

THE ~~DELAY~~ IS NOT COMING.

The **EU AI Act Digital Omnibus trilogue failed on April 28**. If you've been waiting for Brussels to push the August 2 deadline back to 2027, you're now planning against a fantasy. Until any deferral lands in the Official Journal, the **original Article 113 dates remain operative law**.

<p>× TRILOGUE OUTCOME</p> <p>APR 28</p> <p>2026</p> <p>Negotiation collapsed. No deferral text agreed. Proposed delay to 2027 is dead until next round.</p>	<p>T-MINUS</p> <p>▶ NEXT TRILOGUE</p> <p>~ MAY 13</p> <p>2026</p> <p>Earliest opportunity for a deferral. Even if agreed, must still publish in the Official Journal to take effect.</p>	<p>! ARTICLE 113 HARD CUTOFF</p> <p>AUG 2</p> <p>2026</p> <p>Conformity assessments · Technical documentation · CE marking · EU database registration — all due for high-risk AI.</p>	<p>OPERATIVE LAW</p>
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90 DAYS LEFT **HOPE IS NOT A COMPLIANCE STRATEGY.**
 Build for August 2. Adjust if the law shifts under you — not the other way around. The trilogue may still produce a deferral on May 13, but until it's published, your obligations are unchanged.

→ WHAT CTOS & CCOS DO THIS WEEK

- 01 STOP ASSUMING A DELAY**
 High-risk AI systems still face a hard August 2 cutoff. Treat any deferral as upside, never as the plan.
 ART. 113 | HARD STOP
- 02 INVENTORY ANNEX III SYSTEMS**
 Hiring, credit, education, biometric ID, critical infrastructure — that is where regulators look first.
 ANNEX III | HIGH-RISK
- 03 MAP PROVIDERS & DEPLOYERS**
 Contract flow-downs need to be clean before legal & procurement argue indemnities in late July.
 FLOW-DOWNS | CONTRACTS
- 04 MODEL THE FINE MATH**
 Article 99 penalties scale with global turnover. That math gets your CFO's attention very quickly.
 ART. 99 | CFO ALIGN
- 05 DOCUMENT GOVERNANCE MATURITY**
 Policy library, AI committee minutes, incident response, ISO 42001 alignment — proof points an auditor can read.
 ISO 42001 | AUDIT-READY

ARTICLE 99 · PROHIBITED PRACTICES

7%

OF GLOBAL TURNOVER
 Maximum fine for **prohibited AI practices** — applied per breach, not per business unit.

ARTICLE 99 · HIGH-RISK FAILURES

3%

OF GLOBAL TURNOVER
 Maximum fine for **high-risk AI obligation failures** — conformity, documentation, registration.

78% **CANNOT PASS AN AUDIT IN 90 DAYS**
 of executives lack confidence they could pass an **independent AI governance audit within 90 days**.
 SOURCE · GRANT THORNTON AI GOVERNANCE SURVEY 2026

CLOSE THE GAP — PROOF POINTS

- ✓ AI policy library, versioned
- ✓ Risk register & control mapping
- ✓ Vendor & model inventory
- ✓ AI committee charter & minutes
- ✓ Incident response playbook
- ✓ ISO 42001 alignment evidence

DELAY POSTURE
 Bet on Brussels. Slow inventory, defer contracts, hold spend. **If the deferral fails, you start at minute zero with no margin.**

VS

DELIVER POSTURE
 Build for Aug 2. Inventory now, flow-downs now, audit-ready now. **If a deferral lands, it becomes runaway, not rescue.**

🗨️ **THE TRILOGUE MAY STILL DELIVER A DEFERRAL ON MAY 13. BUT HOPE IS NOT A COMPLIANCE STRATEGY — EXECUTION IS.**