for digital / tech firms to grow and stay in Europe; for critical technologies (AI, semiconductors, cloud, etc.), reduce dependency on imports / foreign providers. Build strategic sovereignty.
- 2) Regulatory framework & governance. Simplify and coordinate regulation so that it fosters innovation rather than constraining it. Regulatory burdens across Member States slow down the scaling of AI and new technologies (IGLESIAS and LLORENTE 2024).
- 3) About digital infrastructure and cloud / computing power Draghi suggests build up EU capacities in data centers, cloud infrastructure, HPC (high-performance computing), to avoid dependency on non-EU providers;
- 4) Draghi calls for vast improvement in education, training, apprenticeship, mobility of talent.
- 5) Mobilize both public and private capital; consider instruments like shared EU-level funding (joint borrowing) for large projects. Use institutional investors, pension funds, and savings to channel funds into innovation and infrastructure.

The Follow-Up of the proposal has been done in September, and Draghi Recently Emphasized that the Commission presented the Competitiveness Compass, a roadmap inspired by Draghi's recommendations. As was reported by the European Commission, many flagship initiatives (almost 90%) in this roadmap draw on his proposals².

About AI, Draghi has also said that the EU's AI Act, especially its high-risk provisions, needs careful calibration. He suggested there be a "pause" to assess possible negative effects or unintended consequences before full enforcement. He emphasized that regulation must be proportionate, so it protects rights and safety yet does not stifle innovation. He seems to forget that the regulation approved is only a legal framework of risks and not an AI political development oriented to the industry.

For him, there is a regulation vs. Innovation trade-off: One of his focal points is balancing regulation (necessary for safety, ethics, rights) with speed and flexibility so

² https://commission.europa.eu/topics/eu-competitiveness/draghi-report/one-year-after_en?

as not to hamper innovation. His call to “pause” parts of the AI Act reflects concern about overregulation that could discourage investment or create legal uncertainty. The need for coordinated EU-level action: Member States acting alone is insufficient; large scale infrastructure, cloud, computing power, energy, and skills investments need to be coordinated, possibly financed, and with shared strategic direction.

But for Draghi the EU AI Act is a regulatory instrument focused on safety and rights. The two streams are not coordinated: regulation (AI Act) + industrial policy (DRAGHI 2024) together shape Europe’s AI ecosystem.³ Europe has policy building blocks (HPC nodes, GAIA-X, funding programmes) but lacks the unified, mission-level public investment and cross-border procurement mechanisms Draghi asks for to generate hyperscaler-level capacity, but does not explain the way to bring all 27 members to the same technological level, and the low level of investment joint with the purchase of the majority of AI service from other countries (EPRS 2024).

Draghi’s proposals will need legal tailoring and agreement with outside Europe, where the AI is generated (KARATHANASIS 2025). Implementation speed matters. The Commission’s Competitiveness Compass shows an attempt to convert Draghi’s recommendations into initiatives, but mission-scale projects (large HPC farms, energy deals, procurement coordination) likely require multi-year delivery and strong Member-State buy-in. There are no signals or conferences of the States about the European Commission’s will on AI. As a matter of fact, only Italy produced an AI law.

In contrast with Draghi, following Floridi (2011) we could emphasize in Europe, as well for all the world, the importance of protecting human dignity, autonomy, and responsibility in the digital age. The European orientation is directed and explicitly mentions “anthropocentrism” or “human-centeredness”. This could be seen as aligned (even if only formally) with these priorities as claimed by European authorities. However if the Act relies heavily on implementing decrees or fails to provide adequate oversight mechanisms and resources, it might remaining “paper” without real impact or a distinction between “ethical principles” and “effective governance.” So in contrast with Draghi and European Commission the European Parliament should is not to complain about reduction on productivity of the AI Act but to find a correct governance.

