

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 TRAINING-DATA RIGHTS

implicit

Recital 105; CDSM Directive provides primary copyright framework

Primary source: [Regulation \(EU\) 2024/1689](#)

UK · POLICY STATEMENT

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

UK-WHITEPAPER-2023

TREATMENT OF TRAINING-DATA RIGHTS

silent

Tdmexception consultation 2024 pending

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: Does the EU CDSM Directive's TDM-exemption cover commercial foundation-model training? Major active litigation (NYT v OpenAI, Getty v Stability) and parallel claim regimes in UK/JP/US.

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 — Training-Data Rights](#) (cross-jurisdiction topic article with full coverage matrix).