According to Floridi (2011) epistemic Risk and the Limits of Generativity is the tension between “certainty” and “breadth” in AI systems. This suggests that it is critical where the Act treats AI outputs too much as “reliable” outputs or as assumtable without verification. Oversight, transparency and accountability aspects such as the traceability of algorithms, explainability, sanctions and civil/criminal liability will likely be central points in a critical interpretation of the Act and that apply also to the general use of information systems applied to increase productivity. However there is a tension between avoid risks and promote ethical use of AI in Europe.

5. CASE STUDY CONCLUDING REMARKS

The case study found remarkable conclusions. In sections one and two, the paper summarize the new Italian AI law, which increases regulations and European AI directives. The results show that there are many issues and concerns about the possible implementation of the AI act in Italy. In Section Three, the paper explained such problems. More problems and difficulties are implied if the same regulation will be developed by other European countries because the time lapses of the different

³ <https://nextcloud.com/blog/the-draghi-report-how-europe-can-become-fit-for-a-competitive-digital-future/>

implementations will be different, and because coordination between countries will be necessary, increasing confusion.

Finally, in the fourth section, the paper presented the actual European political orientation and Draghi's suggestions about productivity and AI concerns. These are mostly about coordination and financial support, and the fear of AI regulation could slow the development of actions. However, the weak political European Commission is paralyzed by a divided parliament, but also the complexity of the strategy for Europe seems to be faced with low general discussion about real problems as ethic ones.

Following Aveni (AVENI 2024b), the European Union must to rethink what are the basis and the willing of European people about the actual market and technology to rethink a general competitive strategy. To do this, divisions between Europeans must stop as a necessary base of disunion of AI. The harmonization between European Parliament acts and European Commission plans and expenditures must be reviewed. About AI systems, a broad understanding of AI changes in society must be assessed as an AI system wave changes in all the society and the human-machine relationship.

The European AI Act (regulation (EU) 2024/1689) and the Italian AI law, which follow it, lack the ability to think autonomously and creatively about AI solutions and their impacts on society and the economy. The act is only a container of restrictions developed by lawyers and without discussion on Ethics. Italy or other European countries don't have people skilled with a strong knowledge and strategic focus on AI and new technologies.

We guess A new and different strategy must be defined to define and create a European Strategy and information technology combination strength. That suggestions differed from Draghi and the actual European Strategies of the European Commission and European Parliament. But the real problem, we guess, is the definition of AI or, in other words, the mother of the problems of AI and second the education for use AI.

Floridi work about Philosophy of Information' (PoI) (FLORIDI 2011) define an 'ontology of information', which defines the nature of information, an 'ethics of information', which provides a framework for evaluating the moral implications of information and information technologies, an 'epistemology of information', that analyses the role of information in the development of knowledge and science, and a 'logic of information', the concentrates on the more formal aspects.

That means AI is not only a machine-based system designed to operate with varying levels of autonomy as was defined in the European AI Act and used in the Italian Act. According to Aveni (AVENI 2024a) the AI and new technologies are not simples products or systems or single innovations to be defined in an Intellectual Property system; it's possible to regulate them as a product or a service innovation. AI systems are a group of new information technology innovations waves changing the economy and our relations with activities and jobs, and the actual property system foundation of the market (AVENI 2024a).

AI and new information technologies aggregated in the last years are not creating an Industrial Revolution. The industrial revolution implied productivity and industry changes, as in the mind of the European Commission. In contrast, this new wave of new software technologies implied industry changes but also and mainly a new way to operate in markets, a collective property (AVENI 2024a), and human - machine interoperability. So the problem is ethical and moral, or, in other words, is to define the way the civil society wants to deal with a new era of relationships and wealth based on informations and sharing properties instead of private properties and money.

To harmonize AI systems and society, the European Union must avoid economic lobby influences (like software, health corporations, and bankers) or political race for votes. Europe must start thinking about what people want and need using new information systems an AI. This is more philosophical welfare concerned European AI governance preparedness (AVENI 2025). The human centered AI regulation and Economic strategy focus only on rights and risks on humans and to contain corporation influences on human being, not on evolution and wealth, and definitely not on human - machine integration.

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